

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

Agent for the Government of the Netherlands
Ministry for Foreign Affairs (DJZ/IR)
Postbus 20061
NL – 2500 EB DEN HAAG

THIRD SECTION

ECHR-LE2.2G
AVS/avs/mko

7 January 2011

BY E-TRANSMISSION ONLY

Application no. 75170/10
v. the Netherlands

Dear Sir,

I write to inform you that on 22 December 2010, (a Somali national, lodged the above application with the European Court of Human Rights under Article 34 of the European Convention on Human Rights.

In the proceedings before the Court the applicant is represented by a lawyer practising in

On 6 January 2011 the President of the Section to which the case has been allocated decided, in the interests of the parties and the proper conduct of the proceedings before the Court, to indicate to your Government, under Rule 39 of the Rules of Court, that the applicant should not be expelled to Somalia for the duration of the proceedings before the Court. In reaching this decision, the President had regard to the information currently available concerning the situation in south and central Somalia and in Mogadishu in particular, as well as to the fact that the Court is currently considering in a number of cases the compatibility of Article 3 of the Convention of forced returns to Mogadishu.

The parties' attention is drawn to the fact that failure of a Contracting State to comply with a measure indicated under Rule 39 may entail a breach of Article 34 of the Convention. In this connection, reference is made to paragraphs 128 and 129 of the Grand Chamber judgment of 4 February 2005 in the case of *Mamatkulov and Askarov v. Turkey* (applications nos. 46827/99 and 46951/99) as well as point 5 of the operative part.

The President also decided to give priority to the application under Rule 41.

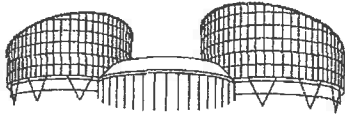
You will find enclosed a copy of the documents concerning the applicant's case which should make it possible to identify the proceedings to which he refers. The applicant lives in Burgum.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Marialena', written in a cursive style.

Marialena Tsirli
Deputy Section Registrar

Encs.



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THIRD SECTION

ECHR-LE2.2G mod
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7 January 2011

BY E-TRANSMISSION ONLY

Application no. 73790/10
v. the Netherlands

Dear Sir,

I write to inform you that on 16 December 2010 (a Somali national,) lodged the above application with the European Court of Human Rights under Article 34 of the European Convention on Human Rights.

In the proceedings before the Court the applicant is represented by a lawyer practising in

On 6 January 2011 the President of the Section to which the case has been allocated decided, in the interests of the parties and the proper conduct of the proceedings before the Court, to indicate to your Government, under Rule 39 of the Rules of Court, that the applicant should not be expelled to Somalia for the duration of the proceedings before the Court. In reaching this decision, the President had regard to the information currently available concerning the situation in south and central Somalia and in Mogadishu in particular, as well as to the fact that the Court is currently considering in a number of cases the compatibility of Article 3 of the Convention of forced returns to Mogadishu.

The parties' attention is drawn to the fact that failure of a Contracting State to comply with a measure indicated under Rule 39 may entail a breach of Article 34 of the Convention. In this connection, reference is made to paragraphs 128 and 129 of the Grand Chamber judgment of 4 February 2005 in the case of *Mamatkulov and Askarov v. Turkey* (applications nos. 46827/99 and 46951/99) as well as point 5 of the operative part.

The President also decided to give priority to the application under Rule 41.

You will find enclosed a copy of the documents concerning the applicant's case which should make it possible to identify the proceedings to which he refers. The applicant lives in Heijen.

Yours faithfully,



Marialena Tsirli
Deputy Section Registrar

Encs.
