



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

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FOURTH SECTION

Application no. 21546/26
Rakim Dani Dalby AKKAOUI
against Denmark
lodged on 19 May 2026
communicated on 2 July 2026

SUBJECT MATTER OF THE CASE

The applicant, a stateless Palestinian from Lebanon, born in 1979, entered Denmark with his parents in 1986, at the age of 8. He had a criminal past. In criminal proceedings in 2011 he was warned of expulsion, and in 2014, he was ordered to be expelled with a permanent re-entry ban.

However, the Danish authorities could not implement the expulsion order as it has so far not been possible to deport him to Lebanon.

Consequently, on 17 July 2018 the Aliens Board issued an order that the applicant reside at a return centre (*Kærshovedgård*) during the night and register 3 times per week during daytime with the police at the centre. The centre is situated in the countryside approximately 7 km from the closest town.

In 2019 the applicant had a child. In 2021 he divorced the mother of the child.

In 2019 and 2024, the applicant was convicted and ordered to be expelled again.

By a District Court judgment of 10 April 2025, under Article 143 of the Penal Code, the applicant was convicted for having failed to comply with the residence order and the registration duty in the period from 2020 to 2024. He was sentenced to 3 years and 9 months' imprisonment. He was also issued with a new expulsion order. Before the District Court, the applicant maintained in vain that the resident order of indefinite duration was in

violation of, among others, Articles 5 and 8 of the Convention. On appeal, the judgment was upheld by the High Court on 22 September 2025. Leave to appeal to the Supreme Court was refused on 21 January 2026.

The applicant complained that the High Court's judgment, which became final on 21 January 2026, was in breach of Articles 3, 5 and 8 of the Convention.

QUESTIONS TO THE PARTIES

1. Has the applicant exhausted domestic remedies in respect of his complaint under Article 3 of the Convention?

2. Was the High Court's judgment, which became final on 21 January 2026, in breach of Articles 3, 5 and 8 of the Convention (see, *inter alia* *Guzzardi v. Italy*, 6 November 1980, §§ 92-94, Series A no. 39)?