

# From the Dublin Unit in Denmark

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Fri 5/9/2014 11:22

To: Claudie Ashonie Wilson <claudie08@ru.is>; 'candi066@hotmail.com' <candi066@hotmail.com>;

Dear Ms. Ashonie Wilson

Please find below our answers to your questions

1. Can a person who has already received a negative decision in Denmark prior to absconding, submit a fresh application?

If an applicant re-enter Denmark after absconding we will re-open his/her case and we will examine if the conditions still are fulfilled to transfer the person in a Member State according to the Dublin regulation (604/2013).

If the responsibility of the Member State has ceased according to Article 19 of the Dublin Regulation the application lodged after a period of absence shall be regarded as a new application.

2. If yes, does Denmark provide free legal assistance?

If the Danish Immigration Service has decided to request a Member State to take back or take charge the applicant has 7 days to complain about this decision to the Danish Refugee Appeals Board (Flygtningenævnet). The applicant can get free help to complain at the Danish Refugee Council (Dansk Flygtningehjælp). The Danish Refugee Council is a private humanitarian organization working for asylum seekers and refugees rights in Denmark.

3. Also, is the review whether by the Court of by Danish Refugee Appeals Board with automatic

suspensive effect? Thus, allowing the individual to remain in Denmark pending the final decision. Since the 1<sup>st</sup> January 2014 the appeals are handled by the Danish Refugee Appeals Board. All appeals have suspensive effect according to Article 27.2 (a) of the Dublin regulation.

4. Does Denmark also require that only "systemic deficiency" can stop a transfer to another Dublin state?

Denmark examine case by case if there are humanitarian reasons to stop the transfer to another Dublin state.

Best regards,

Benedicte Jensen  
Case officer



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