

Judgment of the Court (Grand Chamber) of 1 August 2022 (request for a preliminary ruling from the Verwaltungsgericht Cottbus — Germany) — RO, legally represented v Bundesrepublik Deutschland

(Case C-720/20) ⁽¹⁾

(Reference for a preliminary ruling — Common policy on asylum — Criteria and mechanisms for determining the Member State responsible for examining an application for international protection — Regulation (EU) No 604/2013 (Dublin III) — Application for international protection lodged by a minor in his or her Member State of birth — Parents of that minor who have previously obtained refugee status in another Member State — Article 3(2) — Article 9 — Article 20(3) — Directive 2013/32/EU — Article 33(2)(a) — Admissibility of the application for international protection and responsibility for examining it)

(2022/C 408/15)

Language of the case: German

Referring court

Verwaltungsgericht Cottbus

Parties to the main proceedings

Applicant: RO, legally represented

Defendant: Bundesrepublik Deutschland

Operative part of the judgment

1. Article 20(3) of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person

must be interpreted as meaning that:

it is not applicable by analogy to a situation in which a minor and his or her parents lodge applications for international protection in the Member State in which that minor was born, in circumstances where his or her parents are already the beneficiaries of international protection in another Member State;

2. Article 33(2)(a) of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection

must be interpreted as meaning that:

it does not apply by analogy to an application for international protection lodged by a minor in a Member State where it is not that minor himself or herself, but his or her parents, who are beneficiaries of international protection in another Member State.

⁽¹⁾ OJ C 88, 15.3.2021.