

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

FOURTH SECTION

DECISION

Application no. 27091/21
Samuel GARDEA
against the Netherlands

The European Court of Human Rights (Fourth Section), sitting on 8 September 2022 as a Committee composed of:

Armen Harutyunyan, *President,*
Jolien Schukking,
Ana Maria Guerra Martins, judges,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 18 May 2021,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Samuel Gardea, is a Liberian national, who was born in 1969. He was represented before the Court by Ms E. Schoneveld, a lawyer practising in Haarlem.

The Dutch Government ("the Government") were represented by their Agent, Ms B. Koopman, of the Ministry of Foreign Affairs.

The applicant complained under Articles 3 and 8 of the Convention. Under Article 3 he complained about expulsion to Liberia without a proper examination of the availability and accessibility of medical treatment in that country.

After the Government had been given notice of the application, they informed the Court that the domestic authorities would reconsider the question of the availability and accessibility of said medical treatment.

On 7 July 2022 the applicant informed the Court that he wanted to withdraw his application.

THE LAW

In the light of the foregoing, the Court concludes that the applicant may be regarded as no longer wishing to pursue the application (Article 37 § 1 (a) 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 the Protocols thereto which require the continued examination of the application.

Accordingly, the case should be struck 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 29 September 2022.

Viktoriya Maradudina Acting Deputy Registrar	Armen Harutyunyan President