First instance determination - Denmark

Overview of first instance procedures

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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 Asylum Procedures Directive (APD), the recast Qualifications Directive or the recast Reception Conditions Directive and is not bound by it or subject to their application. However, provisions of the Dublin III Regulation apply under specific procedures.

The country has not yet decided on accession to the Pact on Asylum and Migration relevant instruments, which would require adoption by the national Parliament. A motion for a parliamentary resolution has been adopted with regards to the implementation of border procedure for return and the ascension into the Screening Regulation in late 2024. A similar national legal framework governs the processing of international protection applications at the first instance, as outlined in the Aliens Consolidated Act LBK no. 1009 of 02/09/2024 | Bekendtgørelse af udlændingeloven LBK nr 1009 af 02/09/2024

National legislation

Legislation

Aliens Act (Consolidated) LBK no. 1009 of 02/09/2024 | Bekendtgørelse af udlændingeloven LBK nr 1009 af 02/09/2024

- Section 7 (2) provides the criteria of granting residence permits on the grounds of international protection.

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- Section 7 (4) specifies the right to submit asylum applications for foreign nationals in detention.
- Section 53 (b) of the Aliens Act outlines the grounds for processing an application for international protection under the procedure for manifestly unfounded applications or the expedited version of the manifestly unfounded applications for specific countries of origin.

Implementing acts

Executive Order on the Entry of Foreigners into Denmark BEK no. 1206 of 23/08/2022 | Bekendtgørelse om udlændinges adgang her til landet BEK nr 1206 af 23/08/2022 and subsequent amendments

Executive Order on mandatory use of application forms or digital self-service when submitting an application to the Danish Immigration Service | Bekendtgørelse om obligatorisk brug af ansøgningsskemaer eller digital selvbetjening ved indgivelse af ansøgning til Udlændingestyrelsen, specifies the information, forms and documentation that need to be submitted electronically or in paper during the different stages of the international protection procedure, with the exception of appeals.

Executive order on mandatory use of digital self-service when submitting an application to the Danish Agency for International Recruitment and Integration | Bekendtgørelse om obligatorisk brug af digital selvbetjening ved indgivelse af ansøgning til Styrelsen for International Rekruttering og Integration, specifies the information, forms and documentation that need to be submitted electronically or in paper for return and voluntary return procedure for rejected applicants in transit, with the exception of appeals.

Competent authority and other stakeholders

National authorities: The determining authority at first instance is the Danish Immigration Service (DIS) | Udlændingestyrelsen

The Danish Immigration Service | Udlændingestyrelsen, is a specialised body under the Ministry of Immigration and Integration, which handles first-instance decisions on asylum, family reunification, and special residence permits under the Aliens Act. It is responsible for examining and processing requests for international protection under the regular asylum procedure and under special procedures applicable in the national legal framework.

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The Ministry of Immigration and Integration | Udlændinge- og Integrationsministeriet has the overall responsibility for policies related to asylum applications, humanitarian residence permits, and family reunification.

The Immigration Service has offices in Næstved, Sandholm and Copenhagen, as well as Citizen Service in Næstved, Aalborg, Aarhus and Odense regions.

The Danish Immigration Service operates the portal newtodenmark.dk which offers information and simplified versions of laws, rules and practices applicable in Denmark for asylum and immigration. The information is designed to provide a correct but easy-to-understand edition of the rules governing the area of immigration.

Staff: The organisational chart of the Danish Immigration Service is available here. The Immigration Service has approximately 730 employees with different educational backgrounds who work with a wide range of subject areas and tasks.

2nd Asylum Office, Centre for Asylum 2. Asylkontor | Centre for Asyl: is responsible for registering asylum seekers (in practice asylum registrations are carried out by the police) and handling all initial-phase asylum cases. This includes cases involving detained asylum seekers, manifestly unfounded claims, and cases under the Dublin Regulation. Additionally, the office coordinates interpreter bookings and schedules asylum interviews. It operates with five teams, including a management team, and is based at Centre Sandholm in Birkerød.

3rd Asylum Office, Centre for Asylum: 3. Asylkontor | Center for Asyl: Case workers of this division handle cases requiring in-depth asylum interviews or additional investigations, particularly those involving complex asylum claims. The office also processes cases of particularly vulnerable applicants. These include unaccompanied minor asylum seekers, detained applicants, victims of human trafficking, and children accompanying asylum seeking parents. Additionally, the office manages cases involving:

- Refugees sentenced to deportation and their potential return,
- Foreign nationals on tolerated stay,
- Residence permits granted for special reasons after asylum refusal,
- Residence permits for individuals who cannot be deported.

The office operates with five teams, including a management team, and is based at Centre Sandholm in Birkerød.

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Country of Origin Information (COI) Unit,

Centre for Documentation and Counter Extremism (CDE): The purpose of the COI Unit is to assist the immigration authorities, mainly by collecting COI on current event and conditions. The COI Unit employees operate independently from case processing and do not participate in decision-making. The publications follow the professional methodological standards set by the European Union Agency for Asylum (EUAA), COI Report Methodology.

Other actors:

Corporate IT - Centre for Emergency Preparedness and Development: Corporate IT is responsible for the operation, maintenance and further development of the Ministry of Immigration and Integration's system portfolio. The system portfolio includes approximately 150 IT systems, of which 80 are specialist systems specifically developed for the immigration and integration area. Corporate IT is organisationally part of the Danish Immigration Service, and the office is located in Adelgade in Copenhagen.

The Refugee Appeals Board | Flygtningenævnet is a quasi-legal, independent administrative body that acts as an appeal body in asylum cases. If the Danish Immigration Service rejects an application for a residence permit as a refugee at the first instance, the case is automatically appealed to the Refugee Appeals Board.

The Danish Refugee Council (DRC) Asylum Division has a role in the Danish procedure for manifestly unfounded asylum applications. It provides legal aid and representation for asylum seekers in Dublin and admissibility cases, where authorities consider transferring them to another European country. It also assesses asylum seekers' countries of origin, takes part in resettlement missions with the Danish Immigration Service, reviews asylum and migration law proposals, and offers guidance to refugees or residents in Denmark who wish to return to their home country.

Types of procedures and case processing

First interview

As first step of the international protection procedure, the Danish Immigration Service accesses if an application for international protection shall be processed

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by Denmark. The first interview with the Immigration Service is mainly intended to determine identity and case process. In some cases the asylum motive is established.

The Dublin Procedure

Based on the information gathered during the first interview and any additional details, the Danish Immigration Service will assess whether Denmark or another country should process the asylum application. This decision is governed by the Dublin Regulation, which applies in EU member states, Norway, Switzerland, Iceland, and Liechtenstein. At the end of first interview, applicants are usually informed whether their application will be processed in Denmark or if another country will be requested to handle it.

In some cases, additional information may be required, meaning a decision about where the application will be processed cannot be made immediately after the interview.

If it is determined that an individual's asylum case will be processed in Denmark, the application could be referred to one of following procedures at first instance:

The normal procedure (regular procedure)

Under the normal procedure, the Immigration Service assesses whether an application for international protection should be approved or refused based on the grounds of asylum.

In some cases, a decision may be made after the first in depth interview, if the applicant’s claims are clear, consistent and well-documented. However, in other cases, a follow-up interview may be required, or further investigation into the applicant’s claims may be necessary. For instance, a follow-up interview may be conducted if the applicant’s reasons for seeking asylum are complex or if additional evidence arise after investigation.

All decisions are made on a case-by-case basis, considering the information provided by the applicant as well as general background information about the conditions in the applicant’s country of origin.

Procedure for manifestly unfounded applications

An asylum application in Denmark is considered manifestly unfounded if the Immigration Service assesses that the applicant has no valid grounds for seeking

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asylum. If the Immigration Service assess the application manifestly unfounded, the assessment is submitted to the Danish Refugee Council for a review

- If the DRC agrees with the Immigration Service's assessment, the application will be rejected without a possibility for an appeal to the Refugee Appeals Board.
- If the DRC disagrees, the application will be rejected with a possibility for an appeal to the Refugee Appeals Board.

Expedited processing of manifestly unfounded applications (ÅGH procedure).

An expedited version of the manifestly unfounded procedure is in place for asylum seekers from certain countries. Under this procedure, it is presumed that the application is manifestly unfounded and can be quickly rejected.

The list of countries (so called ÅGH country list) included in this expedited process was last updated on 19 January 2023 and includes EU member states, Norway, Switzerland, Iceland, Albania, Australia, Bosnia and Herzegovina, Canada, Great Britain, Japan, Kosovo, Liechtenstein, North Macedonia, Moldova, Mongolia, Montenegro, New Zealand, Serbia, the United States, and Georgia (with certain exemptions).

If an asylum request is processed under this expedited procedure, the applicant does not get the possibility to submit his/her asylum motive in writing. Instead, s/he is promptly referred for an interview with the Immigration Service. As with other manifestly unfounded cases, the Danish Refugee Council will have to agree with the Immigration Service's assessment, before the application can be refused as manifestly unfounded without a possibility for an appeal to the Refugee Appeals Board.

Additionally, if an asylum application is set to be processed in Denmark, the applicant has the option to apply for a humanitarian residence permit. These applications are handled by the Ministry of Immigration and Integration.

Time limit for a decision and length of the procedure

The Danish Immigration Service has established maximum case processing times for decision-making in various areas, including asylum applications, visa issuance, and Citizens' Services and family reunification cases. These measures

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aim to provide clarity on expected waiting times for applicants.

Additionally, average processing times have been set for asylum cases to ensure efficiency. For asylum cases, the average processing time is currently estimated at approximately 8 months, based on existing case-handling practice. In practice, this means that while certain cases may be concluded within a shorter period, others may require a longer timeframe depending on their complexity and the circumstances involved.

The established case processing time limits may be extended in certain circumstances, for example where an application is particularly complex, where additional documentation or verification is required, or where new information arises during the examination of the case.

In such situations, the Immigration Service will inform the applicant of the expected processing time and of any delays that may occur. Applicants are therefore kept updated regarding the progress of their case and the reasons why the decision cannot be made within the estimated time frame.

Measures to enforce the legal time limit for processing an application: The case processing time limits are indicative rather than legally binding. If the time limit or an extension cannot be met, the only specific measure is that the applicant must be informed and given a new expected processing time.

Penalty payment for exceeding processing time: Asylum applicants cannot claim a penalty payment if case processing times exceed the time limit, as the asylum rules do not provide for financial compensation or automatic remedies in such situations.

Prioritisation policies: Information available under Types of procedures and case processing section and Personal interview sections in this page

Quality assurance of first instance procedures

Asylum residence permits are granted on a temporary basis.

The Danish Immigration Service automatically decides on the extension of asylum residence permits, and a residence permit will be extended if the conditions that led to the residence permit are still met.

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If the conditions that led to the residence permit are no longer present, or if the residence permit was granted on incorrect grounds, it may be refused to be extended or withdrawn.

In accordance with Denmark's international obligations, including ECHR Article 8 on the right to private and family life,

the Immigration Service may, decide to extend a residence permit, even though the conditions that led to the residence permit are no longer present.

Interinstitutional cooperation

The Danish Immigration Service has close cooperation with the police as the Danish border control authority and the National ID Centre as an expert centre for determining and checking the identity of foreigners. In addition, the agency contributes to both national and international cooperation forums with other stakeholders such as National Centre for the Prevention of Extremism, EUAA, FRONTEX and other international organisations.

The Service is in ongoing dialogue with stakeholders in various networks, including the Regional Network, the Lawyers' Forum and the Asylum Forum.

The Asylum Forum is a platform for dialogue and information-sharing among representatives of organisations, and authorities involved in the asylum procedure in Denmark. Its primary goal is to foster open discussions on asylum-related issues, share updates on new initiatives, and highlight specific challenges. The forum helps maintain strong communication between the Danish Immigration Service and stakeholders.

Meetings are held approximately three times a year, where the Danish Immigration Service provides updates on asylum-related policies, legislative changes, and findings from fact-finding missions. In return, forum members share insights on how asylum policies impact applicants.

The forum is chaired by the director of the Danish Immigration Service, supported by representatives from relevant specialist offices, including the Asylum Offices and the Centre for Documentation and Efforts Against Extremism. It is designed to include a broad range of participants representing key actors in the immigration field.

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Participation is open to individuals and organisations working with asylum matters. By registering, participants consent to the collection and processing of necessary personal information by the Danish Immigration Service for forum administration.

Regular asylum procedure at first instance

Legal basis

Sections § 7 (1-2), § 9 and § 9 (a-b) of the Aliens Act.

Competent authority and stakeholders

The Danish Immigration Service | Udlændingestyrelsen. Centre for Asylum | Center for Asyl is the competent authority for regular asylum procedures at first instance.

The case workers of the 3rd Asylum Office are responsible for handling cases that require in-depth asylum interviews or additional investigations, particularly those cases involving complex asylum claims.

The Country-of-Origin Information Unit is responsible for gathering and analysing background information on conditions in applicants' countries of origin. However, it does not participate in the decision-making.

Personal interview

If the Danish Immigration Service decides that an asylum application will be processed in Denmark, the applicant is referred to the normal asylum procedure and an interview is scheduled with the Danish Immigration Service, a so called asylum interview under the national legal framework. The interview is a central part of the examination of the application and is designed to give the applicant the opportunity to present their grounds for seeking international protection in detail.

The interview is conducted in the presence of the applicant, the case worker and an interpreter. Upon request and to the extent possible, both the case worker and the interpreter will be of the same sex as the applicant, in line with

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sensitivity and respect for vulnerable applicants.

An unaccompanied minor who undergoes the asylum interview may be accompanied by the assigned personal representative or by a temporary assessor to assure their interests throughout the procedure.

After the asylum interview, the Danish Immigration Service assesses the applicant's statements along with relevant background information about their country of origin. In some cases, additional interviews may be required if further information is needed to make a decision on the asylum application.

Assessment of an application

An application for asylum is processed under the normal procedure only after the initial asylum interview and upon the decision of the Immigration Service to process the asylum claim in Denmark.

The normal procedure requires in depth asylum interview and, where necessary, additional investigations, particularly in cases where the applicant's claim for seeking asylum is complex.

The Danish Immigration Service assess each asylum case through a specific and individual assessment of all available information, considering both the applicant's statements and general background information about conditions in their country of origin.

As part of the regular procedure, the Danish Immigration Service also collects country-specific information, which may be used not only in asylum cases but also in related matters , such as family reunification.

Scope and outcomes of a decision

If an asylum case is to be processed in Denmark under the normal procedure, the Danish Immigration Service will make a decision either to grant permission to stay or to refuse the application.

The applicant will receive a formal written letter from the Danish Immigration Service outlining the decision. Depending on the individual circumstances, this decision may result in the granting of a residence permit as a refugee under Section 7(1), 7(2), or 7(3) of the Aliens Act, or in the rejection of the asylum

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application.

Where a residence permit is granted, the Danish Immigration Service also decides, in accordance with established criteria and quotas for the distribution of refugees, which municipality the applicant in question will be assigned to for settlement.

If an asylum application and, consequently a residence permit as a refugee, is refused under the normal procedure, an appeal will be automatically reviewed by the Refugee Appeals Board.

Following the refusal, the applicant is referred to a return centre and will also attend an interview with the Danish Return Agency regarding the return options and travel arrangements. During this interview, the rejected applicant will be asked whether they wish to withdraw their appeal. If the applicant does not wish to withdraw their appeal, they can either explicitly decline or take no further action, in which case the appeal proceeds automatically.

Applicants whose asylum claims have been rejected are entitled to free legal representation, with a lawyer assisting them throughout the appeal process which is appointed by the Refugee Appeals Board.

The Refugee Appeals Board schedules an oral meeting at which the applicant, their lawyer and an interpreter are present. The interpreter is present during the proceedings and is bound by a duty of confidentiality. If the applicant experiences difficulties in understanding the interpretation, they must inform the Refugee Appeals Board immediately.

The Refugee Appeals Board is composed of three members, with a judge serving as the chairperson. Also present at the meeting are a secretary from the Refugee Appeals Board, who records a summary of the proceedings, and a representative of the Danish Immigration Service, who presents the reasons for the initial rejection of the asylum application.

After considering the case, the Refugee Appeals Board may either:

1. Overturn the decision of the Danish Immigration Service, recognising the applicant as a refugee and granting a residence permit, or
2. Uphold the rejection, thereby denying the asylum application.

If the Refugee Appeals Board upholds the rejection, the decision is final and cannot be appealed to any higher administrative or judicial body.

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If, on the other hand, the Refugee Appeals Board grants asylum, the Danish Immigration Service will issue a residence permit and determine the municipality where the beneficiary will be settled in Denmark.

Withdrawal of an application

Competent authority to withdraw an application

The Danish Immigration Service (DIS) | Udlændingestyrelsen is the competent authority in cases of both implicit and explicit withdrawals of asylum applications.

Following a rejection, The Danish Return Agency | Hjemrejsestyrelsen meets with the applicants to provide information on return.

Implicit withdrawal

In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of the 2013/32/EU Directive on common procedures for granting and withdrawing international protection.

Grounds for implicit withdrawal: The Danish Aliens Act does not explicitly define define "explicit" or "implicit" withdrawal of asylum applications. The national legislation does not specify grounds under which an application is considered implicitly withdrawn but rather refers as consequences imposed on the applicant in case of failure to appear for the personal interview without good reasons.

According to the information provided by the National Focal Points of Denmark, certain situations may lead to consequences for the applicant if they fail to comply without valid justification. This includes situations where the applicant does not respond to requests for essential information related to their claim or fails to attend a personal interview - unless they can prove that the failure was due to circumstances beyond the applicant’s control.

Additionally, an application may be considered as implicitly withdrawn if the applicant absconds, leaves the designated residence or detention facility without authorization, or fails to comply with reporting obligations or communication requirements within a reasonable period of time - again unless justified by factors

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beyond of the applicant’s control.

Consequences of implicit withdrawal:

If an application is considered implicitly withdrawn, no decision on the merits is taken. Instead, the Immigration Service will close the case without issuing a decision, and the police are requested to impose a “stop-card”. In such cases, no deadline for departure is set.

This means that the application is formally discontinued and not rejected.

The procedure is not automatically resumed. There is no specific distinction in practice based on how much time has lapsed since discontinuation. If the applicant reappears and wishes to pursue international protection, this is normally treated as a subsequent application rather than a continuation of the original case. However, a case may be reopened only once if the applicant provides justification for the earlier failure to cooperate.

Explicit withdrawal

Grounds for explicit withdrawal: The Danish Aliens Act does not explicitly define define "explicit" or "implicit" withdrawal of asylum applications. However, a similar national practice applies. An explicit withdrawal occurs when an asylum seeker formally notifies the Danish authorities of their intention to withdraw his/her application. This is typically done in writing or through a direct notification to the Danish Immigration Service. Such a withdrawal shall be clear and unambiguous in subject indicating that the applicant no longer seeks international protection.

Consequences of explicit withdrawal:

When an applicant explicitly withdraws an asylum application, a written record is drawn up. The applicant is required to sign a formal declaration of withdrawal, confirming that they no longer wish to pursue international protection in Denmark.

The oral withdrawal is normally confirmed in an interview/a meeting with the Danish Immigration Service. An interpreter will typically be present to ensure that the applicant fully understands the content and legal consequences of the withdrawal before signing the declaration.

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The applicant is clearly informed about the consequences of the decision, such as that once the withdrawal has been registered, they are no longer entitled to remain in Denmark unless they hold another valid residence permit. The applicant is therefore under an obligation to leave the country. In this context, a deadline for departure is set and formally notified to the applicant, and the deadline is reported to the Schengen Information System (SIS).

The determining authority takes a decision to discontinue the examination.

Appeal against a decision to discontinue the examination due to an explicit withdrawal:

The Danish Aliens Act does not provide for an appeal against a decision to discontinue an asylum case following the applicant's explicit withdrawal. Therefore, no appeal body or court is competent to review such a decision, as the withdrawal is based on the applicant's own signed declaration. However, it is always possible for the applicant to retract their withdrawal, in which case the asylum procedure may be resumed.

Consequences of explicit withdrawal: The national legislation does not specify consequences of explicitly withdrawn.

Appeal against a decision to discontinue the examination due to an explicit withdrawal: The national legislation does not specify appeal against decisions to discontinue the examination due to explicit withdrawal.

Personal interview

Competent authority: Interviewers

According to the organigram of the Danish Immigration Service, the 3rd Asylum Office consists of 5 teams including the management team, which process applications under the regular procedure concerning unaccompanied minor asylum seekers, detained asylum seekers, trafficked asylum seekers and minor accompanying children. No specific number of staff is mentioned.

Case officers: Upon employment, case officers participate in a comprehensive two-week internal training programme that covers legislation, constitutional law, and other essential topics.

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All case officers also participate in a specialised interview course, where they are trained in interview techniques based on the cognitive interview method. This includes instruction on the functioning of the memory system and about interviewing trauma-affected people.

All case officers must undergo several relevant training courses in the field of immigration law in the asylum department at the Danish Immigration Service.

In addition to this, all new case officers must attend peer training and observe more experienced colleagues, in order to be prepared to conduct asylum interviews themselves. The case officers are also trained in creating a comfortable environment in which personal asylum interviews can take place

After the training process, all case officers are expected to be able to manage all types of asylum cases (such as nationalities, Dublin, manifestly unfounded), as they are all trained to handle all types of interviews. A case officer can always get support from more experienced colleagues whenever needed.

Specialised child case officers: Certain case officers are specially trained to conduct interviews with unaccompanied children. In addition to the ordinary asylum interview training, child case officers undergo a dedicated child interview course. This training includes knowledge of children's memory system, children's cognitive developmental stages, and brain development, as well as practical methods for communicating with younger children.

Other specialised teams of case officers are responsible for handling cases involving detainees and manifestly unfounded urgent cases due to the particular nature and urgency of these cases.

Interpreters: Interpreters are hired on a freelance basis and operate under The Danish Immigration Service’s Interpretation Guidelines: Interpretation assignments for the Danish Immigration Service follow specific rules and conditions, including annually adjusted rates for oral interpretation.

As of April 1, 2024, interpreters are compensated based on three categories, with hourly rates ranging from DKK 385 to DKK 673. Double rates apply for assignments conducted outside standard working hours and/or on public holidays.

If the Immigration Service cancels an assignment within 24 hours, the interpreter is entitled to one hour of compensation, excluding travel expenses. Cancellations by the interpreter must be made promptly, preferably through the official

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booking system. Payment is processed within 30 days, and invoices must specify the interpreted hours, transport time, and distance.

Transportation compensation is based on Google Maps' shortest route, with remuneration provided for travel exceeding 10 km. Compensation is calculated per half-hour segment at half the regular hourly rate. Documented public transport expenses are reimbursed, but VAT is not applied.

Interpreters should take short breaks every 1.5 to 2 hours, with additional time allocated if no lunch break occurs. The start time is when the interpreter is scheduled to arrive, and the end time is when the assignment concludes. Mobile phones are not permitted during interviews unless approved for relevant use.

Interpreters are also subject to data protection regulations, ensuring compliance with the General Data Protection Regulation (GDPR).

Special procedural guarantees during the interview

Accompanied minors: Interviews with minor asylum applicants are not conducted in all cases. Whether an interview takes place depends on the child's age, degree of maturity, and in particular whether the child is considered to have an independent asylum claim. An interview may also be conducted if the parents are not able to provide sufficient information about the child's situation on their own. In all such cases, the interview is carried out in the presence of the parents or an assessor from the Red Cross.

Unaccompanied minors: According to information available by the Danish Immigration Service unaccompanied minor asylum seekers are appointed a personal representative to safeguard their interests, providing support during asylum proceedings and assist with personal matters. The Danish Red Cross nominates representatives, who must be independent of immigration authorities, with final appointments made by the Family Court. Representatives can be relatives, private individuals, or professionals from the Red Cross.

Unaccompanied minors undergo maturity assessment. If it is determined that the applicant lacks the necessary maturity, a residence permit may still be granted as specified in Section 9 c, subsection 2. In such instances, it must be established that the applicant has no family network in their home country and would face a severe emergency situation upon return due to the absence of public support or similar assistance.

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Legal assistance is provided at different stages of the asylum process. If a case follows the manifestly unfounded procedure, a lawyer is assigned by the Danish Immigration Service. In the general asylum procedure, legal assistance is provided if an asylum application is rejected, ensuring representation before the Refugee Board. If asylum is denied, legal support remains available for matters like residence permits on alternative grounds and guidance on return procedures. All legal costs are covered by the Danish Immigration Service.

In some cases, the Danish Immigration Service may initiate a family tracing for unaccompanied minors with no family contact. This search is conducted in cooperation with approved organisations by the Minister of Immigration and Integration and requires the applicant's consent. However, if reception and care centres exist in the applicants' countries of origin, the authorities are not obligated to conduct a search. Alternatively, unaccompanied minor asylum seekers can use the International Red Cross' tracing service, which operates confidentially and independently from government authorities.

Victims of trafficking or other forms of violence: Interviews with vulnerable applicants for international protection are conducted by officials specialised in this regard, who will consider the applicant's special situation. Vulnerability as a term is not provided in the national legislation.

Applicants with disabilities or other health issues: All applicants with special needs in Denmark can be accompanied during the asylum procedure by a person of support of their choice, such as a legal representative, a representative of a civil society organisation, a family member, a healthcare professional or a religious counsellor.

Possibility to omit the personal interview

The personal interview can be omitted under certain circumstances. The decision to omit the personal interview is taken by the Immigration Service. The decision is documented in the file and the reasoning for omitting the personal interview is mentioned in the decision.

Positive decision	Information currently not available
Previous meeting - essential information	No

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Issues raised are not relevant or of minimal relevance	No
Safe country of origin	Yes
Safe third countries	Not applicable
Inconsistent, contradictory, improbable, insufficient representations	No
Subsequent application	Yes
Application to merely delay/frustrate enforcement	No
Not reasonably practical to conduct it	No
Applicants unfit or unable to be interviewed	Yes

Organisational aspects

Preparation and timing of the interview

The case worker conducts the interview and analyses the reasons invoked by the applicant. The applicant is informed that they can expect to hear from the Immigration Service within six weeks from taking the case. However, the actual processing time always depends on the circumstances and complexity of the individual case.

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Prior to the personal interview, the case worker acquires access to the applicant's file, including all personal documents and evidence submitted. The case officer could also have access to relevant COI reports prior to the interview.

The case officer shall also ensure a comfortable environment where the personal interview is conducted.

Information provision (before the personal interview)

All adult applicants and unaccompanied minors are called for a first interview, during which admissibility is assessed. If the Danish Immigration Service cannot make a decision (on admissibility or on the substance) after the first interview, the applicant will be called for a second interview. In principle, the applicant can be called to several interviews if needed.

The Danish Immigration Service is responsible to provide this information, through the video that covers all aspects of asylum procedures, including the personal interview and outcome of first instance decision. The video covers information about the purpose of the interview, the obligation to attend, consequences of non-compliance, interpretation, and confidentiality. Additionally, the caseworker will inform the applicant of these details at the beginning of each interview.

A dedicated team is responsible for scheduling all asylum interviews for caseworkers. While tasks are coordinated internally, individual team members typically handle specific types of interviews, such as first interviews, follow-up interviews, or interviews in detention. One person may schedule multiple interviews using various tools.

All asylum cases are created and registered in an electronic case management system (Public 360). The data recorded in this system is subsequently compiled in another platform, Talius, which provides an overview of all pending asylum cases. From Talius, the information is exported into an Excel file containing key details such as the application date and personal information. This list is then used to prioritize and schedule interviews according to various criteria.

Selected cases are subsequently transferred to a dedicated Asylum Calendar platform, which displays the availability of caseworkers on specific dates. Data from the Asylum Calendar is then merged into an Excel file, allowing all interview summonses to be generated and sent within minutes.

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Summonses are sent electronically to the relevant asylum centres, where staff assist by printing and delivering them to the applicants.

Modalities of carrying out the interview

The Danish Immigration Service in principle does not conduct remote interviews. In some cases, a brief follow-up hearing may be conducted remotely if it is in the applicant’s best interest — such as when the applicant is vulnerable, unwell, or resides in an asylum centre far from the Danish Immigration Service, and the hearing involves only a few simple questions.

Similarly, decisions may be notified remotely when applicants reside far away, and the asylum centre can provide the necessary technical and personal support. For unaccompanied minors, all remote hearings and notifications are always planned in coordination with their legal representative.

All participants during an interview, such as case officers, interpreters, and applicants are present at designated locations. Applicants at the asylum centres, using the centres' technical facilities, including internet access. Interpreters and caseworkers are both located at the Danish Immigration Service, where the technical setup is likewise provided.

Generally, no signatures are required during remote hearings, but when signatures or document handling are necessary—such as during remote hearings—the asylum centre staff assist by securely transmitting documents between the centre and the Danish Immigration Service. While there is no specific testing sessions conducted prior to remote interviews and no formal feedback mechanisms for applicants, technical issues—such as connectivity problems—are managed by either continuing the notification via telephone or rescheduling as needed.

The Danish Immigration Service does not record remote interviews, and there is no policy on recording retention for use of training purposes. Translation of documents provided during remote interviews is not addressed, and no specific quality assurance protocols for remote interviews are currently in place.

Choice of gender of the interviewer/interpreter

Depending on the type of case, the Danish immigration service seeks to take into account the sex of both the interviewer and the interpreter when an applicant raises a gender-sensitive claim.

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Objecting to the interviewer/interpreter

The Danish Immigration Service organises interpretation services and appoints interpreters for the interviews. Applicants in Denmark do not have a formal right to object to a particular interviewer. However, if reasonable grounds are applied – for example in cases involving gender-sensitive claims – the Danish Immigration Service may, where possible, accommodate such requests.

The interpreters will undergo a security check by the Danish Security and Intelligence Service and they are all bound by confidentiality and must follow professional standards of conduct. If no interpreter is available in the applicant's preferred language, interpretation is provided in another language that the applicants understand. It is also possible to use an interpreter from a contractor or an independent interpreter.

Language and interpretation

Interpretation is provided through the whole duration of the interview. Interpreters are hired on a freelance basis and are handed out a handbook with guidelines of an interpreter's duty and task. It is a requirement that the interpreters must be on a list managed by the Danish National Police and have obtained security clearance and to fulfil the requirements set out by the Ministry of Immigration and Integration, under the Aliens Act n act no. 393 of 4 May 2009 and article 46(f) of the Aliens as regards disqualifications and secrecy.

In the case that no professional interpreter is available in the language preferred by the applicant, the Danish Immigration Service can use an interpreter from a contractor or an independent interpreter. In this case the Danish Immigration Service asks the Danish Security and Intelligence Service to perform a security check of the interpreter.

Persons present during the interview

Family members: All applicants can request a family member to be present during the personal interview and shall be allowed unless there is a conflict of interest. Denmark allows the presence of family members in the cases of personal interview with accompanied children.

Personal representative/guardian: All unaccompanied minors will have appointed a personal representative to work in the minor's interest. The representative's responsibilities include offering support while the minor's application for international protection is processed, and a representative can

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make the same decisions a parent can make. One of the main duties of the personal representative during the asylum process is being present during the asylum interview and support the best interest of the child during the asylum procedure. The representative will also support the minor on a more personal level by being aware of the child's wellbeing.

Other parties: According to the Danish Public Administration Act section 8(1)," *anyone who is a party to a case may at any time of the case be represented or assisted by others*". However, the competent authority may require the party to participate personally when it is relevant to the decision of the case. Denmark also allows the silent presence of UNHCR representatives and observers from the Red Cross.

When conducting remote hearings or decisions are notified remotely to unaccompanied minors, the legal representative may either be present at the asylum centre with the applicant or with the case worker on the location of the Danish Immigration Service. The hearing or notification is always planned in cooperation with the legal representative.

Structure/steps of the interview

As a general rule, all asylum seekers must go through the same asylum process in Denmark, regardless of if they are adults or unaccompanied children. Anyone who enters Denmark and apply for asylum must have their cases assessed according to the same provision and meet the same conditions for asylum, regardless of whether they are adults or unaccompanied children.

A personal interview always has to be conducted if the applicant is an adult. Only in the case where the applicant is unable to communicate due to a disability, the interview can be conducted with the applicant and the presence of a family member who will assist the applicant to provide information.

Unaccompanied minors seeking asylum in Denmark also participate in an independent asylum interview with the Danish Immigration Service. Interviews with unaccompanied, accompanied or separated children are held in the presence of a personal representative or an observer from the Red Cross.

The interview is held as gently as possible, taking into account the child's age and maturity.

If the child is accompanied by another adult than the parent (separated child), the decision in the asylum case will be made separately form the adult, unless

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the child is not mature enough to undergo an asylum interview. In this case the decision will be based on information from the adult's interview.

Interviews with accompanied children are conducted if the Danish Immigration deems it necessary to inform the case, upon consent of the minors' parents, and with the presence of parents, if the child and the parents' wishes it so.

All children, however, have the right to be heard and attend an interview with the Danish Immigration Service, if they or their parents request it.

There is a possibility to omit the personal interview with a child if the evidence is already available such as sufficient country of origin information and the child's identity has been established on the basis of statements from family members, sufficient documentation, etc.

The average duration of the personal interview is several hours for the adults while for children the duration varies depending on the age and maturity of the child.

Denmark applies breaks during the personal interview, which are taken either at the request of the applicant, the interpreter or the interviewer, or at regular intervals.

During interviews with unaccompanied children, the personal representative can request for more breaks at any time.

In the introductory part of the personal interview, an applicant receives information about the procedure of personal interview and is requested to provide his/her personal details. The case worker is also checking the mental and physical condition of the applicant and confirms whether the applicant understands the interpreter.

During the concluding stage the applicant receives information about the next steps of the procedure and is invited to provide any additional information. The applicant is also requested to provide consent to the interview record after the document has been written aloud to him/her.

Audio/Video recording and written report

Interviews are not audio- or video recorded. A written report is prepared by the case officer. The report is not a verbatim transcript but a structured summary of

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the applicant’s statements.

The applicant cannot refuse the written report, as it forms the official case file.

At the end of the interview the report is read back through the interpreter, and the applicant has the opportunity to correct or clarify statements before confirming the report.

Postponing the personal interview

The personal interview may be postponed upon request of the applicant in case of justified medical grounds, in the cases the guardian of an unaccompanied minor or the applicant's legal representative are not available or in cases of other valid grounds apply depending on the personal circumstances of the applicant.

Failure to appear

Regarding the consequences imposed on the applicant in case of failure to appear for the personal interview without good reasons, Denmark proceeds with suspension/discontinuation of the case, considering the application as implicitly withdraw and usually the case is closed without a decision. However, a decision can be made if it is possible due to previous interviews.

Other aspects

Second or follow-up personal interview: The Immigration Service may invite the applicant for a second interview or third interview when an application is processed under the regular procedure and when the collection of additional information is necessary for the assessment of the case.

Special asylum procedures at first instance

Admissibility procedure

Legal basis and grounds:

In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of the Asylum Procedures Directive and is not bound by it or subject to its application.

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The Danish Immigration Service conducts a first interview with the asylum applicant to decide whether the asylum application should be processed in Denmark or whether the person should be transferred to another Dublin Member State where the person already received protection status (Section 29 b) or under the Dublin Regulation (Section 29 a).

Competent authority and other stakeholders

The Danish Immigration Service is the competent authority for assessing if an asylum claim can be considered for further processing in Denmark. The Danish Refugee Council provides an opinion such as agreement or disagreement on the assessment of the Immigration Service with regards to unfounded cases. The Refugee Appeals Board reviews asylum claims which are refused by the Danish Immigration Service.

Procedural aspects: In this initial stage it is determined whether an application for international protection shall be processed in Denmark or another country. Once an application has been registered the applicant will get the opportunity to submit his/her reasons for seeking asylum in written form and the Immigration Service will call the applicant for the first interview as soon as possible. During the first interview the Immigration Service mainly focus on the applicant's identity and information in order to determine the case processing including admissibility. .

Decision and time limits to decide

Normally the applicant will be notified immediately after the first interview by the Immigration Service whether the application will be processed in Denmark. In this case the applicant can apply for residence permit on humanitarian grounds. An application for a residence permits on humanitarian grounds should be submitted to the Ministry of Immigration and Integration.

The Immigration Service may also request to obtain additional information. In this case the applicant will not receive a decision in connection with the first interview but as soon as possible.

Appeal

An appeal to the Refugee Appeals Board against a decision of the Danish Immigration Service made in relation to section 29 a and b shall be submitted to the Danish Immigration Service within 7 days from the day the applicant is informed about the decision. As a main rule the appeals are examined in a single

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judge panel and in a written procedure. An appeal against a decision made in relation to section 29 a has automatic suspensive effect and free legal assistance is provided, possibly by the Danish Refugee Council (DRC Dansk Flygtningehjælp).

Impact on reception conditions

During the initial examination applicants get reception until decision is rendered and there is impact on material reception conditions during the initial interview. The applicants without minor children will be accommodated at Return Center Sjælsmark, applicants with minor children will be accommodated at Reception Center Sandholm for the initial three months and then Return Center Avnstrup. Unaccompanied children under 18 are accommodated at the children facility in Tønder Municipality.

During the appeal the adult applicants without minor children are accommodated at Return Centre Sjælsmark. They have access to necessary healthcare and accommodation; however, they have limited access to education and employment activities, no access to cooking facilities (meals are provided at fixed times).

Applicants with minor children are accommodated at Return Centre Avnstrup, where they can cook their own meals and are usually housed in private rooms, though bathrooms and kitchens are shared. These applicants continue to have access to necessary healthcare and accommodation, and minor children under the age of 18 also have access to recreational activities, and schooling at the same level as Danish children.

Unaccompanied minors are accommodated at the children's centre in Tønder Municipality, where they have access to healthcare, education, recreational activities, and an allowance. They can prepare their own meals, with or without assistance from the centre’s staff. The applicants will have access to these services up until they are returned to the third country.

Accelerated procedure

Legal basis and grounds

In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption

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of the Asylum Procedures Directive and is not bound by it or subject to its application. National provisions apply.

Legal basis: Section 53b of the Aliens Act.

Impact on reception conditions

As the purpose of this procedure is rapid resolution and return, applicants are not granted the same level of reception conditions as those under the regular asylum procedure. However, there are exceptions to this rule that apply to unaccompanied minors and minors in general.

In principle, all applicants receive accommodation until a decision is rendered.

Adult applicants without minor children are accommodated at Return Centre Sjælsmark. They have access to necessary healthcare and accommodation; however, they have limited access to education and employment activities, no access to cooking facilities (meals are provided at fixed times). They also do not receive cash allowance.

Applicants with minor children are accommodated at Return Centre Avnstrup, where they can cook their own meals and are usually housed in private rooms, though bathrooms and kitchens are shared. These applicants continue to have access to necessary healthcare and accommodation, and minor children under the age of 18 also have access to recreational activities, and schooling at the same level as Danish children.

Unaccompanied minors are accommodated at the children's centre in Tønder Municipality, where they have access to healthcare, education, recreational activities, and an allowance. They can prepare their own meals, with or without assistance from the centre’s staff.

During the appeal the applicant with minor children will be accommodated at the Return Centre Avnstrup and adult applicants will be accommodated in Return Centre Sjælsmark. The unaccompanied children will as a rule be accommodated in children centre Tønder.

Border procedure

Legal basis and grounds

Denmark does not apply border procedure.

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Competent authority and other stakeholders

Not applicable

Procedural aspects

Not applicable

Decision and time limits to decide

Not applicable

Appeal

Not applicable

Impact on reception conditions

Not applicable

Subsequent application procedure

Legal basis and grounds

In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of the Asylum Procedures Directive and is not bound by it or subject to its application.

Competent authority and other stakeholders

The Danish Immigration Service is the competent authority responsible in matters related to examination of re-opened (subsequent) asylum cases of manifestly asylum decisions and the Refugee Appeals Board is the competent authority responsible for the examination of any other re-opened (subsequent) cases.

Procedural aspects

The Danish Immigration Service does not distinguish between first-time and subsequent applications as defined in the Asylum Procedures Directive. All applications are treated as first-time applications, and the Danish Immigration Service assesses each case based on its individual merits.

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If an applicant absconds or withdraws the application during the examination process, the case is closed without a decision on the asylum claim. If the applicant later reappears or re-submits the application, the case is reopened, and the examination resumes from the stage at which it was previously closed.

In practice, the Danish Immigration Service receives very few requests to reopen asylum cases, and such requests rarely include new information.

Decisions regarding reopening are reviewed by the Danish Refugee Council when the original case was assessed under the manifestly unfounded procedure. If either the Danish Immigration Service or the Danish Refugee Council determines that the case warrants reopening, it is re-examined under the normal procedure rather than the manifestly unfounded one.

The Danish Immigration Service only handles reopening requests related to manifestly unfounded decisions, as all other final decisions fall under the authority of the Refugee Appeals Board. If an applicant has received a final decision from the Board but presents essential new information that was not available at the time of the original decision, the Board will assess whether this information justifies reopening the case.

Decision and time limits to decide

Information is currently not available

Appeal

In line with general principles of public administration, the Refugee Appeals Board is responsible for reopening cases where refused asylum seekers are facing return, provided that essential new information has come to light which may alter the basis of the Board’s original decision.

If an applicant has received a final decision from the Board but presents essential new information that was not available at the time of the original decision, the Board will assess whether this information justifies reopening the case. Cases may be reopened and reviewed in a new oral hearing if the applicant provides significant new information that could affect the outcome and if it is deemed necessary for the applicant to present their case in person.

Impact on reception conditions

Information is currently not available

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Last-minute application pending removal

Last-minute applications lodged by first time applicants pending a removal

Decisions of the Refugee Appeals Board set a deadline for departure, usually of 7 days or immediately (if the decision was taken in the accelerated or manifestly unfounded procedure).

A fast-track procedure is only determined based on the merits of the case. Last minute applications are often submitted to the police, who then forward the applications to either the Danish Immigration Service or the Danish Refugee Appeals Board.

If the Refugee Appeals Board become aware, usually by notification from the police, that the return of an applicant, who have applied for the reopening of his/her asylum case, is imminent, the Board will attempt to expedite the processing of the specific case.

Last-minute applications lodged as subsequent applications pending a removal

Information is currently not available

Safe country concept

Safe country of origin

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 Asylum Procedures Directive (APD) and is not bound by it or subject to its application.

A similar national legal framework on the safe country of origin is described in Section 53(b) of the Aliens Act. This concept is applied in practice under a special procedure is called the manifestly unfounded urgent procedure (ÅGH procedure), for specific countries which are considered safe by Denmark. The ÅGH country list was lastly updated on 19 January 2023.

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There is no legal provision on the designation of a national list of safe countries of origin. The responsibility for proposing the list lies with the Danish Immigration Service, the Danish Refugee Council, and the Danish Return Agency. A country is added in the list if there is agreement between the three parties. The Ministry of Immigration and Integration is responsible for adopting it. The Danish Immigration Service maintains such list and publishes it on its website.

List of ÅGH countries:

1. Albania
2. Australia
3. Bosnia and Herzegovina
4. Canada
5. EU Member States
6. Georgia (following an assessment, exceptions may apply to LGBTQI applicants and persons from Abkhazia and South Ossetia)
7. Great Britain
8. Iceland
9. Japan
10. Kosovo
11. Liechtenstein
12. Moldova
13. Mongolia
14. Montenegro
15. New Zealand
16. North Macedonia
17. Norway
18. Serbia
19. Switzerland
20. United States

The list was lastly updated on 19 January 2023. Russia is being removed.

Safe third country

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 Asylum Procedures Directive (APD) and is not bound by it

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or subject to its application. A similar national concept is applied in practice when assessing admissibility of asylum claims in Denmark.

A country is a safe third country if the foreigner does not risk the death penalty or being subjected to torture or inhuman or degrading treatment or punishment when deported to that country. The assessment of the existence of such a risk is made on the basis of a general assessment of the third country.

In practice, the assessment of whether a country can be considered as a safe third country is made by the Ministry of Immigration and Integration upon consultation with the Danish Immigration Service. The conditions for a country to be considered a safe third country derive from the Section 48 (a) of the Aliens Act which states that expulsion may only take place to a country that has acceded to and respects the Refugee Convention of 28 July 1951 and where there is access to a sound asylum procedure. No expulsion is allowed if the individual risks the death penalty, torture, inhuman or degrading treatment, or onward removal to a country where such risks exist. The above rules are not applicable if the police have issued an entry ban pursuant to Section 28(7).

A list of safe third countries has not been officially adopted, but the concept is applied on a case-by-case basis.

Forced returns of individuals whose applications have been deemed inadmissible based on the safe third country national concept are processed case by case, and the Danish Return Agency adheres to safe third country assessments made by the Danish Immigration Service.

First country of asylum

The concept of a first country of asylum is described under Section 7 (Subsection 5) of the Aliens Act. This concept is applied in practice under the admissibility procedure.

Pursuant to the national legislation, an application for a residence permit may be refused if the foreigner has already obtained protection in another country or has close ties with another country in which it is assumed that protection can be obtained. It is not a condition that the foreigner's connection to the first country of asylum is closer than the connection to Denmark. It is sufficient that the foreigner has a close connection to the first country, for example being born and raised there, having resided there for a long time or has family members or other

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social networks in that country.

A number of criteria are included in the assessment if a country can be considered to be a first country of asylum. The core of the concept of protection is that the applicant must have personal security upon entering and staying in the first country of asylum, which means that the person must be able to enter legally and take legal residence in the country, and the applicant's personal integrity and security must be protected in the country.

This includes a mandatory minimum requirement that the applicant must be protected from being returned to a country where the applicant has been persecuted or to a country where he/she will not have effective protection. This implies that the applicant must de facto be protected from refoulement. According to the Refugee Appeals Board's practice, it is not a condition that the first country of asylum has ratified and implemented the Refugee Convention in its legislation.

European safe third country

The concept of European safe third country is not defined in the national legislation.

According to section 29 b, an asylum application can be considered inadmissible, if the alien already has received protection in another Dublin member state.

Assessment of an application at first instance

Legal provisions relevant for an assessment

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. However, provisions of the Dublin III Regulation apply under specific circumstances.

Competent authority for the assessment

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The Danish Immigration Service is responsible for the asylum examination and decision making in first instance.

Qualification: A case officers is required to hold a master's degree within an area of relevance, such as law, political science, global refugee studies.

Training: Initially the case officers receive a two-week internal course where the subjects of legislation, constitutional law and assessment of COI is covered and where they watch interviews conducted by experienced case officers. When they start conducting interviews and receive their own cases, the case officers are regularly invited to brush-up courses and for a course in interview techniques

Required qualifications: Information currently not available.

Grounds

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 Qualifications Directive and is not bound by it or subject to their application.

The grounds for international protection are specified under the Section 7 (Subsections 1,2) of the Aliens Act. According to the national legislation, a residence permit for temporary stay in Denmark must be granted upon application if any of the following conditions are met:

1. (Subsection 1): The applicant qualifies for protection under the 1951 Refugee Convention.
2. (Subsection 2): The applicant faces a real risk of the death penalty, torture, or inhuman or degrading treatment or punishment if returned to his/her home country. Applications under this provision may also treated as applications under the Refugee Convention.

Guidelines for case officers

National guidelines are not available. Denmark uses UNCHR and EUAA guidelines in the assessments.

Credibility assessment

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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 Qualifications Directive and is not bound by it or subject to their application.

According to information available by the University of Copenhagen' study which explores how data influences the credibility assessment of asylum seekers along with asylum decisions in the Nordic countries (Denmark, Norway, Sweden). According to the study, the Danish Immigration Service initially assesses if an application shall be processed in Denmark. If an application is rejected, it is automatically referred to the Refugee Appeals Board, whose decisions are final and cannot be appealed further.

The Refugee Appeals Board often bases its decisions on whether there are inconsistencies across different sources of data regarding the applicant. This data may include personal testimonies, asylum applications, biometric data, digital footprints (such as Facebook activity), travel records, and country-of-origin reports or external expertise.

Applicants are frequently refused asylum if contradictions are found—for instance, if information logged by Swedish authorities differs from the information recorded by Danish authorities. Such inconsistencies may lead the Board to question the applicant's credibility. Asylum acceptance rates vary widely across countries. According to the study, in 2018, Somali applicants had only an 8% approval rate in Denmark, compared to 34% in Norway and 48% in Sweden.

Assessment of facts and circumstances when aspects of the applicant's statements are not supported by documentary or other evidence

As of the date of this writing, Denmark is not bound by the recast Qualifications Directive and has not formally communicated an official position with regards to the legislative instruments of the EU Pact on Migration and Asylum.

According to information on national practices, provided by the Danish Immigration Service, when assessing an application, evidence from the applicant and evidence by third party can be relevant. Evidence is accepted in any language and will be translated by the Danish Immigration Service. Evidence is collected ex officio including: Use of COI, use of external expertise, other specific

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evidence. In principle assessment is done on facts and circumstances.

Time limit for submitting evidence during credibility

Normally when the application is processed in Denmark, the applicants will bring the required evidence to the asylum interview, as they have been told to do at the initial interview. If not, they will get two weeks from the day of the interview to submit the relevant documentation.

COI research

The Danish Immigration Service's Country of Origin Unit | Landedokumentation collects and analyses background information on the situation in the applicants' countries of origin. The background information is used in the processing of asylum applications by the Danish Immigration Service. The employees of the COI Unit are separated from the case processing and are not themselves involved in making decisions.

The employees of COI Unit obtain a large amount of information via the Internet, including reports, newsletters, magazines and newspapers. Employees also rely on several internationally recognized databases. The individual employees also collect information through national and international networks, e.g. through contact with researchers and other specialists in the field. In addition, information is obtained through written consultations with the Ministry of Foreign Affairs, UN organizations and other relevant sources.

The result of the work is communicated to the case processing offices within the Immigration Service and published in reports and notes.

The COI-unit also collects background information through country missions and meetings with countries' authorities, international organizations and national NGOs.

The results and key findings of the missions are published in thematic reports that are publicly available.

Decision and outcomes

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Following the asylum interview, the Danish Immigration Service may issue one of several types of decisions:

- Dublin transfer decision: The decision is issued in writing and is informed orally. The decision includes information concerning remedies.
- Inadmissibility decision due to protection status in another Dublin Member State: The decision is issued in writing and is informed orally. The decision includes information concerning remedies.
- Granting of asylum or residence permits: These decisions are provided in writing.
- Rejection without a possibility to appeal to the Refugee Appeals Board under the manifestly unfounded procedure: The decision is issued together with the return decision and is issued in writing and informed orally.
- Rejection of the asylum claim, including first country of asylum: This decision is issued in writing.

All decisions undergo a quality review prior to issuance. Additionally, the Danish Immigration Service conducts an annual quality assessment of selected cases. Decisions are documented using a standardized format and are formally notified in writing.

Minors and unaccompanied minors: Notification of negative decision for unaccompanied minors are given in oral format in the presence of their personal representative.

When an asylum application is refused for an entire family, the children are usually covered by the refusal issued to the mother. In such cases, the decision will only be notified to her, and not separately to each child.

COI units

Background information

COI unit: The Country-of-Origin Information Unit (COI) is part of Centre for Documentation and Counter Extremism (CDE) within the Danish Immigration Service and under the Ministry of Immigration and Integration.

Legal basis: n/a

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Structure and capacity

Organisation: the COI Unit is part of the larger Centre for Documentation and Counter Extremism (CDE), a division within the Danish Immigration Service, under the Ministry of Immigration and Integration.

Mandate and tasks: The unit is responsible for researching, collecting and analysing background information about conditions in applicants' countries of origin. This information is primarily used by the Danish Immigration Service in the processing of asylum applications or family reunification cases. The COI unit also supports the entire Immigration Service, and the Ministry of Immigration and Integration, with background information when required. The unit's staff do not take part in decision-making process.

The COI Unit works closely with the other two pillars in the CDE:

- Intelligence and Analysis, which includes OSINT related to individuals, mobile phone data extraction, the National Prohibition List of undesirable funding, and the National Sanctions List of Religious Preachers with Entry Ban; and
- Prevention and Counselling, which gathers knowledge and assists in the prevention of extremism in Denmark through interagency collaborations at all levels including: counselling to municipalities and support in design of action plans for prevention and handling of challenges at local level, provision of trainings and development of tools for prevention.

Staff capacity: The total staff capacity of the COI unit is approximately 20 persons.

Requirements: All COI advisers and the staff of the entire centre are academics, holding a BA or MA degree from a university. Some also have special language skills (for instance Arabic, Dari, Farsi, French, or Russian).

Regular training and updates: New staff undergo a special training and have mentors for the first months. Thematic training takes place according to the needs of all staff. Individual training/updates are possible after an expression of interest.

COI products

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Type of COI products produced and frequency: The COI-unit responds to daily requests from case officers, provides background notes and reports on various issues, gives oral presentations on certain topics for case officers, updates an internal database, undertakes fact-finding missions and provides reports. The Intelligence and Analysis team responds to daily requests from case officers, trains case officers on social media research, provides background information for cases related to religious preachers, and works with the implementation of a law on proscription of donations from foreign anti-democratic persons and organisations, to societies and organizations in Denmark, working against constitutional and human rights.

Languages: Daily requests and replies to case officers are produced in Danish. Fact-finding mission reports and brief reports are mainly produced in English.

Methodology and sources: COI production is based on fact-finding missions and desk studies, including virtual interviews. The COI team produces both regional and thematic products.

The COI unit follows the professional methodological standards set by the European Union Agency for Asylum (EUAA).

In terms of sources, ecoi.net and refworld are used, oral sources such as university professors, and sources identified during fact-finding missions, such as local and international organisations; NGOs could be also considered.

The COI Unit delivers oral presentations on countries and themes as well as maintaining a Database. The unit also produce internal podcasts, webinars and newsletters which are restricted to staff in agencies under the Ministry of Immigration and Integration. All publications available by the COI Unit are available here.

Quality check: An internal procedure is established for peer reviewing daily requests and background notes, incorporating feedback from input providers. Sometimes, it may include external peer reviewers from a COI Unit in another country or researchers from academic institutions.

Other aspects of COI units

The COI Unit produces country Guidance products. Occasionally the COI Unit provides information for the themes selected by the decision-makers in a form of

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an annex, which supports the Country Guidance.

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