COUNCIL OF THE EUROPEAN UNION

Brussels, 10 June 2004

8772/04

ADD 4

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LIMITE

ASILE 34

NOTE

from:	Presidency
No. prev.doc.:	8772/04 ASILE 34
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

Delegations will find attached the reply from the **Netherlands** delegation.

8772/04 ADD 4 GT/bdn 1
DG H I **EN**

To be completed by Member States in respect of each of the 10 countries under consideration and returned to the Council Secretariat by 8 June 2004

Name of Member State	Netherlands
Name of country for designation	Benin
Name of country for designation	Delilii

QUESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1. Does the country have a democratic system in place?	Yes		Netherlands Ministry of Foreign Affairs, 'Benin' (10/03) http://www.minbuza.nl/default.asp?CMS_I TEM=90E867872F6647ABA12AC2CFFC 07C953X3X54239X26
2. Is there a situation of internal or international armed	No		

	conflict in the country?			
3.	Is there generally and consistently no persecution as	Inconclusive	Generally, however, there	
	defined in Article 9 of the Qualification Directive in the		seems to be no persecution.	
	country?			
4.	Is there generally and consistently no torture or inhuman	Inconclusive	There are some concerns abou	ıt
	or degrading treatment or punishment in the country?		police abuse.	
			There is concern about the	
			trafficking of children.	
5.	Where there is a situation of internal or international	N.a.		
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

6.	Is the extent to which protection is provided against			
	persecution or mistreatment by means of (a) – (d) below			
	sufficient to show that there is generally and consistently			
	no persecution or mistreatment in the country?			
(a)	the relevant laws and regulations of the country and	Inconclusive	There are concerns about	
	the manner in which they are applied		arbitrary arrests.	
			Concerns about trafficking of	
			children.	
(b)	observance of the rights and freedoms laid down in	Inconclusive		
	the European Convention for the Protection of			
	Human Rights and Fundamental Freedoms and/or			
	the International Covenant for Civil and Political			
	Rights and/or the Convention against Torture, in			
	particular the rights from which derogation cannot			
	be made under Article 15(2) of the said European			
	Convention			
(c)	respect of the non-refoulement principle according	Inconclusive	We got some mixed,	
	to the Geneva Convention		contradictory information about	
			possible refoulement to Togo.	
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(d)	.)	provision for a system of effective remedies against	Inconclusive	
		violations of these rights and freedoms		

OVI	OVERALL ASSESSMENT				
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response		
	sufficient for the purpose of conducting the in-depth assessment	Generally yes, however see			
	referred to by the JHA Council with regard to this country?	remarks below.			
2.	If you answered no to Q 1 please specify: in which areas you consider	We need some more information	about 1.) protection against mob justice, 2.)		
	the information sources to be insufficient; and any other sources of	possible refoulement to Togo?			
	information available to you which would assist discussions and which				
	you are in a position to share with other Member States (Provide	Netherlands Ministry of Foreign	Affairs, 'Benin' (10/03)		
	website address or other details).	http://www.minbuza.nl/default.as	sp?CMS_ITEM=90E867872F6647ABA12A		
		C2CFFC07C953X3X5423	<u>9X26</u>		
		(general information; too general	to answer the questions above)		

3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
		Inconclusive	There seems to be a general respect of
			human rights (with exceptions), but there
			needs to be discussion about the trafficking
			of children which is regarded as a rather
			widespread problem in Benin, though it is
			noticed that the government is not inactive
			in this respect. We also note that HRW and
			AI have no recent information about
			Benin.

Name of Member State	Netherlands
Name of country for designation	Botswana

QUESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1. Does the country have a democratic system in place?	Yes	The situation in Botswana is considered as stable and democratic.	Netherlands Ministry of Foreign Affairs, 'Botswana' (09/03) http://www.minbuza.nl/default.asp?CMS_I TEM=68FC317ACFF842EBB680ECCCC 6C2659BX3X59002X55

2.	Is there a situation of internal or international armed	No		
	conflict in the country?			
3.	Is there generally and consistently no persecution as	Generally		
	defined in Article 9 of the Qualification Directive in the	not.		
	country?			
4.	Is there generally and consistently no torture or inhuman	Generally	There are however individual	
	or degrading treatment or punishment in the country?	not.	cases of mistreatment by the	
			police.	
5.	Where there is a situation of internal or international	N.a.		
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

6.	Is the extent to which protection is provided against			
	persecution or mistreatment by means of $(a) - (d)$ below			
	sufficient to show that there is generally and consistently			
	no persecution or mistreatment in the country?			
(a)	the relevant laws and regulations of the country and	Yes		
	the manner in which they are applied			
(b)	observance of the rights and freedoms laid down in	Yes		
	the European Convention for the Protection of			
	Human Rights and Fundamental Freedoms and/or			
	the International Covenant for Civil and Political			
	Rights and/or the Convention against Torture, in			
	particular the rights from which derogation cannot			
	be made under Article 15(2) of the said European			
	Convention			
(c)	respect of the non-refoulement principle according	Yes	The Government generally	
	to the Geneva Convention		provides protection against	
			refoulement.	
(d)	provision for a system of effective remedies against	Yes		
	violations of these rights and freedoms			

OVI	ERALL ASSESSMENT		
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response
	sufficient for the purpose of conducting the in-depth assessment	Yes	However, there is only one source.
	referred to by the JHA Council with regard to this country?		
2.	If you answered no to Q 1 please specify: in which areas you consider	Netherlands Ministry of Foreign Affairs, 'Botswana' (09/03)	
	the information sources to be insufficient; and any other sources of	http://www.minbuza.nl/default.asp?CMS_ITEM=68FC317ACFF842EBB68	
	information available to you which would assist discussions and which	<u>0ECCCC6C2659BX3X59002X55</u>	
	you are in a position to share with other Member States (Provide	e (very general information)	
	website address or other details).		
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
		Yes	

Name of Member State	Netherlands
Name of country for designation	Cape Verde

QUESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
Does the country have a democratic system in place?	Yes	Cape Verde is a multiparty parliamentary democracy.	Netherlands Ministry of Foreign Affairs,

2.	Is there a situation of internal or international armed	No		
	conflict in the country?			
3.	Is there generally and consistently no persecution as	No	Generally no persecution.	
	defined in Article 9 of the Qualification Directive in the			
	country?			
4.	Is there generally and consistently no torture or inhuman	No	However, there are incidentally	
	or degrading treatment or punishment in the country?		human rights abuses by	,
			the police.	
5.	Where there is a situation of internal or international	N.a.		
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

6.	Is the extent to which protection is provided against		
	persecution or mistreatment by means of (a) - (d) below		
	sufficient to show that there is generally and consistently		
	no persecution or mistreatment in the country?		
(a)	the relevant laws and regulations of the country and	Yes	
	the manner in which they are applied		
(b)	observance of the rights and freedoms laid down in	Yes	
	the European Convention for the Protection of		
	Human Rights and Fundamental Freedoms and/or		
	the International Covenant for Civil and Political		
	Rights and/or the Convention against Torture, in		
	particular the rights from which derogation cannot		
	be made under Article 15(2) of the said European		
	Convention		
(c)	respect of the non-refoulement principle according	Yes	
	to the Geneva Convention		
(d)	provision for a system of effective remedies against	Yes	
	violations of these rights and freedoms		

OV	ERALL ASSESSMENT		
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response
	sufficient for the purpose of conducting the in-depth assessment	Yes	
	referred to by the JHA Council with regard to this country?		
2.	If you answered no to Q 1 please specify: in which areas you consider	Netherlands Ministry of Foreign Affairs, 'Cape Verde' (05/04)	
	the information sources to be insufficient; and any other sources of	http://www.minbuza.nl/default.a	sp?CMS_ITEM=4FE6BE8D03664A189D0
	information available to you which would assist discussions and which	2EFFE475D29A6X3X509	980X58#TOC_12
	you are in a position to share with other Member States (Provide	(very general information)	
	website address or other details).		
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
		Yes	

Name of Member State	Netherlands
Name of country for designation	Chile

QUI	ESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1.	Does the country have a democratic system in place?	Yes		
2.	Is there a situation of internal or international armed conflict in the country?	No		

3.	Is there generally and consistently no persecution as	Yes (in general no persecution)	Difficult to give source; so	ources
	defined in Article 9 of the Qualification Directive in the		do not speak of persec	cution,
	country?		they do point at prosecut	tion of
			persecutors	
4.	Is there generally and consistently no torture or inhuman	Y (in general no torture c.a.)	See above	,
	or degrading treatment or punishment in the country?			
5.	Where there is a situation of internal or international	Not applicable		
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

6.	Is the extent to which protection is provided against			
	persecution or mistreatment by means of (a) - (d) below			
	sufficient to show that there is generally and consistently			
	no persecution or mistreatment in the country?			
(a)	the relevant laws and regulations of the country and	Yes		
	the manner in which they are applied			
(b)	observance of the rights and freedoms laid down in	Inconclusive		
	the European Convention for the Protection of			
	Human Rights and Fundamental Freedoms and/or			
	the International Covenant for Civil and Political			
	Rights and/or the Convention against Torture, in			
	particular the rights from which derogation cannot			
	be made under Article 15(2) of the said European			
	Convention			
(c)	respect of the non-refoulement principle according	Inconclusive		
	to the Geneva Convention			
(d)	provision for a system of effective remedies against	Inconclusive	See remark on prosecution of	
	violations of these rights and freedoms		persecutors; AI and HRW	

OVI	ERALL ASSESSMENT		
1.	Do you consider that the information sources listed at Annex B are	YES	Insert basis for response
	sufficient for the purpose of conducting the in-depth assessment	No	
	referred to by the JHA Council with regard to this country?		
2.	If you answered no to Q 1 please specify: in which areas you consider		,
	the information sources to be insufficient; and any other sources of		
	information available to you which would assist discussions and which		
	you are in a position to share with other Member States (Provide		
	website address or other details).		
3.	Is the country suitable for inclusion on the minimum common list?	YES	Insert basis for response
		Inconclusive	

Name of Member State	Netherlands
Name of country for designation	Costa Rica

QUESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
Does the country have a democratic system in place?	Yes		Netherlands Ministry of Foreign Affairs, 'Costa Rica' (08/03) http://www.minbuza.nl/default.asp?CMS_I TEM=EE9AB7FAF72A45EAB8C514FD2 D53CA51X3X34926X25

2.	Is there a situation of internal or international armed	No		
	conflict in the country?			
3.	Is there generally and consistently no persecution as	No	Generally no persecution	
	defined in Article 9 of the Qualification Directive in the			
	country?			
4.	Is there generally and consistently no torture or inhuman	No	However, some cases of abuse	
	or degrading treatment or punishment in the country?		by police.	
5.	Where there is a situation of internal or international	N.a.		
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

Is the extent to which protection is provided against			
persecution or mistreatment by means of (a) - (d) below			
sufficient to show that there is generally and consistently			
no persecution or mistreatment in the country?			
the relevant laws and regulations of the country and	Yes		
the manner in which they are applied			
observance of the rights and freedoms laid down in	Yes		
the European Convention for the Protection of			
Human Rights and Fundamental Freedoms and/or			
the International Covenant for Civil and Political			
Rights and/or the Convention against Torture, in			
particular the rights from which derogation cannot			
be made under Article 15(2) of the said European			
Convention			
respect of the non-refoulement principle according	Yes		
to the Geneva Convention			
provision for a system of effective remedies against	Yes		
violations of these rights and freedoms			
	persecution or mistreatment by means of (a) – (d) below sufficient to show that there is generally and consistently no persecution or mistreatment in the country? the relevant laws and regulations of the country and the manner in which they are applied observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention respect of the non-refoulement principle according to the Geneva Convention provision for a system of effective remedies against	persecution or mistreatment by means of (a) – (d) below sufficient to show that there is generally and consistently no persecution or mistreatment in the country? the relevant laws and regulations of the country and the manner in which they are applied observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention respect of the non-refoulement principle according Yes to the Geneva Convention provision for a system of effective remedies against Yes	persecution or mistreatment by means of (a) – (d) below sufficient to show that there is generally and consistently no persecution or mistreatment in the country? the relevant laws and regulations of the country and the manner in which they are applied observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention respect of the non-refoulement principle according to the Geneva Convention provision for a system of effective remedies against Yes

OV	ERALL ASSESSMENT		
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response
	sufficient for the purpose of conducting the in-depth assessment	Yes	
	referred to by the JHA Council with regard to this country?		
2.	If you answered no to Q 1 please specify: in which areas you consider	Netherlands Ministry of Foreign	Affairs, 'Costa Rica' (08/03)
	the information sources to be insufficient; and any other sources of	http://www.minbuza.nl/default.a	sp?CMS_ITEM=EE9AB7FAF72A45EAB8
	information available to you which would assist discussions and which	C514FD2D53CA51X3X34	<u>4926X25</u>
	you are in a position to share with other Member States (Provide	(general information)	
	website address or other details).		
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
		Yes	

Name of Member State	The Netherlands
Name of country for designation	Ghana

QUI	ESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1.	Does the country have a democratic system in place?	Yes		
2.	Is there a situation of internal or international armed conflict in the country?	No		

	Yes	In general no persecution.	
efined in Article 9 of the Qualification Directive in the		However, there are incidents in	
ountry?		this area	
there generally and consistently no torture or inhuman	Yes	In general no torture c.a. Still	
degrading treatment or punishment in the country?		there are credible reports severe	
		beatings of prisoners and other	
		citizens throughout the country	
		by police and custom officials.	
There there is a situation of internal or international	Not applicable		
med conflict in the country is there generally and			
onsistently no threat by reason of indiscriminate violence			
the country?			
7	there generally and consistently no torture or inhuman degrading treatment or punishment in the country? There there is a situation of internal or international med conflict in the country is there generally and insistently no threat by reason of indiscriminate violence	there generally and consistently no torture or inhuman degrading treatment or punishment in the country? There there is a situation of internal or international med conflict in the country is there generally and insistently no threat by reason of indiscriminate violence	there generally and consistently no torture or inhuman degrading treatment or punishment in the country? The sequence of prisoners and other citizens throughout the country by police and custom officials. There there is a situation of internal or international med conflict in the country is there generally and insistently no threat by reason of indiscriminate violence.

6.	Is the extent to which protection is provided against			
	persecution or mistreatment by means of (a) - (d) below			
	sufficient to show that there is generally and consistently			
	no persecution or mistreatment in the country?			
(a)	the relevant laws and regulations of the country and	Yes	Except there are no laws to	
	the manner in which they are applied		protect women from sexual	
			harassment which occurs often	
			in practice.	
(b)	observance of the rights and freedoms laid down in	Yes		General human rights situation gives
	the European Convention for the Protection of			no reason for severe concerns
	Human Rights and Fundamental Freedoms and/or			(www.minbuza.nl, public country
	the International Covenant for Civil and Political			information in Dutch)
	Rights and/or the Convention against Torture, in			
	particular the rights from which derogation cannot			
	be made under Article 15(2) of the said European			
	Convention			
(c)	respect of the non-refoulement principle according	Yes		
	to the Geneva Convention			

(d)	provision for a system of effective remedies against	Inconclusive	The integrity of the legal	
	violations of these rights and freedoms		system is compromised by	
			severe lack of financial, human	
			and material resources and	
			there is a large number of pre-	
			trial detainees (long-term	
			remand prisoners)	

OVE	OVERALL ASSESSMENT			
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response	
	sufficient for the purpose of conducting the in-depth assessment	No		
	referred to by the JHA Council with regard to this country?			
2.	If you answered no to Q 1 please specify: in which areas you consider	Insufficient info to answer questi	on 6d.	
	the information sources to be insufficient; and any other sources of			
	information available to you which would assist discussions and which			
	you are in a position to share with other Member States (Provide			
	website address or other details).			
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response	
		Inconclusive		

Name of Member State	The Netherlands
Name of country for designation	Mali

QUI	ESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1.	Does the country have a democratic system in place?	Yes		
2.	Is there a situation of internal or international armed conflict in the country?	No		

3.	Is there generally and consistently no persecution as	Yes	In general no persecution.	
	defined in Article 9 of the Qualification Directive in the			
	country?			
4.	Is there generally and consistently no torture or inhuman	Yes	In general no torture c.a.	
	or degrading treatment or punishment in the country?			
5.	Where there is a situation of internal or international	Not applicable		
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

6.	Is the extent to which protection is provided against			
	persecution or mistreatment by means of (a) - (d) below			
	sufficient to show that there is generally and consistently			
	no persecution or mistreatment in the country?			
(a)	the relevant laws and regulations of the country and	Yes		
	the manner in which they are applied			
(b)	observance of the rights and freedoms laid down in	Yes		Human rights are respected in general
	the European Convention for the Protection of			(www.minbuza.nl, public country
	Human Rights and Fundamental Freedoms and/or			information in Dutch)
	the International Covenant for Civil and Political			
	Rights and/or the Convention against Torture, in			
	particular the rights from which derogation cannot			
	be made under Article 15(2) of the said European			
	Convention			
(c)	respect of the non-refoulement principle according	Yes		
	to the Geneva Convention			
(d)	provision for a system of effective remedies against	Yes	Except the judicial system is	
	violations of these rights and freedoms		considered to be slow at times	
			and not always independent.	

OVI	ERALL ASSESSMENT		
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response
	sufficient for the purpose of conducting the in-depth assessment	Yes	
	referred to by the JHA Council with regard to this country?		
2.	If you answered no to Q 1 please specify: in which areas you consider		1
	the information sources to be insufficient; and any other sources of		
	information available to you which would assist discussions and which		
	you are in a position to share with other Member States (Provide		
	website address or other details).		
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
		Yes	

Name of Member State	Netherlands
Name of country for designation	Mauritius

QUESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1. Does the country have a democratic system in place?	Yes	Mauritius is a multi-party parliamentary democracy.	Netherlands Ministry of Foreign Affairs, 'Mauritius' (01/04) http://www.minbuza.nl/default.asp?CMS_I TEM=576561E242EF4F29BC8750BE6C9 0E4A6X3X41824

2.	Is there a situation of internal or international armed conflict in the country?	No	
3.	Is there generally and consistently no persecution as defined in Article 9 of the Qualification Directive in the country?	No	Generally no persecution.
4.	Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	No	Generally no torture etc.
5.	Where there is a situation of internal or international armed conflict in the country is there generally and consistently no threat by reason of indiscriminate violence in the country?	N.a.	

Is the extent to which protection is provided against		
persecution or mistreatment by means of (a) - (d) below		
sufficient to show that there is generally and consistently		
no persecution or mistreatment in the country?		
the relevant laws and regulations of the country and	Yes	
the manner in which they are applied		
observance of the rights and freedoms laid down in	Yes	
the European Convention for the Protection of		
Human Rights and Fundamental Freedoms and/or		
the International Covenant for Civil and Political		
Rights and/or the Convention against Torture, in		
particular the rights from which derogation cannot		
be made under Article 15(2) of the said European		
Convention		
respect of the non-refoulement principle according	Yes	Although the Government does
to the Geneva Convention		not grant refugee status or
		asylum, in practice it provides
		protection against refoulement.
provision for a system of effective remedies against	Yes	The judiciary are considered to
violations of these rights and freedoms		be independent
	persecution or mistreatment by means of (a) – (d) below sufficient to show that there is generally and consistently no persecution or mistreatment in the country? the relevant laws and regulations of the country and the manner in which they are applied observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention respect of the non-refoulement principle according to the Geneva Convention	persecution or mistreatment by means of (a) – (d) below sufficient to show that there is generally and consistently no persecution or mistreatment in the country? the relevant laws and regulations of the country and the manner in which they are applied observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention respect of the non-refoulement principle according to the Geneva Convention provision for a system of effective remedies against Yes

OVI	OVERALL ASSESSMENT				
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response		
	sufficient for the purpose of conducting the in-depth assessment	Yes	The sources are limited, but they are not		
	referred to by the JHA Council with regard to this country?		one-sided.		
2.	If you answered no to Q 1 please specify: in which areas you consider	Netherlands Ministry of Foreign	Affairs, 'Mauritius' (01/04)		
	the information sources to be insufficient; and any other sources of	http://www.minbuza.nl/default.a	sp?CMS_ITEM=576561E242EF4F29BC87		
	information available to you which would assist discussions and which	50BE6C90E4A6X3X41824			
	you are in a position to share with other Member States (Provide	(very general information)			
	website address or other details).				
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response		
		Yes			

Name of Member State	The Netherlands
Name of country for designation	Senegal

QUESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1. Does the country have a democratic system in place?	Yes		
2. Is there a situation of internal or international armed conflict in the country?	Yes	Sporadic, small-scale, armed clashes in Casamance in 2003	www.minbuza.nl (public country information in Dutch) web.amnesty.org (public report on Senegal 2003 in English)

3.	Is there generally and consistently no persecution as defined in Article 9 of the Qualification Directive in the		In general no persecution	
	country?			
4.	Is there generally and consistently no torture or inhuman	Yes	In general no torture c.a.	
	or degrading treatment or punishment in the country?			
5.	Where there is a situation of internal or international	Yes	In general no threat	
	armed conflict in the country is there generally and			
	consistently no threat by reason of indiscriminate violence			
	in the country?			

6.	Is the extent to which protection is provided against								
	persecution or mistreatment by means of (a) - (d) below								
	sufficient to show that there is generally and consistently								
	no persecution or mistreatment in the country?								
(a)	the relevant laws and regulations of the country and	Yes	Note:	failure	to	bring	www.minbuza.nl	(public	country
	the manner in which they are applied		perpetrat	ors of	violatio	ons to	information in Dutch))	
			justice				web.amnesty.org (pul	olic report or	n Senegal
							2003 in English)		
(b)	observance of the rights and freedoms laid down in	Yes							
	the European Convention for the Protection of								
	Human Rights and Fundamental Freedoms and/or								
	the International Covenant for Civil and Political								
	Rights and/or the Convention against Torture, in								
	particular the rights from which derogation cannot								
	be made under Article 15(2) of the said European								
	Convention								
(c)	respect of the non-refoulement principle according	Yes							
	to the Geneva Convention								
(d)	provision for a system of effective remedies against	Yes							
	violations of these rights and freedoms								

OVI	ERALL ASSESSMENT		
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response
	sufficient for the purpose of conducting the in-depth assessment	No	
	referred to by the JHA Council with regard to this country?		
2.	If you answered no to Q 1 please specify: in which areas you consider	consider See above for other public sources	
	the information sources to be insufficient; and any other sources of		
	information available to you which would assist discussions and which		
	you are in a position to share with other Member States (Provide		
	website address or other details).		
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
		Yes	

Name of Member State	The Netherlands
Name of country for designation	Uruguay

QUI	ESTIONS	YES/NO	BASIS FOR RESPONSE	Details of supporting information sources other than those at Annex B. Please indicate if these are publicly available
1.	Does the country have a democratic system in place?	Yes		
2.	Is there a situation of internal or international armed conflict in the country?	No		

3.	defined in Article 9 of the Qualification Directive in the country?		In general no persecution.	
4.	Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	Yes	In general no torture c.a. In 2003 there were reports of incidents. But most of them have been investigated by the government.	
5.	Where there is a situation of internal or international armed conflict in the country is there generally and consistently no threat by reason of indiscriminate violence in the country?	Not applicable		

6.	Is the extent to which protection is provided against			
	persecution or mistreatment by means of (a) - (d) below			
	sufficient to show that there is generally and consistently			
	no persecution or mistreatment in the country?			
(a)	the relevant laws and regulations of the country and	Yes		
	the manner in which they are applied			
(b)	observance of the rights and freedoms laid down in	Yes		Since the end of the military regime in
	the European Convention for the Protection of			1985 human rights are respected in general
	Human Rights and Fundamental Freedoms and/or			(www.minbuza.nl, public country
	the International Covenant for Civil and Political			information in Dutch)
	Rights and/or the Convention against Torture, in			
	particular the rights from which derogation cannot			
	be made under Article 15(2) of the said European			
	Convention			
(c)	respect of the non-refoulement principle according	Yes		
	to the Geneva Convention			
(d)	provision for a system of effective remedies against	Yes	Except the judicial system is	
	violations of these rights and freedoms		considered to be slow at times.	

OVERALL ASSESSMENT						
1.	Do you consider that the information sources listed at Annex B are	YES/NO	Insert basis for response			
	sufficient for the purpose of conducting the in-depth assessment	Yes				
	referred to by the JHA Council with regard to this country?					
2.	If you answered no to Q 1 please specify: in which areas you consider					
	the information sources to be insufficient; and any other sources of					
	information available to you which would assist discussions and which					
	you are in a position to share with other Member States (Provide					
	website address or other details).					
3.	Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response			
		Yes				
