



Brussels, 18 February 2026
(OR. en)

Interinstitutional File:
2025/0132 (COD)

6177/1/26
REV 1

CODEC 196
JAI 180
ASILE 16
FRONT 31

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2024/1348 as regards the application of the concept of safe third country (first reading) - Adoption of the legislative act

1. On 20 May 2025 the Commission submitted its proposal¹, based on Article 78(2), point (d) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 23 October 2025².
3. On 10 February 2026 the European Parliament adopted its position at first reading on the Commission proposal³. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.

¹ 8635/25 + ADD 1.

² OJ C, C/2026/71, 30.1.2026, ELI: <http://data.europa.eu/eli/C/2026/71/oj>.

³ 6116/26.

4. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council⁴ approve the European Parliament's position, as set out in PE-CONS 68/25, as an "A" item at a forthcoming meeting, with Spain, France and Portugal voting against.
5. The statements for the minutes of the Council meeting are set out in the Addendum to this note.
6. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.

⁴ In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.