

Annex 13: Decisions by the UN Committees against Denmark regarding non-refoulement (November 2015 to September 2023)

Table of contents

The Committee against Torture against Denmark	2
The Human rights Committee against Denmark.....	6
The Committee on the Rights of the Child against Denmark.....	20
The Committee on the Elimination of Discrimination against Women against Denmark.....	25

The Committee against Torture against Denmark

Date of decision	Communication number	Subject matter and substantive issue	Relevant articles	Decision
Pending	1068/2021	Deportation to Morocco; torture (torn out nails and raped); non-refoulement	3, 16	Pending
Pending	1150/2022	Non-refoulement	3	It is expected the case to be discontinued, as far as in January 2023, the Government of Denmark decided to grant the author a residence permit.
Pending	113/2021	Non-refoulement	3,14,16,	The author was refrained from deportation to any territory governed by either Israeli or Palestinian authorities and released from

				immigration detention on medical grounds. After the CAT's letter, the Danish authorities decided to reopen his asylum case and the author finally granted asylum as a victim of torture and started a programme of rehabilitation.
Pending	985/2020	Non-refoulement	3	Pending
23 November 2015	CAT/C/56/D/580/2014	Deportation to Turkey; non-refoulement; torture; cruel, inhuman or degrading treatment or punishment; medical examination	3, 12 and 16	Breach of article 3 and article 12, cf. article 16.
6 May 2016	CAT/C/57/D/593/2014	Extradition to Romania; non-refoulement	Article 3	Inadmissible
13 May 2016	CAT/C/57/D/628/2014	Deportation to Sri Lanka: Non-refoulement	Articles 3 and 22	Breach of article 3
29 April 2016	CAT/C/57/D/709/2015	Deportation: non-refoulement	Article 3	Inadmissible

12 August 2016	CAT/C/58/D/607/2014	Deportation to the Islamic Republic of Iran: non-refoulement; medical examination	Article 3	Inadmissible
25 November 2016	CAT/C/59/D/634/2014	Deportation to the Russian Federation; non-refoulement; medical examination	Article 3	Breach of article 3
12 May 2017	CAT/C/60/D/653/2015	Deportation to the Russian Federation; non-refoulement: medical examination	Articles 3 and 22	Breach of article 3
28 April 2017	CAT/C/60/D/602/2014	Deportation; non-refoulement; medical examination	Articles 3 and 22	No violation
10 August 2017	CAT/C/61/D/625/2014	Deportation to Pakistan: non-refoulement: medical examination	Article 3	Breach of article 3
17 May 2018	CAT/C/63/D/647/2014	Deportation to China; non-refoulement; medical examination	Articles 3 and 2	No violation
17 May 2018	CAT/C/D/703/2015	Deportation to the Russian Federation: non-refoulement; medical examination	Article 3	No violation
3 August 2018	CAT/C/64/D/733/2016	Deportation to Somalia	Article 3	Discontinued

3 August 2018	CAT/C/64/D/683/2015	Deportation to Afghanistan; non-refoulement; medical examination	Articles 3 and 16	No violation
3 May 2019	CAT/C/66/D/735/2016	Deportation to Congo; non-refoulement	Article 3	Discontinued
30 December 2020	CAT/C/70/D/743/2016	Deportation to Turkey; non-refoulement	Article 3	Indadmissible
19 July 2021	CAT/C/71/D/792/2016	Deportation to Uganda; non-refoulement	Article 3	No violation
29 June 2023	409/2009	Deportation to Syria	3, 7, 9, 10 and 12	Discontinued: the author was granted the refugee status
29 August 2013	445/2011	Deportation to Syria	3, 7, 9, 10 and 12	Discontinued: the author was granted the refugee status

The Human rights Committee against Denmark

#	UN Committee	UN Reg. number	Date of the UN decision	Subject	Decision
1.	CCPR	2583/2015	-	The complainant from China claimed that she risks persecution because in the early 1980's she was transferred to the Qinshan nuclear power station, in China. In year 2000 some employees in the workplace discovered serious problems with leakage, which in turn was a health risk for the employees at the nuclear power plant and residents in the area. The management finally persecuted the four employees personally and threatened them to their lives. Subsequently, the applicant was sought out by the authorities who tried to intimidate the applicant to disclose the material. The police were also sent to the applicant's workplace and residence to search the sites. The applicant fears for her life on return to China as she will be sent to the labour camp in the Gobi desert.	NO decision yet
2.	CCPR	3827/2020	-	An Afghan national entered to Denmark in 2009 as an unaccompanied minor and got an asylum status in 2009. In 2018 the author was called to an interview with the Danish Immigration Service, which in its turn, decided to withdraw the author's residence permit as a refugee due to fraud.	No decision yet
3.	CCPR	4302/2022	-	The author came to Denmark as a victim of human trafficking, without a valid travel document and submitted the application for the asylum. After having been closed the case several times due to the absence of the authour, and further its renewal, in 2022 Danish Refugee Appeals Board confirmed the decision of Danish Immigration Service on refusal of a residence permit in Denmark and E.O.needed to be deported. The author was sentenced for violation of Immigration law and temporarily absence of the author in Austria. Since March 2022 the author is staying in the jail. Arguments against the deportation: fears for the own life as well as for the life of children; no possibility to get a legal support/protection because of the high risk of corruption in Nigeria. E.O. is a single mother of 3 children, who are living in	No decision yet

				Nigeria. E.O. was sent to Europe for money, ultimately defined by human trafficking organizers. E.O. had to go through a ritual and swear an oath that she would pay the money. Otherwise the applicant's children would die. E.O. earns her money through prostitution but she still owes 2/3 part of the amount. Human traffickers threaten to E.O.'s family and assaulted E.O.	
4.	CCPR	4255/2022	-	In 2022, the Danish Immigration Service refused Pakistani citizen A.A. in an asylum status. The author applied for asylum on grounds of risk of persecution upon return to his home country Pakistan due to his Ahmadiyya faith. The Ahmadiyya Muslims are not allowed to call themselves muslims in Pakistan, because the government and mullah have decided that Ahmadiyya are not muslims. The author has been beaten and subjected to threats and tortured because of his Ahmadiyya faith. The numerous violations against Ahmadiyya believers remained unchanged in the living area of the author in Pakistan and the situation even worsened.	No decision yet
5.	CCPR	4344/2023	-	The author S.S.S. applied for asylum in Denmark on grounds of risk of being recruited by Taliban regime to the military service and the risk of being considered by Taliban regime as a westernized spy.	No decision yet
6.	CCPR	2858/2016	16.06.2023	In February 2014, the author was taken by her cousin against her and her mother's will to Serbia to marry a national of Serbia. She later discovered that her husband's family had paid 7,000 euros for her. During her stay in Serbia, she was physically abused by her husband and his father and grandfather and was subjected to forced labour.	author's removal to Albania would be a violation by the State party of her rights under articles 6 and 7 of the Covenant.
7.	CCPR	3710/2020	1.06.2023	(represented by André Carbonneau)	Discontinued: the author had been granted a residence permit.
8.	CCPR	4125/2022	1.06.2023	represented by Daniel Nørrung	Discontinued: the author had been

					granted a residence permit.
9.	CCPR	2858/2016	23.05.2023	<p>The author E.E. was taken by her cousin against her and her mother's will to Serbia to marry a Serbian national. Later the author discovered that her husband's family had paid 7000 euro for her. During her staying in Serbia she was physically abused by her husband, his father and grandfather, and was subjected to forced labor. One time she briefly needed to return to Albania, and was in this period escorted by M and M's cousin. They threatened her with a gun if she did not follow back to Serbia. She was allowed to visit her brother in Albania one time in 2014. Once arrived, she refused to return to Serbia, and furthermore filed for divorce. The author's husband rejected her request and requested her to reimburse 7000 euro. The divorce case in the court in Tirana was canceled due to lack of evidence. Author also heard that her uncle would come to Albania and kill her for humiliating the family by marrying a Serb and later filing for divorce. The author's fears were based on an incident, which had occurred two years beforehand when her uncle attacked her with a knife, almost cutting her throat, because there were rumors that she had been seen with an unknown man in the city, and then suspected that she was a prostitute. In 2015, the author arrived to Denmark and applied for asylum on the same day.</p>	CCPR decided that the author's removal to Albania would be a violation by the State party of her rights under articles 6 and 7 of the Covenant.
10.	CCPR	2023/2011		<p>The citizen of Eritrea is a member of a religious minority - the Pentecostal movement- a group of Christians who refuse to perform military service. In Eritrea the religious conviction is prohibited by the state. The author was then called in for military service. As a result of her Christian faith, she can not carry weapons and will as such be regarded as an opponent to the regime in Eritrea. Thus the author fled to Denmark. According to the UNHCR's guidelines, seekers from Eritrea are reported to be frequently subjected to torture while conscientious objectors can face extreme physical punishment- a means to force them to perform military service.</p>	Discontinued. Case reopened by the Danish authorities. Thus the case was discontinued at the UNHCR. In 2013 the author was granted residence permit by the Danish authorities.

11.	CCPR	1554/2007	Sep, 2014	The author is a Moroccan national born. The parents of the author divorced before he was born. After the divorce, the author's father moved to Denmark. The author's mother obtained custody over him and he lived with his mother's parents in Morocco. After the death of his maternal grandparents, the author's mother could not support him. The author applied to be reunited with his father in Denmark but the application was rejected because the father had no custody over him. In 2003, when the mother remarried, she transferred the custody over the author to his father. The author requested Danish authorities to reopen his application for residence. The request was rejected as the authorities found that the applicant's father had not proved the ability to maintain him.	is a violation of CCPR, due to a failure to provide the author with the necessary measures of protection as a minor.
12.	CCPR	2243/2013	26.12.2014	The author, an Afghan national, entered Denmark in 1999, 13 years old. In March 2005 the author was found guilty of several robberies and attempted robberies. He received sentence of imprisonment for five years and six months and was also ordered expelled from Denmark – with a permanent re-entry ban. He stated that he did not want to cooperate in a voluntary return to Afghanistan as he had a wife and children in Denmark. The Committee notes that even though the author's children were born <i>after</i> the decision to expell the author became final, the State party has not reviewed those new circumstances and, in particular, never examined to what extent the deportation of the author was compatible with the right of his children to such measures of protection as required by their status as minors. The Committee considers that the decision of the State party to deport the father of two small children, coupled with a permanent re-entry ban, is “interference” with the family.	is a violation of article 23, paragraph 1, read in conjunction with article 24 of the Covenant
13.	CCPR	2286/2013		The complainant is a Tadjik Afghan citizen, whose farther and older brother were killed. Consequently, the rest of his family had to flee Afghanistan. The author has no family or relatives in neither Denmark nor Afghanistan. He then lived in Pakistan with his mother, who later passed away. Later on, he moved to Iran but without any legal residence. When he applied for asylum in Denmark, he expressed his fear for a return to Afghanistan by saying that he has no relatives or network, since he was abroad for	The author was awarded Refugee Status in Denmark, after the State Party reconsidered the asylum application.

				more than 14 years. If returned he would be killed or kidnapped and raped by Taliban or forced to fight. Since the author has been living in the western world there is a certain risk that he has to be perceived to be contrary to Islamic rules, and to be supportive of the Government and/or the international community.	
14.	CCPR	2370/2014	7.09.2015	An Afghan national worked as an agent working to fight drug-related crimes in Afghanistan. As part of the work, he collaborated with several English-speaking organizations such as the Narcotics International Unit and the Drug Enforcement Administration of the United States of America. Due to his work, he was sought by the Taliban, who knew him because he had assisted in securing the arrest of two drug lords affiliated with the Taliban. He received written threats, he had been a victim of an abduction attempt, and his brother had been kidnapped and killed. Therefore, he fled to Denmark and sought asylum, which was denied. With no time to send a complaint to an international body, the applicant was deported back to Afghanistan. The applicant is at “great risk of being exposed to serious harm and abuse, even death.” One of the main points was that the applicant, due to his past work, belongs to several risk groups under the UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Afghanistan of 6 August 2013.	There is a violation of article 7 of the Covenant: the State is under obligation to provide effective remedy, by returning the applicant to Denmark, and provide payment of compensation.
15.	CCPR	2288/2013	15.09.2015	The author is of Urhobo ethnicity and professes the Christian faith. In 2009, she met a married couple, Mr. P.B. and Ms. B.O who resided in Denmark. Mr. P.B. hired the author as an Au pair, issued her a work permit and paid for her flight from Nigeria to Denmark. In Denmark, the author was raped by Mr. P.B. and beaten by Ms. B.O. To pay off her debt to them for bringing her to Denmark, she was forced into	the Committee considers that the author’s deportation to Nigeria would constitute a violation of her rights under CCPR.

				<p>prostitution. The author reported the couple to the police and they were arrested. However, Mr. P.B.'s brother who resided in Nigeria, called to tell her that she would be killed if she ever came back to Nigeria. Thus, the author applied for asylum in Denmark.</p> <p>The Danish authorities rejected the author's application for asylum as they pointed out that, although she claimed that she had received a death threat from Mr. P.B.'s brother on one occasion, she had not provided any detailed information and had failed to render probable that he wanted to or was able to carry out his threat.</p>	
16.	CCPR	2360/2014	25.09.2015	<p>The author fled Somalia due to fear of her former husband, a powerful 70-year-old local clansman, to whom she was forcibly wed at age 17. The marriage was agreed upon by two rival clans as part of the settlement of a clan conflict. The author was subjected to continuous and serious acts of violence, rape, and harassment by her husband.</p> <p>After fleeing Somalia and her former husband, the author discovered that she was pregnant. She entered Libya and was held for four months in a detention center, where she gave birth to her daughter. She fled to Italy where she had another child. She travelled to Denmark and applied for asylum. The Danish Immigration Service determined that she should be transferred to Italy, as Italy was her first country of asylum.</p>	The Committee concluded that deporting the author would be a breach of Article 7 of the convention.
17.	CCPR	2389/2014	21.10.2015	<p>The author was born to a Muslim Iranian family of Kurdish in Iraq. The author was discriminated against for being a Kurd and that he did not even have an identity document, a situation that affected his daily life, including his access to employment and the exercise of his political rights. Thus the author fled to Denmark and applied for asylum.</p>	The removal of the author to the Islamic Republic of Iran would constitute a violation of article 7 of the Covenant.

18.	CCPR	2492/2014	30.12.2015	This Communication is a complaint about the deportation of the author to another European Country (Italy) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
19.	CCPR	2514/2014	30.12.2015	This Communication is a complaint about the deportation of the author to another European Country (Bulgaria) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
20.	CCPR	2553/2015	2.11.2015	This Communication is a complaint about the deportation of the author to another European Country (Italy) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
21.	CCPR	2605/2015	30.12.2015	There was a war going on and in 1991 the author and his family were fleeing Afghanistan to Iran. In 2004, the author move back to Afghanistan. In 2006, fighting started between Sunni and Shia Muslims. Commandant F.A. led the attackers, the author's house was also attacked, and he was fleeing from Afghanistan to Iran again. In 2010, the author and his family were deported from Iran to Afghanistan and	the CCPR decided to discontinue the consideration of the communication, because the author was granted asylum

				they got a residence in Herat. Nevertheless, the author had a conflict with a supporter of Commandant F.A. and flee again. The author A.b.H. arrived in Denmark in 2011 and asked for asylum, which was rejected. Staying in Denmark, the author was baptized in Denmark.	and is no longer at risk of deportation.
22.	CCPR	2320/2013	30.12.2015	An afghan citizen, who during his stay in Denmark as an asylum seeker converted from being a Muslim into Christianity. The Danish Refugee Appeals Board rejected the author's application for asylum.	The case was discontinued since the Danish Refugee Board reopened the case and asked for the suspension of the Communication. The author received the residence permit and is no longer at risk of deportation.
23.	CCPR	2409/2014	16.06.2016	Somalian citizens were repeatedly threatened by Al-Shabaab because they were suspected of being a spy for the Government. They fled to Libya because Al-Shabaab killed members of family as they worked for the government. The authors then travelled to Italy and were granted resident permits. They were asked to leave the asylum center and had to live on the streets. The new child has been born. The baby was not well and they were not offered any medical assistance. Thus they fled to Denmark and applied for asylum.	The Committee considers that the removal of the authors and their two minor children to Italy would be in violation of CCPR.
24.	CCPR	2462/2014	17.11.2016	The author is from Bengal and was involved in homosexual activities with a childhood friend. When the author and his partner were caught, they were beaten and tortured. They were expelled from their families and their village and were also threatened to be killed if they returned. When the	The Committee decided that the deportation to Bangladesh would be a breach of the

				author's partner tried to return to their village, he was killed. Thus the author fled to Denmark and applied for asylum.	author's right under CCPR.
25.	CCPR	2447/2014	30.03.2016	This Communication is a complaint about the deportation of the author to another European Country (Bulgaria) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
26.	CCPR	2506/2014	11.08.2016	This Communication is a complaint about the deportation of the author to another European Country (Bulgaria) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
27.	CCPR	2513/2014	11.08.2016	This Communication is a complaint about the deportation of the author to another European Country (Bulgaria) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
28.	CCPR	2571/2015	11.08.2016	This Communication is a complaint about the deportation of the author to another European Country (Bulgaria) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum

					application of the author to be processed in Denmark, this Communication was then discontinued.
29.	CCPR	2516/2014	11.08.2016	This Communication is a complaint about the deportation of the author to another European Country (Italy) according to the so-called "Dublin rules".	Since the Danish authorities decided to stop the deportation and allow the asylum application of the author to be processed in Denmark, this Communication was then discontinued.
30.	CCPR	2488/2014	11.08.2016	Entering Denmark with his younger brother in November 2010, the complainant applied for asylum. The author's parents fled from Afghanistan to Iran when he was a kid, as a result of an incidence that occurred. The author's father's sister was about to get married to a man who he didn't agree on, however when the father finally agreed on his sister's marriage, he later on finds out that his sister is to be stoned to death due to a claim of fornication. With a friend, the father went to his sisters' husband and shot him and another man too who turned out to belong to the Taliban. Consequently, since their father had killed an individual and also one of the Taliban, the rest of his family had to flee Afghanistan to Iran. The author converted from Muslim faith to Christianity in 2014. As a connection to that, the author fears the risk of persecution, torture and being killed in Afghanistan due to his conversion, as this is a violation of the Islamic rules of his country of origin.	The case has had great media coverage in Danish media and in this case also the authors' conversion. This case was rejected, but reviewed in January 2015, when an application and protest was sent to the headman of the Refugee Board from the bishop and deans. The author was awarded Refugee Status in Denmark in march 2015, after reconsidering the asylum seekers situation.

31.	CCPR	2074/2011		<p>The author is a citizen of Eritrea. She and her family fled in 1985 to Sudan. She married a Sudanese man in 1996, but was expelled from the family for doing this. Unfortunately her husband died, so she married a new man in 2006 also from Sudan, whom she since then has had two children with. In the time between her first husband dying and meeting the new husband, she went back to Eritrea, but her family did not accept her, and she was put in a prison by the police, as they accused her of being a spy. Eventually she escaped back to Sudan where she met her husband. Her spouse was persecuted by the Sudanese authorities, so he decided that they should flee to Europe. During the flight she lost contact, and she is presently seeking protection for herself and her two youngest children born in 2007 and 2009. Military service is compulsory in Eritrea for both men and women. On return to Eritrea she fears persecution because she left the country illegally without performing military service. She fears that on return, she will be subject to lengthy imprisonment, serious abuse, torture and disappearance.</p>	Denmark is violating article 2, 7, 14 and 26.
32.	CCPR	2469/2014	9.09.2016	<p>Early 2010 the author from Afghanistan started working as an interpreter. He worked for the American Intelligence. He was repeatedly threatened by others to his family. The author arrived in Denmark and applied for asylum, as he feared the local colonel with connection to the Taliban, from whom he kept information, known due to the author's work.</p>	The Committee concluded that the author's removal to Afghanistan would constitute a breach by the State Party of its obligations under article 7 of CCPR.
33.	CCPR	2464/2014	15.08.2016	<p>The author left Somalia due to the civil war in that country. The author and his brother then left for Greece as they were having conflicts with a resistance cell called Balatika. After arriving in Greece, the author was arrested and imprisoned. He contracted tuberculosis and was under hospital treatment for about eight months. When the author was arrested, his brother fled to Denmark and acquired asylum. After the author's release, he entered Denmark and applied for asylum as he feared the general security situation in Somalia.</p>	A complaint was sent to CCPR and the committee was of the view that Denmark would be in violation of article 7 if the author were to be deported.

34.	CCPR	2379/2014	22.09.2016	<p>The author fled Somalia as she feared the family members of her late husband, who had been killed by Al-Shabaab, and the family of her late husband's second wife. She fled to Libya where she was imprisoned and then to Italy where she was issued a residence permit. One of the author's daughters had been forced to enter a marriage, arranged by the author's brother-in-law, who was associated with Al-Shabaab. Due to the fear of forced marriage, the daughters joined the author in Italy but faced homelessness. Thus the author and her daughters fled to Denmark and applied for asylum.</p>	The Committee is of the view that the deportation of the author and her four daughters to Italy would violate their rights.
35.	CCPR	2342/2014	5, Sep, 2023	<p>The applicant is a Pakistani citizen and a Christian by faith. The applicant has been Christian all his life like the rest of his family. The applicant met an imam, Mr. A.D., in 2012, when he did missionary work.</p> <p>Mr. A.D had advised the applicant not to proselytise for Christianity. As the applicant had not stopped proselytizing, Mr. A.D notified the applicant to the police for missionary work. The authorities had charged the applicant in accordance with 295C of the Pakistan Penal Code, which said that one was not allowed to proselytize for Christianity against Muslims. There was a death penalty pursuant to 295C. The applicant had not experienced any problems as a result of its membership of the Holy Christ Ministry since he joined 2 years ago and until he met Mr. A.D. On 23 March 2012 the police was on the applicant's residence to arrest him, but the applicant was not home. On the same day, the applicant took his family to the city of Rawalpindi. They were attacked on 25 March 2012 by Mr. A.D and 2 other Muslims. They shot at the applicant, but they did not hit him. Thus, the applicant fled to Denmark and applied for asylum.</p>	Granted residence permit/Discontinued
36.	CCPR	2608/2015	29.12.2016	<p>The authors are a Syrian couple who entered Bulgaria in 2014. Although they were granted refugee status there, they were not offered any assistance: they struggled to find accommodation and</p>	The Committee is of the view that the deportation of the authors and their child

				they had no access to medical care or schooling. Thus they fled to Denmark and applied for asylum.	to Bulgaria would violate their rights.
37.	CCPR	2349/2014	15.06.2017	The author's original asylum motive was that he feared being killed by the Taliban if returned to Afghanistan. He had been abducted and detained by three people linked to the Taliban, as the Taliban wanted to train the applicant and some other boys to perform suicide attacks.	Discontinued. The Danish authorities decided to reopen the case. The author was granted a residence permit and was no longer at risk of deportation.
38.	CCPR	2770/2016	20.11.2017	The author is from Damascus, Syria. He submits that he fled Syria in March 2015 because of the war, and that he entered Greece in April of the same year as an unaccompanied minor. After running out of funds in Greece, he applied for asylum and was granted refugee status. However, his attempts to get the support of the Greek authorities to find an accommodation failed. Due to the very difficult living conditions in Greece and the lack of prospects of improvements, the author fled to Denmark and applied for asylum.	the committee considers that the removal of the author to increase would amount to a violation of CCPR.
39.	CCPR	3188/2018	9.08.2022	The author was born as a muslim in Iran but converted to Christianity. He also participated in a weekly house church held at the applicant's family residence in Iran. The author had an affair with a girl called S. who was already married to a senior authority. When the husband of S. found out about her affair with the author, the author received many threats over phone calls. The author was contacted repeatedly regardless of whether he changed SIM cards and stayed in different places in Iran. Thus the author fled from Iran to Denmark and applied for asylum. Further, the author has participated in a demonstration against the Iranian regime in Denmark where there are, among other things, pictures of the applicant. Finally the author has never served in the army since he was only 18 when he had to flee Iran.	

40.	CCPR	2423/2014	9.08.2022	The author fears persecution because he was an active member of the Basij, between 2004-2007. He worked as a guard and collected information on people who crossed the specific control areas. He was also ordered to collect information, about individuals and fabricate false information. But after events in 2009, he tried to scale down his work for Basij, and tried to avoid his superiors. However, in July 2012, when the author was at work, his home was visited by a Basij member who told the author's wife that the author must meet him at the base. The author then fled to Denmark. During his stay in Denmark as an asylum seeker, he furthermore converted from being a Muslim to being a Christian in 2013, but his interest for Christianity started before that.	It was found by the Committee that article 6 and 7 would be violated in case of deportation.
41.	CCPR	2603/2015	8.07.2019	The author comes from Afghanistan, and was employed as a soldier from 2007 to 2012, training and working with Afghan and American forces. The author's tasks included arresting members of the Taliban. Due to his work, the author was threatened by the Taliban on several occasions, including receiving threatening letters from Taliban at his home. In December 2012, the author was kidnapped and detained by the Taliban. He escaped after three or four months, and fled to Pakistan. After his departure, the author was informed that he was suspected by the government of collaboration with the Taliban because of his long absence.	The CCPR recalls that State party should give sufficient weight to the real and personal risk that the author faces if deported back to Afghanistan. Thus, the Board reopened the case and decided to give the author residence permit according to the Aliens Act article 7 (2).
42.	CCPR	2685/2015	17.07.2020	The authors are Afghan nationals and have two minor children. They fled Afghanistan after having had sexual relations outside marriage, which resulted in F.M. becoming pregnant. When she was 3 months pregnant, F.M. was engaged to her uncle's friend against her will. After they fled, her family threatened his family, and it ended with her cousin killed R.M's brother because he had helped the authors to escape. The couple entered Denmark in 2012. F.M. fears being stoned to death by her uncle or her fiancé and R.M. fears being subjected to blood revenge.	The Committee is of the view that the authors' removal to Afghanistan would, if implemented, violate their rights under articles 6 and 7 of the Covenant.

43.	CCPR	3282/2019	18.10.2019	The author got in a conflict with Al-Shabaab, because he refused to join them. That led to Al-Shabaab killing his father and detaining the author. He escaped the prison after three days. The day after the escape, the Al-Shabaab came asking for him. The author got scared and fled the country and entered Denmark in 2013 and applied for asylum.	Discontinued The author's lawyer then brought the case before the CCPR. The Refugee Board then decided to annul the recent decisions so that the author continues to have a residence permit. The Refugee Board and the Immigration Service note that they now believe in the authors' explanation of his individual contradiction to al-Shabaab.
44.	CCPR	2575/2015	3.09.2019	The author fled Eritrea when she refused to join the army and arrived in Italy in 2008 and granted temporary residence permit. When she got pregnant, she feared for the safety of her unborn child and decided to leave Italy for Denmark and seek asylum, which was refused.	The Committee is of the view that the deportation of the author and her son to Italy would violate their rights under article 7 of the Covenant.

The Committee on the Rights of the Child against Denmark

#	UN Committee	UN Reg. number	Date of the UN decision	Subject	Decision
---	--------------	----------------	-------------------------	---------	----------

1.	CRC	169/2021	Pending	<p>The single mother (H.M.) is from Somalia and the applicants, the son (S) and the daughter (Sa) were born in Denmark in 2020 and in 2018 accordingly, are seeking asylum in Denmark. H.M. appealed for the asylum in Denmark for (S) and for (Sa), who fear for their life in their home country Somalia. The following arguments on the risk of abuse against the children have been provided:</p> <ul style="list-style-type: none"> -mother's (HM) fears of threats of SM, the leader Al-Shabaab, to be killed. If so, (S) will be unprotected in Somalia and the family conflict's reasons (inter-clans misunderstandings) can spread out on (S); -fears of separation H.M. with S and his older sister as far as (H.M.) as far as H.M. has no male family members, who could protect her and in those circumstances her husband's family takes ultimately all decisions over children; -being returned to Somalia, (S) can be forced to agricultural works and will be not able to attend the school. The contact between (S) and (H.M.) can be forcefully interrupted; 	Pending
----	-----	----------	---------	---	---------

				<p>-risk for H.M.'s daughter (Sa) to be forcefully circumcised. Both girls and boys are subjected to circumcision in Somalia (FGM)</p> <p>The entire family needed to be deported to Somalia by force. This decision based on considerable personal strength of H.M. who would be able to resist any social pressure and thus protect her daughter from being subjected to FGM.</p>	
2.	CRC	140/2021	9.06.2023	Deportation of a girl to Somalia, where she would allegedly risk being	violation of articles 3 and 19 of the Convention

				forcefully subjected to female genital mutilation	
3.	CRC	85/2019	14.12.2022	Deportation of a girl to Somalia where she faces a risk of female genital mutilation	Discontinued: the State party requested the suspension of the case, given that domestic proceedings for asylum had been reopened.
4.	CRC	85/2019	14.12.2022	Deportation of a girl to Somalia where she faces a risk of female genital mutilation	Discontinued: the State party requested the suspension of the case, given that domestic proceedings for asylum had been reopened. The author was granted the asylum.
5.	CRC	99/2019	28.10.2022	Right to life; best interests of the child; torture and ill-treatment; appropriate protection and humanitarian assistance; non-refoulement to India	violation: articles 3, 6, 22 and 37 (a) of the Convention.
6.	CRC	96/2019	24.06.2022	Deportation of a girl to Somalia, where she would allegedly risk being forcefully subjected to female genital mutilation	violation of articles 3 and 19 of the Convention.
7.	CRC	83/2019	19.03.2021	Prohibition of discrimination; best interests of the child; protection of the child against all forms of violence or ill-treatment	violation of articles 3 and 19 of the Convention
8.	CRC	31/2017	3.11.2020	Deportation of three children and their mother to China	violation of article 3 of the Convention, and that the return of the author and her children to China would also amount to a

					violation of articles 6 and 8 of the Convention.
9.	CRC	43/2018	01.11.2019	Deportation of Iranian refugee family with four children to Italy	Discontinued: the case was reopened and residence permits have been granted to the authors.
10.	CRC	3/2016	25.01.2018	Deportation of girl to Somalia, where she would face an alleged risk of being forcefully subjected to female genital mutilation	Violation

The Committee on the Elimination of Discrimination against Women against Denmark

#	UN Committee	UN Reg. number	Date of the UN decision	Subject	Decision
1.	CEDAW	147/2019	-	<p>The author originates from an area in Somalia under the control of the terrorist organization Al-Shabab. The author as a single woman fears rape/forced marriage and other forms of gender specific violence on return. F.M.A. has already suffered FGM in Somalia before fleeing and persecution from Al-Shabab. After arriving to Denmark, the author was granted refugee status, which has been withdrawn in 2017 as far as the Danish authorities started to withdraw hundreds of residence permits from Somalia refugees in Denmark, despite that UNHCR urged States to refrain from forcibly returning any persons to areas of Southern and Central Somalia (June, 2014). That decision was consequently appealed to the Danish Refugee Board, which in its turn, rejected the appeal. The author stayed in the detention center and the communication on violation of CEDAW Convention has been presented to the OHCHR. In 2017, the Immigration Service and the Danish Refugee Board reopened the case due to new circumstances: pregnancy of F.M.A. with a baby-girl; fears of accusations of the author's extramarital connections from former husband; fears for newborn girl can be circumcised in case of return to Somalia.</p>	<p>It is expected the case to be discontinued: the author has been granted a residence permit in Denmark as well as her newborn child.</p>
2.	CEDAW	161/2020	-	<p>The author arrived legally to Denmark in 2017. When the visa expired, the author overstayed. In 2019 she was stopped by police and consequently the author requested the refugee status. The author was taken into custody for murders, rapists and other forms of serious crimes, including both men and women. The author fears gender specific persecution on return to the country of origin (forced marriage, raping); persecution from the ruling political party or authorities because member of authour's family was involved in the opposition party; as a female is in risk of persecution due to her father's political activities.</p>	-

3.	CEDAW	163/2020	18.11.2020	The author fears to be killed by the Iraqi authorities because of refuse by C.A.A. to cooperate in spying people, who critically speaks against Iraqi government; honour killing by her brother, who attempted to marry C.A.A.to his business partner against the will of the author.	Discontinued: the author was granted a residence permit in Denmark and does not face a risk of removal.
4.	CEDAW	86/2015	15.07.2019	<p>The applicant is a stateless Palestinian raised in a refugee camp near Damascus. She has held a Jordanian passport since her marriage to a Jordanian national and resided in Jordan with her husband and family. She fled Jordan with her two daughters because her and her daughters were subject to threats and abuse from her husband and his family. The abuse escalated when the author opposed the forced marriage of her then 20-year-old daughter to a much older man. When a 35-year-old man asked to marry the couple's middle daughter, who was 15 at the time, the author decided to flee to Denmark. The author fears that her husband will kill her and their daughter.</p> <p>Following the criticism, the Refugee Board decided to resume the examination of the case. On March 4, 2020, the Refugee Board upheld its previous decision, thereby affirming the decision of the Immigration Service.</p>	The Committee found that a forced return would amount to a breach of articles 2 (d) (e) and (f) and has recommended that the State reopen the applicant's asylum case. It was recommended to refrain from forcibly returning to Jordan, where they would be exposed to a real, personal and foreseeable risk of severe forms of gender-based violence.
5.	CEDAW	109/2016	15.07.2019	The author was born and raised in Iraq, fell in love with Danish citizen. The author's father opposed their marriage. The couple married in secret and the author flee from Iraq. After the author arrived in Denmark, Mr.A and she sought for family reunification. They waited for an answer for six months, after which they were told that they had been denied family reunification, despite the author's pregnancy. It is impossible for her to go back to her country because they will kill both her and her child	Discontinued: the author had been issued a residence permit and no longer risked deportation.

				<p>because she betrayed her family. The Iraqi authorities will not be able to protect her as it is a family matter.</p> <p>When her application for family reunification was thus denied, she then applied for asylum since it was still dangerous for her to return.</p> <p>In the minds of the Immigration Service and the Refugee Board members it seems that such women, who are in need of protection due to risk of gender violence, are never considered to be refugees, because they did not apply for asylum the very first day they arrived in Denmark. Consequently these women are discriminated and “punished” when they enter the asylum process. In the present case the author fears, that she will not only be subjected gender specific violence, but also subjected to a so-called honour killing. Especially, now that she fled to Iraq and also had a child in Denmark together with her spouse.</p>	
6.	CEDAW	113/2017	9.07.2018	<p>The author was born and raised in Middle Shabelle, Somalia. Her older sister is the only family member left with the author after her son was kidnapped by al-Shabab. Members of Al-Shabab also raped the granddaughter, after the son was kidnapped. The daughter is now the only person who can take care of the author. The author is physically disabled and paralyzed in one arm and both her legs. The author cannot even hold a cup, and she is carried to and from the bed. The author cannot cope, because she can not express herself linguistically. The author also had a stroke and she has difficulty expressing herself, and she is often sad and depressed.</p>	<p>While it was pending at the Committee, the State Party decided to grant her residence permit.</p>
7.	CEDAW	72/2014	18.11.2016	<p>The applicant was born on 1 July 1988 in Burundi. The author is a Burundian national, an ethnic Hutu and a Protestant. In 2008, she became a member of the party FNL, the opposition party to the government in Burundi, as her husband was also a member. After the elections in 2010 where the CNDD party won, members of FNL including the applicant protested the elections, as they believed the election was rigged. Due to her involvement she received threatening letters and a grenade was also thrown into her house. She decided to flee to Kibenga, but along the way</p>	<p>Discontinued: Danish authorities decided to reopen the case. The author was granted residence permit by the Danish authorities.</p>

				she was gangraped by three men and she did not know who they were affiliated with. The applicant's asylum application was rejected.	
8.	CEDAW	53/2013	19.11.2015	<p>The author is a Pakistani national born in 1983. She married a man without consent from their families. Her husband is a Pakistani with a Danish permanent residence permit. When the authors asylum application was rejected, her husband returned to Denmark, and she stayed in Pakistan. During that period she was attacked several times. Three men broke into the author's house, beat her, kicked her, threw inflammable liquid at her and set fire to her, causing severe burns to her torso and arms. She was in the hospital for seven or eight months, to recover from her burns, during which time she gave birth to her first child. The attack occurred six days after a group of men broke into her beauty salon and committed vandalism, accusing the employees of performing "dirty work" and calling the place a "sex clinic". The author believes that the two attacks are linked and that they were organized by her husband's family. The author further alleges that, in March 2010, while she was taking her son to the hospital in a taxi, unknown men on motorbikes shot at them. She considers that that was a deliberate act because the men came very close to the car to shoot at her. She was not injured, but the driver was. After these incidents the author fled to Denmark. Her asylum request got rejected again but this time she stayed illegally in Denmark, because she feared that her life would be in danger if she were returned to Pakistan. The State Party again denied her request for asylum, because they, amongst other reasons, found it unlikely that the author would have decided to marry without the consent of her family or of her husband's family.</p>	Violation: articles 2 (c) and (d) of the Convention.

45.	CCPR	2531/2015	30.09.2019	In early 2012, the authors were introduced to each other by Mr. Hassan's brother and initiated a relationship by telephone. Ms. Aden is residing in Kenya and Mr. Hassan is residing in Denmark. They met in person for the first time in Nairobi 6 June 2012 and were married three days later. They applied for family reunification in Denmark.	The Committee is of the view that there is a violation of article 17 and 23 and that the State party failed to respect the family unit and adequately take into consideration the authors' marital relationship in the context of their personal situation and the cultural context in their country of origin.
46.	CCPR	2343/2014	24.09.2015	The author is an Egyptian national, and a well-known member and founder of the organization Ultras Ahlawy club. His asylum request was rejected by the Danish authorities in 2013. Ultras Ahlawy participated actively in all major occasions during the Egyptian revolution and played an important role at the "Camel Battle Day", when 18 million people in Egypt demonstrated. He states that the members of the club are increasingly harassed and followed closely by the police of the current military regime; and that one of the local club leaders was recently killed by the police. Since the author is a well-known member by the authorities and by most political organizations in the country, he is therefore at high-risk of being arrested, kidnapped, tortured or even killed.	the removal of the author to Egypt would violate his rights under article 7 of the Covenant.
47.	CCPR	2007/2010	12.05.2014	The author, X, is an Eritrean national, but spent his entire life outside Eritrea. He is a member of a Christian religious minority, who refuses to perform military performance. He will therefore be regarded as an opponent of the regime in Eritrea, where all men and women are forced to perform military service. If they resist, they can be subjected to incarceration without trial (sometimes for up to 14 years) and torture in detention.	The Committee considers that the State party failed to recognize the author's potential status as an individual subject to a real risk of ill-treatment, and therefore, article 7 would be violated if the author is deported.

48.	CCPR	2753/2016	02.05.2018	<p>The author entered Denmark in 2012 and applied for asylum. He fears being arrested, potentially sentenced to life imprisonment or the death penalty, and subjected to renewed torture or to cruel, inhuman or degrading treatment or punishment upon return to China. The author had worked secretly for many years in support of the democracy movement in China. In 1989, he had organized and participated in major student demonstrations, and as a consequence, he had received a warning from the authorities as a punishment and had been deprived of some privileges in his subsequent studies and work. From 1998 until his departure, he had been an active member of a pro-democracy movement, the purpose of which had been to overthrow the Communist Party's rule and establish a multiparty democracy in China. The author was consequently imprisoned and exposed to torture for 6 months in 2001. The torture consisted of beatings with batons and the deprivation of food and sleep. As a result of the torture, the author contracted hepatitis B and tinnitus; his memory is impaired and he suffers from pains, anxiety and sleeping problems.</p>	<p>The Committee notes, that the State parties failed to give due account of the past persecution faced by the author and further notes the inadequate consideration by the State party's authorities of whether the author and his son might face a risk of violations of their rights. Accordingly, the Committee is of the view that, by removing the author and his minor son to China, the State party would violate its obligations under article 7 of the Covenant.</p>
-----	------	-----------	------------	---	--