



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

FIRST SECTION

DECISION

Application no. 38297/17

I.A.

against Hungary

The European Court of Human Rights (First Section), sitting on 16 November 2021 as a Committee composed of:

Alena Poláčková, *President*,

Péter Paczolay,

Gilberto Felici, *judges*,

and Liv Tigerstedt, *Deputy Section Registrar*,

Having regard to the above application lodged on 31 May 2017,

Having regard to the decision to give priority to the application under Rule 41 of the Rules of Court,

Having regard to the decision by the President of the Section to grant leave to intervene to the United Nations High Commissioner for Refugees,

Having regard to the interim measure indicated to the respondent Government under Rule 39 of the Rules of Court,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr I. A., is an Afghan national, who was born in 2001. The President granted the applicant's request for his identity not to be disclosed to the public (Rule 47 § 4 of the Rules of Court). He was represented before the Court by Ms B. Pohárnok, a lawyer practising in Budapest.

2. The applicant's complaints under Articles 3, 5 and 13 of the Convention concerning his confinement to the Rösztke transit zone at the border of Hungary and Serbia were communicated to the Hungarian Government ("the Government"), who were represented by their Agent at the Ministry of Justice, Mr Z. Tallódi.

3. In July 2017 the applicant was granted subsidiary protection and subsequently left Hungary.

4. By letter dated 16 July 2021 the applicant's representative was requested to inform the Court whether she maintained contact with the applicant. On 15 October 2021 the representative informed the Court that she had not been able to establish contact with the applicant and did not know his current address.

THE LAW

5. The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of 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 its Protocols which require the continued examination of the case.

In view of the above, it is appropriate to strike the case out of the list and to discontinue the application of Rule 39 of the Rules of Court.

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 9 December 2021.

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Liv Tigerstedt
Deputy Registrar

Alena Poláčeková
President