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NOTE

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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

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

ASSESSMENT TEMPLATE

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	Czech Republic
Name of country for designation	Benin

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?	NO	Basic democratic attributes (democratic institutions and processes) cannot be regarded as fully stabilised and developed yet – country cannot be regarded as fully democratic - judiciary does not work properly and is subject to corruption - last presidential elections	Freedom House – Freedom in the World, 17 July 2003

		cannot be regarded as fair enough - insufficient respect for HR (violence against women, Police violence)	
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?	YES There is persecution	- unsatisfactory enforcement of justice (mob justice, vigilante groups violence) - societal discrimination against women continued. Persons with disabilities were disadvantaged - widespread FGM practice	-
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	YES There is inhuman treatment.	- extremely harsh prison conditions - FGM – see answer No 3	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	NO	- unsatisfactory enforcement of justice (mob justice, vigilante groups violence) - unsatisfactory enforcement of ban on FGM	
(b)	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	NO	See answer 6 (a)	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	NO	possibly limited opportunity to achieve legal redress	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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
	NO	Due to problems with discrimination of women and violence against them including FGM and possibly limited opportunity to achieve legal redress we would support the option of not including Benin on the list of safe countries of origin.

ASSESSMENT TEMPLATE

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	Czech Republic
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	Basic political institutions and processes can be regarded democratic.	Freedom House – Freedom in the World, 17 July 2003
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 There is not any persecution		
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	NO There is not any inhuman ... treatment		
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?	NO	There is no internal or international armed conflict 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?	
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(a)	the relevant laws and regulations of the country and the manner in which they are applied	YES	Reservations: <ul style="list-style-type: none"> - forced and bonded labor, including by children are not prohibited however, there were no reports that such practices occurred - compulsory labor is prohibited by a provision of penal code - Botswana keeps capital punishment in law and practise 	
(b)	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	YES		
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	NO	Reservation: <ul style="list-style-type: none"> - The judicial system did not provide timely fair trials due to a serious and increasing backlog of cases. 	

OVERALL ASSESSMENT		
	YES/NO	Insert basis for response
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	NO	
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).	Available information on legal system and judicial practice are viewed as insufficient.	

3. Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
	NO	<p>The <i>de iure</i> and <i>de facto</i> existence of the capital punishment as such may not necessarily hinder including a country on the minimum common list. However, it must be clearly established that both the legislation and judicial practice of the country provide substantial safeguards of free and fair trial including adequate legal counselling.</p> <p>In such a short time the asylum authority is not able to acquire all relevant information on Botswana (mainly on its legal system and judicial practice) necessary for a qualified and competent assessment that would lead to a decision to regard Botswana as a safe country of origin in this regard.</p>

Assessment template

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	Czech Republic
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
1. Does the country have a democratic system in place?	YES	Basic political institutions and processes can be regarded democratic Reservation: - some reports of restrictions on freedom of the press - continued reports of media self-censorship.	Freedom House – Freedom in the World, 17 July 2003

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 There is not any persecution	Reservation: - The effect government combat against violence and societal discrimination against women and violence and sexual abuse of children is not much effective	
4.	Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	NO There is not any inhuman treatment	- See answer No 4	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	YES	Reservation: - Legislation on violence and societal discrimination against women and violence and sexual abuse of children is not much effectively enforced	

(b)	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	YES	- See answer 6 (a)	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	YES	See answer 6 (a)	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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	Due to the existence of democratic institutions and mechanisms and government effort to address problems listed in answers 1, 3 and 6(a) we would support inclusion of Cape Verde on the list.

Assessment template

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	Czech Republic
Name of country for designation	Chile

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	Basic political institutions and processes can be regarded democratic.	Freedom House – Freedom in the World, 17 July 2003
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 There is not any persecution	Reservation: - problems with excessive use of force and mistreatment by police forces, physical abuse in jails and prisons - certain degree of discrimination women, children and indigenous people	
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	NO There is not any inhuman treatment	Reservation: - poor and deteriorating conditions in prisons including physical violence. Government is aware of this problem and tries to address it.	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	YES	Reservation: In some cases inadequate prosecution of Police violence

(b)	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	YES	Reservation: See answers No 3 and 4	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	YES	Reservation: See answer No 6(b)	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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	Despite some negative aspects mentioned in answers No 3 and 4, due to general compliance with criteria required for a country to be considered as safe we would support inclusion of Chile on the list.

ASSESSMENT TEMPLATE

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	Czech Republic
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
1. Does the country have a democratic system in place?	YES	Basic political institutions and processes can be regarded as democratic.	Freedom House – Freedom in the World, 17 July 2003

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 There is not any persecution	Reservation: - some physical abuse by police and prison guards	
4.	Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	NO There is not any inhuman treatment.	Reservation: - domestic violence was a problem as well as abuse of children, however both combated against by the government both in legislative and political way - child prostitution and labor was a serious problem however declining	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	YES	Reservation: - Legislation enforcement should be more effective	

(b)	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	YES	See answer No 3	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	YES	See answer No 6(a)	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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	Due to the existence of democratic institutions and mechanisms, despite to problems listed in answers No 3, 4 and 6(a), we would support inclusion of Costa Rica on the list.

ASSESSMENT TEMPLATE

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	Czech Republic
Name of country for designation	Ghana

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	Basic political institutions and processes can be regarded democratic. Reservation: - executive influence on judiciary and corruption	Freedom House – Freedom in the World, 17 July 2003

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?	YES There is persecution	<ul style="list-style-type: none"> - numerous serious human rights abuses committed by members of the police and other security forces - FGM - Ghana retains capital punishment in law and practice 	
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	YES There is inhuman treatment.	<ul style="list-style-type: none"> - violence and societal discrimination against women and children continued - widespread FGM practice - traditional form of child servitude (Trokosi) practiced on a limited scale - some incidents of politically and ethnically motivated violence - forced child labor and trafficking in children for forced labor - vigilant groups violence 	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	NO	See answer No 4 - insufficient enforcement of relevant legislation	
(b)	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	NO	See answer (a) above	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	NO	See answer (a) above	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	NO	
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).	More information on the application of capital punishment with regard to legal safeguards would be useful.	
3. Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
	NO	Due to problems listed under answer No 4 we would support the option of not including Ghana on the list of safe countries of origin.

ASSESSMENT TEMPLATE

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	Czech Republic
Name of country for designation	Mali

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	Basic political institutions and processes can be regarded democratic Reservation: - executive influence on judiciary	Freedom House – Freedom in the World, 17 July 2003
2. Is there a situation of internal or international armed	NO		

conflict in the country?				
3.	Is there generally and consistently no persecution as defined in Article 9 of the Qualification Directive in the country?	YES There is persecution	- continued widespread FGM practice - trafficking in children for forced labor - hereditary servitude	
4.	Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	YES There is inhuman ... treatment.	See answer No 3	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	NO	See answer No 4 - insufficient enforcement of relevant legislation	
(b)	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	NO	See answer (a) above	

(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	NO	See answer (a) above	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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
	NO	Due to problems with discrimination against women and violence against them including FGM and hereditary servitude we would support the option of not including Mali on the list of safe countries of origin.

Assessment template

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	Czech Republic
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	Basic political institutions and processes can be regarded democratic	Freedom House – Freedom in the World, 17 July 2003
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 There is not any persecution	Reservation: - There is a certain degree of violence and societal discrimination against women, however law criminalizes these acts and provides the judicial system with greater powers to combat this problem and women had access to education, employment, and government services.	
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	NO There is not any inhuman ... treatment.	- See reservation in answer No 4	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	YES	- Societal discrimination and spouse violence against women as the biggest problem is address by the law and combated against by the government.

(b)	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	YES	- See answer 6 (a)	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	YES	See answer 6 (a)	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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	Despite some negative aspects as violence against women and their societal discrimination, which are combated against, due to general compliance with criteria required for a country to be considered as safe we would support inclusion of Mauritius on the list.

ASSESSMENT TEMPLATE

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	Czech Republic
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	Basic political institutions and processes can be regarded as democratic. Reservation: - executive influence on judiciary - occasional restriction on freedom of speech	Freedom House – Freedom in the World, 17 July 2003 Amnesty International Report 2003
2. Is there a situation of internal or international armed	YES	There is an internal conflict in Casamance province.	

conflict in the country?			
3. Is there generally and consistently no persecution as defined in Article 9 of the Qualification Directive in the country?	YES There is persecution	<ul style="list-style-type: none"> - discrimination against women - continued FGM practice - trafficking in women for forced labor - government killing of civilians in connection with the Casamance insurgency 	
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	YES There is inhuman treatment.	See answer No 3	
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?	YES	Senegal is not a party to any international armed conflict. There is an internal conflict in Casamance province. Peace agreement was made, however not supported by all rebel groups. Thus sporadic armed skirmishes affecting civilian population continue.	
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 the manner in which they are applied	NO	- insufficient enforcement of legislation regarding FGM and trafficking in people - unwillingness of government to prosecute members of security forces accused of torture	
(b)	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	NO	See answer No 3	
(c)	respect of the non-refoulement principle according to the Geneva Convention	NO	- Case of extradition of Mauritanian Lieutenant Didi Ould M'Hamed,	
(d)	provision for a system of effective remedies against violations of these rights and freedoms	NO	- See answer (a) above - partially limited independence of judiciary	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	NO	Information indicated on the list are not sufficient to answer question 6 (c)
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).	Information on Lieutenant Didi Ould M'Hamed included in Amnesty International Report 2004 should be used as well.	
3. Is the country suitable for inclusion on the minimum common list?	YES/NO	Insert basis for response
	NO	Due to problems with discrimination against women and violence against them including FGM and government unwillingness to prosecute past crimes committed with Casamance insurgency we would support the option of not including Senegal on the list of safe countries of origin.

Assessment template

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	Czech Republic
Name of country for designation	Uruguay

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	Basic political institutions and processes can be regarded as democratic	
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 There is not any persecution	Reservation: - certain degree of discrimination women and black minority - some problems with police violence	
4. Is there generally and consistently no torture or inhuman or degrading treatment or punishment in the country?	NO There is not any inhuman treatment.	Reservation: - poor and deteriorating conditions in prisons including physical violence	
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?	NO	There is no internal or international armed conflict 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 the manner in which they are applied	YES	Reservation: - mistreatment in prisons

(b)	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	NO	- discrimination of women and black minority	
(c)	respect of the non-refoulement principle according to the Geneva Convention	YES		
(d)	provision for a system of effective remedies against violations of these rights and freedoms	YES	Reservation: - some inadequacies in judicial procedure	

OVERALL ASSESSMENT		
1. Do you consider that the information sources listed at Annex B are sufficient for the purpose of conducting the in-depth assessment referred to by the JHA Council with regard to this country?	YES/NO	Insert basis for response
	YES	
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	Despite some negative aspects mentioned in answers No 3 and 4, due to general compliance with criteria required for a country to be considered as safe we would support inclusion of Uruguay in the list.
