Council of the European Union

Brussels, 19 December 2025
(OR. en)

16680/1/25
REV 1

LIMITE

JAI 1896
ASILE 124
FRONT 320
CODEC 2097

PUBLIC

Interinstitutional File:
2025/0101 (COD)

NOTE

From:	Presidency
To:	Permanent Representatives Committee
No. prev. doc.:	16548/25
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level - Analysis of the final compromise with a view to agreement

I. BACKGROUND

1. On 16 April 2025, the European Commission tabled a proposal for a regulation amending the Asylum Procedure Regulation as regards the establishment of a list of safe countries of origin (SCO) at Union level[1].

2. The draft Regulation is based on Article 78(2)(d) of the Treaty on the Functioning of the European Union (TFEU) (ordinary legislative procedure).

3. At its meeting on 8 December 2025, the Justice and Home Affairs Council reached a general approach on the proposal. This constituted the mandate for negotiations with the European Parliament in the context of the ordinary legislative procedure[2].

[1] 8042/25 + ADD 1
[2] 16548/25

4. On 18 December 2025, a broad political agreement was reached between the Danish Presidency and the Rapporteur. Following further drafting this resulted in the final compromise text as set out in the annex to this note.

II. CONCLUSION

5. The Permanent Representatives Committee is therefore invited to:

   a) analyse the final compromise text as set out in the annex to this note with a view to reaching an agreement at first reading with the European Parliament;

   b) authorise the Chair of the Permanent Representatives Committee to send a letter to inform the Chair of the European Parliament's LIBE Committee that, should the European Parliament adopt its position at first reading on the text of the proposal in the exact form as set out in the annex to this note, and subject to revision of that text by the lawyer-linguists of both institutions, the Council will approve the European Parliament's position and the act will be adopted in the wording which corresponds to the European Parliament's position.

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ANNEX

2025/0101 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2), point (d) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

[1] OJ C , , p. .
[2] OJ C , , p. .

(1) Under Regulation (EU) 2024/1348 of the European Parliament and the Council[3], specific rules ~~may~~ apply where an applicant comes from a safe country of origin. In particular, the examination of an application has to be accelerated and, if the applicant has not yet been authorised to enter Member States' territory, a Member State may examine the merits of an application in a border procedure.

(2) ***Regulation (EU) 2024/1348 provides for the possibility to designate third countries as safe countries of origin at Union level in accordance with the conditions laid down in that Regulation.*** It is necessary to strengthen the application of the safe country of origin concept as an essential tool to support the swift examination of applications that are likely to be unfounded by designating third countries as safe countries of origin. It is also necessary to address some of the existing divergences between Member States' national lists of safe countries of origin. Therefore**,** a list of safe countries of origin at Union level should be established. While Member States retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe countries of origin at Union level, such common designation at Union level should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are designated.

(3) The fact that a third country is considered as a safe country of origin, either at Union or at national level, cannot constitute an absolute guarantee of safety for nationals of that country***, even for those who do not belong to a category of persons for which an exception is made when designating the country as a safe country of origin,*** and therefore does not dispense with the need to conduct an individual examination of the application for international protection***. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in practice when found liable in that country***. Member States may apply the concept of a safe country of origin only where the applicant cannot provide elements justifying why the concept of safe country of origin is not applicable to him or her, in the framework of an individual assessment, and

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[3] Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (OJ L, 2024/1348, 22.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1348/oj).

provided that the applicant has the nationality of that country or he or she is a stateless person and was formerly habitually resident in that country. The application of the concept in the framework of the individual assessment is without prejudice to the fact that certain categories of applicants may find themselves in a specific situation in the third countries designated and may therefore have a well-founded fear of being persecuted or face a real risk of suffering serious harm.

(3a) The assessment of whether a third country should be designated as a safe country of origin is based on a range of relevant and available sources of information, including information from Member States, the European Union Agency for Asylum ('the Asylum Agency'), the European External Action Service, the United Nations High Commissioner for Refugees, and other relevant international organisations. The assessment also takes into account where available the common analysis of the country of origin information referred to in Article 11 of Regulation (EU) 2021/2303 of the European Parliament and of the Council[4], in accordance with Regulation (EU) 2024/1348. Based on a range of such sources of information, a number of third countries are considered to qualify as safe countries of origin.

(4) With regard to the countries that have been granted the status of candidate States for accession to the Union, the Treaty on European Union sets out the conditions and principles to which any country wishing to become a Member State must conform. These criteria were established by the Copenhagen European Council in 1993 and strengthened by the Madrid European Council in 1995. They are stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; a functioning market economy and the ability to cope with competitive pressure and market forces within the EU; and the ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law, and adherence to the aims of political, economic and monetary union. A country is granted candidate country status by the European Council on the basis of an

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[4] ***Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/2303/oj).***

opinion from the European Commission, drawn up following the country's application ***for*** membership of the Union.

(5a) The designation of a third country as a safe country of origin under Article 62 of Regulation 2024/1348 is based on reliable, official and duly substantiated relevant and available sources. Moreover, the designation reflects the general situation in that country and is not affected by the individual circumstances, which may only be assessed for the purposes of determining whether the safe country of origin concept should exceptionally not be applied in a specific case. Therefore, in the context of national judicial review, the detailed evidence regarding applicants' individual situation justifying the applicability of the concept of safe country of origin should be the main purpose of the assessment. In accordance with the Treaties, the Court of Justice is competent to rule on any doubts on the validity of a designation of a third country as a safe country of origin at Union level.

(6) The EU candidate countries have been granted this status by the European Council through a unanimous decision, following a recommendation from the European Commission. With regard, in particular, to the political criteria for EU membership, the EU candidate countries were found to have advanced towards reaching the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. It can, therefore, be concluded that those third countries that have been granted EU candidate status should be ***considered as safe countries of origin within the meaning of Regulation (EU) 2024/1348 and should accordingly be*** designated as safe countries of origin ***at Union level.[5] However, due account should be taken of the fact that the situation in an EU candidate country could change to the extent that the designation of the country as a safe country of origin should no longer apply. Therefore, this Regulation should provide that the designation of the third countries that have been granted EU candidate status should no longer be applied***~~, except~~ where ***any of*** the following circumstances apply: there is a serious~~ and individual~~ threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict in the country; restrictive measures within the meaning of Title IV of Part Five of the Treaty on the Functioning of the European Union have been adopted in view of the

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[5] These designations are without prejudice to any future decisions to be taken by the European Council or by the Council on the admission of candidate States into the Union.

country's actions ***affecting fundamental rights and freedoms that are relevant for the designation as a safe country of origin***; or ~~when~~ the EU-wide recognition rate pertaining to the applicants from the country is higher than ~~20%~~***20 %***. ***Member States should not apply the concept of safe country of origin to applicants from an EU candidate country during the period in which the circumstances provided for by this Regulation persist.***

(6a) In considering whether a serious threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict exists in a candidate State for accession to the Union, a broad range of relevant sources of information, including information from any relevant institution, body, office or agency of the Union or an international organization should be taken into account. In particular, it should be taken into account whether the European Council or the Council has acknowledged the existence of a situation of international or internal armed conflict in the third country concerned, including whether a Council Decision has been adopted in accordance with Article 5 of Directive 2001/55/EC as a consequence of the existence of a situation of armed conflict. Similarly, when considering whether there is no longer a serious threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict in an EU candidate country, the fact that the European Council or the Council has acknowledged that the relevant circumstances have ceased to exist should be taken into account, including where a Council Decision has been adopted in accordance with Article 6 of Directive 2001/55/EC as a consequence of the end of a situation of armed conflict.

(6b) It is essential that the designation as safe countries of origin of the States which are candidates for accession to the Union is applied uniformly in all Member States, including as regards the circumstances set out in this Regulation where those countries should no longer be considered as safe countries of origin. To facilitate the uniform implementation of this Regulation and to provide legal certainty, the Commission should continuously monitor the situation in the candidate countries for accession to the Union and inform the Member States, the Council and the European Parliament where, on the basis of the available information, any of those circumstances apply or cease to apply in one of those countries, making such information immediately and publicly available through the publication of a notice in the C series of the Official Journal of the European Union. In view of the potential implications for the external relations of the Union and the Member States, the Commission should not inform the Member States

and the European Parliament of the fact that there exists a serious threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict in an EU candidate country without the prior approval of the Council. Accordingly, before informing the Member States and the European Parliament of any serious threat by reason of indiscriminate violence in a situation of international or internal armed conflict in an EU candidate country, the Commission should notify the Council, which should give its prior approval.

(7) With regard to Kosovo[6], according to the information from the Asylum Agency, 16 Member States currently designate Kosovo as a safe country of origin at national level, and the Union-wide recognition rate for applicants from Kosovo was 5% in 2024. Kosovo is a potential candidate for membership of the Union. Its Constitution incorporates the main international human rights instruments. Kosovo is a multi-party parliamentary representative democracy with a division of power between the legislative, executive and judicial institutions and the relevant legal framework is in line with European standards. In general the legal framework guarantees the protection of fundamental rights and it is in line with European standards. There are no indications of expulsion, removal or extradition of citizens of Kosovo to countries where there is a risk of death penalty, torture, persecution or inhuman or degrading treatment. There is no risk of serious harm in Kosovo within the meaning of Article 15 of Regulation 2024/1347[7]. There is no death penalty in the national law and Kosovo authorities show commitment to the prevention of torture and ill treatment. There is no armed conflict taking place in Kosovo and therefore no threat exists by reason of indiscriminate violence in situations of international or internal armed conflict. There is no persecution in Kosovo within the meaning of Article 9 of Regulation 2024/1347.

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6 This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

7 Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council (OJ L, 2024/1347, 22.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1347/oj)

(8) With regard to Bangladesh, according to the information from the Asylum Agency, 6 Member States currently designate Bangladesh as a safe country of origin at national level, and the Union-wide recognition rate for applicants from Bangladesh was 4% in 2024. The country has ratified some international human rights instruments. Bangladesh is a parliamentary republic governed by a Constitution, which prescribes the separation of powers between the executive and judiciary. There are no indications of expulsion, removal or extradition of citizens of Bangladesh to countries where there is a risk of ***the*** death penalty, torture, persecution, or inhuman or degrading treatment. There is, in general, no real risk of serious harm within the meaning of Article 15 of the Regulation 2024/1347. Although Bangladesh retains the death penalty and did not sign the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims to abolish the death penalty, death sentences are rarely carried out. Bangladesh has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. There is no armed conflict taking place in Bangladesh and therefore no threat exists by reason of indiscriminate violence in situations of international or internal armed conflict. There is, in general, no persecution in the country within the meaning of Article 9 of Regulation (EU) 2024/1347.

(9) With regard to Colombia, according to the information from the Asylum Agency, no Member State currently designates Colombia as a safe country of origin at national level, and the Union-wide recognition rate for applicants from Colombia was 5% in 2024. The country has ratified the main international human rights instruments. The 1991 Constitution and ensuing jurisprudence by the Constitutional Court provide for strong human rights guarantees. Colombia is a federal republic with a democratic representative political system and a division of powers between the executive, legislative and judicial branches. There are no indications of widespread expulsion, removal or extradition of citizens of Colombia to countries where there is a risk of ***the*** death penalty, torture, persecution, or inhuman or degrading treatment. There is, in general, no risk of serious harm in Colombia within the meaning of Article 15 of Regulation (EU) 2024/1347, except in specific rural areas with no integral presence of the State. The death penalty is prohibited under the Colombian Constitution. The legal framework prohibiting torture and inhuman or degrading treatment of punishment is in line with international standards. There is no generalised threat by reason of indiscriminate violence in situations of

international or internal armed conflict. There is, in general, no persecution in the country within the meaning of Article 9 of Regulation (EU) 2024/1347.

(10) With regard to Egypt, according to the information from the Asylum Agency, 6 Member States currently designate Egypt as a safe country of origin at national level, and the EU-wide recognition rate for applicants from Egypt was 4% in 2024. The country has ratified the main international human rights instruments. Egypt is a republic where the President serves as both the head of state and the head of the executive. There are no indications of expulsion, removal or extradition of citizens of Egypt to countries where there is a risk of ***the*** death penalty, torture, persecution, or inhuman or degrading treatment. There is, in general, no real risk of serious harm within the meaning of Article 15 of the Regulation (EU) 2024/1347. Although Egypt retains the death penalty under the Penal Code and military laws, Egypt has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. Egypt has declared in its National Strategy for Human Rights its intention to reform the law on pre-trial detention, ameliorate detention conditions, limit the number of crimes punished by death and enhance the culture of human rights across all government institutions. Effective implementation is needed, progress having so far been made in the institutional track. There is no armed conflict taking place in Egypt and therefore no threat exists by reason of indiscriminate violence in situations of international or internal armed conflict. There is, in general, no persecution in the country within the meaning of Article 9 of Regulation (EU) 2024/1347.

(11) With regard to India, according to the information from the Asylum Agency, 9 Member States currently designate India as a safe country of origin at national level, and the Union-wide recognition rate for applicants from India was 2% in 2024. The country has ratified the main international human rights instruments. India is a constitutional republic and a parliamentary democracy. There are no indications of expulsion, removal or extradition of citizens of India to countries where there is a risk of ***the*** death penalty, torture, persecution, or inhuman or degrading treatment. There is, in general, no real risk of serious harm within the meaning of Article 15 of the Regulation (EU) 2024/1347. While India retains the death penalty in its criminal law and did not sign the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims to abolish the death penalty, nevertheless, the death penalty has not been applied in practice since 2020. India has ~~ratified~~***signed*** the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. There is no armed conflict taking place in India and therefore no

threat exists by reason of indiscriminate violence in situations of international or internal armed conflict. There is, in general, no persecution in the country within the meaning of Article 9 of Regulation (EU) 2024/1347.

(12) With regard to Morocco, according to the information from the Asylum Agency, 11 Member States currently designate Morocco as a safe country of origin at national level and the Union-wide recognition rate for applicants from Morocco was 4% in 2024. The country has ratified the main international human rights instruments. Morocco is a parliamentary monarchy. There are no indications of expulsion, removal or extradition of citizens of Morocco to countries where there is a risk of ***the*** death penalty, torture, persecution, or inhuman or degrading treatment. There is, in general, no real risk of serious harm within the meaning of Article 15 of the Regulation (EU) 2024/1347. Morocco has observed a moratorium on the application of the death penalty since 1993, although it retains the death penalty in its criminal law and has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights concerning the abolition of the death penalty. Morocco has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. There is no armed conflict taking place in Morocco and therefore no threat exists by reason of indiscriminate violence in situations of international or internal armed conflict. There is, in general, no persecution in the country within the meaning of Article 9 of Regulation (EU) 2024/1347.

(13) With regard to Tunisia, according to the information from the Asylum Agency, 10 Member States currently designate Tunisia as a safe country of origin at national level, and the Union-wide recognition rate for applicants from Tunisia was 4% in 2024. The country has ratified the main international human rights instruments. The 2022 Constitution establishes a presidential system. There are no indications of expulsion, removal or extradition of citizens of Tunisia to countries where there is a risk of ***the*** death penalty, torture, persecution, or inhuman or degrading treatment. There is, in general, no real risk of serious harm within the meaning of Article 15 of the Regulation (EU) 2024/1347. Tunisia has observed a moratorium on the application of the death penalty since 1991, although it retains the death penalty in its criminal law and has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights concerning the abolition of the death penalty. Tunisia has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. There is no armed conflict taking place in Tunisia and therefore no threat exists by reason of indiscriminate violence

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in situations of international or internal armed conflict. There is, in general, no persecution in the country within the meaning of Article 9 of Regulation (EU) 2024/1347.

(15) Pursuant to Regulation (EU) 2024/1348 a third country may only be designated as a safe country of origin where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is no persecution as defined in Article 9 of Regulation (EU) 2024/1347 and no real risk of serious harm as defined in Article 15 of that Regulation.

(16) ~~Nevertheless,~~ Considering that there is, in general, no risk of persecution or serious harm, within the meaning of Regulation 2024/1347, in Bangladesh, Colombia, Egypt, India, Morocco and Tunisia, as well as Kosovo as ***a*** potential candidate for membership of the Union, as also shown by the very low recognition rates, ~~they~~***it can be concluded that those countries satisfy the criteria to be considered safe countries of origin within the meaning of Regulation (EU) 2024/1348 and*** should be designated as safe countries of origin at Union level. ***This is without prejudice to the possibility for Member States to designate other third countries as safe countries of origin at national level and to the possible future designation of additional third countries, satisfying the conditions set forth in Regulation (EU) 2024/1348, as safe countries of origin at Union level by means of future amendments to that Regulation. The Commission should promptly consider any request from a Member State to assess whether further third countries could be designated as safe countries of origin at Union level, taking into account, inter alia, a low Union-wide recognition rate.***

(17) The designation of those countries as safe countries of origin at Union level is without prejudice to the rule set out in Regulation 2024/1348, according to which Member States may apply the concept of a safe country of origin only where applicants cannot provide elements justifying why the concept of safe country of origin is not applicable to them, in the framework of an individual assessment. In that context, special attention should be paid to applicants who are in a specific situation in those countries, such as LGBTIQ persons, victims of gender-based violence, human rights defenders, religious minorities and journalists.

(17a) Significant changes in a third country designated as a safe third country or as a safe country of origin at Union level may disproportionately affect specific areas or groups of persons in that country, leading to different protection needs for certain applicants from that country and the necessity of safeguarding procedural guarantees of those applicants. Regulation (EU) 2024/1348 introduces the possibility to designate a third country as a safe third country or a safe country of origin with exceptions for specific parts of its territory or clearly identifiable categories of persons. Regulation (EU) 2024/1348 also provides for the Commission to suspend the designation of a third country as a safe third country or as a safe country of origin at Union level by means of a delegated act where there is a significant change for the worse in the situation of that country. In order to address the situation where a third country designated as a safe third country or as a safe country of origin at Union level no longer satisfies, for the whole of its territory or for certain categories of persons within the population of that country, the material conditions for such a designation set out in Regulation (EU) 2024/1348, the Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in order to partially suspend that designation in respect of specific parts of the territory or clearly identifiable categories of persons in the third country concerned for a period of six months, where necessary, appropriate and proportionate in view of the significant changes in the country affecting that part or category of persons. Moreover, within 3 months of the adoption of the delegated act providing for the partial suspension of the third country, the Commission should present a legislative proposal to remove from the scope of that third country's designation as a safe third country or as a safe country of origin at Union level those parts of territory or categories of persons to whom the suspension applies. Where a Member State subsequently notifies the Commission that it considers, on the basis of a substantiated assessment, that, following changes in the situation of that third country, it once again fulfils the conditions set out in Regulation (EU) 2024/1348 with respect to the country as a whole or certain parts of the territory or population thereof, the Commission may propose to amend the designation of that country as a safe third country or as a safe country of origin accordingly.

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(18) Considering that the migratory situation can rapidly change and there is increased pressure resulting from the arrivals of mixed flows with a high proportion of those with low chances of receiving international protection, Member States should be able to apply the ground for accelerating the examination of applications set out in Article ~~41(1)(j)~~***42(1)(j)*** of Regulation (EU) 2024/1348, from an earlier date than the general date of application of that Regulation***, provided that Member States have transposed and implemented the relevant provisions and procedures set out in Directive 2013/32/EU***. This would allow Member States to react quickly and in a flexible manner to changes in the migratory flows. Considering that applications from such applicants are likely to be unfounded, dealing with them swiftly in an accelerated or a border procedure would allow the asylum and migration authorities to more efficiently assess genuine claims, deliver faster decisions and thereby contribute to a better and more credible functioning of asylum and return policies, in full respect of fundamental rights.

(19) Moreover, in order to ***further*** take into account complex and actual situations in third countries ***not designated as safe countries of origin or safe third countries at Union level***, Member States ***should***, when applying or introducing legislation that allows for the national designation of ~~a third country as a safe country of origin or as a safe third country~~***such countries***~~, should~~ be able to do so with exceptions for specific parts of ~~its~~***their*** territory or clearly identifiable categories of persons, before Regulation 2024/1348 starts to apply.

(20) Since the objective of this Regulation, namely the establishment of a common list of safe countries of origin at Union level and advancing the application of certain provisions of Regulation 2024/1348, cannot be sufficiently achieved by the Member States and can only be achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

(21) ~~[~~In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified~~[~~, by letter of ~~...~~***22 July 2025***,~~]~~ its wish to take part in the adoption and application of this ~~[act~~***Regulation***.~~]~~

(22) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and ***to*** the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(23) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the EU.

(24) Regulation (EU) 2024/1348 should be amended accordingly.

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2024/1348 is amended as follows:

(-1) Article 60, paragraph 4 is replaced by the following:

'4. The Commission is empowered to adopt delegated acts in accordance with Article 74 concerning the suspension, in whole or in part, of the designation of a third country as a safe third country at Union level, subject to the conditions as set out in Article 63.';

(0) Article 61, paragraph 1 is replaced by the following:

'1. Third countries may only be designated as safe countries of origin in accordance with this Regulation where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is no persecution as defined in Article 9 of Regulation (EU) 2024/1347 and no real risk of serious harm as defined in Article 15 of that Regulation.';

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(1) Article 62~~, paragraph 1~~ is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Third countries may be designated as safe countries of origin at Union level, in accordance with the conditions laid down in Article 61 and this Article.';

(b) ~~paragraph 1 is replaced by~~ the following ***paragraphs are inserted after paragraph 1***:

''1a. The third countries listed in Annex II to this Regulation are designated as safe countries of origin at Union level.

~~1~~***1b***. The ***third*** countries that have been granted the status of candidate States for accession to the Union are ***also*** designated as safe countries of origin at Union level, unless ***where one or*** ~~one of~~ more of the following circumstances apply:

(a) there is a serious ~~and individual~~ threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict in the country;

(b) restrictive measures within the meaning of Title IV of Part Five of the Treaty on the Functioning of the European Union have been adopted in view of ~~the~~***that third*** country's actions ***affecting fundamental rights and freedoms that are relevant for the criteria of designation of a third country as a safe country of origin as set out in Article 61***;

(c) the proportion of decisions by the determining authority granting international protection to the applicants from the country – either its nationals or former habitual residents in case of stateless persons – is higher than ~~20%~~***20 % of the total number of decisions for that third country issued by the determining authority*** according to the latest available yearly Union-wide average Eurostat data.~~;~~

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Where, on the basis of the available information, any of the circumstances referred to in the first subparagraph, points (a) to (c), apply, or cease to apply, the Commission shall inform the Member States, the Council and the European Parliament thereof. In the case of point (a), the Commission shall obtain the prior approval of the Council before informing the Member States and the European Parliament.

(c) paragraph 4 is replaced by the following:

'4. The Commission is empowered to adopt delegated acts in accordance with Article 74 concerning the suspension, in whole or in part, of the designation of a third country as a safe country of origin at Union level, subject to the conditions as set out in Article 63';'

(2) Article 63 is replaced by the following:

'Article 63

Suspension and removal of the designation of a third country as a safe third country or as a safe country of origin at Union level

1. In the event of significant changes in the situation of a third country which is designated as a safe third country or as a safe country of origin at Union level, the Commission shall conduct a substantiated assessment of the fulfilment by that third country of the conditions set out in Article 59 or 61 and, where the Commission considers that those conditions are no longer met, in whole or in part, the following provisions shall apply:

(a) where the conditions set out in Article 59 or 61 are no longer met in relation to specific parts of the third country's territory or clearly identifiable categories of persons in the country, the Commission shall adopt a delegated act in accordance with Article 74 to partially suspend the designation of that third country as a safe third country or as a safe country of origin at Union level for those parts or categories for a period of six months;

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(b) where the conditions set out in Article 59 or 61 are no longer met with respect to the entire territory or population of the third country, the Commission shall adopt a delegated act in accordance with Article 74 to fully suspend the designation of that third country as a safe third country or as a safe country of origin at Union level for a period of six months.

2. The Commission shall continuously review the situation in the third country referred to in paragraph 1 taking into account, inter alia, information provided by the Member States and the Asylum Agency regarding subsequent changes in the situation of that third country.

3. Where the Commission has adopted a delegated act in accordance with paragraph 1, points (a) or (b), suspending the designation of a third country as a safe third country or as a safe country of origin at Union level for all or certain parts of territory or categories of persons of the third country concerned, it shall, within three months of the date of adoption of that delegated act, submit a proposal, in accordance with the ordinary legislative procedure, in order to:

(a) amend that third country's designation as a safe third country or as a safe country of origin at Union level to provide for exceptions to the designation for the specific parts of territory or the clearly identifiable categories of persons covered by the delegated act adopted pursuant to paragraph 1, point (a); or

(b) remove that third country's designation as a safe third country or as a safe country of origin at Union level.

4. Where the Commission has not submitted a proposal as referred to in paragraph 3 within three months of the adoption of the delegated act as referred to in paragraph 1, the delegated act shall cease to have effect. Where the Commission submits such a proposal within three months of the adoption of the delegated act as referred to in paragraph 1, the Commission shall be empowered, on the basis of a substantiated assessment, to extend the validity of that delegated act for a period of six months, with a possibility to renew that extension once.

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5. Without prejudice to paragraph 4, where the proposal submitted by the Commission to remove or amend the designation of a third country as a safe third country or a safe country of origin at Union level is not adopted within 15 months from when the proposal was submitted by the Commission, the full or partial suspension of the designation of the third country as a safe third country or as a safe country of origin at Union level shall cease to have effect.';'

(3) Article 64 is replaced by the following:

'Article 64

Designation of third countries as safe third country or safe country of origin at national level

1. Member States may retain or introduce legislation that allows for the national designation of safe third countries or safe countries of origin other than those designated at Union level for the purpose of examining applications for international protection.

2. Where the designation of a third country as a safe third country or as a safe country of origin at Union level has been fully or partially suspended, by means of a delegated act adopted pursuant to Article 63(1), points (a) or (b), Member States shall not designate that country as a safe third country or a safe country of origin at national level.

3. Where the designation of a third country as a safe third country or as a safe country of origin at Union level has been removed or amended in accordance with the ordinary legislative procedure, a Member State may notify the Commission that it considers that, following changes in the situation of that country, it again fulfils the conditions set out in Article 59(1) or Article 61.

The notification shall include a substantiated assessment of the fulfilment by that country of the conditions set out in Article 59(1) or Article 61, including an explanation of the specific changes in the situation of the third country which make that country fulfil those conditions again. Where applicable, the Member State shall specify in its notification the parts of territory or categories of persons of the third country to whom its assessment applies.

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Following the notification, the Commission shall request the Asylum Agency to provide it with information and analysis on the situation in the third country.

Where the third country notified by the Member State has had its designation as a safe third country or as a safe country of origin at Union level removed pursuant to Article 63(3), point (b), the notifying Member State may only designate that third country as a safe third country or as a safe country of origin at national level provided that the Commission does not object to that designation.

The Commission's right of objection shall be limited to a period of two years after the date on which that third country's designation as a safe third country or a safe country of origin at Union level has been removed. Any objection by the Commission shall be issued within a period of three months after the date of each notification by the Member State and after due review of the situation in that third country, having regard to the conditions set out in Articles 59(1) and 61 of this Regulation.

Where the Commission considers that the conditions set out in Articles 59(1) or 61 are again fulfilled with regard to all or some of the parts of territory or categories of persons of the third country covered by the notification received pursuant to the first subparagraph, it may submit a proposal to amend this Regulation, in accordance with the ordinary legislative procedure, in order to designate that third country as a safe third country or as a safe country of origin at Union level in respect of the categories of persons for which or the parts of territory of the third country in which those conditions are met.

4. Member States shall notify the Commission and the Asylum Agency of the third countries that are designated as safe third countries or safe countries of origin at national level by 12 June 2026 and immediately after each designation or change to designations. Member States shall inform the Commission and the Asylum Agency once a year of the other safe third countries to which the concept is applied in relation to specific applicants as referred to in Article 59(4), point (b).';'

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(4) Article 78 is amended as follows:

(a) in paragraph 2, the words 'the Annex' are replaced by 'Annex I';

~~(2)~~***(5)*** Article 79 is amended as follows:

(a) in paragraph 2 the following subparagraph is added:

'However, Article 59(2), Article 61(2) and Article 61(5)**,** point (b)**,** shall apply from the ~~day~~***date*** of entry into force of Regulation (EU) …/…[amending Regulation (EU) 2024/1348] as regards the application of the concept of 'safe ~~third~~ country ***of origin***' in accordance with Articles 36 and 37 Directive 2013/32/EU and that of 'safe ***third*** country ~~of origin~~' in accordance with Article 38 of Directive 2013/32/EU ***before 12 June 2026.'***;

(b) in paragraph 3 the following subparagraph is added:

'A Member ~~States~~***State*** may apply Article 42(1), point (j)**,** and Article 42(3), point (e), as grounds for the accelerated examination procedure in accordance with Article 31(8) of Directive 2013/32/EU or for the procedure conducted at the border or in transit zones in accordance with Article 43 of Directive 2013/32/EU before 12 June 2026 ***if it has transposed the relevant provisions and implemented the special procedures mentioned in this Article at national level before the date of entry into force of Regulation (EU) …/…[amending Regulation (EU) 2024/1348].'***;

(c) paragraph 4 is replaced by the following:

'4. For Member States not bound by Directive 2013/32/EU, references thereto in paragraphs 2 and 3 of this Article shall be construed as references to Directive 2005/85/EC.';

~~(3)~~***(6) the title 'Annex' is replaced by 'Annex I' and*** the text ***set out*** in the Annex to this Regulation is added as Annex II ***to Regulation (EU) 2024/1348***.

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Article 2

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

PUBLIC

‘ANNEX II

The following third countries are designated as safe countries of origin at Union level:

Bangladesh

Colombia

Egypt

India

Kosovo*

Morocco

Tunisia

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.’

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