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LIMITE

ASILE 29

NOTE

from : Presidency

to : Permanent Representatives Committee

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No. Cion prop. : 10279/02 ASILE 33 + REV 1 (de, en, fr) - COM(2002) 326 final/2

Subject : Amended proposal for a Council Directive on minimum standards on procedures
in Member States for granting and withdrawing refugee status
- Minimum common list of safe countries of origin

Following discussions at the meeting of JHA Counsellors on 20 April 2004, delegations will find in the Annex a draft statement to the Council minutes concerning the above.

Draft statement to the Council minutes

The Council recalls the conclusions of the European Council at Thessaloniki which, *inter alia*, invited the Council to examine "*the possibilities to further reinforce the asylum procedures in order to make them more efficient with a view to accelerating, as much as possible, the processing of non-international protection-related applications*".

The Council considers that it is necessary to identify quickly and effectively those persons in need of protection, and in parallel, to provide for mechanisms to prevent abuse in order to maintain the credibility of the institution of asylum. The establishment of a minimum common list of safe countries of origin is such a mechanism. Identification of countries for inclusion on this list is based on: the experiences of Member States with regard to the national application of the safe country of origin principle and the cessation clauses of the Geneva Convention; their fulfilment of the criteria in Annex II of the draft Directive; and the number of asylum applications lodged in the Member States by nationals of those countries.

The Council considers, having regard to the preparatory work already conducted, that apart from Romania and Bulgaria, the following countries may also be suitable for inclusion on a minimum common list of safe countries of origin to be adopted as part of this Directive:

Benin, Botswana, Cape Verde, Chile, Costa Rica, Ghana, Mali, Mauritius, Senegal, Uruguay.

The Council undertakes, prior to the date on which the European Parliament will be reconsulted with regard to this draft Directive, to conduct during the coming months an in-depth assessment of these countries to ensure that they fulfil the criteria in Annex II. When conducting this assessment, regard shall be had to a range of information sources, including information from the Member States, the UNHCR, the Council of Europe and other international organisations.

Where, following this assessment, a country is considered not to fulfil the criteria in Annex II, that country shall not be included on the minimum common list of safe countries of origin.