

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

FOURTH SECTION

DECISION

Application no. 21989/08
Matti Johannes MAJURI
against Finland

The European Court of Human Rights (Fourth Section), sitting on 20 March 2012 as a Chamber composed of:

Lech Garlicki, *President,*
David Thór Björgvinsson,
Päivi Hirvelä,
George Nicolaou,
Ledi Bianku,
Zdravka Kalaydjieva,
Vincent A. De Gaetano, *judges,*

and Lawrence Early, *Section Registrar,*

Having regard to the above application lodged on 29 April 2008,

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

Having deliberated, decides as follows:

PROCEDURE

The applicant, Mr Matti Johannes Majuri, was a Finnish national who died on 19 March 2009. His son, Mr Hannu Majuri, expressed his wish to pursue the application. He was represented before the Court by Mr Markku Fredman, a lawyer practising in Helsinki. The Finnish Government ("the Government") were represented by their Agent, Mr Arto Kosonen of the Ministry for Foreign Affairs.

The applicant complained under Article 2 of Protocol No. 4 to the Convention that his freedom to choose his residence had been violated.

On 14 and 21 February 2012 the Court received friendly settlement declarations signed by the parties under which the applicant agreed to waive any further claims against Finland in respect of the facts giving rise to this application against an undertaking by the Government to pay him 2,500 euros to cover any non-pecuniary damage as well as 2,400 euros to cover any costs and expenses (inclusive of value-added tax), which would be free of any taxes that may be applicable. These sums would be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. In the event of failure to pay these sums within the said three-month period, the Government undertook to pay simple interest on it, from 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 would 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 its Protocols and finds no reasons to justify a continued examination of the application (Article 37 § 1 *in fine* of the Convention).

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.

Lawrence Early
Registrar

Lech Garlicki
President