

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

THIRD SECTION

DECISION

Application no. 30162/13
S'adiyo Boolow HAJI
against the Netherlands

The European Court of Human Rights (Third Section), sitting on 24 June 2014 as a Committee composed of:

Alvina Gyulumyan, *President,*
Johannes Silvis,
Valeriu Griţco, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 2 May 2013,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms S'adiyo Boolow Haji, is a Somali national, who was born in 1995 and lives in Almelo. She was represented before the Court by Ms I.M. van Kuilenburg, a lawyer practising in Den Bosch.

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

The applicant complained that her expulsion and the expulsion of her son, who had been born in the Netherlands in 2010, to Somalia would be in breach of Articles 3 and 8 of the Convention. She further complained under Article 13 of the Convention that she had not had an effective remedy for her Convention complaints.

On 2 May 2013 the applicant requested the Court to indicate to the Government, by way of an interim measure pursuant to Rule 39 of the Rules of Court, that she and her son should not be removed to Somalia. On 28 May 2013 the Acting President decided to adjourn the examination of the request for an interim measure but to invite the Government to submit their written observations on the admissibility and merits of the case.

On 21 June 2013 the Government informed the Court that the applicant and her son had been granted a residence permit for the purpose of asylum on 17 June 2013. By letter of 22 August 2013, the applicant's representative stated that in view of this development the applicant wanted to withdraw her application.

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.

For these reasons, the Court, unanimously,

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

Marialena Tsirli Deputy Registrar	Alvina Gyulumyan President