Question for written answer E-002869/2021

to the Commission

Rule 138

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Subject: The externalisation of asylum reception and care by Denmark

On 12 May 2021, Le Monde published an article entitled ‘Le Danemark veut sous-traiter les demandes d’asile au Rwanda’. The article describes a draft legislative act proposing the outsourcing of the reception and care of asylum seekers to third countries, which could imply the transfer of asylum seekers arriving in Denmark to third countries, in particular Rwanda.

The bill specifies that if a foreigner is granted asylum after the processing of the application in a third country, the third country will be responsible for providing protection. If the application is refused, the third country will also take responsibility for the deportation of the person, including unaccompanied minors.

In its observations of 8 March 2021, the UN High Commissioner for Refugees (UNHCR) expresses doubts about whether such a process is in line with international obligations, including the 1951 Convention relating to the Status of Refugees and EU law. The UNHCR strongly urges Denmark to refrain from establishing laws externalising its asylum obligations, which would be contrary to the spirit of the international and European system for the protection of refugees.

What is the Commission’s assessment of the proposed bill in relation to EU law, the right to asylum and the principle of non-refoulement?