

To the attention of:

**Mr. Josep Borrell Fontelles**

High Representative of A Stronger Europe in the World

Vice-President of the EU Commission

**Mrs. Ylva Johansson**

Commissioner of Home Affairs

Brussels June 23<sup>rd</sup>, 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 3<sup>rd</sup>, 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 of Aliens and Integration, Mattias Tesfaye, first tabled the proposal, the UN Refugee Agency (UNHCR) showed great concern for the proposal in a 10 pages long hearing-answer:

*"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."*<sup>1</sup>

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 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 Government.<sup>2</sup> A third country where basic human rights are being limited and violated such as, freedom of expression, freedom from torture, and right to fair trial.<sup>3</sup> The Danish Government has designed the law to the extent that it frees itself from all responsibilities when the asylum seekers are transferred to the third country, and the asylum seekers will therefor no longer be protected by the Danish Government nor international conventions signed by Denmark.

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;**

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

<sup>2</sup>

[https://www.minaffet.gov.rw/fileadmin/user\\_upload/Minaffet/Publications/MoU\\_on\\_Asylum\\_and\\_Migration\\_between\\_Rwanda\\_and\\_Denmark.pdf](https://www.minaffet.gov.rw/fileadmin/user_upload/Minaffet/Publications/MoU_on_Asylum_and_Migration_between_Rwanda_and_Denmark.pdf)

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

- **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 EU's role in securing human rights and international convention, 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

María Eugenia Rodríguez Palop, The Left, Spain

Co-signed by: