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ASILE 34

NOTE

from : Presidency

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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 a complement to the reply from the **Swedish** delegation.

The Swedish delegation hereby wishes to comment our previous statements on the above subject, and contribute to the forthcoming discussions in the AWP on 8 – 9 July.

Sweden has taken a standpoint in principle with regard to the issues raised by the Chair, as expressed e.g. in the questions in ASILE 34. Our opinion is based on the discussions held with JHA Counsellors in March/April, and on the actual countries listed in the Annex by the Ministers when reaching an agreement on the Asylum Procedures Directive. We thank the Chair for its excellent managing of these issues, but at the same time express some surprise on the great diversity in approach among Member States' statements and the following discussions at the AWP on 15 June.

The diversity of meanings reflects, as we see it, a very different apprehension of Member States as to the practical consequences of putting a country on the list, as well as on the general meaning and possible political implications thereof.

Sweden's view, based on the relevant Articles of the Directive, is that applying the concept of safe countries of origin is a presumption of the safety of a specific country. The presumption is fully rebuttable, and an individual examination, with full guarantees as stipulated in Chapter II of the Directive, must always take place. Therefore, after an assessment of the criteria, we have considered it fully possible to consider every suggested country suitable for designation. National statistics on the number of asylum applications from the current countries, combined with the recognition rate, confirm this view.

However, Sweden considers it of great importance that Member States show mutual confidence in each other on this issue, and we therefore put great importance in unanimity when designating a list of this type. We therefore support any deletion of countries where there is clear diversity in the assessments of and conclusions by Member States. We also think that great regard should be taken to expressions from the UNHCR.

Conclusively, if looking at the outcome of the discussions so far, we find that we could support the deletion of at least Benin, Ghana, Mali and Senegal.