

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

FIRST SECTION

DECISION

Application no. 54504/07
by Vadim Nikolayevich LOBANOV
against Russia

The European Court of Human Rights (First Section), sitting on 5 July 2011 as a Chamber composed of:

Nina Vajić, *President,*
Anatoly Kovler,
Elisabeth Steiner,
George Nicolaou,
Mirjana Lazarova Trajkovska,
Julia Laffranque,
Linos-Alexandre Sicilianos, *judges,*

and Søren Nielsen, *Section Registrar,*

Having regard to the above application lodged on 3 December 2007,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Vadim Nikolayevich Lobanov, was a Russian national who was born in 1950 and lived in Nizhniy Nogorod. He was represented before the Court by Mr A. Ryzhov, Mr I. Kalyapin and Ms O. Sadovskaya, lawyers of the "Committee against Torture" NGO in Nizhniy Novgorod. The Russian Government ("the Government") were represented by Mr G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained, *inter alia*, under Article 3 of the Convention that he had been ill-treated by the police officers and that the domestic

authorities had failed to carry out an effective and prompt investigation into the matter.

On 1 December 2010 the Court decided to give notice of the above complaints to the Government.

On 25 March 2011 the Government submitted to the Registry their observations on the admissibility and merits of the application. These were forwarded on 30 March 2011 to the applicant, who was invited to submit his observations in reply, by 1 June 2011.

On 1 June 2011 the applicant's representatives informed the Registry that the applicant had died and that his application to the Court would not be pursued.

THE LAW

It has been the Court's practice to strike applications out of the list of cases under Article 37 § 1 of the Convention in the absence of any heir or close relative who has expressed the wish to pursue an application (see *Léger v. France* (striking out) [GC], no. 19324/02, § 44, ECHR 2009-..., with further references). The Court notes the fact that the applicant has died and no member of his family or heir has expressed a wish to continue the proceedings before this Court in his stead. As the Court finds no special circumstances regarding respect for human rights which require the continued examination of the case (contrast *Karner v. Austria*, no. 40016/98, §§ 24-28, ECHR 2003-IX), it considers it appropriate to strike the application out of its list of cases under Article 37 § 1 (c) of the Convention.

For these reasons, the Court unanimously

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

Søren Nielsen
Registrar

Nina Vajić
President