

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

FOURTH SECTION

DECISION

Application no. 32204/11
Katja Mirikli PANAJOTI
against Finland

The European Court of Human Rights (Fourth Section), sitting on 25 September 2012 as a Committee composed of:

Ledi Bianku, *President,*
Päivi Hirvelä,
Zdravka Kalaydjieva, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 18 May 2011,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Ms Katja Mirikli Panajoti, is a Finnish national, who was born in 1981 and lives in Tampere. She was represented before the Court by Mr Tommi Koivistoinen, a lawyer practising in Tampere.

The Finnish Government ("the Government") were represented by their Agent, Mr Arto Kosonen of the Ministry for Foreign Affairs.

The applicant complained under Articles 8 and 13 of the Convention about the bodily search and the search conducted by the police in her home and that she had had no effective remedy to challenge these searches before a court.

On 7 June and 20 August 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 her 3,000 euros to cover any non-pecuniary damage as well as 1,000 euros (inclusive of value-added tax) to cover any costs and expenses, which would be free of any taxes that may be applicable. The sums would be payable within three months from the date of notification of the decision taken by the Court. 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 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 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. 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.

Fatoş Aracı	Ledi Bianku
Deputy Registrar	President