

**SECRETARIAT / SECRÉTARIAT**

SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRÉTARIAT DU COMITÉ DES MINISTRES



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Date: 03/10/2024

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Meeting: 1514<sup>th</sup> meeting (December 2024) (DH)

Item reference: Action Report (03/10/2024)

Communication from the Netherlands concerning the case of Hofman v. the Netherlands (Application No. 34039/22)

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Réunion : 1514<sup>e</sup> réunion (décembre 2024) (DH)

Référence du point : Bilan d'action (03/10/2024)

Communication des Pays-Bas concernant l'affaire Hofman c. Pays-Bas (requête n° 34039/22) (**anglais uniquement**)

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DGI

03 OCT. 2024

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH

**Action Report  
of the Government of the Kingdom of the Netherlands  
on the implementation of the decision of the Court  
concerning Application no. 34039/22**

**HOFMAN**

**V.**

**The Netherlands**

**Decision of 14 March 2024**

## **Introduction**

1. On 8 July 2022, Ms Rifka Barbara HOFMAN ('the applicant') submitted an application to the European Court of Human Rights ('the Court') under Article 34 of the European Convention for the Protection of Human Rights and Fundamental Freedoms ('the Convention').
2. On 14 March 2024, the Court took note of the friendly settlement reached between the applicant and the Government of the Netherlands ('the Government'). The Court was satisfied that the settlement was based on respect for human rights as defined in the Convention and its Protocols thereto and found no reasons to justify a continued examination of the application. As a result, the case was struck out of the list.
3. With reference to the standard classification procedure<sup>1</sup> the Government wishes to present its action plan, with a view to informing the Committee of Ministers about the measures taken, and to request the Committee of Ministers to consider closure of its supervision the case.

## **Case description**

4. Relying on Article 3 of the Convention, the applicant complained about the use of force against her by two police officers following a noise complaint concerning a house party. A friendly settlement was reached between the parties, subject to an undertaking by the Government to provide the applicant with the opportunity to meet with a representative of the police department Oost-Nederland to discuss the handling of the case and her complainy. It was agreed that a report of this meeting will be shared with the police officers who had made the disputed intervention, and that the applicant will receive written feedback. In addition, the Government will pay the applicant a total amount of EUR 7,880 for pecuniary and non-pecuniary damages.

## **Friendly Settlement**

5. On 19 March 2024, the Government paid the amount of EUR 7,880 to the applicant (see Annexes).
6. By letter dated 6 May 2024, the police sent an invitation to the applicant's counsel for a meeting with a representative of the police department Oost-Nederland. After having received no response from the applicant, the government inquired with the applicant's counsel on 28 June 2024 whether the invitation letter had been received in good order and whether the applicant still wished to meet with a representative of the police. To both questions, the applicant's counsel replied in the affirmative and indicated that she would inquire with the applicant. By email of 23 September 2024, the applicant's counsel informed the Government that her client no longer

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<sup>1</sup> As set out in CM/Inf/DH(2010)45 and CM/Inf/DH(2010)37E.

wished to avail herself of the opportunity to meet with a representative of the police and that the case could thus be closed definitely.

### **Conclusion**

7. The Government believes that the measures taken fulfil the requirements arising from the Court's decision and respectfully requests the Committee of Ministers to consider closure of its supervision of the case.

The Hague, 3 October 2024

A handwritten signature in blue ink, appearing to read 'V. de Graaf', with a long horizontal stroke extending to the right.

Vincent de Graaf  
Deputy Agent of the Government of the Kingdom of the Netherlands