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Written comments submitted by the Member States

Regulation of the European Parliament and of the Council

- compilation of comments of delegations written contributions regarding on the Presidency's compromise text regarding the Commission's proposal as regards the establishment of a list of safe countries of origin at Union level (SCO proposal);

(follow up 10.06.2025 AWP) –

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AUSTRIA

Presidency compromise text regarding the Commission's proposal as regards the establishment of a list of safe countries of origin at Union level (SCO proposal)

Austria welcomes the discussion on the SCO proposal and thanks the European Commission as well as the Council Legal Service for the clarifications of open questions during the Asylum Working Party. Austria also thanks the Presidency for the preparation of the compromise text and for the clarifications of the proposed amendments.

Nonetheless, a number of procedural questions remain open regarding the details, practical implementation, and implications of the SCO concept.

Austria therefore reiterates the points raised in its written comments of 23 May 2025 and 29 April 2025.

Austria again underlines the need for the **explicit designation of EU accession**

Candidates in Annex II of the Regulation, as well as the **complete deletion of the proposed exceptions**.

Regarding the proposed **Article 61(1)**, it remains unclear what is meant by the term "category of third countries". Does this refer (again) to the EU accession candidates? Are there other "categories" of third countries foreseen?

Regarding the exception under the proposed **Article 61(1b)(c)**, questions remain as to the calculation method:

- How is the reference date determined?
- Is the assessment carried out once per year or more frequently?
- How should temporary fluctuations be treated, particularly if the 20% recognition rate is exceeded only at or shortly before the reference date?

In this context, Austria continues to advocate for the deletion of this exception but alternatively suggests a significant increase of the recognition rate threshold.

Austria welcomes the Presidency's proposal to introduce a **notification mechanism** involving the European Commission and the Council in cases where an exception is applied. Despite the additional administrative burden, such a mechanism would ensure a coordinated approach and consistent application of the relevant provisions in all Member States.

Regarding the amendment in **Article 62(4)**, Austria calls for further discussions at expert level, as the practical implications and procedural aspects in the event of the introduction or lifting of an exception under Article 61(2) have yet to be addressed.

Austria welcomes the proposal related to the **early application (frontloading)** of the relevant provisions of the APR.

CYPRUS

Comments by the Republic of Cyprus on the draft regulation amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level (Brussels, 16.4.2025, COM(2025) 186 final 2025/0101 (COD) and the to the Presidency compromise text submitted for the AWP of 10 June 2025(doc 9362/25 of 4 June 2025).

These comments are supplementary to the comments originally submitted by email to the Polish Presidency on 2 May 2025 and again after the Polish presidency compromise text.

1. We welcome Presidency's compromise text, which was submitted on 4 June.
2. We also welcome the consideration of our concerns by the Presidency (such as linking condition (b) to article 61 APR, adding to, rather than replacing, art. 62(1) APR so as to keep the connection between articles 62 and 61, the publication of the Commission decision in the OJ).
3. It might be useful to have some more clarifications on how the Commission "shall conduct an assessment" on whether points (a) to (c) no longer apply in respect of a candidate country, especially whether it will take into account relevant concerns or information provided by MSs. With full respect of COM's right of initiative, it would be useful to know whether the opinion of MSs in these matters will be responded to by COM.
4. The introduction, in article 61(1), of the concept of "category of third countries" does not provide legal certainty. In this respect, we would welcome some clarifications from the Commission and the CLS. We understand that the intention is not to name candidate countries as such, however, we deem it necessary, if this provision is to remain in the text, to introduce a clear definition of the concept, preferably under Art. 3 of the Regulation.

FINLAND

FI Comments, Asylum Working Party, 10 June 2025

Commission 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 – Amended presidency compromise text

Finland continues to have a scrutiny reservation on the Commission's proposal.

Finland thanks the presidency for the compromise text, which it sees as a step in the right direction. However, it is important to ensure unambiguous and clear wording.

Finland supports the designation of EU candidate countries as safe countries of origin. We welcome the changes to the article 1b point a. However, Finland has reservations when it comes to article 1b point b on restrictive measures. Finland supports changes that intend to make the article less restrictive but sees the need for a clearer formulation.

In general, Finland is supportive of including a notification mechanism in the proposal. As for the two new subparagraphs in brackets, Finland would prefer if the same term, in this case approved instead of validated, was used. Finland would also consider simplifying the text, for instance to “where the Commission assesses any of these circumstances [or only points a and b] to apply, it shall inform the Council...”.

Finland is in favor of the clarifications added to the amended article 79.

FRANCE

Partie 2 : Proposition de la Commission modifiant le règlement (UE) 2024/1348 (APR) en ce qui concerne l'établissement d'une liste de pays d'origine sûrs au niveau de l'Union

- La France remercie la Présidence pour l'élaboration de ce compromis.
- La France remercie la Commission pour la transmission du logigramme décrivant les procédures de suspension et de retrait des pays d'origine sûre (POS) de la liste européenne. Il est cependant nécessaire que la procédure, dite de « backstop », qui s'appliquerait aux pays candidats, soit davantage précisée. En effet, le schéma n'explique pas en quoi elle différerait de la procédure « classique » de suspension de l'article 63 d'APR. De surcroît, selon le schéma, il semble qu'une double procédure s'appliquerait aux pays candidats : la procédure de suspension « classique » et la procédure de « backstop ».
- Par ailleurs, à la lecture de ce schéma, plusieurs questions subsistent :
 1. Quelles circonstances pourront être qualifiées de "changements importants" [significant changes] dans la situation d'un pays tiers ? Quels critères seront pris en compte pour évaluer l'évolution de sa situation ?
 2. Les Etats membres communiquent déjà des informations sur les pays d'origine aux agences, notamment dans le réseau COI d'EUAA. Est-il prévu qu'ils fournissent des informations supplémentaires sur les changements importants de la situation d'un POS, qui ne seraient pas traitées par les agences dans leurs travaux ? Le cas échéant, quelles informations et comment les Etats membres devraient-ils les communiquer ?
 3. La Commission peut-elle confirmer que, dès l'adoption de l'acte délégué suspendant la désignation d'un pays tiers comme POS pour une période de 6 mois, les demandes d'asile des demandeurs originaires de ce pays devront être examinées en procédure normale (sous réserve qu'aucun autre cas de procédure accélérée ne soit applicable) ?
 4. La Commission peut-elle confirmer que la possibilité [« can » et non « shall »] de renouveler l'acte délégué suspendant la désignation d'un pays tiers comme POS lié à la procédure de retrait, dans le schéma traduit la possibilité de ne pas aboutir à un retrait en cas d'évolutions positives de la situation de ce pays dans les 18 mois suivant l'adoption du premier acte délégué ?
 5. Est-il prévu que la Commission formalise une nouvelle évaluation « motivée » du pays pour renouveler l'acte délégué suspendant la désignation d'un pays tiers comme POS ?

- Dans un souci de clarté, la France suggère que la Commission développe une FAQ en intégrant l'ensemble des questions posées jusqu'à présent par les Etats membres pour que ces derniers puissent s'y référer.
- De plus, dans un objectif de sécurité juridique, la France demande que les pays candidats à l'Union européenne considérés comme pays d'origine sûrs soient nominativement listés dans l'annexe au règlement.
- S'agissant des modalités de calcul du taux de protection égal ou inférieur à 20%, la France comprend des échanges en groupe Asile du 16 mai que le calcul se fera sur la base des données annuelles d'Eurostat sur les demandes d'asile enregistrées et sur les décisions des autorités de détermination, en excluant les données du Danemark. La France demande que la Commission transmette le document annoncé expliquant les modalités de calcul et la liste des nationalités ayant un taux de protection égal ou inférieur à 20 % en 2024. Ce document est essentiel pour faciliter l'utilisation de ce critère de placement en procédure accélérée et pour assurer l'harmonisation des pratiques des Etats membres.
- La France propose que soit inscrit dans la proposition le calendrier de mise à jour et de transmission de cette liste sur laquelle se baseront les Etats membres pour le placement en procédure accélérée ou en procédure d'asile à la frontière des demandeurs concernés.
- La France s'interroge également sur les éventuelles conséquences diplomatiques et réputationnelles, liées à l'adoption de la liste qui auraient été identifiées, notamment par le SEAE.
- La France demande à la Présidence de préciser les raisons pour lesquelles l'expression « category of third countries » a été ajoutée à l'article 61 (1).
- Compte tenu des précisions attendues, la France maintient sa réserve d'examen sur cette proposition.

GERMANY

TOP 4: EUAA information and analysis on safe countries of origin

- Thank you for providing the reports of the EU Asylum Agency (EUAA), which offer a comprehensive overview of the situation in the EU candidate countries for which reports are available and in the countries listed in Annex II.
- We support the designation of Kosovo as a safe country of origin.
- We have not yet concluded our examination. It is important that the requirements for designation as a safe country of origin are met, also to ensure that the provisions will withstand legal scrutiny. Naturally, we trust that the Commission, as “guardian of the Treaties”, will ensure this.
- We are also examining whether some of the proposed countries should only be designated safe countries of origin subject to the exception of specific parts of their territories or subject to exceptions for certain clearly identifiable categories of persons.
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- We would like to point out once again that, contrary to the information provided by the Commission, India has not ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. We ask that the documents be revised accordingly.

TOP 5: Commission 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

- We continue to welcome the Commission's proposals to frontload certain provisions and strongly support separating these provisions from the rest of the proposal. This is the only way to ensure that the provisions are in fact frontloaded. In our view, the amendments in the text with regard to the frontloading serve as clarification and should therefore be welcomed.
- We thank the Presidency for sending the compromise proposal. We would like to submit our initial assessment of it.
- In our initial assessment, we found the slightly modified retention of paragraph 1 to be reasonable but took note of the Commission's reservations in this regard. We will examine the reasoning given by the Commission as well as the Council Legal Service in the Asylum Working Party on 10th June.
- We have the following comments regarding the new paragraph 1b:
 - In general, we are still in favour of the proposal to automatically designate candidate countries for accession to the EU as safe countries of origin. The grounds for exceptions should be defined as precisely as possible. They should also refer to the criteria for the designation as a safe country of origin according to Article 61 of the Asylum Procedure Regulation.
 - We find the grounds for an exception in point (a) reasonable. While the amendments suggested by the Presidency at first glance appeared to specify the grounds further, we deem it necessary to align the wording with the Qualification Regulation to avoid difficulties in interpreting this exception.
 - We can understand the desire to word point (b) more precisely, although the wording should not make the practical application more difficult, in particular with regard to the necessary analysis of the reasons for the restrictive measure. We are concerned that the current wording would indeed make the provision more difficult to apply.
 - We find the clarification in point (c) acceptable but not absolutely necessary.
 - We believe it is necessary to examine the list of exceptions to determine whether an additional exception is needed, i.e. a point (d), for cases in which negotiations on EU accession are effectively paused. Here too, however, a provision on exceptions must be as simple as possible to apply.

- For us, the decisive factor for automatically designating EU accession candidates as safe countries of origin is that all Member States must uniformly apply the grounds for exceptions. Some parts of the procedure proposed by the Presidency seem to us very complicated. Because the exceptions take effect automatically, legal certainty is needed quickly. However, we are in general pleased that the Commission will publish a notice of the determination.
- With regard to point (a) (armed conflict), we believe it makes sense to involve the Council in the determination process as well.
- With regard to point (b) (restrictive measures), the Council's participation in adopting the restrictive measures is likely to suffice.
- Point (c) (Eurostat data) only has to do with publishing statistical data on a cut-off date to be determined later. We do not believe that the Council needs to participate here; its participation would only slow the procedure.
- We understood the Presidency to mean that there is no difference between the terms "approved by the Council" and "validated by the Council" in draft article 62 (1b). We therefore suggest to use the same terminology in order to avoid difficulties in interpreting this provision.
- In terms of the legal consequences if the Council does not agree with the Commission's assessment in the procedure according to draft article 62 (1b), we understood the Presidency to mean that in such case the Commission's notice would not be published in the Official Journal of the EU and, hence, be not binding. However, would the exception still be applicable in this scenario, i. e. legally binding?
- In general, we are in favour of the proposal to amend Article 62 (4) in order to introduce and lift exceptions related to territory or specific groups of persons by means of delegated acts. However, we are still examining this proposal. In particular, we would like to know whether the introduction of exceptions can be equivalent to lifting them, and whether "lifting" corresponds to the category of "suspension" which is already covered when determining whether a country is a safe country of origin.
- We believe it is not logical to apply Article 63 to the EU candidate countries and that doing so would lead to subsequent problems. In the interest of legal certainty and clarity, Article 63 should only refer to those countries which are listed in Annex II. With regard to the EU candidate countries, the Commission's proposal provides for sufficient safeguards in the form of the grounds for exceptions. This could be clarified in a provision to this effect. A new paragraph 5 could possibly be added to Article 63: *"The preceding paragraphs shall not apply to third countries referred to in Article 62(1)."*

- With regard to the treatment of unaccompanied minors, we would still be grateful if the Commission could confirm our understanding of the interplay between the frontloading proposal in Article 2(2)(b) and the provisions of the Asylum Procedures Directive. In our understanding, an unaccompanied minor who comes from a country of origin with an EU-wide protection rate of 20% or less cannot be placed in the accelerated procedure or border procedure solely on the basis of belonging to this group of persons. Instead, Art. 25 para. 6 of the Asylum Procedures Directive remains applicable in this regard.”

GREECE

Comments of Greece on the establishment of a list of safe countries of origin at Union level (doc 9362/25)

- EL has consistently advocated for the establishment of European lists of Safe Countries of Origin and Safe Third Countries, as tools that will facilitate the convergence of implementation of the asylum procedures across the EU.
- In that context, after the discussions held on the AWP 16/5 and 10/6, we would like to submit the following comments:
- For reasons of clarity and legal certainty we support the **explicit naming EU accession candidates in Annex II**
- The candidate countries should **automatically** be designated as safe within the meaning of Asylum Procedures Regulation by the mere fact that they received this status, without the provision of further conditions (exceptions a, b and c). Therefore, **we propose deletion of the exceptions**.
- We support the adoption of the list of safe countries of origin at Union level without exceptions (territorial or group of persons) .
- Art. 63 provides the necessary solutions regarding the removal or suspension of a third country from the list of safe countries of origin , if the actual situation in a particular third country changes.

Below our drafting suggestions

Article 1

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

(0) — Article 61, paragraph 1 is amended as follows:

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

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

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

‘1a. The third countries listed set out in Annex II are designated as safe countries of origin at Union level.¹

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

- (a) there is a serious ~~and individual~~ threat to ~~the lives and safety of civilians a civilian’s life~~ or persons by reason of indiscriminate violence ~~or in~~ situations of international or internal armed conflict in the country;
- ~~[(b) restrictive measures within the meaning of Title IV of Part Five of the Treaty on the Functioning of the European Union have been adopted in view of the that third country’s actions affecting fundamental rights and freedoms and that are relevant for the criteria of designation of a third country as safe country of origin as set out in Article 61];~~
- ~~(c) the proportion of decisions by the determining authority granting international protection to the applicants from the country—either its nationals or former habitual residents in case of stateless persons—is higher than 20% of the total number of decisions for that third country issued by the determining authority according to the latest available yearly Union-wide average Eurostat data.²;~~

~~**Where any of these circumstances apply, the candidate country concerned shall no longer be considered as a safe country of origin. With a view to implementing points a to c, the Commission shall conduct an assessment and duly inform the Council. Where the Commission’s assessment is approved by the Council, the Commission shall immediately publish a notice in the C section of the Official Journal of the European Union.**~~

~~**Where any of these circumstances cease to apply, the Commission shall conduct an assessment, inform the Council thereof, and where the assessment is validated by the Council, the Commission shall immediately publish a notice in the C section of the Official Journal of the European Union.**~~

(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’;

¹ **The Presidency suggests adding a recital clarifying that the list in Annex II does not imply that other third countries cannot be classified as safe countries of origin, and that the scope of the list may change over time.**

(2) **Article 62, paragraph 4 is amended as follows:**

*4. The Commission is empowered to adopt delegated acts in accordance with Article 74 concerning the suspension of the designation of a third country as a safe country of origin at Union level subject to the conditions as set out in Article 63 **and the introduction or lifting of exceptions as set out in Article 61(2) in relation to a safe country of origin at Union level.***

(23) 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 **before 12 June 2026.**’;

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

‘**A** 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 **if it has already transposed the relevant provisions and implemented the special procedures mentioned in this article at national level.**’;

(c) **paragraph 4 is amended as follows:**

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

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

IRELAND

Observations on Country of Origin Proposal - Ireland Presidency's Proposed Changes of 4th June 2025

26 June 2025

Ireland thanks the Commission for the proposal and the Presidency for its proposed amendments. Ireland offers the following observations:

1. Ireland welcomes the amendments incorporated on foot of Ireland's observations of 1st May 2025.
2. Ireland is concerned about the Presidency's proposed changes to the amendment to Article 61, paragraph 1, of APR effected by Article 1(0) to add "category of countries". Ireland notes the reasons put forward by the Council Legal Service at the Asylum Working Party on 10th June, and that this is intended to be a technical change to facilitate a power to designate the candidate countries collectively. As an alternative, Ireland suggests that in Article 1(1), the new paragraph 1b could be drafted in the singular throughout, instead of using the plural in the chapeau and the singular in the subparagraphs. If paragraph 1b is drafted in the singular, this would eliminate the need for amendment of Article 61, paragraph 1, of APR. A proposed wording is set out as an Appendix below.
3. The Presidency's proposed changes to the amendment to Article 62 APR effected by Article 1(1)(a) are welcomed, as they improve the clarity of the text and address the issues previously raised by Ireland. It is proposed that the words "or persons" are no longer needed in the new paragraph 1b(a) and could be deleted.
4. Ireland queries the purpose of the Presidency's proposed changes to the amendment to Article 79(3) APR effected by Article 1(3)(b), and queries whether the changes impose any obstacle to Member States applying the accelerated examination procedure in advance of transposition of the relevant provisions of the APR into national law.
5. Ireland welcomes the Presidency's proposed change to the amendment to Article 79(4) effected by Article 1(4). This provides clarity in circumstances where Ireland has not opted into the 2013 APD, and remains bound by the 2005 APD.

Appendix

Article 1

In Article 1(1), the following changes to the chapeau to 1b and to paragraph 1b(a) are proposed:

1b. ~~The countries~~ *Every country* that have ~~has~~ been granted the status of candidate ~~states~~ *state* for accession to the Union ~~are~~ *is also* designated as ~~a safe countries~~ *country* of origin at Union level, unless one ~~of or~~ more of the following circumstances apply ~~to them that~~ *country*:

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

If the changes to Article 1(1) are made, Article 1(0) would no longer be necessary.

THE NETHERLANDS

Commission 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 (9362/25 + ADD 1)

We thank the Presidency for the compromise proposal.

As we have stated before, it is not clear to us yet how country information should be weighed when determining whether a country can be designated as a safe country of origin. It is also not clear what criteria should be used to make exceptions for specific parts of the territory of the third country or clearly identifiable categories of persons. It appears that NL – based on the APR – has been using different principles and conditions than the Commission has been doing while drafting the proposal. Therefore, it is important for us to understand how the Commission has weighed these situations.

In the table below, we outline the *current* Dutch policy towards the countries on the Commission's proposed European list. For a proper understanding of the Commission's proposal, we have a few questions. We are asking for this clarification not because we are unwilling -or not able- to support the Commission's proposals, but because we need to be able to explain them to f.e. our national judges when the list is adopted and applied in individual cases.

How does the Commission see the relation between risk profiles in these and other countries related to the designation of countries of origin as safe countries of origin in the light of Article 61(1), which requires that it must be possible to show there is no persecution as defined in Article 9 QR and no real risk of serious harm as defined in Article 15 QD?


How does the Commission see the existence of regions with a level of indiscriminate violence in the meaning of Article 15(c) QD/QR and the possible designation of a third country as safe country of origin. Should those regions be exempted? Can a country where such violence is taking place be considered a safe country of origin even if those regions are exempt?

How should asylum applications from regions not controlled by the authorities of a safe country of origin be dealt with, in the Commission's view? Should the accelerated procedure still be applied? Can the applicant be expected to move to another part of the country?


Country	Commission	Current Dutch policy
<i>Albania</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>Safe country of origin, no exceptions</i>
<i>Bosnia-Herzegovina</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>Safe country of origin, no exceptions</i>
<i>Montenegro</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>Safe country of origin, no exceptions</i>
<i>Northern Macedonia</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>Safe country of origin, no exceptions</i>
<i>Serbia</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>The designation of this country as a safe country of origin does not apply to:</i> <ul style="list-style-type: none"> <i>- journalists;</i> <i>- persons likely to be placed in criminal detention;</i> <i>- LGBTQ+</i>
<i>Georgia</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>The designation of this country as a safe country of origin does not apply with respect to:</i> <ul style="list-style-type: none"> <i>- persons coming from the areas not under the effective control of the central authorities, namely the Georgian regions of Abkhazia and South Ossetia;</i> <i>- LGBTQ+.</i>
<i>Ukraine</i>	<i>Candidate country, but no safe country of origin, no exceptions</i>	<i>Suspended</i>

<i>Moldova</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<i>Few years ago did not pass test for Dutch safe country list. Accelerated procedure track 4 (kansarme aanvragen).</i>
<i>Turkey</i>	<i>Candidate country = safe country of origin, no exceptions</i>	<p><u>Country-specific asylum policy</u></p> <p><i>The IND identifies the following groups as risk profiles for Turkey:</i></p> <ul style="list-style-type: none"> <i>- persons active in politics, journalism or human rights;</i> <i>- HDP members and activists; and</i> <i>- (attributed) Gülen supporters.</i> <p><i>4.3.3. Prosecution for conscientious objection or desertion</i></p> <p><i>The general policy within the meaning of section C2/3.2.3 Vc applies.</i></p> <p><i>The IND does not in principle assume with regard to conscripted Kurds that they have a well-founded fear of being deployed in a conflict against their own people or family.</i></p>
<i>Kosovo</i>	<i>Potential EU Member State, safe country of origin, no exceptions</i>	<i>Safe country of origin, no exceptions</i>
<i>Morocco</i>	<p><i>Safe country of origin, seemingly no exceptions.</i></p> <p><i>'It can be concluded that the population of Morocco does not,</i></p>	<p><i>The designation of this country as a safe country of origin does not apply in respect of:</i></p> <ul style="list-style-type: none"> <i>- LGBTQ+;</i> <i>- (online) journalists and (human rights)</i>

	<p><i>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. '</i></p>	<p><i>activists, who criticize Islam, the royal family and/or the Moroccan government - including because of the government's official position on Western Sahara;</i></p> <p><i>- the Hirak Rif activists and journalists who reported on the situation in the Rif Mountains and the demonstrations there;</i></p> <p><i>- individuals facing criminal charges who can make a concrete case that the legal guarantees existing in Morocco against violations of rights and freedoms are not provided in their individual case.</i></p>
Tunisia	<p><i>Safe country of origin, seemingly no exceptions.</i></p> <p><i>'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</i></p>	<p><i>The designation of this country as a safe country of origin does not apply in respect of:</i></p> <ul style="list-style-type: none"> <i>• LGBTQ+;</i> <i>• Individuals who can plausibly demonstrate that they have a so-called S17 measure to their name;</i> <i>• journalists, activists and political opponents who criticised the president and/or the government;</i> <i>• persons who are facing (criminal) prosecution and who can demonstrate in concrete terms that the legal guarantees existing in Tunisia against violations of rights and freedoms are not provided in their individual case.</i>


	<p>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.'</p>	
Colombia	<p>Safe country of origin, seemingly no exceptions</p> <p>'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.</p> <p>Regarding the presence of a threat by reason of indiscriminate</p>	<p><u>Country specific asylum policy:</u></p> <p>0.4.2. Serious harm within the meaning of Article 29, first paragraph, opening sentence and under b,</p> <p>part 3°, Vw as referred to in paragraph C2/3.3.3 Vc</p> <p>The IND assumes for Colombia that there is a relatively lower level of arbitrary violence in the departments of Antioquia, Arauca, Bolivar, Cauca, Choco, Magdalena Valle del Cauca, Nariño and Putumayo.</p> <p>10.5. Protection</p>

	<p>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</p>	<p>10.5.1. Protection by authorities and/or international organisations within the meaning of paragraph C2/3.4 Vc</p> <p>The IND assumes that it is generally possible for a Colombian alien to obtain protection from the authorities and/or international organisations.</p> <p>For the following categories, the IND assumes that it is not possible to obtain protection from the authorities or international organisations:</p> <ul style="list-style-type: none"> • women who have demonstrated that they fear gender-related violence; and • trans persons. <p>10.5.2. Domestic protection alternative within the meaning of paragraph C2/3.4 Vc</p> <p>The IND generally adopts a domestic protection alternative with regard to Colombia.</p> <p>The IND assumes that no domestic protection alternative is available for persons who have demonstrated that they have a well-founded fear of persecution or are at real risk of serious harm by:</p> <ul style="list-style-type: none"> • the central government; or • (armed) groups that operate nationwide.
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	<p><i>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.</i></p> <p><i>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.'</i></p>	
Egypt	<p><i>Safe country of origin, seemingly no exceptions</i></p> <p><i>'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</i></p>	<p><u><i>Country-specific asylum policy</i></u></p> <p><i>The IND designates the following categories of foreigners as a risk profile for Egypt:</i></p> <ul style="list-style-type: none"> <i>• (online) journalists, human rights defenders or political opponents/activists</i> <i>• LGBTQ+.</i> <p><i>Persons belonging to one of the above-mentioned risk profiles, who have a well-</i></p>

	<p><i>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.</i></p> <p><i>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.'</i></p>	<p><i>founded fear of persecution, are not required to invoke the protection of the authorities. Nor is a domestic protection alternative assumed for these</i></p>
<i>India</i>	<p><i>Safe country of origin, seemingly no exceptions.</i></p> <p><i>'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.</i></p>	<p><i>The designation of this country as a safe country of origin does not apply to:</i></p> <ul style="list-style-type: none"> <i>• people originating from the 'union territory' of Jammu and Kashmir;</i> <i>• religious minorities who have experienced problems because of belonging to that religious minority;</i> <i>• Dalit women and girls;</i> <i>• journalists;</i> <i>• persons who have been critical of the Indian government and government policy, and have experienced problems as</i>

	<p><i>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.</i></p> <p><i>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.</i></p> <p><i>Laws protecting Scheduled Castes and Scheduled Tribes remain inadequately enforced.</i></p> <p><i>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.</i></p>	<p><i>a result (for example human rights activists, academics and demonstrators).</i></p>
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	<p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.'</i></p>	
<i>Bangladesh</i>	<i>Safe country of origin, seemingly no exceptions.</i>	<i>Not on the Dutch list of safe countries of origin / no country-specific asylum policy</i>

Article 61 (1) - Scrutiny reservation

It is unclear what is meant by ‘category of third countries’ and why this addition is made. It seems to imply that if one country does not comply, the entire category of countries cannot be considered a safe country of origin.

Article 61 (1b)(a) - Scrutiny reservation

We prefer to keep the original text, which contains a clear reference to Article 15(c) QD. An amended text may lead to confusion about the interpretation.

NL wants to study further the text on notifications.

Article 62(4)

NL thanks the Presidency for taking over the NL suggestion.

NL believes that it should not be necessary to start a whole legislative procedure every time an exception for territory or categories of persons has to be added or deleted. If it is too difficult to introduce or remove exceptions, this can be an obstacle to designating new countries as safe countries of origin. Therefore, according to NL, it should be possible to introduce or remove exceptions by means of a delegated act.

In this way, flexibility can be achieved, while at the same time the Council and the EP have the possibility to object on the basis of Article 74(6) APR.

PORTUGAL

Below are the comments on the Polish PRES's proposal for a legislative amendment to Regulation EU 2024/1348 (Doc. 9362/25 + ADD 1).

As for Article 61(1) of Regulation (EU) 2024/1348, we would like to better understand what the impact will be with the change in wording. It seems that, in the end, it will always be the case that a third country, either individually or as part of a category of third countries, will always have to fulfil the requirements set out in the provision in order to be considered a safe country of origin, as well as complying with the provisions of Articles 9 and 15 of Regulation (EU) 2024/1347

Both COM and PRES insist on making a distinction between civilians and people, we would like to know what distinguishes the two categories. If you can give examples, we'd appreciate it.

Overall, it seems that proposal of the Presidency clarifies the scope of the rule, especially with regard to points b) and c)

With regard to paragraph 4, PRES's proposal seems reasonable to us.

With regard to article 79 (2) and (3) we agree with the proposal.

ROMANIA

Asylum Working Party, 10 June 2025

Commission 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 (9362/25 + ADD 1)

RO agrees with the compromise text.

SLOVAK REPUBLIC

Slovakia has no substantial comments on the changes indicated in the draft amendment to the Regulation (EU) 2024/1348 regarding the safe countries of origin.

However, as regards the list of safe third countries itself, we must again point out that we would prefer to include downright safe countries with a democratic set-up such as the UK, the USA, Canada, Australia and NZ. We understand that the number of applicants from these countries is minimal however, should such cases occur, they would need to be assessed through the standard procedure in accordance with applicable rules. Yet we understand that the two lists (at EU and national level) will coexist and the aforementioned countries can be included on our national list.

In relation to the candidate countries for EU accession, we are of the opinion that these countries should be listed in the annex. However, we also take into account the arguments, which pointed to the complications that the listing of these countries would cause, as any change to the list would require a legislative process.

SPAIN

In relation to the following item, please find Spanish position:

Concerning **PRES compromise text on SCO**, Spain can support it.

