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

FIFTH SECTION

DECISION

Application no. 65496/16
Tomáš MACEK
against the Czech Republic

The European Court of Human Rights (Fifth Section), sitting on 8 September 2022 as a Committee composed of:

Stéphanie Mourou-Vikström*, President,*
Ivana Jelić*,*
Kateřina Šimáčková*, judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 4 November 2016,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Tomáš Macek, was born in 1954.

The applicant was represented by Mr D. Strupek, a lawyer practising in Prague.

The application concerned an alleged violation of the applicant's rights to a fair trial (Article 6 § 1 of the Convention), to be presumed innocent until proved guilty (Article 6 § 2 of the Convention) and to respect for his private life (Article 8 of the Convention) on account of a statement made by a court in the course of inheritance proceedings that the applicant was guilty of a crime for which he had never been tried by a criminal tribunal. The applicant further complained that having been found ineligible to inherit his late father's estate due to the declaration of his guilt, his right to the peaceful enjoyment of his possessions (Article 1 of the Protocol No. 1 to the Convention) was breached.

The applicant's complaints were communicated to the Czech Government ("the Government") and both parties submitted their observations.

On 17 May 2022 the applicant's legal representative informed the Registry that the applicant had died and that his application to the Court could not be pursued for lack of an interested heir, since the applicant's only heir had been his adversary in the domestic proceedings.

THE LAW

In the light of the foregoing, the Court concludes that there is no suitable individual able to pursue the application in the late applicant's stead within the meaning of Article 37 § 1 (a) of the Convention.

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 29 September 2022.

Viktoriya Maradudina Acting Deputy Registrar	Stéphanie Mourou-Vikström President