

**Request for a preliminary ruling from the Szegedi Közigazgatási és Munkügyi Bíróság (Hungary)  
lodged on 29 August 2016 — F v Bevándorlási és Állampolgársági Hivatal**

(Case C-473/16)

(2016/C 419/40)

*Language of the case: Hungarian*

**Referring court**

Szegedi Közigazgatási és Munkügyi Bíróság

**Parties to the main proceedings**

*Applicant:* F

*Defendant:* Bevándorlási és Állampolgársági Hivatal

**Questions referred**

1. In the light of Article 1 of the Charter of Fundamental Rights of the European Union, must Article 4 of Directive 2004/83/EC <sup>(1)</sup> be interpreted as not precluding a forensic psychologist's expert opinion based on projective personality tests from being sought and evaluated, in relation to LGBTI applicants for asylum, when in order to formulate that opinion no questions are asked about the applicant for asylum's sexual habits and that applicant is not subject to a physical examination?
2. If the expert opinion referred to in question 1 may not be used as proof, must Article 4 of Directive 2004/83 be interpreted, in the light of Article 1 of the Charter of Fundamental Rights of the European Union, as meaning that when the asylum application is based on persecution on grounds of sexual orientation, neither the national administrative authorities nor the courts have any possibility of examining, by expert methods, the truthfulness of the applicant for asylum's claims, irrespective of the particular characteristics of those methods?

---

<sup>(1)</sup> Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ 2004 L 304, p. 12).

---

**Request for a preliminary ruling from the Ministarstvo pomorstva, prometa i infrastrukture —  
Uprava zračnog prometa, elektroničkih komunikacija i pošte (Croatia) lodged on 30 August 2016 —  
Hrvatska agencija za civilno zrakoplovstvo v Air Serbia A.D. Beograd, and Dane Kondić, direktor Air  
Serbia A.D. Beograd**

(Case C-476/16)

(2016/C 419/41)

*Language of the case: Croatian*

**Referring court**

Ministarstvo pomorstva, prometa i infrastrukture — Uprava zračnog prometa, elektroničkih komunikacija i pošte

**Parties to the main proceedings**

*Applicant:* Hrvatska agencija za civilno zrakoplovstvo

*Defendant:* Air Serbia A.D. Beograd, and Dane Kondić, direktor Air Serbia A.D. Beograd