



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

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THIRD SECTION

Application no. 15776/26
P.N.
against Serbia
lodged on 2 April 2026
communicated on 27 August 2026

SUBJECT MATTER OF THE CASE

The application concerns the alleged failure of the Serbian authorities to secure effective contact between the applicant and his two minor children, owing to the “excessive length” of the related civil proceedings and “the inadequate” enforcement or “non-enforcement” of interim access orders issued in this context.

In May 2022 the applicant brought domestic proceedings seeking a divorce from his wife and the determination of custody and contact arrangements with his two sons, born in 2012 and 2018, respectively. By the time he lodged a constitutional appeal in January 2025, and also by the time he submitted his application to the Court, no first instance judgment had been rendered. The proceedings are thus still pending, and several interim access orders regulating contact between the applicant and the children have allegedly either not been enforced at all or have not been enforced properly. On 15 October 2025, the Constitutional Court dismissed the applicant’s constitutional appeal against the lower courts’ refusal to expedite the proceedings as manifestly ill-founded and, in so far as he had requested the Constitutional Court itself to find a violation of his right to a trial within a reasonable time, for failure to exhaust domestic remedies.

Based on the above, the applicant complains that he has suffered a breach of his rights guaranteed under Articles 6, 8, 12 and 13 of the Convention, specifically the rights to a trial within a reasonable time and to have interim

court decisions enforced, as well as the right to respect for his family life, the right to marry, and the right to an effective remedy before a national authority.

QUESTIONS TO THE PARTIES

1. Was the length of the civil proceedings in question in breach of the “reasonable time” requirement contained in Article 6 § 1 of the Convention (see *Frydlender v. France* [GC], no. 30979/96, § 43, ECHR 2000-VII; see also, *mutatis mutandis*, *V.A.M. v. Serbia*, no. 39177/05, §§ 98-101, 13 March 2007, and *Veljkov v. Serbia*, no. 23087/07, § 85, 19 April 2011)?

2. Has there been a violation of the applicant’s right to respect for his family life, with regard to the length of the civil proceedings in question and/or the enforcement of the interim access orders, contrary to Article 8 of the Convention (see *Milovanović v. Serbia*, no. 56065/10, §§ 115-20, 8 October 2019, and *Popadić v. Serbia*, no. 7833/12, §§ 82-85, 20 September 2022, with further references)?

3. Has there been a violation of the applicant’s right to marry, contrary to Article 12 of the Convention (see, *mutatis mutandis*, *V.K. v. Croatia*, no. 38380/08, §§ 98-107, 27 November 2012, with further references)?

4. Did the applicant have at his disposal an effective domestic remedy for his complaints under Articles 6 § 1, 8 and 12, as required by Article 13 of the Convention (see, for example, *Janočková and Kvocera v. Slovakia*, no. 39980/22, §§ 53, 57 and 63, 8 February 2024, and *Kuppinger v. Germany*, no. 62198/11, § 137, 15 January 2015; see also, *mutatis mutandis*, *D.G. and S.G. v. Serbia*, no. 61347/21, §§ 133-35, 24 June 2025)?