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

FOURTH SECTION

DECISION

Application no. 42069/22
Adriaan ANDREA
against the Netherlands
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 20 November 2025 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
András Jakab*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 18 August 2022,

Having regard to the formal declarations accepting a friendly settlement of the case,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Ms B. van Straaten, a lawyer practising in Amsterdam.

The applicant's complaints under Articles 2 and 13 of the Convention, concerning the alleged medical negligence in relation to the suicide of his daughter in a youth care institution on 31 August 2018, were communicated to the Government of the Kingdom of the Netherlands ("the Government").

The Court received a declaratory agreement (*vaststellingsovereenkomst*) governed by the Dutch law, signed by the parties and the applicant's wife, under which they agreed to waive any further claims against the Netherlands in respect of the facts giving rise to this application, subject to the following undertakings by the Government:

(i.) The applicant and his wife will be given confidential access at the premises of the Health and Youth Care Inspectorate (*Inspectie Gezondheidszorg en Jeugd*) to a passage in a report about noises which had been heard by a young person on the night of 31 August 2018. A copy will

not be provided, and it is not permitted to take a photograph of the passage. The applicant and his wife are, however, permitted to take written notes.

(ii.) The applicant and his wife will be invited to a meeting with the Deputy Minister for Youth, Prevention and Sport for an acknowledgement of the circumstances and of the cause of their daughter's death and the suffering which resulted from it.

(iii.) The applicant and his wife will be invited to contribute ideas to the ongoing acknowledgment project for closed youth care institutions (*erkenningsproject gesloten jeugdhulp*).

(iv.) The applicant and his wife will be invited to discuss their proposals for incorporating one or more additional quality controls by means of questionnaires by the Health and Youth Care Inspectorate.

(v.) The applicant and his wife will be given the opportunity to express their views on how parents or caregivers of children in youth care institutions are approached and addressed by youth care professionals.

In addition, the Government will pay the applicant the amounts detailed in the appended table. These amounts will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the case.

THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify a continued examination of the application.

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 in accordance with Article 39 of the Convention.

Done in English and notified in writing on 11 December 2025.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

Application raising complaints under Articles 2 and 13 of the Convention (medical negligence and lack of an effective domestic remedy)

Application no. Date of introduction	Applicant's name Year of birth	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for non-pecuniary damage (in euros)[1]	Amount awarded for costs and expenses (in euros)[2]
42069/22 18/08/2022	**Adriaan ANDREA** 1968	17/10/2025	17/10/2025	81,000	18,395.50

[1] Plus any tax that may be chargeable to the applicant.
[2] Plus any tax that may be chargeable to the applicant.