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

FIRST SECTION

DECISION

Application no. 44484/15
Branko MACUT
against Croatia

The European Court of Human Rights (First Section), sitting on 12 December 2017 as a Committee composed of:

Aleš Pejchal, *President,*
Armen Harutyunyan,
Jovan Ilievski, *judges,*

and Renata Degener, *Deputy Section Registrar,*

Having regard to the above application lodged on 2 September 2015,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Branko Macut, was a Croatian national born in 1936 and lived in Vrginmost. He was represented before the Court by Mr L. Šušak, a lawyer practising in Zagreb.

The Croatian Government ("the Government") were represented by their Agent, Ms Š. Stažnik.

The applicant complained under Article 1 of Protocol No. 1 to the Convention that for a prolonged period of time he had been unable to use his house, which the State had given to refugees for temporary occupation.

On 7 September 2017 the Court decided to give notice to the Government of the applicant's complaint detailed above.

On 17 October 2017 the Government informed the Court that the applicant had died on 2 November 2016 and supported that claim with the relevant document. On 26 October 2017 the Court sent a letter to the applicant's representative requesting information whether the applicant's heirs wished to pursue the application.

By letter of 3 November 2017 the applicant's representative informed the Court that the applicant's heirs did not wish to pursue the application.

THE LAW

The Court takes note of the fact that the applicant has died and that his heirs do not wish to pursue the application within the meaning of Article 37 § 1 of the Convention. Furthermore, the Court considers that respect for human rights as defined in the Convention and its Protocols does not require a continuation of the application.

In view of the above, it is appropriate to strike the case 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 11 January 2018.

Renata Degener Deputy Registrar	Aleš Pejchal President