

The Minister of Immigration and Integration

Katrin Langensiepen
MEP | Greens/EFA Group in the European Parliament

Sent by e-mail to katrin.langensiepen@europarl.europa.eu



Ministry of Immigration and Integration

Dear Katrin Langensiepen and members of the European Parliament,

Thank you for your letter. In agreement with Prime Minister Mette Frederiksen, I will reply to your letter as it relates to asylum and migration policy. I understand and acknowledge that this subject and the situation in Syria are of great concern to all of you.

The approach of the Danish government is to provide protection to those in need of it, but when the conditions in the home country have improved, former refugees should return to their home country and re-establish a life there. Denmark has made it clear to refugees – including the Syrians – that their residence permits are temporary and that they can be revoked if the need for protection ceases to exist.

At this point the revocation and denying of extension of residence permits only apply to persons from Damascus and Rif Damascus with temporary residence permits granted on the grounds of general conditions as laid out in the Danish Aliens Act section 7 (2) or section 7 (3). Persons from Syria with a residence permit granted on individual grounds, e.g. persons in conflict with the Syrian authorities due to fleeing compulsory military service, which is therefore within the scope of the 1951 Refugee Convention, are *not* affected.

All cases are assessed by the Danish Immigration Service in first instance and automatically referred to the Refugee Appeals Board which is the second and final instance. The Board is an independent, quasi-judicial body consisting of three members with the chairperson being an appointed judge. The members of the Board may not accept or seek directions from anyone including the Ministry or Minister of Immigration and Integration.

The Immigration Service and the Board thoroughly review every case in order to make sure that a person with a need for protection retains his or her residence permit. When assessing whether a person is still entitled to protection in Denmark, the Danish Immigration Service and the Refugee Appeals Board take into account both the current general conditions in the person's home area and any individual circumstances, which may imply that the person at hand is still in need of protection.

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Ministry of Immigration and
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Act ID 1633668

The decision to reassess the residence permits of persons from Damascus and Rif Damascus was based on a conclusion on the general security situation in Damascus and Rif Damascus from the Refugee Appeals Board. Based on the background information available, the Refugee Appeals Board found that the situation in Damascus and Rif Damascus has changed to such effect that people do not risk ill-treatment contrary to Article 3 of the European Convention on Human Rights solely on account of their presence in those areas. The Board still finds the situation in Damascus and Rif Damascus severe, fragile and unpredictable, but concluded that the situation has improved, and the Board do not consider the changes to be of a completely temporary nature.

The Board has, according to its mandate, made the assessment based on a wide collection of reports regarding Syria from various sources including reports from the Danish Immigration Service, the authorities in Sweden and Great Britain, EASO and different NGOs.

The Board's decisions are in accordance with the Danish Aliens Act – In which the aforementioned criteria are set out – as well as Denmark's international obligations, including article 3 of the European Convention on Human Rights and the case law of the European Court of Human Rights.

In regards to forced returns to Syria, there are currently exceptional circumstances. The Danish government has decided that in the interest of Danish foreign policy, Denmark currently does not carry out forced returns to Syria. It is an assessment based on an analysis and a policy, which Denmark shares with our closest allies in Europe and the US. Denmark has not carried out any forced returns to Syria since 2012. However, this does not change the Danish government's position on temporary protection and the Government stand by the policy on this matter. The Danish authorities will continue to assist persons from Syria in Denmark with arranging their voluntary return and offer financial assistance in case of such return.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Mattias Tesfaye', is written over a light blue circular stamp.

Mattias Tesfaye,
Minister for Immigration and Integration