

Petition response: Letter about Syrian refugees in Denmark

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Thank you for your letter of 10 May 2021 addressed to HRVP Borrell. I have been asked to reply on his behalf.

As a result of its opt-out, Denmark does not take part in EU measures on immigration and asylum policy, notably the Common European Asylum System. The Danish decision to revoke residency permits of Syrian refugees is a national decision and it is the Member State's responsibility to individually assess each case and ensure respect of the principle of non-refoulement. However, Denmark is bound by the Return Directive due to its participation in the Schengen acquis, which allows the return of irregular migrants to a third country of origin, transit or another third country where the irregular migrants agrees to return, provided that the principle of non-refoulement is respected and without prejudice to the right to asylum.

Denmark remains bound by its international obligations stemming from the Geneva Convention and the European Convention of Human Rights, which include the prohibition of refoulement, and must comply with the obligation of carrying out an individual assessment of each case and to respect the principle of non-refoulement as laid down in the within the framework of the Return Directive.

While the decision to return must always be an individual one, the European Union shares UNHCR's assessment that conditions for safe, voluntary and dignified return are not in place in Syria at present and that there could be security risks for certain individuals returning to Damascus, which has also been pointed out in the European Asylum Support Office's Country Guidance on Syria.

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The Danish authorities have assured the Commission that they will not carry out any forced returns.