



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

UNHCR
**Regional Office for the Baltic
And Nordic Countries**

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27 October 2006

Notre/Our code: ROBNC/OUT/110/06

Re: **Returns from Denmark to Sri Lanka**


Dear Mr Nilas,

UNHCR's Regional Office for the Nordic and Baltic Countries has become aware of the individual case of a child asylum-seeker from Sri Lanka, which at present is being reviewed by the Danish authorities in light of new circumstances, conditions or evidence. UNHCR welcomes the consideration of new information in this and other, similar cases from Sri Lanka, especially in view of the ongoing deterioration of the situation in Sri Lanka.

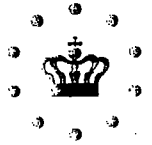
UNHCR understands the child to be a Tamil from the North of Sri Lanka. Especially in light of the high prevalence of targeted violence and widespread human rights abuses, please note that UNHCR recommends that international protection claims by persons of this ethnic group particularly from the North and the East be considered favourably under the 1951 Convention/1967 Protocol relating to the Status of Refugees. UNHCR furthermore recommends that, where refugee status under the 1951 Convention/1967 Protocol is not granted, and the individual is not excluded from international protection, he or she be granted a form of complementary protection in view of a situation of generalized violence prevailing in these parts of the country and the absence of an internal relocation alternative. No Tamil particularly if originating from the North or East should be returned forcibly until there is a significant improvement in the security situation in Sri Lanka.

Your timely consideration of this matter in this particular case, and that of other asylum-seekers from Sri Lanka, is highly appreciated. In this regard, to assist decision-makers, UNHCR is currently reviewing our position on refugees and asylum-seekers from Sri Lanka with a view to issuing a new position shortly. Our new position should provide more detailed information on the protection concerns of this and other groups from Sri Lanka.

Thank you for your attention and cooperation in this matter.

Yours sincerely,

M. Madhika Konda
Regional Representative

Mr Claes Nilas
Permanent Secretary
Ministry of Refugee, Immigration and Integration Affairs
Copenhagen



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Ministry of Refugee, Immigration
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Permanent Secretary

- 3 NOV. 2006

Date:

Ref. No.:

2006/4199-706

File name:

UNHCR - Sri Lanka

Att.: Regional Representative Mrs Machiko Kondo

Dear Mrs Kondo,

Thank you for your letter of 27 October 2006 in which you have expressed your concern about an individual case of a child asylum-seeker from Sri Lanka, which was still pending at the time.

In your letter it is among other things stated that UNHCR finds that no Tamil originating from the North or East of Sri Lanka should be returned forcibly until there is a significant improvement in the security situation in Sri Lanka. Furthermore, it appears from your letter that UNHCR is currently reviewing the position on refugees and asylum-seekers from Sri Lanka and that a new position will be issued within a short period of time.

As your letter primarily contains information relevant to asylum cases, and as the Ministry of Refugee, Immigration and Integration Affairs has no authority in asylum cases, the Ministry has forwarded your letter to the Danish Refugee Board, which is the competent authority in these cases. However, the Ministry can inform you that the Danish Refugee Board - due to the information in your letter - has decided to put pending asylum cases concerning Tamils from Sri Lanka on hold and to suspend the deadline for leaving Denmark in two closed cases. The Refugee Board will continue the consideration of the cases mentioned above when the new recommendations from UNHCR are issued.

However, the Ministry has noted with concern that the consequence of UNHCR's recommendations will be a complete freeze of forcible returns of Tamils originating from the North or East of Sri Lanka. Therefore, the Ministry strongly recommends that the new position of UNHCR will be issued without delay.

Due to professional secrecy, the Ministry cannot comment on the individual case mentioned in your letter. However, the Ministry can inform you that the contents of your letter have been taken into consideration in connection with this case and have been essential for the decision of the case.

With the highest regards and best wishes for future cooperation.

Yours sincerely,

Claes Nilas