



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

FOURTH SECTION

DECISION

Application no. 58905/16
Vytautas VASILIAUSKAS
against Lithuania

The European Court of Human Rights (Fourth Section), sitting on 13 December 2018 as a Committee composed of:

Georges Ravarani, *President*,

Marko Bošnjak,

Péter Paczolay, *judges*,

and Liv Tigerstedt, *Acting Deputy Section Registrar*,

Having regard to the above application lodged on 5 August 2015,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Vytautas Vasiliauskas, was born in 1930. He died on 7 November 2015, after having lodged this application with the Court on 5 August 2015. He was represented before the Court by Mr Š. Vilčinskas, a lawyer practising in Vilnius.

In a letter which the Court received on 4 November 2016, the applicant's lawyer informed the Court that Mr V. Vasiliauskas' wife and daughter were supporting his application after his death.

On 31 January 2018 the applicant's complaints under Article 7 of the Convention concerning his conviction for genocide were communicated to the Lithuanian Government ("the Government"). On 23 May 2018 the Government submitted observations on the admissibility and merits of the case.

By letter dated 11 September 2018, sent by registered post, the applicant's lawyer was notified that the period allowed for submission of his observations had expired on 9 July 2018 and that no extension of time had been requested. The applicant's attention was drawn to Article 37 § 1 (a) of

the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The applicant's lawyer received this letter on 27 September 2018. However, no response has been received.

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 17 January 2019.

Liv Tigerstedt
Acting Deputy Registrar

Georges Ravarani
President