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

SECOND SECTION

DECISION

Application no. 56153/22
Leena Marjatta ILVESKOSKI and Others
against Finland

The European Court of Human Rights (Second Section), sitting on 5 May 2026 as a Committee composed of:

Péter Paczolay*, President*,
Oddný Mjöll Arnardóttir,
Hugh Mercer*, judges*,

and Dorothee von Arnim, *Deputy Section Registrar*,

Having regard to:

the application (no. 56153/22) against the Republic of Finland lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 28 November 2022 by the applicants listed in the appended table ("the applicants"), who were represented by Ms L.M. Ilveskoski, residing in Lohja;

the withdrawal of Mr Juha Lavapuro, the judge elected in respect of Finland, from sitting in the case (Rule 28 § 3 of the Rules of Court);

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns the expropriation of the applicants' property and the alleged insufficiency of the compensation awarded.

2. The applicants inherited a plot of land totalling 5,360 square metres from the parents of the first, second, third and fourth applicants. A part of the plot was designated in the general land-use plan of the municipality of Pirkkala as being the site of future road-traffic infrastructure. The municipality offered to buy the whole plot for approximately 250,000 euros (EUR) but the applicants refused the offer because they considered the proposed price too low.

3. On 24 August 2015 the municipality decided to start expropriation proceedings in respect of the plot of land. This was considered in the public

interest as the location of the plot was situated in the centre of the community and was important to its infrastructure.

4. On 7 June 2017 the Ministry of the Environment granted the municipality permission to expropriate the plot of land. It further granted the municipality the right to take the area into its possession in advance of the expropriation as far as the building of roads was concerned.

5. On 17 December 2018 the Administrative Court rejected an appeal lodged by the applicants against the Ministry's decision.

6. On 6 October 2020 the Supreme Administrative Court upheld the Administrative Court's decision.

7. On 21 April 2021 a compensation committee assessed that the value of the plot of land – and thus the full compensation payable to the applicants – was EUR 540,000. That figure was largely determined on the basis of the sale prices of comparable plots of land in the area.

8. The applicants argued that the value of the plot was more than EUR 3.1 million, and they appealed to the Land Court in order to contest the compensation committee's valuation.

9. On 18 October 2021 the Land Court dismissed the applicants' appeal, holding that the committee's valuation was correct.

10. On 23 September 2022 the Supreme Court refused the applicants leave to appeal.

11. The applicants complained under Article 1 of Protocol No. 1 to the Convention that the expropriation had not been necessary and that, in any case, the value of the plot of land had been underestimated.

THE COURT'S ASSESSMENT

12. The general principles on expropriation have been summarised in *Graham and Others v. Finland* ((dec.), no. 47927/21, §§ 31 and 33, 3 February 2026), a case concerning a similar context.

13. It is not in dispute that the expropriation of the applicants' land amounted to a "deprivation of possessions" within the meaning of the second sentence of the first paragraph of Article 1 of Protocol No. 1. It is also undisputed that the interference with the applicants' property rights was provided for by law as it had a legal basis in the relevant provisions of the Land Use and Building Act and the Expropriation Act (see for the content of these provisions *Graham and Others*, cited above, §§ 23-24).

14. As to whether the interference was in the public interest, the Court reiterates that the national authorities are in principle better placed than an international judge to assess what is "in the public interest". The decision to enact laws expropriating property will commonly involve consideration of political, economic and social issues and therefore the margin of appreciation available to a legislature in implementing social and economic policies should

be wide (see *Jokela v. Finland*, no. 28856/95, § 52, ECHR 2002-IV, and *Graham and Others*, cited above, §§ 36-37 with further references).

15. In the present case, a part of the plot was already designated in the general land-use plan of the municipality as being the site of future road-traffic infrastructure. The location of the expropriated land was central to the community's infrastructure – in particular since the centre of the municipality of Pirkkala, where the expropriated plot of land was located, was undergoing extensive urban development. The Court has not been presented with convincing evidence giving it reason to doubt that the provision of infrastructure, notably roads, at the location in question served the public interest. Furthermore, the Court finds that there is no indication that the municipality acquired the plot of land without any real intention of achieving its development objectives within a reasonable time frame, thereby depriving the applicants of an increase in the value of the land (compare and contrast *Motais de Narbonne v. France*, no. 48161/99, § 23, 2 July 2002). In fact, the municipality already started building roads on a part of the expropriated land in July 2018. The Court therefore accepts that the expropriation of the applicants' property was in the public interest.

16. As for the proportionality of the expropriation, the Court reiterates that the taking of property without payment of an amount reasonably related to its value would normally render the interference with private rights disproportionate, and that the amount of compensation has to be calculated on the basis of the value of the property at the date on which ownership of it was lost. Such value is intrinsically linked to the categorisation or designation of the nature of the land at that time, and not to any later designation attributed to it by State action (see *Graham and Others*, cited above, § 42, with further references).

17. Having scrutinised the domestic decisions in the light of the applicants' arguments, the Court finds no basis for concluding that the compensation awarded for the expropriation of the property was unreasonable. It observes that, at the time of the expropriation procedure, there was an urban development master plan in force for the area concerned, but no detailed plan. The power to decide on the content of the relevant plans lay with the municipality, which sought to acquire ownership of the plot of land so as to ensure that construction activities in accordance with its general land-use plan could be carried out in the area. Moreover, the compensation committee calculated the value of the plot of land on the basis of the sale prices of similar properties in the area. The Court finds no basis for concluding that the domestic authorities in the present case abused their discretion when basing the level of compensation on the sale prices of similar properties in the area, having regard to the regulations in force at the time of the expropriation and the fact that a detailed local plan in the area was to be expected only in the future, currently without a specific timeframe.

18. Accordingly, the Court finds that the State acted within its margin of appreciation and that the expropriation of the applicants' property did not place an excessive or disproportionate burden on them. It further considers that the impugned measure struck a fair balance between the protection of property and the requirements of the general interest and was therefore proportionate.

19. In view of the foregoing considerations, the Court concludes that the applicants' complaint under Article 1 of Protocol No. 1 to the Convention is manifestly ill-founded and must be rejected pursuant to 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 28 May 2026.

Dorothee von Arnim Deputy Registrar	Péter Paczolay President