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

THIRD SECTION

DECISION

Applications nos. 47324/20 and 4162/21
MUSAVAT PARTIYASI
against Azerbaijan
(see appended table)

The European Court of Human Rights (Third Section), sitting on 5 December 2024 as a Committee composed of:

Oddný Mjöll Arnardóttir*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the declarations submitted by the respondent Government requesting the Court to strike the applications out of the list of cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The details of the applicant political party and its representative are set out in the appended table.

The applicant political party's complaints under Article 11 of the Convention concerning the prohibition on holding peaceful assemblies or restrictions on the location, time or manner of conduct of public events were communicated to the Azerbaijani Government ("the Government"). Complaints based on the same facts were also communicated under Article 13 of the Convention.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

After unsuccessful friendly-settlement negotiations, the Government informed the Court that they proposed to make unilateral declarations with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the applications in accordance with Article 37 of the Convention.

The Government acknowledged that there had been a violation of the applicant political party's rights. They offered to pay the applicant political party the amounts detailed in the appended table and invited the Court to strike the applications out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amounts would be converted into the currency of the respondent State at the rate applicable on the date of payment, and would 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 undertook 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 payment will constitute the final resolution of the cases.

The applicant political party was sent the terms of the Government's unilateral declarations several weeks before the date of this decision. The Court has not received a response from the applicant political party accepting the terms of the declarations.

The Court observes that Article 37 § 1 (c) enables it to strike a case out of its list if:

> "... for any other reason established by the Court, it is no longer justified to continue the examination of the application".

Thus, it may strike out applications under Article 37 § 1 (c) on the basis of a unilateral declaration by a respondent Government even if the applicants wish the examination of the cases to be continued (see, in particular, the *Tahsin Acar v. Turkey* judgment (preliminary objections) [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI).

The Court has established clear and extensive case-law concerning complaints relating to the prohibition on holding peaceful assemblies or restrictions on the location, time or manner of conduct of public events (see, for example, *Mustafa Hajili and Others v. Azerbaijan,* nos. 69483/13 and 2 others, 6 October 2022, and *Lashmankin and Others v. Russia,* nos. 57818/09 and 14 others, §§ 342-61, 7 February 2017). It has no reasons to consider that the compensation offered by the Government constitutes inadequate or otherwise unreasonable redress for the violation of the applicant political party's Convention rights (see *Ryabkin and Volokitin v. Russia* (dec.), nos. 52166/08 and 8526/09, §§ 49-50, 28 June 2016; and *Igranov and Others v. Russia*, nos. 42399/13 and 8 others, § 24, 20 March

2018; and, for a similar approach, *Antovski and Others v. North Macedonia* (dec.) [Committee], no. 68160/17, 8 December 2022).

Noting the admissions contained in the Government's declarations as well as the amount of compensation proposed – which is consistent with the amounts awarded in similar cases – the Court considers that it is no longer justified to continue the examination of the applications (Article 37 § 1 (c)).

In the light of the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the applications (Article 37 § 1 *in fine*).

Finally, the Court emphasises that, should the Government fail to comply with the terms of their unilateral declarations, the applications may be restored to the list in accordance with Article 37 § 2 of the Convention (see *Josipović v. Serbia* (dec.), no. 18369/07, 4 March 2008).

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court, unanimously,

Decides to join the applications;

Takes note of the terms of the respondent Government's declarations and of the arrangements for ensuring compliance with the undertakings referred to therein;

Decides to strike the applications out of its list of cases in accordance with Article 37 § 1 (c) of the Convention.

Done in English and notified in writing on 16 January 2025.

Viktoriya Maradudina Acting Deputy Registrar	Oddný Mjöll Arnardóttir President

APPENDIX

List of applications raising complaints under Articles 11 and 13 of the Convention (prohibition on holding peaceful assemblies or restrictions on the location, time or manner of conduct of public events and lack of an effective domestic remedy in that regard)

No.	Application no. Date of introduction	Applicant's name Date of registration	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of applicant's comments	Amount awarded for non-pecuniary damage per application (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
1.	47324/20 29/09/2020	**MUSAVAT PARTIYASI** 1992	Nemat KARIMLI Baku	16/09/2024	15/10/2024	1,350	225
2.	4162/21 16/12/2020			11/07/2024	05/09/2024	1,350	225

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