



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

Published on 19 October 2026

THIRD SECTION

Application no. 1715/19
Malahat GULIYEVA and Others
against Azerbaijan
and 3 other applications
(see list appended)
communicated on 2 October 2026

SUBJECT MATTER OF THE CASE

The applications concern the allegedly unlawful expropriation and demolition of the properties indicated in the Appendix and the alleged inadequacy of the compensation paid by the domestic authorities.

On various dates, district executive authorities expropriated or demolished the properties, on the basis of orders issued by them or of the decision of the Cabinet of Ministers of the Republic of Azerbaijan, for various reasons (see Appendix).

By way of compensation for the expropriated properties, all of the applicants were paid a certain amount of money (see Appendix).

On various dates, the Yasamal District Executive Authority brought proceedings against the applicants (application no. 1715/19), or the applicants lodged claims against it (remaining applications) with the respective first-instance courts (see Appendix).

The applicants complained of breaches of their property rights, alleging, in particular, that the expropriation or demolition of their properties had not been carried out in accordance with the law and that the compensation offered by the State authorities had been unfair and that the market value of their properties had been much higher. In support of their complaints, some applicants submitted expert valuations of their properties.

GULIYEVA v. AZERBAIJAN AND OTHER APPLICATIONS –
SUBJECT MATTER OF THE CASE AND QUESTIONS

The applicants asked for the return or restoration of their properties or fair compensation. Some applicants also lodged claims in respect of non-pecuniary damage.

On various dates (see Appendix), the relevant first-instance courts dismissed or, in some cases, partly upheld the applicants' complaints, ordering the State authorities to pay them a certain amount of money as compensation (see Appendix).

On various dates (see Appendix) the appellate courts and the Supreme Court dismissed or partly upheld the applicants' appeals, largely reiterating the lower courts' reasoning.

Relying on Article 1 of Protocol No. 1 to the Convention, the applicants complain that the expropriation/demolition of their properties amounted to an unlawful and unjustified interference with their property rights. They further complain that the compensation provided for the properties was unfair and inadequate. The applicant in application 21849/19 also complains under Article 6 § 1 of the Convention about the alleged unfairness of the proceedings. In particular, she complains that the domestic courts delivered unreasoned judgments by failing to properly verify the compliance of the interference with the applicable domestic legislation and did not address her arguments.

COMMON QUESTIONS TO THE PARTIES

1. Have the applicants been deprived of their possessions in the public interest, and in accordance with the conditions provided for by law, within the meaning of Article 1 of Protocol No. 1 (see *Khalikova v. Azerbaijan*, no. 42883/11, §§ 137-41, 22 October 2015, and *Bagirova and Others v. Azerbaijan*, nos. 37706/17 and 5 others, §§ 45-53, 31 August 2023)? Moreover, were the amounts of compensation paid to the applicants fair and adequate in terms of Article 1 of Protocol No. 1?

2. If the interference was lawful, did that deprivation impose an excessive burden on the applicants (see, among other authorities, *Akhverdiyev v. Azerbaijan*, no. 76254/11, §§ 79-82, 29 January 2015)?

3. The parties are requested to provide, where relevant and available, necessary documentary evidence in support of their replies and submissions, which have not been previously submitted to the Court, including copies of expert valuation reports presented to the domestic courts by the parties and the appeals in application no. 1715/19.

CASE-SPECIFIC QUESTIONS

In respect of application no. 1715/19:

4. Did the plot of land underlying the house in question constitute the applicants' "possession" (compare *Akhverdiyev v. Azerbaijan*, no. 76254/11, §§ 75-78, 29 January 2015)?

In respect of application no. 21849/19:

5. Did the applicant have a fair hearing in the determination of her civil rights and obligations, in accordance with Article 6 § 1 of the Convention? In particular, was the applicant's right to a reasoned decision respected (see, for example, *Mazahir Jafarov v. Azerbaijan*, no. 39331/09, §§ 33-36, 2 April 2020)?

6. What was the overall surface area of the applicant's property?

In respect of application no. 57903/19:

7. Did the house in question constitute the applicant's "possession" (see *Akhverdiyev v. Azerbaijan*, no. 76254/11, § 73, 29 January 2015)?

GULIYEVA AND OTHERS v. AZERBAIJAN AND OTHER APPLICATIONS – SUBJECT MATTER OF THE CASE AND QUESTIONS

APPENDIX

No.	Application no. Date of lodge	Applicant's name Year of Birth Place of Residence Nationality	Represented by	Expropriating/demolishing State authority Legal basis (relied on by the State authority) Purpose/reason of the expropriation/demolition (declared by the State authority)	Expropriated/demolished property	Compensation given initially (I) and by court decision (CD) in Azerbaijani manats (AZN)	Domestic courts' judgments/decisions
1.	1715/19 18/12/2018	Malahat Ali gizi GULIYEVA 1956 Baku Azerbaijani Emil Rahman oglu GULIYEV 1977 Baku Azerbaijani Parviz Rahman oglu GULIYEV 1979 Baku Azerbaijani	Vagif ALIYEV	Yasamal District Executive Authority; Decision no. 358 of the Cabinet of Ministers dated 11/11/2015; Construction of road and other communication lines.	1/6 share (per applicant) of a house	I: 102,250 CD: 16,340	Baku Economic-Administrative Court no. 1 – 17/03/2027; Baku Court of Appeal –03/08/2017; Supreme Court – 01/11/2017. Baku Court of Appeal, 02/03/2018; Supreme Court, 04/07/2018
2.	21849/19 05/04/2019	Gulrukh Mirismayil gizi ALIYEVA 1965	No representative	Khatai District Executive Authority;	A flat	I: 360,337 CD: no compensation	Baku Economic-Administrative Court no. 2 – 18/11/2016;

GULIYEVA AND OTHERS v. AZERBAIJAN AND OTHER APPLICATIONS – SUBJECT MATTER OF THE CASE AND QUESTIONS

No.	Application no. Date of lodge	Applicant's name Year of Birth Place of Residence Nationality	Represented by	Expropriating/demolishing State authority Legal basis (relied on by the State authority) Purpose/reason of the expropriation/demolition (declared by the State authority)	Expropriated/demolished property	Compensation given initially (I) and by court decision (CD) in Azerbaijani manats (AZN)	Domestic courts' judgments/decisions
		Baku Azerbaijani		Order of the head of the Khatai District Executive Authority dated 01/04/2013; Improvement (<i>abadlıq</i>) and reconstruction work in the area			Baku Court of Appeal – 22/08/2017; Supreme Court – 26/12/2017 Baku Court of Appeal – 27/06/2018; Supreme Court – 31/10/2018
3.	57903/19	Svetlana Novruz gizi AHMADOVA 1971 Baku Azerbaijani	Khalid BAGIROV	Khatai District Executive Authority; The order no. 225 of the Baku City Executive Authority dated 10/06/2013; Improvement of roads, communication lines and other infrastructure.	A house	I: 74.677,50 CD: 4,750	First set of proceedings: Baku Economic-Administrative Court no. 2 – 25/09/2017; Baku Court of Appeal – 07/07/2017. Supreme Court – 27/12/2017 Second set of proceedings:

GULIYEVA AND OTHERS v. AZERBAIJAN AND OTHER APPLICATIONS – SUBJECT MATTER OF THE CASE AND QUESTIONS

No.	Application no. Date of lodge	Applicant's name Year of Birth Place of Residence Nationality	Represented by	Expropriating/demolishing State authority Legal basis (relied on by the State authority) Purpose/reason of the expropriation/demolition (declared by the State authority)	Expropriated/demolished property	Compensation given initially (I) and by court decision (CD) in Azerbaijani manats (AZN)	Domestic courts' judgments/decisions
							Baku Economic-Administrative Court no. 2 – 19/07/2018; Baku Court of Appeal – 05/12/2018. Supreme Court – 26/12/2017 04/06/2019
4.	57907/19	Svetlana Novruz gizi AHMADOVA 1971 Baku Azerbaijani	Khalid BAGIROV	Khatai District Executive Authority; The order no. 225 of Baku City Executive Authority dated 10/06/2013; Improvement of roads, communication lines and other infrastructure.	A non-residential property	I: 64,850 CD: no compensation	Baku Economic-Administrative Court no. 2 – 09/07/2018; Baku Court of Appeal – 20/11/2018. Supreme Court – 16/07/2019