

To the attention of:

Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

Mr. Josep Borrell Fontelles

Commissioner for Home Affairs,

Mrs. Ylva Johansson

July 8, 2021

On the subject of the Danish Government's externalization of asylum seekers to third countries outside of the EU

It is with our greatest concern, that we, the undersigned, write this letter to you.

On Thursday June 3rd, 2021, a majority of the Danish Parliament voted in favor of the new law L226, which aims at establishing asylum centers and transfer asylum seekers to third countries outside of the EU.

When the Danish Government and the Minister for Immigration and Integration, Mattias Tesfaye, first tabled the proposal, the UN Refugee Agency (UNHCR) showed great concern for the proposal in a 10 pages long answer to the public consultation:

*"UNHCR considers that the Danish proposal to transfer asylum-seekers to third countries for processing asylum applications and accommodation is an example of such externalization practices. UNHCR does not support externalization, as such practices, that shift burdens, avoid responsibility, and frustrate access to international protection, are inconsistent with global solidarity and responsibility sharing, regularly undermines the rights of asylum-seekers and refugees and thus violate international obligations of States."*¹

A deep and great concern we share. As this practice from the Danish Government and a majority of the Parliament can, if not careful, violate international conventions and practices.

The law itself does not establish in which third country such asylum center should be located, but it is well known that the Danish Government has been meeting and signed a memorandum of understanding with the Rwandan Government². A third country where basic human rights such as freedom of expression, freedom from torture, and the right to a fair trial are being limited and violated³. The Danish Government has designed the law in a way that frees it from all responsibilities when the asylum seekers are transferred to the third country, meaning that these asylum seekers will no longer be protected by the Danish State nor Denmark's obligations under international conventions signed by Denmark.

¹ <https://www.refworld.org/docid/6045dde94.html>

²

https://www.minaffet.gov.rw/fileadmin/user_upload/Minaffet/Publications/MoU_on_Asylum_and_Migration_between_Rwanda_and_Denmark.pdf

³ <https://www.hrw.org/world-report/2020/country-chapters/rwanda>

We, therefore:

- **Urge the Commission to investigate the legitimacy of the Danish Government's new law, L226, on the externalization of asylum seekers in relations to international law and procedures;**
- **Urge the Commission to investigate the obligations of Denmark as an EU Member State and co-signer of the Dublin Regulation in relation to externalize asylum centers and seekers to a third country;**
- **Stress the importance of the role of the EU in securing human rights and international conventions, as prevention of human rights violations made by its Member States within and out of the borders of the EU**

Yours sincerely,

Nikolaj Villumsen, MEP, The LEFT, Denmark.

Malin Björk, MEP, The LEFT, Sweden

Maria Eugenia Rodríguez Palop, MEP, The LEFT, Spain

Co-signed by:

Francois Alfonsi, MEP, Greens/EFA, France

Rasmus Andresen, MEP, Greens/EFA, Germany

Maria Arena, MEP, S&D, Belgium

Manon Aubry, MEP, The LEFT, France

Margrete Auken, MEP, Greens/EFA, Denmark

Pernando Barrena, MEP, The LEFT, Basque Country

Benoît Biteau, MEP, Greens/EFA, France

Manuel Bompard, MEP, The LEFT, France

Milan Brglez, MEP, S&D, Slovenia

Saskia Bricmont, MEP, Greens/EFA, Belgium

Damien Carême, MEP, Greens/EFA, France

Isabel Carvalhais, MEP, S&D, Portugal

Leïla Chaïbi, MEP, The LEFT, France

David Cormand, MEP, Greens/EFA, France

Gwendoline Delbos-Corfield, MEP, Greens/EFA, France

Karima Delli, MEP, Greens/EFA, France

Özlem Demirel, MEP, The LEFT, Germany
Cornelia Ernst, MEP, The LEFT, Germany
Tanja Fajon, MEP, S&D, Slovenia
José Gusmão, MEP, The LEFT, Portugal
Claude Gruffat, MEP, Greens/EFA, France
Heidi Hautala, MEP, Greens/EFA, Finland
Yannick Jadot, MEP, Greens/EFA, France
Agnes Jongerius, MEP, S&D, Netherlands
Alice Kuhnke, MEP, Greens/EFA, Sweden
Dietmar Köster, MEP, S&D, Germany
Erik Marquardt, MEP, Greens/EFA, Germany
Marisa Matias, MEP, The LEFT, Portugal
Karen Melchior, MEP, Renew, Denmark
Martina Michels, MEP, The LEFT, Germany
Silvia Modig, MEP, The LEFT, Finland
Ville Niinistö, MEP, Greens/EFA, Finland
Janina Ochojska, MEP, EPP, Poland
Dimitrios Papadimoulis, MEP, The LEFT, Greece
Anne-Sofie Pelletier, MEP, The LEFT, France
Kira Marie Peter-Hansen, MEP, Greens/EFA, Denmark
Manu Pineda, MEP, The LEFT, Spain
Morten Helveg Petersen, MEP, Renew, Denmark
Sira Rego, MEP, The LEFT, Spain
Terry Reintke, MEP, Greens/EFA, Germany
Thijs Reuten, MEP, S&D, Netherlands
Diana Riba I Giner, MEP, Greens/EFA, Spain
Michèle Rivasi, MEP, Greens/EFA, France
Dorien Rookmaker, MEP, Non-attached, Netherlands
Caroline Roose, MEP, Greens/EFA, France
Domènec Ruiz Devesa, MEP, S&D, Spain
Mounir Satouri, MEP, Greens/EFA, France

Martin Schirdewan, MEP, The LEFT, Germany

Helmut Scholz, MEP, The LEFT, Germany

Massimiliano Smeriglio, MEP, S&D, Italy

Jordi Solé, MEP, Greens/EFA, Spain

Tineke Strik, MEP, Greens/EFA, Netherlands

Marie Toussaint, MEP, Greens/EFA, France

Miguel Urbán Crespo, MEP, The LEFT, Spain

Ernest Urtasun, MEP, Greens/EFA, Spain

Idoia Villanueva Ruiz, MEP, The LEFT, Spain

Salima Yenbou, MEP, Greens/EFA, France