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

# THIRD SECTION

# DECISION

Application no. 7396/23
Bayali ALIYEV
against Azerbaijan
(see appended table)

The European Court of Human Rights (Third Section), sitting on 5 February 2026 as a Committee composed of:

Diana Kovatcheva*, President*,
Canòlic Mingorance Cairat,
Vasilka Sancin*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 26 January 2023,

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

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant's and his representative's details are set out in the appended table.

The applicant's complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 to the Convention concerning the non-enforcement of domestic decisions were communicated to the Azerbaijani Government ("the Government").

On 23 October 2025 the applicant's representative informed the Court that the applicant had died on 5 August 2024 and that the applicant's wife, Mrs Mina Avaz gizi Aliyeva, expressed her wish to continue the proceedings before the Court in the applicant's stead.

The Court notes that in various cases in which an applicant has died in the course of the Convention proceedings, it has taken into account the statements of the applicant's heirs or of close family members expressing the wish to pursue the proceedings before the Court (see, among other authorities, *Jėčius v. Lithuania*, no. 34578/97, § 41, ECHR 2000-IX; *Pisarkiewicz v. Poland*, no. 18967/02, §§ 30-33, 22 January 2008; and *Ergezen v. Turkey*,

no. 73359/10, §§ 27-30, 8 April 2014). The Court has accepted that the next-of-kin or heir may in principle pursue the application, provided that he or she has sufficient interest in the case (see *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. 47848/08, § 97, ECHR 2014, and *Ksenz and Others v. Russia*, nos. 45044/06 and 5 others, § 86, 12 December 2017). In view of the above and having regard to the circumstances of the case, the Court holds that Mrs Mina Avaz gizi Aliyeva has standing to continue the present proceedings in her late husband's stead.

The Court received the friendly-settlement declaration, signed by the parties, under which the applicant's heir agreed to waive any further claims against Azerbaijan in respect of the facts giving rise to this application, subject to an undertaking by the Government to pay her the amounts detailed in the appended table. These amounts will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The Government also undertake to ensure the enforcement of the domestic decisions under consideration in the case within the same three-month period, and to pay any costs of the domestic enforcement proceedings.

The payment and the enforcement of the domestic decisions in the case concerned will constitute the final resolution of the case.

## 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 the Protocols thereto 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.

Done in English and notified in writing on 26 February 2026.

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| Viktoriya Maradudina<br>Acting Deputy Registrar | Diana Kovatcheva<br>President |

# APPENDIX

## Application raising complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 to the Convention (non-enforcement enforcement of domestic decisions)

| Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's name and location | Date of receipt of Government's declaration | Date of receipt of the declaration of applicant's heir | Amount awarded for non-pecuniary damage per applicant (in euros)[1] | Amount awarded for costs and expenses per application (in euros)[2] |
|---|---|---|---|---|---|---|
| 7396/23<br>26/01/2023 | **Bayali**<br>**Shiraslan oglu**<br>**ALIYEV**<br>Born in 1948<br>Died in 2024<br><br>Applicant's heir<br>**Mina**<br>**Avaz gizi**<br>**Aliyeva**<br>1956 | Ruslan<br>MUSTAFAZADE<br>Sumgayit<br><br>Asabali<br>MUSTAFAYEV<br>Sumgayit | 02/12/2025 | 03/11/2025 | 3,600 | 250<br>(to be paid directly to the representative Mr Asabali Mustafayev's bank account) |

[1] Plus any tax that may be chargeable to the applicant's heir.
[2] Plus any tax that may be chargeable to the applicant's heir.