



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

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FOURTH SECTION

Application no. 20603/26
Abdalaziz Mohamed ABDULLAHI
against the Netherlands
lodged on 27 May 2026
communicated on 10 July 2026

SUBJECT MATTER OF THE CASE

The application concerns the alleged non-enforcement of a judicially determined contact arrangement between the applicant and his five children (born between 2010 and 2020).

The parents divorced in October 2018; the youngest child was born afterwards. The children lived with their mother but maintained contact with the applicant under an agreed arrangement. As from summer 2022, four of the five children refused further contact.

In April 2023 the Rotterdam Regional Court established a revised contact arrangement, enforceable by penalty payments on the mother. She appealed, alleging domestic abuse, prompting an investigation by the Council for Child Protection. An interim contact arrangement was agreed.

In January 2024 the Council found no clear cause for the children's refusal and no evidence of abuse but considered a supervision order (*ondertoezichtstelling*) necessary due to the children's entrenched resistance. The parents agreed, and in February 2024 a 12-month supervision order was imposed, executed by a certified institution (*Gecertificeerde Instelling*, "GI").

Throughout 2024, no contact was resumed. The applicant criticised the GI's lack of progress and commitment.

In January 2025 the Court of Appeal of The Hague upheld the contact arrangement but removed the penalty payments, finding no evidence that the

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mother was obstructing contact. The GI sought a further 12-month supervision order, noting possible openness of the children to neutral contact. The applicant opposed, alleging parental alienation and ineffective intervention, but accepted a shorter extension conditional on progress. In April 2025, the Rotterdam Regional Court extended the order for six months.

During 2025 the applicant filed disciplinary complaints against the GI which were partially upheld and partially declared inadmissible because complaints about the manner in which contact should be resumed could only be assessed by a judge.

In October 2025 the GI requested another extension, citing slow but ongoing therapeutic progress and accusing the applicant of hindering the process. The Rotterdam Regional Court granted the extension, emphasising the need to respect the children's pace. The applicant appealed, requesting appointment of a guardian *ad litem* to advocate for the children's needs and noting that resumption of contact was becoming increasingly implausible with the passing of time.

In parallel, in November and December 2025 summary proceedings (*kort geding*) brought by the applicant seeking reintroduction of penalty payments were dismissed, as no obstruction by the mother was found and enforcement was deemed contrary to the children's interests.

In February 2026 the Court of Appeal of The Hague rejected the applicant's appeal, finding that the children were affected by a complex parental conflict and that the applicant's conduct had impeded progress. No shortcomings by the GI were established.

The applicant sought advice from a specialised lawyer to submit an appeal on points of law to the Supreme Court but received negative advice on 7 April 2026.

Separately, the supervision order was again extended in February 2026 for six months, and two guardians *ad litem* were appointed to *inter alia* investigate the children's refusal and advise the parents.

The applicant complains under Articles 6, 8 and 13 of the Convention that, since 13 April 2023, the contact arrangement has not been enforced, in breach of the State's positive obligations, and that no effective remedies were available to secure enforcement.

QUESTIONS TO THE PARTIES

1. Has the applicant exhausted all effective domestic remedies, as required by Article 35 § 1 of the Convention (see *Tzioumaka v. Greece*, no. 31022/20, §§ 55-64, 9 April 2024)?

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2. Did the State comply with its positive obligation to help re-establish contact between the applicant and his children? In particular,

(a) Did the relevant authorities make sure that professional, targeted support was effectively provided to the children to identify the cause of their refusal to see the applicant, and to prevent and counter their estrangement from him (see *Aneva and Others v. Bulgaria*, nos. 66997/13 and 2 others, § 109, 6 April 2017 and *Anagnostakis v. Greece*, no. 26504/20, § 56, 10 October 2023, no. 26504/20)?

(b) Did the authorities provide such support sufficiently diligently to avoid the risk of procedural delays resulting in a *de facto* determination of the issue (see *Strand Lobben and Others v. Norway* [GC], no. 37283/13, § 212, 10 September 2019 and *Tzioumaka v. Greece*, no. 31022/20, §§ 92-94, 9 April 2024)?

(c) Did the authorities, in their identification of the support to be given to the children, strike a fair balance between the interests of the children and the applicant, given the paramount importance that is to be given to the best interests of the children (see *Strand Lobben and Others v. Norway* [GC], no. 37283/13, §§ 206-207, 10 September 2019, *X and Others v. Slovenia*, no. 27746/22, §§ 150-151, 19 December 2024; and *Münster v. Czech Republic* (dec.), no. 17290/23, § 62, 18 March 2026)?

(d) Did the relevant authorities take all steps that could reasonably be required of them to facilitate the execution of judicial decisions granting contact rights to the applicant, given the circumstances of the case (see *Ignaccolo-Zenide v. Romania*, no. 31679/96, § 96, ECHR 2000-I, no. 31679/96, and *Ribić v. Croatia*, no. 27148/12, § 93, 2 April 2015)?

(e) Was the applicant involved in the decision-making process to a degree sufficient to provide him with the requisite protection of his interests (see *X and Others v. Slovenia*, no. 27746/22, § 152, 19 December 2024)?

(f) Was the applicant's exercise of judicial remedies with a view to restoring contact between him and the children held against him (see *Strand Lobben and Others v. Norway* [GC], no. 37283/13, § 212, 10 September 2019 and *Münster v. Czech Republic* (dec.), no. 17290/23, § 66, 18 March 2026)?