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

THIRD SECTION

DECISION

Application no. 53656/15
Teyyub GULIYEV
against Azerbaijan

The European Court of Human Rights (Third Section), sitting on 20 January 2026 as a Committee composed of:

Canòlic Mingorance Cairat*, President*,
Lətif Hüseynov,
Vasilka Sancin*, judges*,
and Olga Chernishova, *Deputy Section Registrar,*

Having regard to:

the application (no. 53656/15) against the Republic of Azerbaijan lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 23 October 2015 by an Azerbaijani national, Mr Teyyub Rafig oglu Guliyev (*Teyyub Rafiq oğlu Quliyev* – "the applicant"), who was born in 1972, lives in Baku and was represented by Mr F. Agayev, a lawyer based in Azerbaijan;

the decision to give notice of the complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 to the Convention to the Azerbaijani Government ("the Government"), represented by their Agent, Mr Ç. Əsgərov, and to declare the remainder of the application inadmissible;

the parties' observations;

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns the applicant's complaints regarding the domestic courts' alleged failure to invalidate a contract of sale that he had entered into with a State authority, and the alleged unfairness of the related civil proceedings.

2. The applicant's wife owned a flat of 105 sq. m. On 17 January 2012 the applicant's title to half of the flat was registered with the relevant authority. The domestic proceedings concerning the complaints of the applicant's wife

in respect of the flat in question were the subject of the Court's judgment in *Bagvanov and Others v. Azerbaijan* ([Committee], nos. 77919/11 and 13 others, 10 November 2022, application no. 9310/12).

3. The building in which the flat was located was demolished in March 2012 by the Baku City Executive Authority ("the BCEA"), for the purpose of constructing a new complex ("the Winter Park"), and the residents were to be relocated.

4. On an unspecified date the applicant's wife lodged a claim against the BCEA and the State Committee on Property Issues with the domestic courts, asking them, *inter alia*, to declare the order of the BCEA unlawful and to award her compensation in respect of pecuniary and non-pecuniary damage for the demolition of the entire flat. Even though the applicant had registered his title to half of the flat in January 2012, he did not join the proceedings as a co-claimant. By a final judgment of 13 February 2013, the Supreme Court upheld the lower courts' judgments, granting the claims of the applicant's wife in part and awarding 157,500 Azerbaijani manats (AZN) to her in respect of pecuniary damage for the demolition of the entire flat. The Supreme Court also awarded her AZN 2,000 in respect of non-pecuniary damage.

5. On 6 February 2014 the applicant and his wife separately entered into contracts of sale with Z.I., who was acting on behalf of the BCEA. Under the contracts, the BCEA was to pay AZN 78,750 separately to each of them, amounting to a total of AZN 157,500 – the sum awarded by the domestic courts to the applicant's wife in respect of pecuniary damage.

6. On an unspecified date the applicant and his wife received the amount in question.

7. On 22 April 2014 the applicant and his wife jointly lodged a claim with the Sabail District Court, asking that the above-mentioned contracts of sale be invalidated. They also separately sought compensation in respect of pecuniary and non-pecuniary damage. They alleged that the contracts had been signed under duress, as the BCEA – by leveraging its authority and taking advantage of their vulnerable circumstances – had compelled them to enter into agreements with unfavourable terms.

8. By a judgment of 15 August 2014, the Sabail District Court dismissed the claims, noting that the claimants had failed to provide evidence in support of their allegations that they had entered into the contracts under duress or that the BCEA had misused its authority. Following the dismissal of an appeal lodged jointly by the applicants, the Supreme Court in a final judgment dated 24 April 2015 endorsed the lower courts' reasoning and upheld their judgments. The court also held that the applicant and his wife had already received the compensation ordered by the domestic courts in the finalised court proceedings brought by the applicant's wife in respect of the demolition of the property in question (see paragraph 4 above). Consequently, their claim for a higher amount of compensation in respect of the same property was found to be groundless. Furthermore, the Supreme Court added that it had not

been necessary to enter into a contract of sale in order to enforce the final judgment of 13 February 2013 in the earlier set of proceedings.

9. The applicant complained under Article 6 § 1 of the Convention that the domestic courts had failed to examine his arguments and to reason their judgments. He further complained under Article 1 of Protocol No. 1 to the Convention of a violation of his right to the peaceful enjoyment of his property.

THE COURT'S ASSESSMENT

10. The Court reiterates that it can base its decision only on the facts complained of. Therefore, it is not sufficient that a violation of the Convention is "evident" from the facts of the case or the applicant's submissions. Rather, the applicant must complain that a certain act or omission entailed a violation of the rights set forth in the Convention or the Protocols thereto in a manner which should not leave the Court to second-guess whether a certain complaint was raised or not (see *Fu Quan, s.r.o. v. the Czech Republic* [GC], no. 24827/14, § 145, 1 June 2023). The Court further reiterates that it may declare an application inadmissible as being manifestly ill-founded where the applicant simply cites one or more provisions of the Convention without explaining in what way they have been breached (compare *Polat v. Türkiye* (dec.) [Committee], no. 22278/20, § 11, 12 November 2024, with further references).

11. Turning to the present case, the Court observes that in his application before it, the applicant described the alleged violations of his Convention rights in rather general terms. The applicant's submissions as to the admissibility and merits of the complaint under Article 6 § 1 of the Convention were brief and lacked elaboration. The applicant's submissions as to the admissibility and merits of the complaint under Article 1 of Protocol No. 1 to the Convention were focused on the unlawfulness of the expropriation and demolition of the flat in question. In this connection, the Court notes that those allegations had been the subject of earlier domestic proceedings initiated by the applicant's wife. The applicant had not been a party to those domestic proceedings, despite being a co-owner of the flat at the material time (see paragraphs 2 and 4 above).

12. Moreover, the Court, having examined the complaints of the applicant's wife, found that the expropriation of the flat in question had not been carried out in compliance with "conditions provided for by law" and that there had therefore been a violation of Article 1 of Protocol No. 1 to the Convention (see *Bagvanov and Others*, cited above, §§ 17-18). In a separate judgment on just satisfaction, the Court made an award to the applicant's wife in respect of pecuniary damage for the demolition of the entire 105 sq. m flat, non-pecuniary damage, and costs and expenses (see *Bagvanov and Others*

v. Azerbaijan (just satisfaction) [Committee], nos. 77919/11 and 13 others, 14 January 2025, application no. 9310/12).

13. In the light of the above-mentioned considerations and the particular circumstances of the present case, the Court concludes that the application is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 12 February 2026.

Olga Chernishova
Deputy Registrar

Canòlic Mingorance Cairat
President