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

FIRST SECTION

DECISION

Application no. 16626/09
Ruslan ALIYEV
against Azerbaijan

The European Court of Human Rights (First Section), sitting on 6 May 2014 as a Committee composed of:

Julia Laffranque, *President,*
Khanlar Hajiyev,
Dmitry Dedov, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 24 February 2009,

Having regard to the formal declarations accepting a friendly settlement of the case,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Ruslan Aliyev, is an Azerbaijani national, who was born in 1977 and lives in Sumgayit. He was represented before the Court by Mr A. Mustafayev, a lawyer practising in Azerbaijan.

The Azerbaijani Government ("the Government") were represented by their Agent, Mr Ç. Asgarov.

The applicant complained under Article 5 of the Convention that that the domestic courts had failed to justify the necessity for the application of the preventive measure of remand in custody in respect of him.

On 10 January 2014 the Court received a letter from the Government regarding a friendly settlement of the case. The relevant part of the letter read as follows:

> "... The Government express their readiness to reach a friendly settlement with the applicant on this case. Taking into account the case of *Patsuria v. Georgia (Application no. 30779/04, Judgment of 6 November 2007)*, the fact that the applicant's detention period was less for almost two months than in the afore-mentioned case, as well as that the applicant was later convicted and the period of his

remand in custody was extracted from his term of sentence, the Government propose EUR 2,000 (two thousand euros) to the applicant as a compensation for non-pecuniary damage he might have suffered and cost and expenses.

The Court is kindly requested to facilitate the friendly settlement of the matter on the aforementioned basis."

On 29 July 2011 the Court received the following letter signed by the applicant's representative:

"... I would like to note that the applicant accepts the Government's friendly settlement proposal."

THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no reasons to justify a continued examination 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 in accordance with Article 39 of the Convention.

André Wampach
Deputy Registrar

Julia Laffranque
President