Joint statement: EU 'safe country' and return proposals would seriously undermine protection and human dignity

The EU's recent proposals in the area of migration and asylum risk seriously undermining people's access to fair and full asylum procedures in Europe. The European Commission's recent initiatives appear to be interconnected components of a broader strategy to externalise the bloc's migration management - these include its proposed revision to EU return or deportation rules put forward in March 2025, its April 2025 EU list of 'safe countries of origin' and a revision to the 'safe third country' concept in May 2025. With these measures the EU seems to be seeking to further shift responsibility for refugee protection onto countries outside its borders and sidestep legal obligations under the Refugee Convention and EU law.

EU List of 'Safe Countries of Origin'

The proposed EU list of 'safe countries of origin' deems certain countries, from which 20% or fewer applicants are granted international protection in the EU, to be safe. However, the fact that up to 20% of those applying for international protection from these countries are recognised as refugees indicates that these places are in fact *not* safe for all. Despite this, the proposed EU list allows for accelerated processing of asylum claims from nationals (or stateless individuals) of these countries under the assumption that their claims are likely to be unfounded.

As an aspect of the right to seek asylum, anyone who applies for protection in the EU should have their claim assessed individually and on its own merits - regardless of where they are fleeing from. The application of the 'safe country of origin' rule undermines the individual assessment of asylum claims and increases the risk of individual vulnerabilities and protection needs being missed – including those of people with specific needs or from marginalised communities by allowing for accelerated processing of asylum claims under the assumption that their claims are likely to be unfounded. Procedural safeguards are also limited in these accelerated procedures – meaning, for instance, shortened timeframes and limited access by the claimant to legal and other support.

The proposed 'safe countries of origin' are Egypt, Tunisia, Bangladesh, Colombia, India, Kosovo, and Morocco, as well as, in principle, EU candidate countries. This is deeply concerning given that the Explanatory Memorandum itself lists risks of violations of human rights in all countries listed in the Commission's proposal, ranging from widespread gender-based violence to severe threats human rights defenders face. As human rights organisations have noted, for example, Tunisian authorities intensified repression of political opposition in 2024 by carrying out mass arrests, imprisoning journalists, and targeting civil society groups. In Egypt, many peaceful critics and members of religious minorities face harassment and lengthy detention in dire conditions. Colombia remains one of the most dangerous countries in the world for individuals at risk of targeted violence, especially from non-state armed groups. Former combatants who signed the Peace Agreement, human rights defenders, community leaders, environmental activists, and investigative journalists are frequently subjected to threats, attacks, persecution and killings. In addition, LGBTIQ+ individuals and ethnic minorities, including Afro-Colombian and Indigenous communities, face widespread discrimination, violence, and forced displacement. In

Morocco, journalists, activists, and perceived government critics face harassment, arbitrary arrest and detention, and unfair trials. Other groups such as Sahrawi activists and LGBT+ individuals are also subjected to discrimination, surveillance, and prosecution.

This list of vulnerable groups in these third countries is non-exhaustive, and national asylum agencies across EU member states confirm that people from those countries remain in need of international protection, as their recognition rate has not lowered to zero.

Expansion of the 'safe third country' concept

A separate legislative proposal - the review of the 'safe third country' concept in the Asylum Procedures Regulation (which was introduced as part of the Migration and Asylum Pact and enters into force in 2026) - seeks to remove the current requirement for a personal connection between the asylum seeker and a third country where it is deemed they should have sought protection in the first place. Currently, the Regulation provides that Member States can avoid examining an asylum application on its merits only if it can be proven that the applicant has a meaningful connection to a 'safe third country'.

The Commission's new proposal would effectively remove this mandatory criterion, paving the way for asylum seekers being sent to a country they have only briefly travelled through, or indeed have never set foot in and may have no link to whatsoever. Mere transit, or the existence of an agreement or 'arrangement' between an EU Member State and a third country would be considered sufficient grounds for an asylum seeker to be transferred to a country outside the EU.

The Commission proposal would also lead to the removal of the automatic suspensive effect of appeal in these cases. Therefore, asylum seekers could be forcibly transferred to a third country they have no link to before their appeal has been heard. This increases the risk of (chain) *refoulement* or of asylum seekers being unable to access their rights in line with the 1951 Refugee Convention and international human rights law. Dismantling this connection criterion is seemingly intended to increase the use of the 'safe third country' concept and further shift responsibility to third countries. This contradicts and harms the functioning of the EU asylum system and the global protection regime as whole.

Externalisation as the cross-cutting policy objective

The EU list of 'safe countries of origin' and proposed expanded use of 'safe third country' rules are clearly connected to the recently proposed Common European System for Returns. The proposed Return Regulation of March 2025 aims to streamline and expedite the return process for non-EU nationals denied permission to remain on EU territory. It includes a legal framework for establishing so-called 'return hubs' in third countries, where individuals issued final return orders may be forcibly sent and detained, based on agreements between a Member State and a third country. Human rights and humanitarian organisations have warned that these 'return hubs' risk resulting in human rights violations, arbitrary automatic detention, and both direct and indirect *refoulement*. The return proposal also vastly expands the number of countries to which returns can be carried out - including to the aforementioned 'safe third countries'.

These different Commission proposals, taken together, reflect the EU's determination to further externalise its asylum and migration policy. This comes at the expense of focusing efforts on strengthening the capacity of national asylum systems, offering protection and welcoming people with dignity and respect. The EU's current approach undermines the rights of asylum seekers and migrants, and places undue responsibilities on third countries, some of which may already be hosting large communities of refugees and migrants.

Lessons have not been learned from existing migration agreements with non-EU countries, often those with poor human rights records, which have proved costly, cruel and counterproductive – such as with Türkiye, Libya, Tunisia or Egypt. Relying on third countries to take on Europe's protection obligations makes Europe dependent on non-EU states, enabling third countries to leverage migration in line with their own political agenda.

The EU's inability to effectively monitor and enforce human rights in partnerships with third countries has become increasingly evident, as reports of violations continue to mount. Shirking responsibility in this way has resulted in many thousands of people being exposed to violence, abuse, exploitation, and death. Rather than promoting solidarity, these policies appear to signal a retreat from Europe's commitment to asylum and risk contributing to a worrying erosion of refugee protection globally.

The undersigned organisations call on the European Commission, the European Parliament, the Council, and member states at national level to uphold their obligations under EU and international law and to firmly reject any attempts to weaken protection for asylum seekers at and within EU borders as well as in cooperation with third countries on asylum and migration.

Organisations signing on:

1. International Rescue Committee
2. Danish Refugee Council
3. Amnesty International
4. ILGA-Europe
5. Center for legal aid - Voice in Bulgaria
6. Irídia – Centre per la defensa dels drets humans
7. ActionAid International
8. Migration Consortium
9. Fenix Humanitarian Legal Aid
10. Defense for Children In. Greece (DCI - Greece)
11. ARSIS - Association for the Social Support of Youth
12. Mobile Info Team
13. EmpowerVan
14. WeMove Europe
15. Collective Aid

16. Network for Children's Rights
17. Caritas Europa
18. Equal Legal Aid
19. Greek Forum of Refugees
20. Salud por Derecho
21. ARCI APS
22. Equinox Initiative for Racial Justice
23. Brussels Platform Armoede
24. FAIRWORK Belgium
25. CSC
26. Legal Centre Lesvos
27. CNCD-11.11.11
28. QCEA
29. Centre Avec
30. Vluchtelingenwerk Vlaanderen
31. Greek Council for Refugees (GCR)
32. CIRÉ
33. Caritas International
34. Vluchtelingenwerk Vlaanderen vzw
35. I Have Rights
36. Boat Refugee Foundation
37. Belgium/regional
38. LDH (Ligue des droits de l'Homme)
39. PICUM
40. Médecins du Monde
41. Safe Place Greece / International
42. Stichting Vluchteling
43. 11.11.11
44. The Swedish Network of Refugee Support Groups.
45. Churches ´Commission for Migrants in Europe (CCME)
46. Brot für die Welt
47. Quaker Council for European Affairs
48. Progetto Sud ETS
49. Jesuit Refugee Service (JRS) Europe
50. SOLIDAR
51. Swedish Refugee Law Center
52. Human Rights Watch