

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

FOURTH SECTION

DECISION

Application no. 63729/10
Markku Juhani TOLPPANEN
against Finland

The European Court of Human Rights (Fourth Section), sitting on 13 November 2012 as a Committee composed of:

George Nicolaou, *President,*
Zdravka Kalaydjieva,
Vincent A. De Gaetano, *judges,*

and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 19 October 2010,

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

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Mr Markku Juhani Tolppanen, is a Finnish national, who was born in 1952 and lives in Lapinlahti. 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 Articles 6 § 1 and 13 of the Convention about the length of the administrative proceedings and the lack of an effective remedy in that respect.

On 25 and 29 June 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 2,000 euros to cover any non-pecuniary damage, which would be free of any taxes that may be applicable. It 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 this sum 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.

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| Fatoş Aracı<br>Deputy Registrar | George Nicolaou<br>President |