



Brussels, 16 April 2025
(OR. en)

8042/25

Interinstitutional File:
2025/0101(COD)

ASILE 32
FRONT 93
JAI 480
CODEC 447

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	16 April 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 186 final
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

Delegations will find attached document COM(2025) 186 final.

Encl.: COM(2025) 186 final



EUROPEAN
COMMISSION

Brussels, 16.4.2025
COM(2025) 186 final

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**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

- **Reasons for and objectives of the proposal**

Context

In December 2023, the European Parliament and the Council reached a political agreement on the legislative proposals comprising the Pact on Migration and Asylum, which bring a comprehensive reform of the EU rules managing migration and the common asylum system at EU level.

Under Directive 2013/32/EU (“the Asylum Procedures Directive”), the designation of safe countries of origin is possible only at Member State’s level. Regulation 2024/1348 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (“the Asylum Procedure Regulation”), which forms part of the Pact, for the first time provides for the possibility to designate safe countries of origin at Union level.

On 16 December 2024, in her letter to the Heads of State and Government ahead of the European Council, President von der Leyen informed that the EU Agency for Asylum (EUAA) had been asked to accelerate its analysis of the specific third countries that could potentially be designated as safe countries of origin, with a view to drawing up an EU list. The December 2024 European Council Conclusions take note of the ongoing work on the safe countries of origin. To follow up, in her letter of 17 March 2025 to the Heads of State ahead of the European Council President von der Leyen informed that, drawing on the analysis by the EU Agency for Asylum and other available sources of information, the Commission will present a proposal for a first list of EU list of safe countries of origin. Once adopted by the European Parliament and the Council, this list will be dynamic and can be further expanded or reviewed over time.

This proposal aims at **designating candidate countries and one potential candidate** for EU membership **as well as six other countries** as safe countries of origin at Union level. Under Regulation 2024/1348, where an applicant for international protection comes from a safe country of origin, the examination of an application is accelerated and completed within a maximum of three months. Moreover, if the applicant has not yet been authorised to enter the Member States’ territory, a Member State may examine the application in a border procedure.

In accordance with the Asylum Procedure Regulation, a third country may only be designated as a safe country of origin in accordance with that 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 (Qualification Regulation) and no real risk of serious harm as defined in Article 15 of that Regulation.

The assessment of whether a third country is a safe country of origin in accordance with the Asylum Procedure Regulation must be based on a range of relevant and available sources of information, including information from Member States, the EU Asylum Agency, the European External Action Service, the United Nations High Commissioner for Refugees, and other relevant international organisations, and shall take into account where available the common analysis of the country of origin information referred to in Article 11 of the EUAA Regulation (EU) 2021/2303.

In making the assessment, account must be taken, *inter alia*, of the extent to which protection is provided against persecution or serious harm by:

- 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 or the International Covenant for Civil and Political Rights or the United Nations Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;
- the absence of expulsion, removal or extradition of own citizens to third countries where, *inter alia*, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country;
- the provision for a system of effective remedies against violations of those rights and freedoms.

The proposal aims to strengthen the practical 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.

The fact that a third country is included in a list of safe countries of origin, either at Union or at national level, cannot establish an absolute guarantee of safety for all nationals of 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 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.

While Member States retain the right to apply or introduce legislation that allows for the national designation as safe countries of origin 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 as safe at Union level. This is expected to facilitate convergence in the examination of applications and relevant procedures and thereby also deter unauthorised movements of applicants for international protection.

Furthermore, the Asylum Procedure Regulation also introduces **additional tools to help Member States manage asylum applications more efficiently.**

Firstly, it introduces a **new ground for applying accelerated and border procedures based on an EU-wide 20% recognition rate threshold** under Articles 42(1)(j) and 42(3)(e) of the Asylum Procedure Regulation. This recognition rate refers to the proportion of applicants from a particular nationality who are granted international protection across the EU. If this rate is 20% or lower, it serves as an indication that applications from that nationality are likely to be unfounded. It aims to give Member States an additional flexible tool when dealing with certain applications for international protection that are likely to be unfounded. This allows Member States to adapt to changes in migration flows in a flexible manner and process likely unfounded applications more swiftly.

Secondly, Article 59(2) and Article 61(2) of the Asylum Procedure Regulation allows for designation of, respectively, **safe third countries and safe countries of origin with**

exceptions, providing Member States with greater flexibility in defining the scope of safety assessments by excluding specific regions or clearly identifiable categories of individuals. Together, these provisions offer means of managing likely unfounded applications efficiently while maintaining necessary legal safeguards.

These tools, in the Commission's view, will help address some of the challenges that have emerged in practice concerning the application of the "safe third country" and the "safe country of origin" concepts. However, as they are currently set to start applying only in June 2026, their delayed application creates a gap for Member States seeking immediate, effective solutions to procedural challenges in managing applications for international protection.

In light of this, the Commission considers that bringing forward their application via a targeted amendment to the current Asylum Procedure Regulation would provide Member States with the necessary legal and procedural means to apply the "safe third country" and the "safe country of origin" concepts more efficiently. Moreover, it would already give Member States the possibility to apply the new ground for the accelerated and border procedures (*i.e.* the countries with a low recognition rate), allowing them to adapt and react swiftly to any changes in the migratory flows. It will also offer another tool to effectively and swiftly process asylum applications that are likely to be unfounded. Ensuring an earlier application of these provisions would also contribute to greater consistency across Member States, reducing divergences in national practices and litigation risks. By advancing their implementation, Member States would be equipped with additional tools to streamline asylum processing.

This proposal therefore aims to bring forward the application of the provisions of the Asylum Procedure Regulation that allows to process in the border or accelerated procedure the applications from applicants of a nationality of a third country for which the proportion of decisions at EU level by the determining authorities granting international protection is 20 % or lower. Moreover, the proposal aims to bring forward the application of the provisions of the Asylum Procedure Regulation that allow designation of safe third countries and safe countries of origin with exceptions (Articles 59(2) and Article 61(2)), in order to make it more flexible for Member States to do this at national level if they wish so.

Process leading to the adoption of this proposal

At the request of the services of the European Commission, the European Union Agency for Asylum set out a methodology to support the identification of the countries that could be considered for possible designation as safe countries of origin at Union level, including EU candidate countries and one potential candidate; countries of origin that create a significant asylum caseload in the EU with an EU-wide recognition rate of 5% or lower; visa-free countries that create a significant asylum caseload in the EU with an EU-wide recognition rate of 5% or lower; countries that feature in the existing Member States' lists of safe countries of origin.

Based on this methodology, the Commission services requested the Agency to prepare the Country of Origin Information to support the Commission's assessment.

The information gathered by the Agency is based on a variety of sources, comprising, but not limited to: European Commission reports, including the EU enlargement reports; reports by the European External Action Service; reports from the EU Agencies (such as the EU Agency for Fundamental Rights); reports from the United Nations High Commissioner for Refugees and other international organisations (e.g., the Council of Europe, the Office of the United Nations High Commissioner for Human Rights) and non-governmental organisations; political analyses from policy and international relations think-tanks; verified online media articles; newspaper articles, as well as national legislation in the countries concerned.

With the assistance of the European Union Agency for Asylum, and in consultation with the European External Action Service, the European Commission came to the conclusion that, 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 in the potential EU candidate Kosovo¹, as shown by the very low recognition rates, those third countries may be designated as safe countries of origin. Nevertheless, special attention should be paid to applicants who may have a well-founded fear of being persecuted or face a real risk of suffering serious harm.

Furthermore, the Commission came to the conclusion that countries that have been granted the status of candidate countries for EU membership may be designated as safe countries of origin within the meaning of the Asylum Procedure Regulation, unless certain specific circumstances apply. Nevertheless, special attention should be paid to applicants who may have a well-founded fear of being persecuted or face a real risk of suffering serious harm.

This proposal is without prejudice to the possible future designation of other third countries as safe countries of origin, in line with the requirements of the Asylum Procedure Regulation.

Third countries that may be designated as safe countries of origin at Union level

Candidate countries

With regard to the countries that have been granted the **status of candidate countries for EU membership**, Article 49 of the Treaty on European Union sets out the conditions and principles to which any country wishing to become a member of the EU must conform.

These criteria (“Copenhagen 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;
- 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 (the “*acquis*”), 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 opinion from the European Commission, drawn up following the country’s application for EU membership.

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.

The countries that have been granted the status of candidate countries for EU membership may, therefore, be designated as safe countries of origin within the meaning of the Asylum Procedure Regulation. However, account should be taken of the fact that, during the accession

¹ 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.

process, the situation in the candidate country may evolve to the extent that the designation of the country as a safe country of origin is no longer warranted. This may be the case when:

- there is 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 country's actions;
- or the EU-wide recognition rate pertaining to the applicants from the country is higher than 20%, a ground for the accelerated and the asylum border procedure, as above that rate there would be no indication that applications may be unfounded as per the grounds for acceleration in the Asylum Procedure Regulation.

Potential candidate for EU membership

With regard to **Kosovo**, according to the information from the EUAA, 16 Member States currently designate Kosovo as a safe country of origin at national level, and the EU-wide recognition rate for applicants from Kosovo was 5% in 2024. Kosovo is a potential candidate for EU membership.

Kosovo's Constitution incorporates the main international human rights instruments. Kosovo has applied for EU membership and is advancing reforms to improve the functioning of the judiciary and strengthening the protection of fundamental rights; the relevant legal framework is in line with European standards. In general, the legal framework guarantees the protection of fundamental rights and its in line with European standards.

Kosovo is a multi-party parliamentary representative democracy with a division of power between the legislative, executive and judicial institutions. Independence and impartiality of the judiciary and the prosecution service are guaranteed by the Constitution and the law. Legislation needs to be amended to address remaining challenges with regards to the independence, integrity and accountability of the judiciary. Kosovo has in place a strategy on the rule of law for 2021-2026.

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 persecution in Kosovo within the meaning of Article 9 of the Qualification Regulation. However, cases of attacks and threats against journalists have persisted. Moreover, while the legal, policy and institutional framework pertaining to gender-based violence is in line with European standards, its implementation remains uneven.

There is no real risk of serious harm in Kosovo as defined in Article 15 of the Qualification Regulation. There is no death penalty in the national law and Kosovo authorities show commitment to the prevention of torture and ill treatment.

It can be concluded that the population of Kosovo does not face persecution or real risk of serious harm, as evidenced by the analysis above and as evidenced also by the low recognition rate, and that therefore the country may be designated as a safe country of origin at Union level.

Other countries of origin

With regard to **Bangladesh**, according to the information from the EUAA, 6 Member States currently designate Bangladesh as a safe country of origin at national level, and the EU-wide recognition rate for applicants from Bangladesh was 4% in 2024.

The country has ratified some international human rights instruments, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR).

Bangladesh is undergoing a political transition away from a repressive system characterised by frequent human rights abuses; the process is ongoing. The country is a parliamentary republic governed by a Constitution, which prescribes the separation of powers between the executive and judiciary. The previous government was ousted from power following nationwide mass protests in July and early August 2024. An interim government, led by the Nobel Peace Prize laureate Muhammad Yunus, was installed on 8 August 2024. Their primary task is to organise new elections, planned to take place in late 2025 or early 2026, and to start the work on the extensive reforms to restore democratic institutions. Ten reform commissions have been formed, including on women's rights, tasked with bringing forward proposals on reforming the constitution, police, judiciary, the election commission, public administration and to combat corruption.

Bangladesh has been making long-standing efforts to host close to one million Rohingya refugees from Myanmar, despite the persisting challenges, including the economic hardship for the population in general. Bangladesh is making significant strides toward greater political stability and democratic governance through ongoing reforms. Efforts to strengthen freedom of expression and press freedoms are progressing, highlighted by the repeal of the Cyber Security Act. While some challenges remain, there is a clear commitment to fostering a more open civic society.

The EU is Bangladesh's largest export market, thanks to the "Everything But Arms" (EBA) trade preferences and Bangladesh's highly competitive garment industry that has been a key element in the positive growth in the economy in recent years and contributed to reducing poverty, leading to real development gains for the population in terms of education and health. The EU is engaging in an active dialogue with Bangladesh on human rights, labour rights and climate issues. The EU is ready to support and accompany a democratic, peaceful and inclusive transition process. Negotiations of a Partnership and Cooperation agreement were launched in 2023.

Regarding access to justice, the commissions set up by the interim government have been tasked with compiling ideas for reforms of the judiciary, including on reducing court fees and case backlogs. These positive developments have still to produce impactful results, as the courts are reported to face capacity issues due to a large backlog of cases, delays in the disposal of cases, and a lack of digital infrastructure; also, corruption is said to present a major obstacle to accessing justice.

There are no indications of expulsion, removal or extradition of citizens of Bangladesh to countries where there is a risk of death penalty, torture, persecution, or inhuman or degrading treatment. Bangladesh has demonstrated a commitment to upholding fundamental rights by ensuring that its citizens are not expelled, removed, or extradited to countries where they could face the death penalty, torture, persecution, or inhuman or degrading treatment.

Challenges remain regarding the situation of Rohingya refugees including incidents of Rohingya refugees being returned to Rakhine State in Myanmar and only an improvement in the situation in Myanmar could create the conditions that would make it possible for the Rohingya to return in a safe, sustainable, voluntary and dignified manner. However, efforts are ongoing to address these issues in cooperation with international partners.

There is, in general, no persecution in the country within the meaning of Article 9 of the Qualification Regulation. The Bangladeshi Constitution guarantees the freedom of religion

and prohibits discrimination on the grounds of religion, race, cast or place of birth. The government continues to work towards fostering an inclusive society, and incidents affecting indigenous and religious minorities have remained sporadic. Ahmadiyya Muslims and Christian minorities, Hindus and other minorities have occasionally experienced tension, but efforts to strengthen legal protections and promote tolerance are ongoing.

Bangladesh has made progress in promoting gender equality and combating discrimination. Awareness around diversity and inclusion is gradually increasing, although LGBTIQ persons continue to face discrimination and harassment. There is growing discussion on human rights protection, and civil society organisations actively advocate for more inclusive policies, although same-sex conduct remains criminalised.

Bangladesh has ratified the Convention on the Elimination of All Forms of Discrimination against Women. It also adopted a National Action Plan to Prevent Violence Against Women and Children (2018–2030) and Bangladesh's secondary legislation includes several laws addressing specific forms of violence against women. Gender-based violence remains a prevalent issue in the country, with incidents of sexual harassment at workplaces and schools.

Rohingya refugees receive humanitarian support, including shelter and essential services, within camps. However, challenges persist, as Bangladesh is not a party to the 1951 Geneva Convention relating to the status of refugees, with Rohingya refugees facing restrictions of movement and limited access to formal education and employment. Authorities are working with international partners to enhance protection measures and improve living conditions and address security concerns in the camps. Furthermore, collaboration with humanitarian organisations aims to improve opportunities for self-reliance and long-term stability.

There is, in general, no real risk of serious harm as defined in Article 15 of the Qualification Regulation. Although Bangladesh retains the death penalty and has not signed the Second Optional Protocol to the International Covenant on Civil and Political Rights to abolish the death penalty, the death sentences issued are rarely carried out. Furthermore, Bangladesh abstained in the most recent vote on the death penalty at the Human Rights Council, reflecting its engagement in global discussions on human rights.

Bangladesh has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. There have been reports of torture and ill-treatment of detainees by law enforcement authorities and by the military under the previous government. Bangladesh remains a peaceful country. 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. While a low level of insurgency persists in the Chittagong Hill Tracts, it remains localised and does not pose a broader security risk. The government continues to engage in dialogue and the development of initiatives to promote stability in the region.

It can be concluded that the population of Bangladesh does not, in general, face persecution or real risk of serious harm, in light of the analysis above and as also evidenced by the low EU-wide recognition rate. Bangladesh may therefore be designated a safe country of origin. This is without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention.

With regard to **Colombia**, according to the information from the EUAA, no Member State currently designates Colombia as a safe country of origin at national level, and the EU-wide recognition rate for applicants from Colombia was 5% in 2024.

The country has ratified the main international human rights instruments, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR).

Colombia is a federal republic with a democratic representative political system and a division of powers between the executive, legislative and judicial branches. The 1991 Constitution and ensuing jurisprudence by the Constitutional Court provide for strong human rights guarantees. The Court has also declared on several occasions an unconstitutional state of affairs on human and environmental rights, including a specific decision on human rights defenders in December 2023.

Colombia also has a number of policies, mechanisms and laws to prevent abuses against profiles of targeted persons, such as human rights defenders, former combatants and other individuals at risk, and to improve access to justice.

There are no indications of widespread expulsion, removal or extradition of citizens of Colombia to countries where there is a risk of death penalty, torture, persecution, or inhuman or degrading treatment.

Colombia is described as a global leader in its response to the unprecedented migration of millions of Venezuelans over its borders and has set new standards for integration of large flows of people in conditions of forced displacement.

There is, in general, no persecution in the country within the meaning of Article 9 of the Qualification Regulation. LGBTIQ people are legally protected, but are often targeted for social discrimination. Colombia has been regarded as a pioneer in protecting human rights defenders with the creation of a protection programme in 1997. Human rights defenders, social leaders and environmental defenders have been the subject of assassinations, threats, and stigmatisation. Journalists have encountered intimidation, violence, and retaliation for their work. Attacks were mainly concentrated in the departments of Antioquia, Arauca and Cauca. Faced with these challenges, the government has made concerted efforts to address violence.

There is, in general, no real risk of serious harm in Colombia as defined in Article 15 of the Qualification Regulation. 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.

Regarding the presence of a threat by reason of indiscriminate violence in situations of international or internal armed conflict, there are armed groups that continue to operate and expand their presence across the country. Areas most affected by violence tended to be those formerly controlled by the FARC, and where resources such as coca crops and illegal mining are contested. The UN Verification Mission in Colombia indicates that armed conflicts are concentrated in areas historically affected by violence such as the rural areas of Antioquia, Arauca, southern Bolívar, Caquetá, Cauca, Chocó, Guaviare, Meta, Nariño, Norte de Santander, Putumayo, and Valle del Cauca.

Since the real risk of persecution and serious harm appears to be concentrated in specific rural areas of regions in Colombia, Member States' competent authorities should, in line with their obligation under Article 8 of the Qualification Regulation, pay particular attention as to whether applicants from Colombia are not in need of international protection because they can safely and legally travel to and gain admittance to a part of Colombia and can reasonably be expected to settle there and whether, in that part of the country, the applicants have no well-founded fear of being persecuted or do not face a real risk of suffering serious harm; or have access to effective and non-temporary protection against persecution or serious harm.

It can be concluded that the population of Colombia does not, in general, face persecution or real risk of serious harm, in light of the analysis above and as also evidenced by the low EU-wide recognition rate. Colombia may therefore be designated a safe country of origin. This is without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention.

With regard to **Egypt**, according to the information from the EUAA, 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, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR), but not yet acceded to the International Convention for the Protection of All Persons from Enforced Disappearance. The country hosts several millions of refugees and asylum seekers, a situation that was aggravated with the worsening of the conflict in Sudan. Egypt has recently approved a new asylum law and is cooperating with UNHCR for the transition towards implementation.

The Constitution of Egypt defines the country as a democratic republic, where the President serves as both the head of state and the head of the executive. In 2021, Egypt abolished the state of emergency (apart from areas in the Sinai).

Regarding access to justice, the Egyptian Constitution provides for the independence, immunity and impartiality of the judiciary. Since the lifting of the state of emergency in 2021, ordinary judicial mechanisms have been operational. However, authorities continue to use emergency and military courts to prosecute individuals under broad provisions of counter-terrorism legislation and other laws.

There are no indications of expulsion, removal or extradition of citizens of Egypt to countries where there is a risk of death penalty, torture, persecution, or inhuman or degrading treatment.

There is, in general, no persecution in the country within the meaning of Article 9 of the Qualification Regulation. The Constitution recognises Christianity, Islam and Judaism and affirms that citizens are equal before the law and in rights, freedoms, and general duties without discrimination such as based on religion and sex. Discrimination and incitement to hatred are crimes punishable by law. However, certain religious affiliates may face discrimination in practice. Human rights defenders, political activists and opponents may face arbitrary arrest and torture, and may be targeted with measures such as travel restrictions and asset freezes. Consensual same-sex conduct is not explicitly criminalised in Egypt, though the situation of the LGBTIQ remains a challenge.

Human rights challenges in Egypt remain significant, particularly in relation to the protection of fundamental freedoms, governance and the rule of law. However, in recent years, the political leadership in Egypt has taken steps putting greater emphasis on the importance of the respect for human rights. It abolished the state of emergency (apart from areas in the Sinai), launched the first ever National Strategy for Human Rights, relaunched the Presidential Amnesty Committee, releasing political prisoners and embarked on a National Dialogue. Egypt has intensified its engagement on human rights with the EU, including through exchanges with the EU Special Representative for Human Rights. Egypt engages in international fora and cooperates with the UN OHCHR in an EU funded project that aims to establish an EU-UN partnership, joining synergies to reinforce a culture of human rights in Egypt.

There is, in general, no real risk of serious harm as defined in Article 15 of the Qualification Regulation. Egypt has ratified the Convention against Torture and Other Cruel Inhuman or

Degrading Treatment or Punishment. However, Egypt retains the death penalty under the Penal Code and military laws, which in certain cases is applied in practice. 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.

To address these challenges, 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.

It can be concluded that the population of Egypt does not, in general, face persecution or real risk of serious harm, in light of the analysis above and as also evidenced by the low EU-wide recognition rate. Egypt may therefore be designated a safe country of origin. This is without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention.

With regard to **India**, according to the information from the EUAA, 9 Member States currently designate India as a safe country of origin at national level, and the EU-wide recognition rate for applicants from India was 2% in 2024.

The country has ratified the main international human rights instruments, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR).

India is a constitutional republic and a parliamentary democracy. Regarding access to justice, the Indian judiciary is by and large functional and independent from the legislative and executive branches. Moreover, human rights violations may be investigated and remedied by an independent body under the Protection of Human Rights Act, the National Human Rights Commission, accountable to the Indian Parliament.

There are no indications of expulsion, removal or extradition of citizens of India to countries where there is a risk of death penalty, torture, persecution, or inhuman or degrading treatment.

There is, in general, no persecution in the country within the meaning of Article 9 of the Qualification Regulation. It is reported that journalists, human rights defenders and activists working on the fight against corruption face physical and online harassment and attacks.

Freedom of religion and belief is an established constitutional right. Challenges remain for the Muslim and Christian communities that face discrimination and sectarian violence. There are also challenges related to judicial and administrative remedies to address discrimination against religious minority groups.

India officially recognises women's rights and gender equality in its national law. Sexual violence remains a serious issue. Civil society organisations contribute to raising awareness about the situation of women in the country, and judicial authorities have taken several landmark decisions upholding women's rights.

The Indian Constitution ensures equality of opportunity and the Indian government has taken measures to reserve places for members of Scheduled Castes and Scheduled Tribes in the public sector and universities, which has reportedly improved social mobility. Laws protecting Scheduled Castes and Scheduled Tribes remain inadequately enforced.

There is, in general, no real risk of serious harm as defined in Article 15 of the Qualification Regulation. It should be noted that 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, there has been a decrease in the number of death sentences issued, and reportedly the death penalty has not been applied in practice since 2020.

India has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, although instances of torture by law enforcement authorities have been reported. 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.

It can be concluded that the population of India does not, in general, face persecution or real risk of serious harm, in light of the analysis above and as also evidenced by the low EU-wide recognition rate. India may therefore be designated a safe country of origin. This is without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention.

With regard to **Morocco**, according to the information from the EUAA, 11 Member States currently designate Morocco as a safe country of origin at national level, and the EU-wide recognition rate for applicants from Morocco was 4% in 2024.

The country has ratified the main international human rights instruments, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR).

The 2011 Constitution establishes a monarchy with a Parliament with the King as the highest authority. The Constitution also introduces the principle of separation, balance and collaboration of powers and affirms the independence of the judiciary, with the King as guarantor, as well as the principle of the irrevocability of judges.

Since 2012, Morocco initiated an unprecedented reform aimed at strengthening the rule of law and the independence of the judiciary, including on reform of the criminal code. The authorities have taken action to improve access to justice and work continues to further improve in areas related to transparency, corruption and abusive practices.

There are no indications of expulsion, removal or extradition of citizens of Morocco to countries where there is a risk of death penalty, torture, persecution, or inhuman or degrading treatment.

There is, in general, no persecution in the country within the meaning of Article 9 of the Qualification Regulation. There are ongoing efforts to fight domestic violence, and advance women's rights including through the ongoing reform of the family law. Morocco plays an active role in multilateral formats, taking a number of ambitious initiatives. There have been cases where civil society organisations were subject to certain restrictions and critical journalists were handed down sentences reportedly for criminal offences, which were subsequently pardoned by the King. While same-sex conduct between consenting adults is generally tolerated when in the private sphere, it remains a criminal offence under the penal code. The situation of the LGBTIQ remains a challenge.

There is, in general, no real risk of serious harm as defined in Article 15 of the Qualification Regulation. 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. In December 2024, Morocco voted in favour of a Resolution for a global moratorium on the death penalty in the United Nations General Assembly.

The operationalisation of the National Prevention Mechanism against torture is an important step towards the improvement of rights of prisoners, where some challenges remain.

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.

It can be concluded that the population of Morocco does not, in general, face persecution or real risk of serious harm, in light of the analysis above and as also evidenced by the low EU-wide recognition rate. Morocco may therefore be designated a safe country of origin. This is without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention.

With regard to **Tunisia**, according to the information from the EUAA, 10 Member States currently designate Tunisia as a safe country of origin at national level, and the EU-wide recognition rate for applicants from Tunisia was 4% in 2024.

The country has ratified the main international human rights instruments, including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR).

The 2022 Constitution establishes a presidential system, with the president elected by national public vote every five years. The President and the Assembly of the Representatives of the People have the prerogative of the legislative initiative, although the President's proposals take priority over the legislative proposals submitted by Members of the Assembly of the Representatives of the People.

Regarding access to justice, the constitution provides that the judiciary is an independent function exercised by judges over whom there is no authority other than the law and mandates the judicial bodies to protect rights and freedoms, acknowledging the judiciary's independent role in the protection from violations by the executive and legislature. The judicial system is reported to face challenges including due to resource limitations.

There are no indications of expulsion, removal or extradition of citizens of Tunisia to countries where there is a risk of death penalty, torture, persecution, or inhuman or degrading treatment.

There is, in general, no persecution in the country within the meaning of Article 9 of the Qualification Regulation. Political figures and activists, as well as lawyers and judges, have been subject to restrictive measures, including detention, arrest, and prosecution, often under antiterrorism and anticorruption laws. Journalists have faced prosecution and detention, based on charges such as insulting the authorities or spreading fake news. In general terms, acts of crackdown do not reach such an extent to portray a situation of large scale, systematic repression. However, in the area of migrant protection, members of organisations engaged in providing lodging to migrants and refugees have been subjected to police investigation and pre-trial detention. Same-sex conduct between consenting adults remains forbidden under Tunisia's criminal law, providing for prison sentences of up to three years. The law has been occasionally enforced in recent years. The situation of the LGBTIQ remains a challenge. At the same time, some LGBTIQ specific human-rights groups are officially recognised and legally registered.

There is, in general, no real risk of serious harm as defined in Article 15 of the Qualification Regulation. Tunisia has been observing 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, and national courts have been reported to sentence individuals to the death penalty.

Tunisia has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. Full implementation is pending.

There is no armed conflict taking place in Tunisia and therefore no threat exists by reason of indiscriminate violence in situations of international or internal armed conflict.

It can be concluded that the population of Tunisia does not, in general, face persecution or real risk of serious harm, in light of the analysis above and as also evidenced by the low EU-wide recognition rate. Tunisia may therefore be designated a safe country of origin. This is without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention.

- **Consistency with existing policy provisions in the policy area**

This proposal is consistent with the Asylum Procedure Regulation, which provides for the possibility of designating third countries as safe countries of origin at Union level. It is also consistent with the Qualification Regulation, which applies to the qualification of third-country nationals or stateless persons as beneficiaries of international protection and to the content of the international protection granted, and lays down detailed provisions regarding which acts should be regarded as acts of persecution or serious harm within the meaning of the Geneva Convention, and which elements must be taken into account when assessing the reasons for persecution.

- **Consistency with other Union policies**

The proposal to establish an EU common list of safe countries of origin and to designate, in particular, third countries that have been designated as candidate country for EU membership by the European Council is consistent with the Union's enlargement policy. When the relevant countries were designated as candidate countries by the European Council, the assessment was that they fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. Candidate countries will have to continue to fulfil these criteria to become members of the Union. Progress in fulfilling the political and economic criteria, as well as the alignment with the *acquis*, is assessed every year in the Annual Progress Report of the European Commission.

The proposal supports the overall objectives of the Pact on Migration and Asylum, and in particular the objective to render the processing of applications for asylum in the EU more efficient and find solutions to cooperate and share the burden with third countries.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The proposal is based on Article 78(2)(d) of the Treaty on the Functioning of the European Union (TFEU), which is the legal basis for measures on common procedures for the granting and withdrawing of uniform asylum and subsidiary protection status. The proposal aims to designate safe countries of origin at Union level for the purposes of the Asylum Procedure Regulation by amending this Regulation, which was adopted on the basis of Article 78(2)(d) TFEU.

- **Variable geometry**

In accordance with Articles 1 and 2 of Protocol No 21 on the position of Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union (TEU)

and to the TFEU, Ireland shall not take part in the adoption and shall not be bound by any measure adopted pursuant to Title V of Part Three of the TFEU, which includes measures establishing a Common European Asylum System. However, pursuant to Article 3 of that Protocol, Ireland may decide to take part in the adoption and application of such measures. Ireland has given notice of its wish to take part in the new Asylum Procedure Regulation. It may also choose to take part in the adoption and application of the present proposal, which amends the Asylum Procedure Regulation, in line with Articles 3 and 4a of Protocol 21.

In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and 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.

- **Subsidiarity (for non-exclusive competence)**

Title V of the TFEU on the Area of Freedom, Security and Justice confers certain powers on these matters to the European Union. These powers must be exercised in accordance with Article 5 of the Treaty on the European Union, *i.e.*, if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can, therefore, by reason of the scale or effects of the proposed action, be better achieved by the European Union.

The proposal aims to establish a common list of safe countries of origin at Union level, as it will facilitate the use by all Member States of the procedures linked to the application of the safe country of origin concept. The proposal also aims to address some of the existing divergences between Member States' national lists of safe countries of origin, as a result of which applicants for international protection originating from the same third countries are not always subject to the same procedures in the Member States. The overall objective of the proposed action cannot be sufficiently achieved by the Member States acting alone and can be better achieved by the European Union.

- **Proportionality**

In accordance with the principle of proportionality, the proposed modifications of the existing legislative framework do not go beyond what is necessary to achieve the objective set. The EU common list of safe countries of origin will be established in accordance with the criteria already set by the Asylum Procedure Regulation for the designation of safe countries of origin, and there will be a regular review of the countries on the EU common list. As for the proposed amendments to the Asylum Procedure Regulation, they are limited to what is necessary to ensure that the provisions of the Regulation related to the application of the safe country of origin concept are applicable to the third countries on the EU common list of safe countries of origin.

- **Choice of the instrument**

The choice of a Regulation for establishing an EU common list of safe countries of origin is justified by the nature of such a common list, which is established at Union level and should be directly applicable in the legal orders of the Member States.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Stakeholder consultations**

On 16 December 2024, the President of the European Commission, Ursula von der Leyen, announced in her letter to the Heads of State ahead of the European Council that the EU Agency for Asylum had been asked to accelerate its analysis of the specific third countries that could potentially be designated as safe countries of origin, with a view to drawing up an EU list. In the Conclusions adopted after its meeting on 19 December 2024, the European Council took note of the letter and the ongoing work on the safe countries of origin. Consultations took place at the highest level.

- **Collection and use of expertise**

The information gathered by the Agency are based on a variety of sources, comprising, but not limited to: European Commission reports, including the EU enlargement reports; reports by the European External Action Service; reports from the EU Agencies (such as the EU Agency for Fundamental Rights); reports from the United Nations High Commissioner for Refugees and other international organisations (e.g the Council of Europe, the Office of the United Nations High Commissioner for Human Rights) and non-governmental organisations, including civil society organisations; political analyses from policy and international relations think-tanks; verified online media articles; newspaper articles, as well as national legislation in the countries concerned.

- **Fundamental rights**

This proposal respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the EU, including the right to asylum and protection against *refoulement* as provided for in Articles 18 and 19 of the Charter.

In line with the Asylum Procedure Regulation, the fact that a third country is designated as a safe country of origin cannot establish an absolute guarantee of safety for nationals of that country and will not dispense therefore with the need to conduct an appropriate individual examination of their applications for international protection. It is also recalled that, where an applicant shows that there are serious reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe can no longer be considered relevant for that individual.

4. BUDGETARY IMPLICATIONS

The proposal entails no implication for the EU budget and should have no budgetary implications for the Member States.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Under the Asylum Procedure Regulation, the Commission, assisted by the EUAA, has the obligation to review the situation in third countries designated as safe countries of origin at Union level. Where there is a significant change for the worse in the situation of such a third country and following a substantiated assessment, the Commission is obliged to suspend the designation of that third country as safe country of origin at Union level for a period of six months by means of a delegated act. According to the Asylum Procedure Regulation, where

the Commission has adopted the delegated act suspending the designation of a third country as a safe country of origin at Union level, it should, within three months of the date of adoption of that delegated act, submit a proposal, in accordance with the ordinary legislative procedure, for amending this Regulation to remove that third country's designation as a safe country of origin at Union level.

Where the Commission has not submitted the proposal within three months of the adoption of the delegated act, the delegated act suspending the third country from its designation as a safe country of origin at Union level ceases to have effect. Where the Commission submits such a proposal within three months of the adoption of the delegated act, the Commission is 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.

Moreover, with the Pact's entry into application in June 2026, the European Union Agency for Asylum will monitor the operational and technical application of the Common European Asylum System pursuant to Article 14 of the EUAA Regulation (Regulation (EU) 2021/2303). The application of the safe country of origin concept will be part of the monitoring by the EUAA. Furthermore, the annual reports that the Commission must adopt pursuant to Article 9 of the Asylum and Migration Management Regulation include the results of the monitoring of the EUAA and thus the application of the safe country of origin concept and the list. These various elements have to be taken into account by the Commission when assessing whether Member States are under migratory pressure, at risk thereof, or facing a significant migratory situation, as well as when determining whether a Member State has systemic shortcomings that could result in serious negative consequences for the functioning of the Dublin system.

- **Detailed explanation of the specific provisions of the proposal**

Establishing a list of safe countries of origin at Union level

Article 1 amends Article 62 by introducing a new paragraph designating candidate countries for membership of the Union as safe countries of origin, and Annex II designating six countries and one potential candidate for EU membership as safe countries of origin at Union level.

Bringing forward the application of the new ground for the accelerated/border procedure, namely the persons originating from low recognition countries (countries for which the recognition rate is 20% or lower)

This new ground for the accelerated and border procedure foreseen by the Asylum Procedure Regulation aims to give Member States a further possibility to react quickly and flexibly to changes in the migratory flows. The new ground is based on more objective and easy-to-use criteria, according to which Member States shall accelerate the examination of applications made by applicants coming from third countries for which the share of positive asylum decisions in the total number of asylum decisions is, according to the latest available yearly Union-wide average Eurostat data, 20% or lower. Its application should also lead to a more harmonised approach of Member States to asylum procedures, as the key element is the percentage of positive decisions at EU level for international protection – an objective, verifiable and strong indicator regarding the likelihood of someone's need for protection.

The application of the ground for acceleration will remain voluntary until the Asylum Procedure Regulation becomes applicable. In practice, Member States should be able to process such applications from persons who are likely not in need of international protection

in the accelerated or in the border procedure and subsequently quickly return those persons. This will allow 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.

Early application of exceptions for safe third countries and safe countries of origin in national law

The Asylum Procedure Regulation allows for the designation both at Union and national level, of safe third countries and of safe countries of origin, with territorial exceptions and exceptions for identifiable categories of persons, to account for the complex and dynamic realities in third countries. In order to make the two concepts applicable in practice, Member States should be able to apply these provisions with regard to their national lists as early as possible before June 2026.

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

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 Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Under Regulation (EU) 2024/1348 of the European Parliament and the Council⁴, 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) 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 and therefore does not dispense with the need to conduct an individual examination of the application for international protection. Member States may apply

² OJ C , , p. .

³ OJ C , , p. .

⁴ 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>).

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 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.

- (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 opinion from the European Commission, drawn up following the country's application membership of the Union.
- (5) The assessment of the situation in other third countries 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 Council⁵, in accordance with Regulation (EU) 2024/1348.
- (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 designated as safe countries of origin, except where 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 country's actions; or when the EU-wide recognition rate pertaining to the applicants from the country is higher than 20%.

⁵ 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>).

- (7) With regard to Kosovo⁶, 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 2024/1347⁷. 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.
- (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 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

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>)

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 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 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 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 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 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 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 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.
- (14) 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.
- (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 potential candidate for membership of the Union, as also shown by the very low recognition rates, they should be designated as safe countries of origin at Union level.

- (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.
- (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) of Regulation (EU) 2024/1348, from an earlier date than the general date of application of that Regulation. 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 take into account complex and actual situations in third countries, Member States, 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, should be able to do so with exceptions for specific parts of its 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 ...] its wish to take part in the adoption and application of this [act.]

OR

[In accordance with Articles 1, 2 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, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this [act] and is not bound by it or subject to its application.]

- (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 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 62, paragraph 1 is amended as follows:

- (a) paragraph 1 is replaced by the following:

‘1. The countries that have been granted the status of candidate states for accession to the Union are designated as safe countries of origin at Union level, unless 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 country’s actions;
- (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% according to the latest available yearly Union-wide average Eurostat data.’;

- (b) the following paragraph 1a is inserted:

‘1a. The third countries listed in Annex II shall be designated as safe countries of origin at Union level’;

- (2) 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 of entry into force of Regulation (EU) .../[amending Regulation (EU) 2024/1348] as regards the application of the concept of ‘safe third country’ in accordance with Articles 36 and 37 Directive 2013/32/EU and that of ‘safe country of origin’ in accordance with Article 38 of Directive 2013/32/EU.’;

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

‘Member States 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.’;

- (3) the text in the Annex to this Regulation is added as Annex II.

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

LEGISLATIVE FINANCIAL AND DIGITAL STATEMENT

1.	FRAMEWORK OF THE PROPOSAL/INITIATIVE	3
1.1.	Title of the proposal/initiative	3
1.2.	Policy area(s) concerned	3
1.3.	Objective(s)	3
1.3.1.	General objective(s)	3
1.3.2.	Specific objective(s)	3
1.3.3.	Expected result(s) and impact	3
1.3.4.	Indicators of performance	3
1.4.	The proposal/initiative relates to:	4
1.5.	Grounds for the proposal/initiative	4
1.5.1.	Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative	4
1.5.2.	Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.	4
1.5.3.	Lessons learned from similar experiences in the past	4
1.5.4.	Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments	5
1.5.5.	Assessment of the different available financing options, including scope for redeployment	5
1.6.	Duration of the proposal/initiative and of its financial impact	6
1.7.	Method(s) of budget implementation planned	6
2.	MANAGEMENT MEASURES	8
2.1.	Monitoring and reporting rules	8
2.2.	Management and control system(s)	8
2.2.1.	Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed	8
2.2.2.	Information concerning the risks identified and the internal control system(s) set up to mitigate them	8
2.2.3.	Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)	8
2.3.	Measures to prevent fraud and irregularities	9
3.	ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE	10

3.1.	Heading(s) of the multiannual financial framework and expenditure budget line(s) affected.....	10
3.2.	Estimated financial impact of the proposal on appropriations.....	12
3.2.1.	Summary of estimated impact on operational appropriations.....	12
3.2.1.1.	Appropriations from voted budget	12
3.2.1.2.	Appropriations from external assigned revenues	17
3.2.2.	Estimated output funded from operational appropriations.....	22
3.2.3.	Summary of estimated impact on administrative appropriations.....	24
3.2.3.1.	Appropriations from voted budget	24
3.2.3.2.	Appropriations from external assigned revenues	24
3.2.3.3.	Total appropriations	24
3.2.4.	Estimated requirements of human resources.....	25
3.2.4.1.	Financed from voted budget.....	25
3.2.4.2.	Financed from external assigned revenues	26
3.2.4.3.	Total requirements of human resources	26
3.2.5.	Overview of estimated impact on digital technology-related investments	28
3.2.6.	Compatibility with the current multiannual financial framework.....	28
3.2.7.	Third-party contributions	28
3.3.	Estimated impact on revenue	29
4.	DIGITAL DIMENSIONS	29
4.1.	Requirements of digital relevance.....	30
4.2.	Data	30
4.3.	Digital solutions	31
4.4.	Interoperability assessment	31
4.5.	Measures to support digital implementation.....	32

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

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

1.2. Policy area(s) concerned

Asylum

1.3. Objective(s)

1.3.1. General objective(s)

The proposal aims to designate third countries as safe countries of origin at Union level and to enhance the application of the ‘safe country of origin’ (SCO) concept.

1.3.2. Specific objective(s)

Specific objective No 1

To achieve a higher level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection within the meaning of Regulation (EU) 2024/1347 (‘the Qualification Regulation’).

Specific objective No 2

To address some of the existing divergences between Member States’ national lists of safe countries with regard to the countries designated.

Specific objective No 3

To bring forward the possibility to designate SCO and ‘safe third country’ (STC) with exceptions (Articles 59(2) and 61(2) Asylum Procedure Regulation), to make it more flexible for Member States to do this at national level.

Specific objective No 4

To bring forward the possibility to process in the border or accelerated procedure the applications received from applicants of a nationality of a third country for which the proportion of decisions at EU level by the determining authorities granting international protection is 20 % or lower.

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

1. Improve legal clarity and consistency in applying the ‘safe country of origin’ concept.
2. Improve convergence in asylum procedures, including when it comes to categories of applicants from certain countries who should be channelled into the regular procedure.
3. Enhance the efficiency of asylum procedures and reduce pressure on and abuses of EU asylum systems.

1.3.4. Indicators of performance

Specify the indicators for monitoring progress and achievements.

Impact of the amendments on the following:

1. The recognition rate for the applicants from countries designated as safe countries of origin at Union level;
2. The number of applications from citizens of the countries of origin designated as safe countries of origin channelled into the regular, accelerated and border procedures;
3. The number of Member States making use of national designation mechanisms for SCO/STC under Articles 59(2) and 61(2);
4. The number of Member States making use of the exceptions for the determination of SCO/STC;
5. Number of asylum applicants placed in the accelerated or border procedure based on recognition rates lower than 20%.

1.4. The proposal/initiative relates to:

- ☐ a new action
- ☐ a new action following a pilot project / preparatory action⁸
- ☐ the extension of an existing action
- ☐ a merger or redirection of one or more actions towards another/a new action

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

Under Article 75 of the Asylum Procedure Regulation, Member States are obliged to develop National Implementation Plans based on the Common Implementation Plan for the implementation of the Pact on Migration and Asylum developed by the Commission. The Commission has to closely monitor the implementation of the National Implementation Plans. Once the Pact legislative texts enter into application, the European Union Agency for Asylum (EUAA) will monitor the operational and technical application of the Common European Asylum System (CEAS) pursuant to Article 14 of the EUAA Regulation (Regulation (EU) 2021/2303). The application of the 'safe country of origin' concept will be part of the monitoring by EUAA. Furthermore, the annual reports that the Commission must adopt pursuant to Article 9 of the Asylum Migration Management Regulation must include the results of the monitoring of the EUAA. These various elements have to be taken into account by the Commission when assessing whether Member States are under migratory pressure, at risk thereof, or facing a significant migratory situation, as well as when determining whether a Member State has systemic shortcomings that could result in serious negative consequences for the functioning of the Dublin system.

⁸

As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

- 1.5.2. *Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.*

Reasons for action at EU level (ex-ante):

The 'safe country of origin' concept and asylum procedures are governed by EU law under the Asylum Procedure Regulation (EU) 2024/1348. Without EU-level action, Member States would continue to designate a divergent set of countries as safe countries of origin at national level, leading to pronounced differences between the national lists of safe countries of origin. Diverging national approaches would continue to create legal uncertainty, increase litigation risks, and undermine the uniform application of asylum rules across the Union, also leading to secondary movements. A lack of coordinated action would also hinder fair burden-sharing among Member States. By acting at the EU level, this proposal ensures harmonisation in respect of the countries designated as safe countries of origin at Union level, legal certainty, and procedural safeguards.

Expected generated EU added value (ex-post):

Once implemented, this proposal will enhance legal certainty and procedural efficiency by ensuring that, for the countries designated, Member States channel the applicants into the same type of asylum procedure.

The introduction of the 20% recognition rate threshold for accelerated and border procedures will ensure that asylum resources are prioritised for genuine protection cases, improving the overall efficiency of the Common European Asylum System.

At the EU level, oversight by the European Union Agency for Asylum (EUAA) and the Commission will ensure that Member States apply the 'safe country of origin' concept in full compliance with fundamental rights and procedural safeguards. The proposal strikes a balance between efficiency and fairness, ensuring that the EU asylum system remains effective, predictable, and aligned with international human rights obligations.

- 1.5.3. *Lessons learned from similar experiences in the past*

A common list of safe countries of origin was already proposed by the Commission in 2015 and 2016. The interinstitutional negotiations on the issue failed due to a disagreement between the co-legislators on both occasions.

It is for this reason that the preparation of the present proposal was accompanied by a number of informal consultations among the services of the Commission (DG ENEST, MENA, INTPA), as well as the EEAS, to ensure that the expert knowledge of the countries designated was duly taken into account in the analysis that led to the designation, and that the assessment was backed up by concrete and verifiable evidence, including in respect of specific risk profiles.

- 1.5.4. *Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments*

This proposal stems from the Asylum Procedure Regulation (2024/1348) and is part of the Pact on Migration and Asylum adopted in May 2024 for which funding is already foreseen. This proposal does not impose any financial or administrative

burden on the Union. Therefore, it has no impact on the Union budget. The application of the ‘safe country of origin’ concept is not new for the Member States and Member States will be able to make use of the funds allocated under their national programmes under both the existing Asylum, Migration and Integration Fund and the future migration funds to support any investments needed for the application of the concept. The EUAA can support Member States with staff for the same purpose, within their respective mandates.

1.5.5. *Assessment of the different available financing options, including scope for redeployment*

Not applicable

1.6. Duration of the proposal/initiative and of its financial impact

☐ limited duration

- ☐ in effect from [DD/MM]YYYY to [DD/MM]YYYY
- ☐ financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

☐ unlimited duration

- Implementation with a start-up period from YYYY to YYYY,
- followed by full-scale operation.

1.7. Method(s) of budget implementation planned⁹

☐ Direct management by the Commission

- ☐ by its departments, including by its staff in the Union delegations;
- ☐ by the executive agencies

☐ Shared management with the Member States

☐ Indirect management by entrusting budget implementation tasks to:

- ☐ third countries or the bodies they have designated
- ☐ international organisations and their agencies (to be specified)
- ☐ the European Investment Bank and the European Investment Fund
- ☐ bodies referred to in Articles 70 and 71 of the Financial Regulation
- ☐ public law bodies
- ☐ bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees
- ☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees
- ☐ bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act
- ☐ bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

⁹ Details of budget implementation methods and references to the Financial Regulation may be found on the BUDGpedia site: <https://myintracomm.ec.europa.eu/corp/budget/financial-rules/budget-implementation/Pages/implementation-methods.aspx>.

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

The Commission shall continuously review the situation in the third country concerned 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.

Under Article 75 of the Asylum Procedure Regulation (EU) 2024/1348, Member States must develop National Implementation Plans based on the Common Implementation Plan for the Pact on Migration and Asylum presented by the Commission, which will closely monitor their implementation. Once the Pact starts applying, the EUAA will oversee the operational and technical application of the Common European Asylum System (CEAS) under Article 14 of the EUAA Regulation (EU) 2021/2303, including the implementation of the ‘safe country of origin’ concept.

The Commission’s annual reports under Article 9 of the Asylum and Migration Management Regulation (AMMR) will include EUAA’s monitoring results, assessing whether Member States are under migratory pressure or facing systemic shortcomings that could affect the functioning of the Dublin system.

2.2. Management and control system(s)

2.2.1. *Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed*

Not applicable

2.2.2. *Information concerning the risks identified and the internal control system(s) set up to mitigate them*

One of the key risks associated with the proposed amendment is that Member States would apply the presumption of safety to all applicants coming from the countries of origin designated as safe at Union level. To mitigate this risk, with regard to several countries designated, it is specified that special attention should be paid, as part of an individualised assessment of the asylum application, to applicants who are in a specific situation in those countries (e.g., victims of gender-based violence, human rights defenders, religious minorities, LGBTIQ persons and journalists).

2.2.3. *Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)*

Not applicable

2.3. Measures to prevent fraud and irregularities

Not applicable

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

Not applicable as there are no financial or staff implications.

Please insert as many budget as needed in the two tables below.

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff. ¹⁰	from EFTA countries ¹¹	from candidate countries and potential candidates ¹²	From other third countries	other assigned revenue
	[XX.YY.YY.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.YY.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.YY.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff.	from EFTA countries	from candidate countries and potential candidates	from other third countries	other assigned revenue
	[XX.YY.YY.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.YY.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.YY.YY]	Diff./Non	YES/NO	YES/NO	YES/NO	YES/NO

¹⁰ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

¹¹ EFTA: European Free Trade Association.

¹² Candidate countries and, where applicable, potential candidates from the Western Balkans.

		-diff.				
--	--	--------	--	--	--	--

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations
- ☐ The proposal/initiative requires the use of operational appropriations, as explained below

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework		Number						
DG: <.....>				Year	Year	Year	Year	TOTAL MFF 2021-2027
				2024	2025	2026	2027	
Operational appropriations								
Budget line	Commitments	(1a)						0.000
	Payments	(2a)						0.000
Budget line	Commitments	(1b)						0.000
	Payments	(2b)						0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ¹³								
Budget line		(3)						0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000	0.000
			Year	Year	Year	Year	TOTAL MFF 2021-2027	
			2024	2025	2026	2027		

¹³

Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

TOTAL	operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000	0.000	0.000	0.000
		Payments	(5)	0.000	0.000	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes			(6)	0.000	0.000	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <...>		Commitments	=4+6	0.000	0.000	0.000	0.000	0.000	0.000	0.000
of the multiannual financial framework		Payments	=5+6	0.000	0.000	0.000	0.000	0.000	0.000	0.000

				Year			TOTAL MFF 2021-2027
				2024	2025		
				2025	2026	2027	
TOTAL	operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000
		Payments	(5)	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes			(6)	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <...>		Commitments	=4+6	0.000	0.000	0.000	0.000
of the multiannual financial framework		Payments	=5+6	0.000	0.000	0.000	0.000

• TOTAL operational appropriations (all operational headings)			Year				TOTAL MFF 2021-2027	
			2024	2025	2026	Year 2027		
		Commitments	(4)	0.000	0.000	0.000		0.000
		Payments	(5)	0.000	0.000	0.000		0.000

• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations Under Heading 1 to 6							
of the multiannual financial framework (Reference amount)	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payments	=5+6	0.000	0.000	0.000	0.000	0.000

Heading of multiannual financial framework	7	‘Administrative expenditure’ ¹⁴					
---	----------	--	--	--	--	--	--

DG: <.....>		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
• Human resources		0.000	0.000	0.000	0.000	0.000
• Other administrative expenditure		0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>		0.000	0.000	0.000	0.000	0.000
Appropriations						

DG: <.....>		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
• Human resources		0.000	0.000	0.000	0.000	0.000
• Other administrative expenditure		0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>		0.000	0.000	0.000	0.000	0.000
Appropriations						

¹⁴ The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

TOTAL appropriations under HEADING 7 of the multiannual financial framework		(Total commitments = Total payments)	0.000	0.000	0.000	0.000	0.000
--	--	--------------------------------------	-------	-------	-------	-------	-------

EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL appropriations under HEADINGS 1 to 7	0.000	0.000	0.000	0.000	0.000
of the multiannual financial framework	0.000	0.000	0.000	0.000	0.000

3.2.2. *Estimated output funded from operational appropriations (not to be completed for decentralised agencies)*

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ↓		Year 2024	Year 2025	Year 2026	Year 2027	Enter as many years as necessary to show the duration of the impact (see Section I.6)						TOTAL	
	OUTPUTS												
	Type ¹⁵	Average cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Total No	Total cost
SPECIFIC OBJECTIVE No 1 ¹⁶ ...													
- Output													
- Output													
- Output													

¹⁵ Outputs are products and services to be supplied (e.g. number of student exchanges financed, number of km of roads built, etc.).
¹⁶ As described in Section 1.3.2. 'Specific objective(s)'

3.2.3. Summary of estimated impact on administrative appropriations

- ☐ The proposal/initiative does not require the use of appropriations of an administrative nature
- ☐ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATIONS	Year	Year	Year	Year	TOTAL 2021 - 2027
	2024	2025	2026	2027	
HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

3.2.4. Estimated requirements of human resources

- ☐ The proposal/initiative does not require the use of human resources
- ☐ The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. Financed from voted budget

Estimate to be expressed in full-time equivalent units (FTEs)¹⁷

VOTED APPROPRIATIONS	Year 2024	Year 2025	Year 2026	Year 2027
• Establishment plan posts (officials and temporary staff)				
20 01 02 01 (Headquarters and Commission's Representation Offices)	0	0	0	0
20 01 02 03 (EU Delegations)	0	0	0	0
01 01 01 01 (Indirect research)	0	0	0	0
01 01 01 11 (Direct research)	0	0	0	0
Other budget lines (specify)	0	0	0	0
• External staff (inFTEs)				
20 02 01 (AC, END from the 'global envelope')	0	0	0	0

¹⁷ Please specify below the table how many FTEs within the number indicated are already assigned to the management of the action and/or can be redeployed within your DG and what are your net needs.

20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0
Other budget lines (specify) - Outside Heading 7		0	0	0	0
TOTAL		0	0	0	0

3.2.4.3. Total requirements of human resources

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year	Year	Year	Year
	2024	2025	2026	2027
• Establishment plan posts (officials and temporary staff)				
20 01 02 01 (Headquarters and Commission's Representation Offices)	0	0	0	0
20 01 02 03 (EU Delegations)	0	0	0	0
01 01 01 01 (Indirect research)	0	0	0	0
01 01 01 11 (Direct research)	0	0	0	0
Other budget lines (specify)	0	0	0	0
• External staff (in full time equivalent units)				
20 02 01 (AC, END from the 'global envelope')	0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)	0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0
	- in EU Delegations	0	0	0
01 01 01 02 (AC, END - Indirect research)	0	0	0	0
01 01 01 12 (AC, END - Direct research)	0	0	0	0
Other budget lines (specify) - Heading 7	0	0	0	0
Other budget lines (specify) - Outside Heading 7	0	0	0	0
TOTAL	0	0	0	0

[Considering the overall strained situation in Heading 7, in terms of both staffing and the level of appropriations, the human resources required will be met by staff from the DG who are already assigned to the management of the action and/or have been redeployed within the DG or other Commission services.]

The staff required to implement the proposal (in FTEs):

	To be covered by current staff available in the Commission services	Exceptional additional staff*		
		To be financed under Heading 7 or Research	To be financed from BA line	To be financed from fees
Establishment			N/A	

plan posts				
External staff (CA, SNEs, INT)				

*Description of tasks to be carried out by:

Officials and temporary staff	
External staff	

3.2.5. Overview of estimated impact on digital technology-related investments

Compulsory: the best estimate of the digital technology-related investments entailed by the proposal/initiative should be included in the table below.

Exceptionally, when required for the implementation of the proposal/initiative, the appropriations under Heading 7 should be presented in the designated line.

The appropriations under Headings 1-6 should be reflected as “Policy IT expenditure on operational programmes”. This expenditure refers to the operational budget to be used to re-use/ buy/ develop IT platforms/ tools directly linked to the implementation of the initiative and their associated investments (e.g. licences, studies, data storage etc). The information provided in this table should be consistent with details presented under Section 4 “Digital dimensions”.

TOTAL Digital and IT appropriations	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021 - 2027
HEADING 7					
IT expenditure (corporate)	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Policy IT expenditure on operational programmes	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.6. Compatibility with the current multiannual financial framework

The proposal/initiative:

- ☐ can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF)
- ☐ requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation
- ☐ requires a revision of the MFF

3.2.7. Third-party contributions

The proposal/initiative:

- ☐ does not provide for co-financing by third parties

- ☐ provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	Total
Specify the co-financing body					
TOTAL appropriations co-financed					

3.3. Estimated impact on revenue

- ☐ The proposal/initiative has no financial impact on revenue.
- ☐ The proposal/initiative has the following financial impact:
 - ☐ on own resources
 - ☐ on other revenue
 - ☐ please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ¹⁸			
		Year 2024	Year 2025	Year 2026	Year 2027
Article					

For assigned revenue, specify the budget expenditure line(s) affected.

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

4. DIGITAL DIMENSIONS

Not applicable as this is a targeted amendment to APR and all issues related to digital dimension are covered in the Pact on migration and asylum. No additional digital elements to be considered

4.1. Requirements of digital relevance

[Requirement 1 (R1): ...]

[Requirement 2 (R2): ...]

4.2. Data

--

¹⁸ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20% for collection costs.

4.3. Digital solutions

--

4.4. *Interoperability assessment*

--

4.5. Measures to support digital implementation

--