EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

DECISION

Application no. 57426/16
A.L.
against Russia

The European Court of Human Rights (Third Section), sitting on 7 November 2017 as a Committee composed of:

Helen Keller, *President,*
Pere Pastor Vilanova,
Alena Poláčková, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 4 October 2016,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr A.L., is a South Sudanese national who was born in 1990 and lives in Moscow. The President granted the applicant's request for his identity not to be disclosed to the public (Rule 47 § 4). He was represented before the Court by Ms D.V. Trenina, Ms E. Davidyan and Mr K. Zharinov, lawyers practising in Moscow.

The Russian Government ("the Government") were represented by Mr G. Matyushkin, the Representative of the Russian Federation to the European Court of Human Rights, and then by his successor in that office, Mr M. Galperin.

The applicant complained under Articles 2, 3 and 13 of the Convention about his expulsion to South Sudan, which was ordered by the Pechorskiy District Court of Pskov Region on 12 September 2016.

On 4 October 2016 the Court, under Rule 39 of the Rules of Court, indicated to the Russian Government that the applicant should not be removed to South Sudan until further notice. It was also decided to grant the application priority under Rule 41.

On 23 February 2017 the Court decided to give notice to the Government of the applicant's complaints.

On 27 April 2017 the Government submitted their observations on the admissibility and merits of the application to the Registry. They were forwarded to the applicant, who was invited to submit observations in reply by 22 June 2017.

On 31 May 2017 the United Nations High Commissioner for Refugees was granted leave, under Article 36 § 2 of the Convention and Rule 44 § 3, to intervene as a third party in the Court's proceedings on the case. Written submissions were received on 30 June 2017.

By a letter dated 7 September 2017, the Court informed the applicant's representative that the period allowed for submission of the applicant's observations on the admissibility and merits of the application had expired and that no extension of time had been requested. The applicant's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application.

On 19 September 2017 the applicant's representative informed the Court that the applicant had been granted temporary asylum in Russia on 11 August 2017 and that the Pechorskiy District Court of Pskov Region on 31 August 2016 had decided to terminate proceedings for the applicant's expulsion to South Sudan.

THE LAW

The Court considers that since the applicant no longer faces removal to South Sudan, it is no longer justified to continue the examination of the application, within the meaning of Article 37 § 1 (c) of the Convention.

Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case. At the same time, the Court reiterates that under Article 37 § 2 of the Convention it may decide to restore an application to its list of cases if it considers that the circumstances justify such a course.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases.

Done in English and notified in writing on 30 November 2017.

Fatoş Aracı
Deputy Registrar

Helen Keller
President