



Convention on the Rights of the Child

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Committee on the Rights of the Child

Decision adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communication No. 52/2018* **

<i>Communication submitted by:</i>	A.H.A. et al. (represented by counsel, Danish Refugee Council)
<i>Alleged victims:</i>	The authors
<i>State party:</i>	Denmark
<i>Date of communication:</i>	20 August 2018
<i>Subject matter:</i>	Family reunification

1. The authors of the communication are A.H.A. and his five siblings. The six siblings were aged 3, 5, 11, 12, 14 and 16 at the time of registration of the communication in 2018, and were represented by the Danish Refugee Council. They are all Syrian nationals of Kurdish ethnicity. They claim that their separation from their mother, whose application for asylum has been denied by the State party, is contrary to their best interest, and that their mother's deportation to Greece would violate their rights under articles 3, 7, 9, 10 and 12 of the Convention.

2. Together with their parents, the authors fled the Syrian Arab Republic in 2015 and travelled to Denmark. The four youngest authors flew with their mother and grandmother, via Turkey and Greece. The other two authors travelled directly to Denmark with their father. When all the authors and their parents had arrived in Denmark, they applied for asylum on 1 October 2015. On 21 November 2016, in accordance with the Danish Aliens Act, the Danish Immigration Service decided to reject the application for asylum for the authors' mother and the four youngest children, given that Greece had been their first country of asylum; they had been granted refugee status in Greece. On 25 November 2016, the authors' father and the two oldest authors were granted refugee status in Denmark. The authors' mother appealed the decision of the Danish Immigration Service before the Refugee Appeals Board. Prior to the hearing of the case before the Board, three of the authors were granted family reunification status with their father in Denmark. On 18 April 2018, the Board confirmed the decision of the Danish Immigration Service, thus rejecting the applications for asylum in Denmark of the youngest author and his mother, owing to

* Adopted by the Committee at its eighty-third session (20 January–7 February 2020).

** The following members of the Committee participated in the consideration of the communication: Suzanne Aho Assouma, Amal Salman Aldoseri, Hynd Ayoubi Idrissi, Bragi Gudbrandsson, Philip Jaffé, Olga A. Khazova, Cephass Lumina, Gehad Madi, Faith Marshall-Harris, Benyam Dawit Mezmur, Clarence Nelson, Otani Mikiko, Luis Ernesto Pedernera Reyna, José Ángel Rodríguez Reyes, Aïssatou Alassane Sidikou, Ann Marie Skelton, Velina Todorova and Renate Winter.



their refugee status in Greece. In mid-July 2018, the youngest author was granted family reunification status with his father.

3. On 23 August 2018, the Committee, acting through its Working Group on communications, decided to register the communication, granting an interim measures request. The State party refrained from deporting the mother.

4. On 9 August 2019, the State party informed the Committee that the Danish Refugee Appeals Board, in its decision of 11 June 2019, had decided that the authors' mother was not to be returned to Greece as the first country of asylum and that her application for asylum was to be processed in Denmark. The State party therefore requested the Committee to discontinue the case.

5. On 18 September 2019, the State party's discontinuance request was transmitted to the authors' counsel for comments. On 27 September 2019, the authors agreed to the discontinuance of the present communication as the authors' mother had been granted asylum in Denmark.

6. At its meeting on 7 February 2020, the Committee, having considered the State party's request, decided to discontinue the consideration of communication No. 52/2018 in accordance with rule 26 of its rules of procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.
