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

FIFTH SECTION

DECISION

Application no. 3197/14
Tural Ogtay oglu JAFAROV
against Azerbaijan

The European Court of Human Rights (Fifth Section), sitting on 9 December 2021 as a Committee composed of:

Lado Chanturia, *President,*
Lətif Hüseynov,
Arnfinn Bårdsen, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 17 December 2013,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicant was represented by Mr R Hajili, a lawyer based in Strasbourg.

The applicant's complaints under Articles 8 and 10 of the Convention concerning the alleged failure by the respondent State to comply with its positive obligations to protect the applicant's right to respect for his private life and reputation and his right to freedom of expression, due to the dismissal of his civil claim against the television channel which had broadcasted his intimate videos, were communicated to the Azerbaijani Government ("the Government"). Complaints based on the same facts were also communicated under Article 6 of the Convention.

The Court received the friendly-settlement declarations, signed by the parties, under which the applicant 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 him the amount detailed in the appended table. This amount 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 this amount within the above-mentioned three-month period, the Government undertake to pay simple interest on it, 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 payment 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 13 January 2022.

Viktoriya Maradudina	Lado Chanturia
Acting Deputy Registrar	President

APPENDIX

Application raising complaints under Articles 8 and 10 of the Convention (failure to comply with positive obligations to protect the right to respect for private life and reputation and the right to freedom of expression)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for non-pecuniary damage and costs and expenses per application (in euros)[1]
3197/14 17/12/2013	**Tural Ogtay oglu JAFAROV** 1984	Rashid Ramazan oglu HAJILI Strasbourg	Article 6 of the Convention – lack of fairness of civil proceedings	01/11/2021	25/10/2021	8,300

[1] Plus any tax that may be chargeable to the applicant.