On 2 and 3 April 2025, the Refugee Board heard three test cases concerning persons from Ukraine who do not meet the conditions for being granted a residence permit under the Act on Temporary Residence Permits for Persons Displaced from Ukraine (Special Act). The persons concerned have submitted an application for asylum under Section 7 of the Aliens Act.

In all three cases, the Refugee Board has upheld the decisions of the Danish Immigration Service to refuse the applicants a residence permit pursuant to Section 7 of the Aliens Act.

In its decisions, the Refugee Board has, among other things, addressed the general conditions in the Kharkiv area and the application of IFA (Internal flight alternative) in relation to persons from such an area. In addition, the Board has addressed the issue of punishment for evading military service and the conditions of serving sentences in Ukraine.

One of the decisions assumes that there are general conditions in the Kharkiv area that are in violation of ECHR Article 3.

The premises of the three confirmed cases can be read here:

Ukraine-2025-1-EEB

Ukraine-2025-2-MNR

Ukraine-2025-3-MNR

Source(s)

- Refugee Appeals Board | Flygtningenævnet (4 April, 2025), Arkiv Flygtningenævnet har truffet afgørelse i de første sager vedrørende personer fra Ukraine [The Refugee Appeals Board has made a decision in the first cases concerning persons from Ukraine], https://fln.dk/nyheder/nyhedsarkiv/2025/april/flygtningenaevnet-har-truffet-afgoerelse-i-de-foerste-sager-vedroerende-personer-fra-ukraine/

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