Forms of protection - Denmark

Overview

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Relevant EU legislation

In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty of the European Union (TEU) and to the Treaty of the Functioning of the European Union (TFEU), Denmark is not taking part in the adoption of the recast Qualifications Directive and is not bound by it or subject to their application.

A similar national legal framework applies, as stipulated in the main legislative acts:

- Aliens Consolidated Act. LBK no. 1009 of 02/09/2024 | Bekendtgørelse af udlændingeloven LBK nr 1009 af 02/09/2024
- Executive Order on the Act on the Integration of Foreigners in Denmark (Integration Act). Law no. 1146 of 22/06/2020 | Bekendtgørelse af lov om integration af udlændinge i Danmark (integrationsloven) LBK nr 1146 af 22/06/2020

and the following implementing acts:

- Ordinance on the entry into force of the Immigration Act for Greenland (No. 184 of 14 February 2025) | Anordning om ikrafttræden for Grønland af udlændingeloven (nr. 184 af 14. februar 2025)
- Ordinance on the entry into force of the Immigration Act for the Faroe Islands (No. 182 of 22 March 2001) | Anordning om ikrafttræden for Færøerne af udlændingeloven (nr. 182 af 22. marts 2001)
- Executive Order on the Entry of Foreigners to the Faroe Islands (No. 636 of 7 June 2010) | Bekendtgørelse om udlændinges adgang til Færøerne (nr. 636 af 7. juni 2010)

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- Executive Order on Housing Placement of Refugees (BEK no. 550 of 03/05/2022) | Bekendtgørelse om boligplacering af flygtninge BEK nr 550 af 03/05/2022)
- Rate Guide 2025 (ROAD no. 10041 of 05/12/2024) | Satsvejledning 2025. VEJ nr 10041 af 05/12/2024
- Act amending the Act on an active employment initiative, the Integration Act and various other acts (ACT no. 1654 of 30/12/2024) | Lov om ændring af lov om en aktiv beskæftigelsesindsats, integrationsloven og forskellige andre love (LOV nr 1654 af 30/12/2024)
- Executive Order on the preparation of contracts and the introduction program pursuant to the Integration Act (BEK no. 1761 of 30/12/2024) | Bekendtgørelse om udarbejdelse af kontrakt og om introduktionsprogrammet efter integrationsloven (BEK nr 1761 af 30/12/2024)
- Initial guidance on work obligation for persons who do not meet the residence requirement and employment requirement in the cash benefit system (SKR no. 10228 of 30/12/2024) | Startvejledning om arbejdspligt for personer, som ikke opfylder opholdskravet og beskæftigelseskravet i kontanthjælpssystemet (SKR nr 10228 af 30/12/2024)
- Act amending the Act on Active Social Policy, the Act on Active Employment Efforts and various other acts (ACT No. 1655 of 30/12/2024) | Lov om ændring af lov om aktiv socialpolitik, lov om en aktiv beskæftigelsesindsats og forskellige andre love (LOV nr 1655 af 30/12/2024)
- Getting started with the cash benefit reform 2024 (VEJ no. 10203 of 31/12/2024) | Startvejledning om kontanthjælpsreformen 2024 (VEJ nr 10203 af 31/12/2024)
- Executive Order on availability for persons who apply for or receive, among other things, self-sufficiency and repatriation benefits as activity-ready (BEK no. 1714 of 30/12/2024) | Bekendtgørelse om rådighed for personer der ansøger om eller modtager selvforsørgelses- og hjemrejseydelse, overgangsydelse, uddannelseshjælp eller kontanthjælp som aktivitetsparate (BEK nr 1714 af 30/12/2024)
- Executive Order on availability for persons who apply for or receive, among other things, self-sufficiency and repatriation benefits as job-ready (BEK no. 1713 of 30/12/2024) | Bekendtgørelse om rådighed for personer der ansøger om eller modtager overgangsydelse eller uddannelseshjælp som uddannelsesparate, herunder åbenlyst uddannelsesparate, eller selvforsørgelses- og hjemrejseydelse, overgangsydelse eller kontanthjælp som jobparate (BEK nr 1713 af 30/12/2024)

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National legislation

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Refugee status	Refugee Convention Status: Section 7(1) of the Aliens Act
Subsidiary protection	Protected Status: Section 7(2) of the Aliens Act.
Temporary protection	**Temporary protection on humanitarian grounds:** Section 7(3) of the Aliens Act
National forms of protection	**Humanitarian status:** Section 9 (b) of the Danish Aliens Act **Residence permit as a humanitarian quota refugee:** Section 8 of the Aliens Act **Residence permit due to exceptional reasons:** Section 9 c (1) of the Aliens Act **Residence permit due to insufficient maturity:** Section 9 c (3) (i) of the Aliens Act **Residence permit as an unaccompanied minor:** Section 9 c (3) (ii) of the Aliens Act

Competent authority and stakeholders

Refugee status	Danish Immigration Service | Udlændingestyrelsen
Subsidiary protection	Danish Immigration Service | Udlændingestyrelsen
Temporary protection	Danish Immigration Service | Udlændingestyrelsen

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National forms of protection	Danish Immigration Service | Udlændingestyrelsen Ministry of Immigration and Integration | Udlændinge- og Integrationsministeriet

Renewal and withdrawal of international protection and national forms of protection

Refugee status

Legal provisions relating to review, renewal and revocation of refugee status:

Chapter 1, Section 11(2) , and Chapter 3, 19 (revocation), 19(a) of the Aliens Act.

Length of the first and subsequent residence permits:

Beneficiaries of a residence permit pursuant to Section 7(1) or Section 8 of the Aliens Act, are issued a residence permit which can be extended for a maximum of 2 years at a time.

Review of the status:

The residence permit will be extended if the conditions that led to its granting remain unchanged. However, if the circumstances in the home country have improved significantly or if the individual has travelled back to his/her home country, the permit may not be extended. Certain factors, such as illness, having children in Denmark, or being in a relationship with a persecuted family member in Denmark, may allow for the extension to be maintained under Denmark's international obligations, even if the initial reasons for the residence permit no longer exist. This also follows from Section 19a of the Danish Aliens Act.

The Danish Immigration Service can revoke or refuse to extend a temporary residence permit if it was granted based on incorrect information or if the reason for the permit no longer applies. For example, if conditions in the individual’s home country have changed and they are no longer at risk of persecution, their

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permit may be revoked.

The Immigration Service will notify any employers who reported the individual's salary in the last 3 months about a decision on revocation or refusal on extension. The municipality of residence will likewise be notified of the decision.

Reasons for revoking or refusing to extent a residence permit include:

- End of protection: A residence permit may be revoked or refused extension if the conditions under which it was granted are no longer fulfilled. This reflects the cessation clauses in Article 1C of the 1951 Refugee Convention, e.g. where circumstances in the country of origin have changed to such an extent that the individual no longer requires international protection.
- Travel to the country of origin: A residence permit may be revoked or refused extension if the refugee has undertaken one or more journeys to his or her country of origin.
- Fraud: A residence permit, including a permanent residence permit, may be revoked or refused extension if it was obtained through false or misleading information.
- Threats to public order and security: A permit may be revoked if the individual is deemed a danger to public order, national security, or public health.
- Serious crimes: A permit may be revoked if the individual is a war criminal, has committed serious crimes abroad, or has been convicted of an offence in Denmark that would otherwise justify deportation.

Renewal of the status:

Beneficiaries with a residence permit under Section 7(1) of the Aliens Act do not need to apply for an extension themselves. Residence permits are automatically renewed. The Danish Immigration Service assesses whether the residence permit can be extended based on the continuing need for protection. The Immigration Service will contact the individual a few months before the permit expires to request the necessary information. If there is no contact by one month before expiration of the permit, it is recommended for beneficiaries to reach out to the Immigration Service.

Revoked or refused extension of the status:

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Regarding procedural aspects, the Danish Immigration Service is required to notify the permit holder of the intent to withdraw the residence permit prior to making a final decision. This notification serves to uphold the principle of transparency and ensures that the individual is fully aware of the impending administrative action against him/her. It also provides the foundation for the next procedural step, which is the right to submit comments, explanations, or objections regarding the proposed withdrawal. Following the submission of any comments or objections, the authorities must issue a formal decision in writing. This written decision must clearly state the grounds for withdrawing the permit, including explicit references to the legal provisions under which the withdrawal is based.

Furthermore, the applicable national legislation requires that the permit holder is informed that the decision will automatically be appealed to the Refugee Appeals Board, and that a lawyer will be appointed to assist in the appeal proceedings.

Grounds for revoking or refusing extension of the status:

A residence permit may be revoked or refused extension for several reasons. First, if the conditions under which the permit was originally granted are no longer fulfilled, the protection may cease. This reflects the cessation clauses in Article 1C of the 1951 Refugee Convention and applies, for example, when the situation in the country of origin has changed to such an extent that the individual no longer requires international protection.

A permit may also be revoked or refused extension if the refugee has travelled to his or her country of origin, thereby re-availing themselves of national protection. Likewise, if the residence permit – including a permanent residence permit – was obtained on the basis of false or misleading information, it can be revoked.

In addition, a permit may be revoked or refused extension if the holder is deemed to constitute a threat to public order, national security, or public health. The same applies in cases involving serious criminal conduct: if the individual is a war criminal, has committed grave offences abroad, or has been convicted of a crime in Denmark that would otherwise justify deportation, the residence permit may also be revoked or refused extended.

Section 19 and 19a (and section 11(2)) of the Danish Aliens Act establishes the legal framework for revocation or refusing to extend residence permits granted

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on asylum or humanitarian grounds (under Sections 7 and 8 of the Aliens Act), as well as family reunification permits (under Sections 9(1) and 9 c (1)), when specific conditions are met. These conditions, set out in Section 19(1)–(5), include concerns related to national security, serious criminal offences, or fraud. In such cases, the residence permit must be revoked or denied extension unless doing so would conflict with Denmark's international obligations, such as those under the European Convention on Human Rights or the 1951 Refugee Convention.

Consequences of revoking or refusing extension of the status:
A decision of revoking or refused extension will automatically be appealed to the Refugee Appeals Board. If the Refugee Appeals Board upholds the decision, then in accordance with the Aliens act the alien has no right to stay in Denmark and must leave the country. In case of revoking or refusal on extension, legal aid is provided at the second instance.

Legal provisions relating to lapsing of refugee status:

Chapter 3, Sections 17, 17(a) and 21(b).

Grounds for lapsing of the status:

The grounds for lapsing of a residence permit are stipulated under Chapter 3 of the Aliens Act.

In principle, a residence permit in Denmark will automatically lapse if the holder gives up his/her residence in Denmark or stays outside Denmark for more than six or twelve consecutive months, depending on the type of residence permit.

For refugees who were granted residence permit under Sections 7 or 8, the permit does not expire just because they leave Denmark. It will only lapse if they voluntarily settle in their home country or gain protection in a third country.

However, for refugees who has given up their residence in Denmark, or stays outside Denmark for more than six or twelve consecutive months, after June 15th 2025, a residence permit can only lapse if the refugee has voluntarily taken up residence outside the EU countries, Norway, Switzerland, Iceland or Liechtenstein, or if he/she has stayed outside these countries for more than 6 or 12 consecutive months, or if he/she has been granted protection outside Denmark.

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When assessing whether a refugees' residence permit should be considered lapsed, the decision will include an assessment under Denmark's international obligations of whether he/she must retain his/her residence permit or be granted a new residence permit as a refugee under the Aliens Act section 7.

If the refugee holds a residence permit as a refugee based on a specific and individual risk of persecution or abuse covered by the Refugee Convention (Aliens Act sections 7(1) or 8(1)), he/she may retain the residence permit if lapsing would be in violation of the Refugee Convention.

If the refugee holds a residence permit as a refugee based on individual circumstances or the general situation in the home country (Aliens Act section 7(2) or (3), or section 8(2)), the refugee may retain the residence permit if lapsing would be contrary to Denmark's international obligations, including the European Convention on Human Rights.

According to section 17(2) of the Aliens Act, it is possible to apply for dispensation to prevent a permit from lapsing. Certain conditions have to be met in order to be granted a dispensation.

If the applicant has a well-founded reason for staying abroad, or if the applicant has been prevented from re-entering Denmark, the applicant may be granted dispensation to prevent his/her permit from lapsing, depending on the circumstances in the case.

According to section 17(a) of the Aliens Act, it is possible to give up residency in Denmark due to repatriation, i.e. a voluntary, permanent return to the refugees' home country. In this case the refugee in general has the right to regret the decision about returning to the home country within 12 months and return to Denmark.

Lapsation of the status on grounds of section 21(b)

According to section 21(b) of the Aliens Act, a residence permit or right of residence will lapse if an individual resides or has resided outside Denmark and is suspected of engaging in activities that pose a risk to national security, the security of other states, or public order. However, this will not apply if it conflicts with Denmark's international obligations. For individuals covered by EU rules, the revocation can only happen according to EU regulations on free movement.

If there are concerns that the individual intends to participate in such activities abroad, the Danish Immigration Service will advise him/her on the rules

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concerning the lapse of residence permits.

If the individual can prove that the stay abroad had a valid purpose, the residence permit may not lapse.

If it's not possible to notify the individual directly, the decision regarding the lapse of the residence permit will be published in the Official Gazette.

Consequences of lapsing of the status:

If a residence permit under section 7 or 8 lapses, the Danish Immigration Service will decide whether the refugee can be deported to the home country. If the Danish Immigration Service finds that the applicant cannot return to the home country, we will consider whether the applicant should be granted a new residence permit according to Aliens Act Section 7.

A decision of the Immigration Service for lapsing of a residence permit can be appealed to the Refugee Appeals Board within 4 weeks.

Subsidiary protection status

Legal provisions relating to review, renewal and withdrawal of subsidiary protection:

Chapter 1, Section 11(2) Chapter 3 (Sections 19 – 19 (a)) and 21 - 21 (a)) Chapter 3(a), Section 25 (c).

Length of the first and subsequent residence permits:

Beneficiaries of a residence permit pursuant to Section 7(2) of the Aliens Act, are issued a residence permit valid for a maximum of one year. After the first year, the residence permit may be extended for a maximum of two years at a time.

Review of the status:

Holders of residence permits granted under Section 7(2) of the Aliens Act are subject to periodic review by the Danish Immigration Service to determine whether the grounds for protection remain valid.

If the situation in the home country of the person concerned, has changed

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substantially and durably, or if the individual no longer faces a real risk, the residence permit may be revoked or not extended.

If an individual has a subsidiary protection status (residence permit under Section 7(2) of the Aliens Act) or temporary protection status (residence permit under section 7(3) of the Aliens Act), their status may change if the general conditions in their home country have improved to the point where they are no longer at risk of persecution. This can occur even if the conditions are still serious and can be described as fragile and unpredictable, if the change is not considered to be entirely temporary.

Grounds for revocation are specified under the Sections 19(1)-(5)) of the Aliens Act. A residence permit under Section 7(2) may be revoked if the alien voluntarily re-avails him/herself of the country's protection, re-acquires lost nationality, acquires a new nationality and benefits from its protection, voluntarily returns and settles in his/her home country, or if the circumstances that justified protection have ceased to exist.
If the individual commits serious crimes or poses a threat to national security or public order, the permit may be revoked or refused extension regardless of the original protection grounds.

Renewal of the status:

The residence permit may be automatically extended upon assessment of the Danish Immigration Service on the continuing need for protection. The Immigration Service conducts periodic reviews either on own initiative or as part of the residence permit extension process. Individuals subject to renewal or revocation of residence permit are given the opportunity to provide comments or submit new documentation before a final decision is made.

Revoking or refusing extension of the status :

Same as the convention refugee status

Grounds for the revoking or refusing extension of the status:

Same as the convention refugee status

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Consequences of the revoking or refusing extension of the status:

A decision of the Immigration Service for revocation or refusal on extension of status is automatically appealed to the Refugee Appeals Board. If the Refugee Appeals Board upholds the decision, then in accordance with the Aliens act the alien has no right to stay in Denmark and must leave the country.

Legal provisions relating to lapsing of subsidiary protection status:

Chapter 3, Sections 17, 17(a) and 21(b).

Grounds for lapsing of the status:

The grounds for lapsing of a residence permit are stipulated under Chapter 3 of the Aliens Act.

In principle, a residence permit in Denmark will automatically lapse if the holder gives up his/her residence in Denmark or stays outside Denmark for more than six or twelve consecutive months, depending on the type of residence permit.

For refugees who were granted residence permit under Sections 7 or 8, the permit does not expire just because they leave Denmark. It will only lapse if they voluntarily settle in their home country or gain protection in a third country.

However, for refugees who has given up their residence in Denmark, or stays outside Denmark for more than six or twelve consecutive months, after June 15th 2025, a residence permit can only lapse if the refugee has voluntarily taken up residence outside the EU countries, Norway, Switzerland, Iceland or Liechtenstein, or if he/she has stayed outside these countries for more than 6 or 12 consecutive months, or if he/she has been granted protection outside Denmark.

When assessing whether a refugees' residence permit should be considered lapsed, the decision will include an assessment under Denmark's international obligations of whether he/she must retain his/her residence permit or be granted a new residence permit as a refugee under the Aliens Act section 7.

If the refugee holds a residence permit as a refugee based on a specific and individual risk of persecution or abuse covered by the Refugee Convention (Aliens Act sections 7(1) or 8(1)), he/she may retain the residence permit if lapsing would

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be in violation of the Refugee Convention.

If the refugee holds a residence permit as a refugee based on individual circumstances or the general situation in the home country (Aliens Act section 7(2) or (3), or section 8(2)), the refugee may retain the residence permit if lapsing would be contrary to Denmark's international obligations, including the European Convention on Human Rights.

According to section 17(2) of the Aliens Act, it is possible to apply for dispensation to prevent a permit from lapsing. Certain conditions have to be met in order to be granted a dispensation.

If the applicant has a well-founded reason for staying abroad, or if the applicant has been prevented from re-entering Denmark, the applicant may be granted dispensation to prevent his/her permit from lapsing, depending on the circumstances in the case.

According to section 17(a) of the Aliens Act, it is possible to give up residency in Denmark due to repatriation, i.e. a voluntary, permanent return to the refugees' home country. In this case the refugee in general has the right to regret the decision about returning to the home country within 12 months and return to Denmark.

Lapsation of the status on grounds of section 21(b)

According to section 21(b) of the Aliens Act, a residence permit or right of residence will lapse if an individual resides or has resided outside Denmark and is suspected of engaging in activities that pose a risk to national security, the security of other states, or public order. However, this will not apply if it conflicts with Denmark's international obligations. For individuals covered by EU rules, the revocation can only happen according to EU regulations on free movement.

If there are concerns that the individual intends to participate in such activities abroad, the Danish Immigration Service will advise him/her on the rules concerning the lapse of residence permits.

If the individual can prove that the stay abroad had a valid purpose, the residence permit may not lapse.

If it's not possible to notify the individual directly, the decision regarding the lapse of the residence permit will be published in the Official Gazette.

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Consequences of lapsing of the status:

If a residence permit under section 7 or 8 lapses, the Danish Immigration Service will decide whether the refugee can be deported to the home country. If the Danish Immigration Service finds that the applicant cannot return to the home country, we will consider whether the applicant should be granted a new residence permit according to Aliens act section7.

A decision of the Immigration Service for lapsing of a residence permit can be appealed to the Refugee Appeals Board within 4 weeks.

National forms of protection

Section 7(3) of the Aliens Act specifies the provisions of **special temporary protection status:** *"upon application, a residence permit for the purpose of temporary residence shall be granted to an alien where the risk of the death penalty or of being subjected to torture or inhuman or degrading treatment or punishment is based on a particularly serious situation in the home country characterised by indiscriminate violence and attacks on civilians, a residence permit for the purpose of temporary residence shall be granted upon application Such application is also considered an application for a residence permit pursuant to Sections 7(1) and 7(2)".*

Section 8 of the Aliens Act outlines the framework for granting temporary residence permits to aliens arriving in Denmark under **international resettlement agreements**, such as those coordinated with the UNHCR. Permits are granted to individuals covered by the 1951 Refugee Convention (subsection 1), those at risk of death penalty, torture, or inhuman treatment upon return (subsection 2), and those who would likely qualify for protection if they had sought asylum in Denmark (subsection 3). The selection process prioritizes individuals' potential to integrate into Danish society, considering factors such as language skills, education, work experience, family ties, and health (subsection 4). The Minister for Immigration and Integration determines the number and distribution of such residence permits (annual refugee quota).

Section 9(b) of the Aliens Act provides for **resident permits on humanitarian grounds** such as serious illness or other compelling personal circumstances, even if the person does not qualify for protection under Section 7 or 8. This is a discretionary form of protection and granted in rare, exceptional cases. The assessment of whether a humanitarian residence permit can be granted on the

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basis of health conditions is always made on the basis of statements from medical doctors, psychologists and psychiatrists. These statements are accepted as conclusive with regard to the professional evaluation. The decisions are made by the Ministry of Immigration and Integration. The Ministry therefore conducts only a legal assessment of the case, determining on the basis of the submitted statements whether the individual may be granted a humanitarian residence permit. It is the responsibility of the foreign national or their legal representative to provide the aforementioned statements.

Section 9 (c) of the Aliens Act stipulates that a residence permit may be granted to a foreign national if exceptional circumstances justify it, including considerations of family unity and, for applicants under the age of 18, the best interests of the child.

Section 9 c (2) (i) of the Aliens Act specifies that an unaccompanied minor under the age of 18, who has submitted an application for a residence permit pursuant to Section 7, may be granted a permit if, based on the individual's personal circumstances, there are special reasons to assume that an asylum procedure should not be conducted, and if it is further assumed that, upon return to the country of origin or former country of residence, the minor would be without family support or access to a reception and care facility, and thereby facing a genuine emergency situation.

Section 9 c (2) (ii) of the Aliens Act provides that a residence permit may be granted to an unaccompanied minor under the age of 18 , who has been refused an application for a residence permit pursuant to Section 7, and upon return to the country of origin or former country of residence would be without family support or access to a reception and care facility, and would thereby face a genuine emergency situation.

Length of the first and subsequent residence permits:

Pursuant to the provisions of the national legislation:

beneficiaries of a residence permit under section 7(3) of the Aliens Act (special protection status), can have residence permit extended for a maximum of 1 year at a time. Once the first 3 years have passed, the residence permit may be extended for a maximum of 2 years at a time.

beneficiaries a residence permit under section 8 of the Aliens Act (quota refugee status) can have residence permit extended for a maximum of 2 years at a time.

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Review of the status: Holders of residence permits under Sections 7(3)of the Aliens Act are subject to periodic review by the Danish Immigration Service to determine whether the grounds for protection remain valid.

A time-limited residence permit granted under Section 7(3) of the Aliens Act (temporary protection status) may be revoked or refused extension if the conditions in the country of origin have improved significantly, and the person concerned no longer faces a risk of persecution, torture, or inhuman or degrading treatment based on the general situation in the country. This applies even if the general situation in the country remains fragile or unpredictable.

By contrast, for residence permits granted under Section 7(1) of the Aliens Act (Convention refugee status), revocation or refusal of extension requires that the improvement in the country of origin is fundamental, stable, and durable, in line with the cessation clauses under the 1951 Refugee Convention.

Renewal of the status: Same as convention and protection status

Revoking or refused extension of the status: Same as convention and protection status

Grounds for the revoking or refused extension of the status: Same as convention and protection status

Consequences of the revoking or refused extension of the status: A decision of the Immigration Service for revocation or refused extension of status is automatically appealed to the Refugee Appeals Board. If the Refugee Appeals Board upholds the decision, then in accordance with the Aliens act the alien has no right to stay in Denmark and must leave the country.

Quota refugees under Section 8 of the Aliens Act

The Aliens Act distinguishes between two categories of quota refugees:

Section 8(1) – Refugees who are resettled to Denmark under the UNHCR resettlement programme and who meet the criteria of the 1951 Refugee Convention. For these individuals, the same legal framework applies as for Convention refugees granted residence under Section 7(1) of the Aliens Act. Accordingly, a residence permit may only be revoked or refused extension if the circumstances in the country of origin have changed in a way that is fundamental, stable, and durable, and the person concerned no longer has a well-founded fear of persecution.

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Section 8(2) – Refugees who are resettled to Denmark under the UNHCR resettlement programme but who do not fall within the scope of the 1951 Refugee Convention, and instead qualify for subsidiary protection. For these individuals, the same legal framework applies as for beneficiaries of residence under Section 7(2) of the Aliens Act. This means that the residence permit is subject to periodic review and may be revoked or refused extension if the individual no longer faces a real risk of serious harm in the country of origin, for example due to torture or inhuman or degrading treatment.

In other words, the decisive distinction in Danish law is not whether a person has been resettled as a quota refugee under Section 8 of the Aliens Act, but rather under which specific subsection of Section 8 they have been granted status. Section 8(1) follows the cessation standard applicable to Convention refugees under Section 7(1), while Section 8(2) follows the standard applicable to subsidiary protection under Section 7(2).

Grounds for the revoking or refused extension of the status of an individual with a residence permit under Section 8(1) is governed by the same conditions as Section 7(1), while revocation or refused extension of residence permits under Section 8(2) is governed by the same conditions as Section 7(2).

The renewal procedure for Section 8(1) follows the same rules as Section 7(1), and the renewal procedure for Section 8(2) follows the same rules as Section 7(2).

A decision of the Immigration Service for revocation or refused extension of status is automatically appealed to the Refugee Appeals Board. If the Refugee Appeals Board upholds the decision, then in accordance with the Aliens act the alien has no right to stay in Denmark and must leave the country.

Content of protection

Overview

Convention refugee status: Section 7(1) of the Aliens Act

In accordance with the Aliens Act section 7(1) and alien can be granted residence permit as a refugee if the UN Refugee Convention provisions apply to his/her situation. Specifically, the person concerned has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular

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social group or political opinion, and if the person is outside his/her country of nationality.

Protected status: Section 7(2) of the Aliens Act.

In accordance with the Danish Aliens Act section 7(2), a residence permit of protected status can be granted to an alien who can be approved as beneficiary of international protection and if returning to his/her home country is in risk of facing capital punishment, torture or inhumane or degrading treatment or punishment.

Temporary protected status: Section 7(3) of the Aliens Act

In accordance with the Aliens Act section 7 (3), a person concerned can be granted residence permit with temporary protected status, if there is risk of death penalty or torture or inhuman or degrading treatment upon return to his/her country of origin or if these risks stem from severe instability and indiscriminate violence against civilians in his/her country of origin.

Provision of information on the content of protection

The Danish Immigration Service is the responsible competent authority to provide information and updates on the status of international protection. A dedicated portal is available and is regularly updated with relevant information.

The Ministry of Immigration and Integration is responsible to propose legislative amendments which need to be adopted by the Parliament of Denmark. Additionally, can issue practical guidelines for relevant rules of procedure.

The Ministry of Labour also offers information on residence and work in Denmark whereas Municipalities provide counselling services in a form of a contract for placement, accommodation and integration of beneficiaries in line with the provisions of the Integration Act.

Residence permits

Residence permits under section 7(1) of the Aliens Act: Refugee Convention Status

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The Danish Immigration Service processes all applications for residence permits for refugees. A residence permit under Section 7(1) of the Aliens Act is valid for 2 years and can be extended for up to two years each time.

When the Danish Immigration Service grants to a beneficiary a residence permits as a refugee, the person is allocated to a municipality. There is a transitionary period during which the beneficiary is transferred from the asylum centre into the allocated municipality.

The municipality receives the refugee at the end of the following calendar month. This means that if a refugee is referred to a municipality on May 15, the municipality receives the refugee on July 1. The municipality thus has at least one month to prepare for the reception and accommodation of the refugee.

When the residence permit is issued the Danish Immigration Service notifies the applicant and the residence permit is delivered to the address the beneficiary resides in the local municipality, and which is registered with in the Civil Registration System (CPR).

Procedure for delivering the residence permit (including timelines):

The procedure for delivering a residence permit usually follows these steps. On the same day the applicant is granted a residence permit and allocated to a municipality, the Danish Immigration Service orders a residence card for the applicant through a card manufacturer, which is an external service provider. The provider is responsible for producing and dispatching the residence card to the municipality or directly to the applicant (in cases processed remotely).

The allocation decision includes information stating that the residence card has been ordered and will be sent to the municipality where the applicant is to reside. The municipality is responsible for handing over the card to the applicant.

If the municipality has not received the card within two months, the applicant is advised to contact the Danish Immigration Service to notify them.

Residence permits under section 7(2) and 7(3) of the Aliens Act: Subsidiary protection and temporary protected status in exceptional circumstances.

The Danish Immigration Service processes all applications for residence permits for refugees and persons with subsidiary and temporary protected status.

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Beneficiaries of subsidiary protection status (section 7 (2) of the Aliens Act) are granted 1-year temporary residence permit, which can be extended for a maximum of 2 years at a time.

Beneficiaries holding a temporary protection residence permit under Section 7(3), are granted 1-year temporary residence permit. Extension of such permit is granted for a maximum of one year at a time. After the first three years, the permit can be extended for up to two years at a time.

When the residence permit is issued the Danish Immigration Service notifies the applicant and the residence permit is delivered to the address the beneficiary resides in the local municipality and which is registered with in the Civil Registration System (CPR).

Travel documents

Refugees:

A beneficiary of convention status has the right to apply for travel document and s/he is issued Geneva convention passport.

Validity of the documents

- Up to 2 years if below 2 years old
- Up to 5 years if between 2 and 18 years old
- Up to 10 years if 18 years or older

The issuing authorities of the Danish Travel documents is The Danish Immigration Service. A travel document (convention passport) issued by Danish authorities expire 6 months subsequent to the expiration of the temporary residence permit. The travel document can be extended 4 times or up to the maximum validity of 2, 5 or 10 years in total. The extension is free of charge.

When an individual's convention passport is ready, it will be sent to the address they are registered with in the Civil Registration System (CPR).

If the individual loses their Danish travel documents, s/he must report it to the police. The persons concerned need to fill out a declaration regarding the lost passport, which can be obtained from the police. It is important to get a copy of the declaration and submit it when applying for a new passport. If the last issued

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passport is not presented when applying for a new or if the passport is damaged the applicant is obliged to pay a double fee.

The Danish Immigration Service can refuse or revoke a convention passport if there is reason to believe that the passport has been misused or used under suspicious circumstances. The Danish Immigration Service cannot revoke or refuse to issue a convention passport if doing so will be against Denmark's obligations under international law.

Examples of misuse:

- Multiple replacement passport within a short period due to lost passport,
- damaged passport or passport where parts have been removed, or
- the passport has been provided or attempted to be provided to someone else to be used to unauthorized entrance or travels within the Schengen area.

The Danish Immigration Service can block an individual's refugee convention passport in the Passport System if:

- The individual holds both a national passport (issued after receiving a Danish residence permit) and a convention passport or alien's passport and refuses to deposit one of them at The Danish Immigration Service.
- The grounds for issuing the passport no longer are present or if The Danish Immigration Service have revoked a passport due to misuse.

If the individual's passport is blocked, they will no longer be able to use it for travel abroad.

The Danish Immigration Service makes initial decisions about applications for convention passports and alien's passports. If an individual's application is refused, they can appeal the decision to the Refugee Appeals Board. The notification letter which is send by The Danish Immigration Service with the decision contains information about the appeal process.

Beneficiaries of subsidiary protection:

A beneficiary of subsidiary protection status has the right to apply for travel document and s/he is issued an alien's passport.

Validity of the documents

- Up to 2 years if below 2 years old

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- Up to 5 years if between 2 and 18 years old
- Up to 10 years if 18 years or older

The issuing authorities of the alien’s passport is The Danish Immigration Service. An alien’s passport issued by Danish authorities expire 6 months subsequent to the expiration of the temporary residence permit. The alien’s passport can be extended 4 times or up to the maximum validity of 2, 5 or 10 years in total. The extension is free of charge.

When an individual's alien's passport is ready, it will be sent to the address they are registered with in the Civil Registration System (CPR).

If the individual loses their alien's passport, s/he must report it to the police. The persons concerned need to fill out a declaration regarding the lost passport, which can be obtained from the police. It is important to get a copy of the declaration and submit it when applying for a new passport. If the last issued passport is not presented when applying for a new or if the passport is damaged the applicant is obliged to pay a double fee.

The Danish Immigration Service can refuse or revoke an alien’s passport if there is reason to believe that the passport has been misused or used under suspicious circumstances. The Danish Immigration Service cannot revoke or refuse to issue an alien’s passport if doing so will be against Denmark’s obligations under international law.

Examples of misuse:

- Multiple replacement passport within a short period due to lost passport
- Damaged passport or passport where parts have been removed
- Passport has been provided or attempted to be provided to someone else to be used to unauthorized entrance or travels within the Schengen area.

The Danish Immigration Service can block an individual's alien’s passport in the passport system if:

- The individual holds both a national passport (issued after receiving a Danish residence permit) and an alien’s passport and refuses to deposit one of them at the Immigration Service.
- The grounds for issuing the passport no longer are present or if the Immigration Service have revoked a passport due to misuse.

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Furthermore, The Danish Immigration Service can block the individual's alien’s passport in the passport system if:

The individual no longer maintains residence in Denmark and is listed in the Civil Registration System as living abroad.

If the individual’s passport is blocked, they will no longer be able to use it for travel abroad.

The Danish Immigration Service makes initial decisions about applications for alien’s passports. If an individual's application is refused, they can appeal the decision to the Immigration Appeals Board.

The letter received from The Danish Immigration Service with the decision contains information about how to appeal.

Freedom of movement

Beneficiaries of convention status or subsidiary protection status have the right of freedom of movement within Denmark.

If a beneficiary of refugee status travels to his/her home country, his/her residence permit can be revoked, regardless of how long his/her has held a temporary residence permit, if it is assumed that they no longer need protection.

In accordance with Denmark's international obligations, the Immigration Service may, in certain situations, decide that the individual can keep his/her residence permit, if travels to his/her home country even though the conditions that led to the residence permit are no longer present.

This could apply, for example, if the individual:

- Has a serious illness or a serious disability,
- Has children living at home under the age of 18 who have an individual attachment to Denmark,
- Has visitation with children from a previous relationship, or
- Has a spouse, cohabiting partner, or minor child living in Denmark who is at risk of persecution in their home country.

Access to employment and employment-related education

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Refugees and beneficiaries of subsidiary protection:

Refugees and individuals with subsidiary protection in Denmark have the right to work and can access various job and training programs offered by their local municipality under the Integration Act (sections 23 (a-f) and section 24). These programs aim to help them gain the skills necessary for the Danish job market, including professional, social, and language skills.

Employment support and employment related education is offered via the Basic Integration Education programme (IGU) which offers business internships with public or private employers, which may last up to 23 weeks. and offers employment opportunities for work 33-37 hours a week for 2 years, including periods with educational training. Wage-subsidized jobs are also available for up to one year to help participants gain experience and improve their employability.

The beneficiaries are also entitled to additional support such as mentoring and assistance with costs like course fees, work tools, or transportation.

Young people aged 18 to 30 may be offered a special college stay that includes language lessons, vocational training, and possible internships or education at vocational schools.

For third country nationals who do not meet residency and employment requirements, there is a 37-hour-per-week work obligation. This can include internships, subsidized jobs, community service, or training, and must also include Danish language lessons for those covered by the Integration Act.

As from December 2024, SIRI and the Danish Labour Market and Recruitment Agency (STAR) collaborate on a new initiative, specially designed community service. This initiative been launched to meet this obligation while introducing participants to Danish workplace culture. The program is tailored to each person’s health and individual situation, and their required hours may be reduced accordingly.

Municipalities must implement the work obligation by July 1, 2025, for those receiving SHO benefits as of January 1, 2025, and by January 1, 2026, for those covered from July 1, 2025. To help with this, SIRI and the Danish Labour Market and Recruitment Agency (STAR) are offering guidance and visiting municipalities throughout 2025.

Access to education

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Refugees and beneficiaries of subsidiary protection:

Beneficiaries of refugee status, subsidiary protection or other residence permits related to the area of international protection are offered education in Danish language and Danish society. They are also supported to be involved in activities to help them get started in the labour market or in education.

According to Sections 21 and 22 of the Integration Act, the municipal council must refer eligible beneficiaries to Danish language training within one month of taking responsibility for them. Training can last up to five years, with a maximum of 15 hours per week. Exceptions may be made if the person already has sufficient Danish skills or for special reasons.

Foreigners who do not receive social assistance and pass a recognized Danish language test may apply for a one-time, tax-free bonus of DKK 6,000. However, those who have previously received a similar Danish language bonus are not eligible. The Minister for Immigration and Integration sets the rules for acceptable language tests.

According to Section 23 of the Integration Act, the municipal council can offer guidance and training to help foreigners develop skills for the labour market. This may include short guidance sessions, special educational programs (such as college stays and internships), regular education, skills-upgrading courses, and job preparation programs.

Training should focus on improving professional, social, or language skills. Internships within special education programs can last up to three months in total, with each period not exceeding one month. Skills-upgrading courses can last up to three months and can only be taken once.

For beneficiaries over 30, or those under 30 with dependent children, the municipal council may also offer education leading to job qualifications if they do not already have them. Decisions are based on the individual’s skills and labour market needs.

Access to procedures for recognition of qualifications and validation of skills

Information currently not available.

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Social security and social assistance

Refugees:

Beneficiaries of refugee status have access to certain forms of social assistance which are stipulated under the Section 24 of the Integration Act. The pertinent provisions outline that the local council can offer subsidies for upskilling, aids, and workplace equipment to foreigners employed without wage subsidies.

- The local council can provide upskilling subsidies for foreigners who lack language or professional skills, but only if the employer isn’t already expected to offer this training.
- The local council can also give subsidies for work tools and small equipment if they are necessary for the foreigner to keep or get a job or if the tools compensate for any limitations in the foreigner's ability to work.
- Subsidies for assistive devices are given based on documented expenses, and only if the costs go beyond what the employer would usually pay and if the devices are not common in the workplace.
- The Ministry of Immigration and Integration is responsible to set up specific rules for the qualification-enhancing courses that may be offered.

Beneficiaries of subsidiary protection:

Beneficiaries of temporary protected status under the section 7(2) of the Aliens Act have access to certain forms of social assistance which are stipulated under the Section 24 of the Integration Act at the same level as the holders of refugees status.

Healthcare

Refugees and beneficiaries of subsidiary protection:

Beneficiaries of residence permits for refugee status, subsidiary protection or other residence permits related to the area of international protection have access to healthcare services at the same level as nationals.

According to the Section 36 of the Integration Act, the local council can help foreigners pay for medical treatment, medicine, dental care, or similar expenses that are not covered by other laws, if the person or their spouse can't afford it. Help will only be given if the treatment is necessary and medically justified.

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Assistance for treatment outside the public healthcare system can only be provided in special cases, where no options exist within the public system, and the treatment is medically needed.

Access to accommodation

Refugees:

When person is granted a residence permit in Denmark as a refugee and has not previously held a Danish residence permit, s/he is subject to the housing placement rules outlined in the Integration Act (Chapter 3). This means that the Immigration Service determines which municipality they will reside in, a process known as visitation.

When the Danish Immigration Service decides on the municipality where the beneficiary will reside, the person concerned is informed by letter. The Immigration Service will also send the decision to the municipality where the individual will be placed in housing. Additionally, the municipality will receive relevant information about the individual's personal circumstances and a copy of the housing placement form.

Special considerations are given to unaccompanied minors and those already living in private housing. Municipalities must provide temporary housing but cannot place refugees in vulnerable residential areas. Municipalities also cover relocation expenses and may acquire or rent properties to improve settlement distribution. If a municipality fails to provide adequate housing, the Immigration Service can intervene and arrange housing at the municipality’s expense.

The receiving municipality is responsible for the reception, integration and housing the refugee. The municipality must register the refugee in the Population Register/CPR and as soon as possible assign the refugee a temporary residence, which is furnished with the most basic furniture, kitchen utensils, etc. Instead of a temporary residence, the municipality may choose to assign a permanent residence. In addition, the municipality must ensure the registration of any children for school/daycare and assist with creating a MitID, bank account, drawing up a lease agreement, etc. In addition, the municipality offers an introductory orientation course for refugees to the local community.

Beneficiaries of subsidiary protection:

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A beneficiary of protection status and residence permit under Section 7(2) of the Aliens Act, and their family members are entitled the same level of accommodation as beneficiaries of refugee status.

Access to integration measures

Refugees:

According to section 19a of the Integration Act, to ensure a coherent integration effort for refugees and family-reunited aliens, the municipal council shall determine in each individual case which administration in the municipality is responsible for coordinating the integration effort for the alien. The coordinating administration shall ensure that the goals set, and efforts implemented in the contract are based on the alien's overall situation.

In practice, when an asylum seeker is granted residency, whether through asylum, a humanitarian residence permit, or on the basis of extraordinary circumstances, the Immigration Service assigns them to a municipality where they are required to live. Each year, the Danish Immigration Service determine quotas for the distribution of refugees between the regions and the individual municipalities.

The receiving municipality is responsible for receiving and housing the refugees. The municipality must register the refugee in the Population Register/CPR and as soon as possible. Refugees and their families are included in an integration program, which lasts between 1 and 5 years. This means the municipality must provide housing, access to a language school, job centre services, and support in inclusion to the Danish society.

Newly arrived refugees must sign a contract with the municipality (formerly known as the integration contract), which outlines a plan for their near future. The contract must state the refugee's employment and educational goals and describe the content of the specific activities that will ensure that the goals are achieved. The refugee must sign a residence and self-sufficiency declaration. In the declaration, the refugee undertakes, among other things, to learn Danish as soon as possible, acquire knowledge about Danish society and become self-sufficient. Furthermore, the refugee undertakes to comply with Danish legislation and respect Danish democratic principles, as well as to participate actively and contribute to Danish society.

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An introductory program aims to ensure that newly arrived refugees and family reunified members become self-sufficient as quickly as possible and can participate actively in Danish society.

Beneficiaries of subsidiary protection:

A beneficiary of protection status and residence permit under Section 7(2) of the Aliens Act, and their family members are entitled the same level of integration as beneficiaries of refugee status.

Family reunification for beneficiaries of international protection

Refugees:

A beneficiary of residence permit under Section 7(1) of the Aliens Act in Denmark who is separated from his/her family, can apply for family reunification so members of the family can join him/her, under certain conditions.

The Danish Immigration Service handles family reunification cases in Denmark, and the procedure follows national rules aligned with international and European standards. Applications for family reunification can be submitted through the Danish immigration authorities' online portal, available in English and Danish. The approximate processing time is 7 months.

Specific time limits apply for reunification with children of refugees under 15. The application must be submitted as soon as possible, no later than 3 months after the beneficiary is granted protection status. To qualify for family reunification, the applicant child must be under 15, live with the parent in Denmark if granted a permit, and not have started their own family. The reunification must be in the child applicant's best interest and the application should be made within 3 months. The parent in Denmark must have legal residence, custody of the child, and no history of child abuse. In some cases, the parent must also have an independent residence and be self-supporting.

To qualify for family reunification in Denmark, both the applicant and their spouse/partner need to meet specific requirements. These include:

1. Validity of marriage or cohabitation:

- The marriage must be legally valid under Danish law, or the couple must have lived together for at least 18 months to be considered permanent

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cohabitants.
- Both parties must have entered the relationship voluntarily, and it should not be a marriage of convenience.

2. Age requirement:

- Both the applicant and spouse/partner need to be at least 24 years old. There are exceptions, such as if the spouse faces persecution or has minor children attached to Denmark.

3. Integration requirement:

- The applicant and spouse must meet integration conditions, including language skills, work experience, or education. The applicant typically needs to pass a Danish or English language test and have either work experience or educational qualifications.
- Both the applicant and the spouse must agree to actively participate in language and integration efforts.

4. Visit to Denmark:

- The applicant must have visited Denmark at least once legally, unless exempted by special circumstances like persecution risks.

5. Language proficiency:

- The applicant must pass Danish language tests (A1 and A2 levels) within specific deadlines after receiving a residence permit, with some exceptions for disabilities or certain nationalities.

6. Support and financial stability:

- The spouse in Denmark must be self-supporting and provide a financial guarantee to support the applicant.

7. Additional requirements:

- The spouse in Denmark must have passed a certain level of Danish language test (*Prøve i Dansk 3*) and meet specific work and education requirements. They also need to live in an independent residence and must not have a history of domestic violence.

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In special situations, certain exemptions or suspensions of requirements may apply, such as if the spouse faces persecution, has young children in Denmark, or has serious health issues

If the application is approved by the Danish Immigration Service, the beneficiary needs to arrange and pay for family members' travel to Denmark. In some cases, other close family members who lived with the beneficiary and are depended on members may also be allowed to join.

If the Danish Immigration Service rejects the family reunification application, the applicant can appeal to the Danish Immigration Appeals Board within 8 weeks from the date receiving the decision.

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