

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

THIRD SECTION

DECISION

Application no. 30900/14
G.M.
against the Netherlands

The European Court of Human Rights (Third Section), sitting on 17 June 2014 as a Chamber composed of:

Josep Casadevall, *President,*
Alvina Gyulumyan,
Ján Šikuta,
Dragoljub Popović,
Johannes Silvis,
Valeriu Griţco,
Iulia Antoanella Motoc, *judges,*

and Santiago Quesada, *Section Registrar,*

Having regard to the above application lodged on 15 April 2014,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms G.M., is a Somali national, who was born in 1985 and lives in Aalden. The President of the Section decided that the applicant's identity should not be disclosed to the public (Rule 47 § 4 of the Rules of Court). She was represented before the Court by Mr K. Wijnmalen, a lawyer practising in Dordrecht.

The Netherlands Government ("the Government") were represented by their Agent, Mr R.A.A. Böcker, of the Ministry of Foreign Affairs.

The applicant complained that the Netherlands authorities, by transferring her and her minor children to Italy under the terms of Council Regulation (EC) no. 343/2003 of 18 February 2003 ("the Dublin Regulation"), would act in breach of Article 3 of the Convention.

On 29 April 2014 the President of the Section to which the case had been allocated decided, at the request of the applicant, to indicate to the

Government that it was desirable in the interests of the parties and the proper conduct of the proceedings before the Court not to expel the applicant and her children to Italy (Rule 39 of the Rules of Court). The Acting President further decided to request the Government to submit factual information in accordance with Rule 54 § 2 (a) of the Rules of Court.

On 6 May 2014, the applicant's representative informed the Court that the applicant wished to withdraw her application because the Immigration and Naturalisation Service (*Immigratie- en Naturalisatiedienst*) had informed her that she would not be transferred to Italy under the Dublin Regulation as the final deadline for her transfer had passed.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention or its Protocols, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application.

Accordingly, the case should be struck out of the list and the application of Rule 39 of the Rules of Court should be discontinued.

For these reasons, the Court, unanimously,

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

Santiago Quesada
Registrar

Josep Casadevall
President