

URGENT ACTION

DENMARK: PROTECT SYRIANS AT RISK OF RETURN

Between 2020 and 1 April 2021, Denmark has revoked or not renewed the residence permits of 380 Syrians, claiming that certain parts of Syria (Damascus and the Rif region) are “safe”. While many of them are waiting for their cases to be finally decided in appeal, 39 Syrians have already been put in a “return position”, meaning that they are at risk of being returned to Syria. Amnesty International believes that any return to Syria would be a violation of the international obligation of non-refoulement, which prohibits states from transferring people to a place where they would be at real risk of serious human rights violations.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Danish Minister of Immigration and Integration

Mr. Mattias Tesfaye
Slotsholmsgade 10,
1216 København
Denmark

Email: uim@uim.dk

Dear Mattias Tesfaye,

I am writing to call on the government of Denmark to halt the review process of the residency permits of Syrian refugees and renew the temporary residency of Syrian refugees who sought refuge in Denmark after fleeing the armed conflict in their country. All Syrian asylum seekers should be granted protection in Denmark.

By 1 April 2021, 380 Syrians have already had their residency permits revoked or not renewed at the Immigration Service (first instance) and are now either waiting or have received a final decision by the Danish Refugee Appeals Board (last instance). By April 2021, at least 39 Syrians who fled the armed conflict in Syria have received a final decision on their case and have been put in a so-called ‘return position’ in Denmark – meaning that they are at risk of being deported if Denmark re-establishes diplomatic ties with the Syrian regime.

I am concerned that Syrians affected by the decision to review residency permits will be transferred to “return centres” where they would not have access to work or education opportunities, despite no immediate prospect of deportation. I am also concerned that these conditions may pressure them to return to Syria, where they would be at real risk of serious human rights violations.

The cessation of hostilities in certain areas of Syria does not mean that people can safely go back. Amnesty International has exhaustively documented the continued crimes taking place in Syria. Civilians in Syria, including refugees who returned, are at risk of serious human rights violations, such as arbitrary detention, torture and other ill-treatment, and enforced disappearance.

I urge you to take immediate steps to ensure the continuation of protection to all Syrians residing in Denmark, including those who have temporary residency permits. All Syrians are in need of protection until there is a situation where their fundamental rights are no longer at risk in Syria.

Yours sincerely,

ADDITIONAL INFORMATION

Against the backdrop of contested country-of-origin reports on the situation in Syria, the Danish Immigration Service and the Danish Refugee Appeals Board consider Damascus - and from February 2021 also the rural Damascus region - "safe" for returns.

By April 2021, at least 39 Syrians who fled the armed conflict in Syria have received a final decision on their case and have been put in a so-called 'return position' in Denmark – meaning that they are at risk of being deported if Denmark re-establishes diplomatic ties with the Syrian regime. 30 days after the denial of asylum, revocation or non-renewal of their residence permits, Syrian refugees will be placed in return centers where they are unable to work or study. Denmark does not have any diplomatic ties with the Syrian regime and cannot carry out deportations. According to the Danish Aliens Act, the Danish authorities could use "motivation-inducing" measures – including detention – to "motivate" foreign nationals without regular migration status to "voluntarily" return.

Amnesty International is deeply concerned that Syrians without residence permits will face serious restrictions, possibly including detention, to "incentivize" their "voluntary" return to Syria. As people are placed in return centres without access to work or education, the conditions imposed by the Danish government leave them with little alternative and might pressure them to return. Amnesty International believes that stripping individuals of their regular migration status, job and education, imposes on them conditions that pressure them to return to Syria. This is a violation of the international law obligation of non-refoulement, which prohibits states from transferring people, directly or indirectly, to a place where they would be at real risk of serious human rights violations.

Danish Immigration authorities are using the current absence of hostilities in Damascus and the Rif-region as a justification to either revoke or refuse to renew residency permits. According to Amnesty International's documentation, residents from Damascus and the Rif-region would still face a real risk of persecution or other serious human rights violations upon return - regardless of the absence of conduct of hostilities - and are therefore still in need of international protection.

Amnesty International is currently conducting research on violations against Syrian refugees who have returned to Syrian government-controlled areas, including to Damascus. Our research to date shows that civilians returning to their place of origin in government-controlled areas are requested to go through a "security clearance" involving interrogation by Syrian security forces. Amnesty International considers these forces to be responsible for widespread and systematic human rights violations and abuses constituting crimes against humanity, including the use of torture, extrajudicial executions and enforced disappearances.

In 2019 the Danish government introduced a so-called "paradigm-shift" in its immigration and refugee policies. The focus changed from supporting integration to emphasizing the hoped-for short duration of protection and using all measures to effect return at the earliest opportunity. Part of the shift was to grant temporary residency permits to refugees in need of protection instead of the permanent status previously granted. In December 2019 the Danish Refugee Appeals Board ruled to deny asylum to three Syrian nationals from Damascus, stating that the individuals were not at risk of persecution due to the "general conditions" in the area.¹ The Board partly based its decision on a report from the Danish Immigration Services of 21 February 2019, according to which Syrians from Damascus were not at risk from 'general violence in Damascus'.² Against this backdrop, the Ministry of Immigration and Integration decided in June 2020 to accelerate the review of residency permits of around 900 refugees from Damascus that had been given temporary protection status due to the general violence in Syria.³ Since February 2021 this decision has now been extended to also include people from Rif-Damascus.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Danish

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 August 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

¹ The Refugee Board, Statement, 17 December 2019, https://fln.dk/Nyheder/Nyhedsarkiv/2019/17-12-2019?fbclid=IwAR3wCx4gW6PqS-eUsEZWT1yeluR4-eZxegP9YKskDbRzzUqnrqZ_ES8p7MI

² Integrationsministeriet, "Regeringen sætter gang i genvurdering af syriske flygtninges behov for beskyttelse", 28 June 2020 <https://www.regeringen.dk/nyheder/2020/regeringen-saetter-gang-i-genvurdering-af-syriske-flygtninges-behov-for-beskyttelse/>

³ Integrationsministeriet, Press statement, 28 June 2020, <https://uim.dk/nyheder/regeringen-saetter-gang-i-genvurdering-af-syriske-flygtninges-behov-for-beskyttelse>