

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

FIRST SECTION

DECISION

Application no. 35509/08
Izahat HASANOV
against Azerbaijan

The European Court of Human Rights (First Section), sitting on 22 May 2012 as a Committee composed of:

Peer Lorenzen, *President,*
Elisabeth Steiner,
Khanlar Hajiyev, *judges,*

and André Wampach, *Deputy Sction Registrar,*

Having regard to the above application lodged on 18 February 2008,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Izahat Hasanov, is an Azerbaijani national who was born in 1958 and lived in Baku. The Azerbaijani Government ("the Government") were represented by their Agent, Mr Ç. Asgarov.

The applicant complained under Article 6 of the Convention and Article 1 of Protocol No. 1 to the Convention about non-enforcement of the domestic judgment delivered in his favour.

The applicant's complaints were communicated to the Government, who submitted that the judgment in the applicant's favour was subsequently quashed by Baku Court of Appeal and that no cassation appeal was lodged against the latter judgment. The Government added that the applicant had died on 14 October 2009 and asked the Court to strike the application out of the list of the cases. The Court sent the Government's letter to the applicant's home address on 8 November 2010. As there was no reply, and

no acknowledgment that the Court's letter had been delivered, on 20 September 2011 the Court sent another letter to the same address with the notification that the period allowed for submission of the observations had expired on 20 December 2010 and that no extension of time had been requested. This letter was delivered to the applicant's address on 30 September 2011. No response has been received and no heirs of the applicant expressed a wish to pursue the application.

THE LAW

The Court takes note of the applicant's death. It also observes that no request has been submitted by the applicant's heirs to pursue the examination of the case. In these circumstances the Court concludes that it is no longer justified to continue the examination of the application within the meaning of Article 37 § 1 (c) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the examination of the application to be continued.

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.

André Wampach
Deputy Registrar

Peer Lorenzen
President