Safe country of origin", "Safe third country" and "return hub"

Why this briefing now?

On 10 February 2026, the European Parliament (EP) will vote to confirm the agreement found with the Council on two recent amendments to the Asylum Procedure Regulation (APR).

The APR is part of the Pact on Asylum and Migration that was adopted in 2024, and which will be applicable from 12 June.

These amendments concern:

- The introduction of an **EU list of safe countries of origin (SCO),**
- The rules on **safe third countries (STC).**

The use of these concepts can have major consequences for how asylum claims are processed in practice. This explainer clarifies what these concepts mean, what the current rules are, what will change this year and why it matters

It also addresses the "**return hub**" concept and why it should not be confused with the safe country concepts.

While the concepts are distinct and applied in different situations, they all aim at shifting responsibility from the EU to other countries or regions.

1 SAFE COUNTRY of ORIGIN (SCO)

What does "safe country of origin" mean?

Under EU law, **a safe country of origin (SCO)** is a country that is presumed to be generally safe for its own nationals. The underlying idea is that people coming from such countries **should not, in principle, need international protection,** because they are not at risk of persecution or serious harm. The application of the SCO concept requires an **individual assessment** of each asylum claim.

However, while the person concerned can apply for protection, their application will be treated in an accelerated procedure. This means that a decision on their case has to be taken within three months from the moment the asylum application is lodged. The applicant maintains the possibility to demonstrate the country is not safe in their specific case.

Why it matters: accelerated procedures are faster and can limit access to important procedural safeguards in the asylum procedure, such as access to information and legal support. This can lead to the asylum applicant not disclosing relevant information on their case which puts them at a disadvantage.

What does the Asylum Procedure Regulation (APR) change compared to the current system?

The APR strengthens and expands the use of the SCO concept in three main ways:

EU list of safe countries of origin:
the APR allows the creation of a **common EU list of SCOs**, in addition to national lists.

"Safety" can be partial
A country may be considered safe with exceptions, for example:

- for specific geographical regions, or
- for specific categories of applicants.

This means that, even if violence and fighting are ongoing in certain regions, or if some categories of people (women, LGBTQI+ people, people pertaining to specific religious or ethnic minorities etc.) are considered at risk, the country can be considered safe – with the exception of that/those region(s) or those specific categories of applicants.

Applying accelerated asylum procedures becomes mandatory
Under the APR, if a person comes from an SCO, their application has to be channelled into an accelerated procedure. Until now, it has been optional for EU member states (MS) to decide whether they want to treat asylum applications from nationals of countries that are considered as safe in the accelerated procedure.

1 SAFE COUNTRY of ORIGIN (SCO)

What is being amended?

Ahead of the APR becoming applicable, EU legislators have already agreed to introduce an EU-wide list of SCOs.

The following countries are included in the EU list:

- Bangladesh
- Colombia
- Egypt
- India
- Kosovo
- Morocco
- Tunisia

In addition, **EU accession candidate countries** will also be presumed "safe", unless specific exceptions apply:

- armed conflict,
- the EU has adopted restrictive measures against the candidate country due to concerns about fundamental rights and freedoms, or
- the EU protection rate for nationals of that country is above 20%).

EU MS will have to use accelerated procedures for all asylum applicants who are nationals of countries on the EU list and maintain the possibility to retain or establish national lists of SCOs which can include countries other than those on the EU list.

1 SAFE COUNTRY of ORIGIN (SCO)

What is being amended?

Why does this pose a risk to the right to asylum?

Candidate status as proof of safety

EU candidate status is a political process and does not automatically mean a country is safe for all citizens or groups. For several countries in the accession process, it is doubtful whether they can be considered as safe for the entirety of their population.

The presumption of safety is hard to rebut

Although applicants can formally challenge the presumption of safety, in practice it often creates a very high burden of proof, especially where access to independent legal assistance is limited.

Risks for vulnerable groups

Even where overall protection rates for a specific country are low, some nationals of that country may well face serious risks in countries presumed "safe", including:

- women and girls at risk of gender-based violence
- LGBTQI+ people
- human rights defenders, activists and lawyers
- minorities and other targeted groups

Despite the European Commission's explanatory memorandum recognising risks for specific groups in countries on the EU list, these have not been excluded.

This means that the asylum applications of these individuals will also be assessed in the accelerated procedure, unless "the determining authority considers that the examination of the application involves issues of fact or law that are too complex to be examined under an accelerated examination procedure".

This is problematic because their cases being treated in this procedure might reduce their chances of receiving protection.

2 SAFE THIRD COUNTRY (STC)

What does "safe third country" mean?

What does "safe third country" mean?
A safe third country (STC) is a country **outside the EU** where a person could be sent because the EU MS claims the person **could have received protection there instead.**

In practice, it can be used as an **inadmissibility ground** in the asylum procedure which means that:

- the asylum claim is rejected **without assessing the individual asylum claim in merit**, and
- the person is directed **to seek protection in the third country instead**

What does the APR change?

Lower standard: "effective protection"
The APR expands the use of the STC concept and lowers the threshold for what counts as a "safe" country APR, a country may qualify as safe if:

- it applies the Geneva Convention or
- it provides "effective protection", a lower threshold compared to the guarantees provided under the Geneva Convention

"Safety" can be partial
As with SCOs, a country may be treated as "safe" with exceptions for:

- parts of its territory, or
- specific categories of people.

2 SAFE THIRD COUNTRY (STC)
What is being amended?

The amendment expected to be confirmed by the EP further expands the use of the STC concept by:
(1) Removing the need for connection between the applicant and the country deemed as safe, such as cases in which members of the applicant's family are present in that country or the applicant has settled or stayed in that country.
For adults, transit through a country or the existence of an agreement or arrangement between the EU MS and that that country, can be considered as sufficient.
The connection criterion continues to apply for unaccompanied children.

(2) Removing automatic suspensive effect of appeals
The removal of the automatic suspensive effect of appeals means that a person who has been denied access to an asylum procedure, can be deported to a country outside the EU, where s/he may have never been before, before a court has examined whether the STC concept has been correctly applied.

Why it matters: this creates a real risk of removal before effective judicial review.

Why does this pose a risk to the right to asylum?

The expanded STC concept can result in:

- people who have protection needs and would qualify as beneficiaries of international protection being denied access to asylum in the EU as their asylum applications would be deemed 'inadmissible'
- people being deported to third countries to which they have no connection and where their possibilities for accessing adequate protection are questionable
- increased legal uncertainty and inconsistent practices between EU MS
- heightened risks for vulnerable groups (including survivors of violence, LGBTIQ+ people, children etc.)

3 RETURN HUB

What is a "return hub"?

The term "**return hub**" is used not necessarily in reference to a specific locality but to the possibility of transferring people who have received a return decision to a **third country**, based on an **agreement or arrangement**, even when the person has **no connection** to that country. It is part of a broader attempt by the EU to expand what could be considered "countries of return".

The terms "country of return" or "return hub" are misnomers: "countries of deportation" or "deportation hubs" would be more accurate for describing the idea of transferring people to countries in which they may have never set foot. In the case of the "return hub", the proposal also entails the possibility that the person is transferred from the "return hub" country to another country.

Return hubs are discussed in the context of the proposal for a **Return Regulation**, notably **Article 17**.
The concept- as the whole Regulation- is still under negotiation.

Return hubs versus the STC concept: what is the difference?

STC

- only applicable in the **asylum procedure**
- used to declare an asylum claim **inadmissible, meaning the asylum application will not be looked into**
- It shifts responsibility for asylum outside the EU: a person who has arrived in the EU and may need protection should seek it outside of the EU

Return hubs

- linked to the **return procedure**
- applies after a person receives a return decision
- It shifts responsibility for return outside the EU: a person who has received a return decision will be deported to a country which is not their country of origin or final country of return

3 RETURN HUB

Has the EU adopted the legal provision allowing to establish "return hubs"?

No. The Return Regulation **is, as a whole, still under negotiation.**

At this stage:

- the Council of the EU adopted its **negotiating position**
- the EP still needs to adopt its position
- only then will **trilogue negotiations** begin

This means that there is still **space to ensure that this does not becomes EU law.**

Why are "return hubs" dangerous?

Overall, return hubs raise serious human rights concerns, in particular regarding detention, the mistreatment of people on the move and risks of refoulement. They are an attempt to outsource migration control and evade EU MS' obligations deriving from international law. The idea of a 'return hub' is also dehumanising as it suggests that people should be brought against their will to a country they have never been in or have no connection to.

Additional concerns include:

- **weak legal basis** if based on informal "arrangements" rather than formal treaties
- **lack of clarity** on how rights would be guaranteed in practice

  uncertainty about:
  - who monitors compliance
  - what happens in case of violations
  - whether people can challenge the destination decision effectively
- risk of creating **legal limbo for the people concerned** if onward return is not possible
- heightened risks for vulnerable people (including women and girls, trafficking survivors, and people with medical vulnerabilities)

The EU Agency for Fundamental Rights (FRA) has stressed that return hubs are not "rights-free zones" and would require **strong safeguards and accountability**, which are not clearly ensured in the current proposal.