**Comments for the periodic review of Denmark by the Committee on the Rights of the Child 2017**

These are the main concerns that we have identified, being a voluntary organisation offering legal advice for refugees in Denmark:

**ACCOMPANIED ASYLUM SEEKING CHILDREN:**

• Accompanied asylum seeking children are never interviewed, and their parents are very rarely asked about their children's possible motives (incl. FGM). We find this a breach of Art 12, 13 and 22.

• A small number of children end up staying for many years in the asylum camps, even more than 10 years. This is due to their parents' failed asylum case, followed by deportation hindrances or lack of collaboration. Those children build up a strong attachment to Denmark, and most often they suffer from depression, anxiety and severe stress caused by the fear of deportation. The Danish authorities refuse to grant them a permit to stay, arguing that the long stay was 'illegal'. When looking at the best interest of the child, it is of no importance whether the stay was illegal or legal, and the authorities should not place the full responsibility of this situation on the parents. We find this a breach of Art 3 and 22.

• Asylum seeking children are being moved many times between the camps, and lately a special deportation camp for rejected families has been introduced (Sjælsmark). Conditions in this camp are worse than those of an open prison for criminals in Denmark. Parents are not allowed to cook for their children, they receive no cash allowances and are not allowed to work, nearest town is 7 km away. We find this a breach of Art 22, 26 and 27.

• If an adult refugee (most often the father) is granted asylum and applies for family reunification for his child and wife, we have seen a number of examples where the child gets a permit while the other parent (most often the mother) gets a rejection. This can happen if the Danish authorities do not accept the marriage certificate or find that the couple has not been living together long enough. This leaves the family with an impossible choice, where the child will be removed from one of its parents – staying with Mother in a refugee camp or coming to Denmark to live with Father. We find this a breach of Art 9.

**UNACCOMPANIED ASYLUM SEEKING CHILDREN:**

• If rejected during the normal asylum procedure, unaccompanied minors without family network might be granted a temporary stay. But this will expire as soon as they turn 18, leaving only a small chance of having it extended because of very successful integration. This system leaves the children in a constant fear of losing the permit and the foundation they have gradually built for themselves in Denmark. We find this a breach of Art 3.

• Unaccompanied minors who are granted asylum have the right to family reunification, which means getting residence permits for their parents and younger siblings. However, after turning 16 they are most often judged too old to be in need of their family. And it is not only their age at arrival that counts, so the slow asylum procedure will decrease their chances of that. At the same time, turning in the complex application in the correct way requires skilled help which the children do not necessarily have access to. We find this a breach of Art 9, 10 and 22.

Best regards,

Chairman Michala Bendixen
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