

Situational Update

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Overview of the Implementation of Safe Country Concepts

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In the context of asylum, the term 'safe country' refers to countries which ensure effective protection. European Union (EU) law provides three safe country concepts which can be applied in the asylum procedure: safe country of origin, safe third country and first country of asylum. These concepts are enshrined in Section 5 of the Asylum Procedures Regulation ([APR](#)) and establish common criteria for designating third countries as safe countries of origin and safe third countries, as well as a common procedure for processing such applications. Regulation ([EU](#)) 2026/464 sets out the list of countries designated as safe countries of origin at the EU level, while Regulation ([EU](#)) 2026/463 sets out rules on the application of the safe third country concept.

This overview highlights developments between January and June 2026 concerning the application of the safe country of origin and safe third country concepts at the EU level and in EU+ countries. It also presents the state of play on the implementation of national lists of safe countries as of 30 June 2026, based on data available in the Database on International Protection in Europe ([DIP](#)) platform.

For countries not bound by the APR – namely Denmark, Iceland, Norway and Switzerland – a similar national legal framework applies. References to these countries should be read in relation to the applicable national legal framework.



Current state of play

Safe country of origin (see Table 1)

- ✓ The **EU list of safe countries of origin** includes Bangladesh, Colombia, Egypt, India, Kosovo, Morocco, Tunisia and EU accession candidate countries with the exception of Ukraine. Denmark is the only Member State not bound by the Union list.
- ✓ **20 EU+ countries have adopted a national list** of safe countries of origin. Although not bound by the Asylum Procedures Regulation, Denmark, Iceland, Norway and Switzerland have a similar concept included in their national legislation and operate their own national lists.
- ✓ Finland, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia and Spain have **not adopted a national list** of safe countries of origin. Croatia stopped implementing its list with the entry into application of the Pact and the Netherlands suspended its list until further notice. Aside from the EU list, Finland and Portugal implement the safe country of origin concept on a case-by-case basis. In Latvia, Poland and Spain, relevant national legal provisions on the designation of a national list do not exist.
- ✓ Apart from countries designated at the EU level, **divergence persists across national lists**. Ghana is the most included in national lists, recognised as safe by 12 EU+ countries, followed by Senegal (11 countries) and Algeria (9 countries).
- ✓ Out of 54 countries designated as a safe country of origin (excluding those in the EU list), the majority (33 countries of origin) are listed as **safe by three or less EU+ countries** which implement a national list.
- ✓ Six EU+ countries which implement a national list (Denmark, Estonia, Hungary, Luxembourg, Norway and Switzerland) also **apply exceptions** for specific geographical areas or profiles of asylum seekers within a country of origin (see Table 2).

Safe third country (see Table 3)

- ✓ A safe third country list has not been designated at the EU level.
- ✓ The safe third country concept is included in national legislation in all EU+ countries, except France, Italy and Poland.
- ✓ Only seven EU+ countries have **adopted a national list** of safe third countries (Bulgaria, Estonia, Germany, Greece, Hungary, Ireland and Switzerland).
- ✓ When the national legal framework refers to the safe third country concept but a national list has not been adopted, the concept is applied on a **case-by-case basis**.



in 14 EU+ countries (Belgium, Croatia, Cyprus, Denmark, Finland, Iceland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain and Sweden).

- ✓ Austria, Czechia, Romania, Slovakia and Slovenia refer to the concept in national law but do not apply it in practice.
- ✓ Estonia and Hungary are the only countries which **apply exceptions** to the application of the safe third country concept based on geographical location and certain profiles of applicants (see *Table 2*). The exceptions applied by both countries are identical to those applied to the application of the safe country of origin concept.

1. Recent developments

Entry into application of the Asylum Procedures Regulation, Regulation (EU) 2026/464 and Regulation (EU) 2026/463.

On 12 June 2026, the Pact on Migration and Asylum entered into application. As of this date, Section 5 of the APR is now directly applicable across EU Member States (with the exception of Denmark). Additionally, two key regulations were officially adopted in February 2026.

[Regulation \(EU\) 2026/464](#) establishes a list of safe countries of origin at Union level which includes Bangladesh, Colombia, Egypt, India, Kosovo,¹ Morocco and Tunisia. EU accession candidate countries are also designated as safe at the EU level, provided that the following three criteria are satisfied: there is no situation of international or internal armed conflict, no restrictive measures affecting fundamental rights and freedom, and the recognition rate for asylum claims by nationals of these countries is not higher than 20% across the EU. The European Commission is responsible for monitoring whether these exceptions apply or cease to apply and must inform Member States accordingly.

[Regulation \(EU\) 2026/463](#) sets out rules on the application of the safe third country concept. The regulation removed the mandatory obligation to establish a connection between the applicant and the safe third country, and introduced two additional criteria to apply the concept, including transit through a safe third country or an agreement with a safe third country that includes safeguards ensuring that an applicant's asylum application will be examined there. Furthermore, the automatic right to remain in the EU pending a decision on an appeal against an inadmissibility decision based on the safe third country concept was removed.

¹ According to the Council and the European Parliament, 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.



Ukraine exempted from the EU list of safe countries of origin

On 12 June 2026, the European Commission published a notification in the Official Journal of the European Union ([C/2026/3247](#)) on the exemption of Ukraine as a safe country of origin. It justified the exemption due to continued armed conflict in Ukraine which was characterised by widespread and indiscriminate violence.

CJEU ruling on the safe third country concept

On 5 February 2026, in [NP v Predsedatel na Darzhavna agentsia za bezhantsite,\[Aleb\]](#) (C-718/24), the CJEU interpreted the recast Asylum Procedures Directive (recast APD), which was the previous directive governing the application of the safe country concept prior to the entry into application of the APR. It ruled that:

- The ground for inadmissibility set out in Article 33(2)(c) of the recast APD which is based on the application of the safe third country concept does not necessarily have to be applied when examining the merits of an asylum application.
- An application examined on its merits may nevertheless be rejected as inadmissible on the ground that a third country is considered safe for the applicant, even if the applicant would otherwise meet the conditions for being granted international protection. By contrast, an application may be rejected as unfounded or manifestly unfounded only under the conditions set out in Article 32 of the recast APD and cannot be rejected as unfounded on the basis of the inadmissibility ground provided for in Article 33(2)(c) of the directive.
- Under Article 38(2)(a) of the recast APD, Member States must lay down in their national law the criteria for determining whether there is a connection between the applicant and the third country. That connection must be sufficient to make the applicant's transfer to that country reasonable.
- Article 38(2)(b) and (c) of the recast APD must be interpreted as meaning that the determining authority may apply the safe third country concept on the basis of information from publicly available sources and an executive decision establishing a national list of safe third countries, provided that national law lays down a methodology for determining, on a case-by-case basis, whether the relevant criteria are met, taking into account the individual circumstances of the applicant and allowing the applicant to challenge the existence of a connection within the meaning of Article 38(2)(a) of that Directive.
- In addition, the CJEU established that national courts have a specific duty to examine whether there is a connection between the applicant and the third country, even when the duty is not expressly provided for under domestic law.



Developments at the national level

Progress toward the full operationalisation of the Pact is still ongoing. During the reference period, the following countries updated their national legislation relating to the safe country concepts to align with the provisions enshrined in the APR:

- ✓ Austria (Article 19 of the [BFA-VG](#))
- ✓ Belgium (Articles 57/6/1 and 57/6/6 of the [Law of 15 December 1980](#))
- ✓ Croatia (Articles 44 and 45 of the [Law on International and Temporary Protection](#))
- ✓ Cyprus (Articles 118 and 119 of [Refugee Law 2026](#))
- ✓ Czechia (Article 86(4) of the [Asylum Act](#))
- ✓ Estonia (Section 5, Article 13 of the [Act on Granting International Protection to Aliens](#))
- ✓ Finland (Article 100 of the [Aliens Act](#))
- ✓ Germany (Articles 26, 26a, 27, 29, 29a, 29b of the [Asylum Act](#))
- ✓ Greece (Article 132 of [Law No 5307](#))
- ✓ Ireland (Articles 11,12 and 13 of the [International Protection Act 2026](#))
- ✓ Luxembourg (Article 28 of the [Law of 11 June 2026 implementing the European Pact on Migration and Asylum](#))
- ✓ Netherlands (Article 32a of the [Aliens Act 2000](#))
- ✓ Slovakia (Article 76 of [69/2026 Coll. on International Protection and on Amendments to Certain Acts](#)); and
- ✓ Sweden (Chapter 3c, Sections 6 and 7 of the [Swedish Aliens Ordinance](#) and Chapter 4, Section 6 of the [Aliens Act](#)).

While many countries have adapted their national legislation in preparation for the Pact, the vast majority have not yet revised their national lists of safe countries of origin to remove the countries which have been designated as safe at the EU Level.

The following developments were noted during the reference period:

- A revision of the list to remove the countries designated as safe at the EU level was noted in [France](#), [Ireland](#) and [Sweden](#).
- **Sweden** also added the United Kingdom of Great Britain and Northern Ireland, the Republic of Korea and the Republic of Uruguay to their national list.
- Following the entry into application of the Pact on 12 June 2026, **Belgium** and **Luxembourg** apply their national lists only to applications lodged prior to this date, while **Croatia** stopped implementing its national list.
- The national list in **Slovakia** was repealed through [legislation](#) approved on 14 April 2026 and has since not been replaced by a new list.
- in January 2026, [Germany](#) and [Greece](#) published an update to their national lists of safe countries of origin, reaffirming the same countries included in the previous list without any additions or removals.
- On 26 June 2026, [Ireland](#) also re issued its list of safe third countries without any changes from the previous list.

No other revisions to national lists of safe countries of origin and safe third countries have been observed in the reference period.



2. National lists

Tables 1, 2 and 3 present information that is available on countries applying safe country concepts.

[Table 1](#) presents the national lists of safe countries of origin and [Table 3](#) presents the national lists of safe third countries. The information is presented alphabetically by country of origin/third country (rows) and by reporting EU+ country (columns). The blue squares indicate the designation of the country of origin/third country as safe.

Information in the tables also indicates the total number of EU+ countries which have designated the country of origin/third country as safe, and the total number of countries included in the national lists. EU Member States designated as safe are not taken into account in the count.

[Table 2](#) provides an overview of EU+ countries that implement exceptions to the safe country of origin concept based on geographical areas or specific applicant profiles from a given country of origin.

**Table 1. National lists of safe countries of origin**

 Country included in national list

 Country included in national list with exceptions

	Total number of EU+ countries	AT	BE	BG	CH	CY	CZ	DE	DK	EE	EL	FR	HU	IS	IE	IT	LU	MT	NO	SE	SI
Total number of countries included in national list		26	7	22	14	27	25	10	19	7	18	4	18	18	5	19	11	25	33	5	17
Albania	16																				
Algeria	9																				
Angola	1																				
Argentina	1																				
Armenia	7																				
Australia	7																				
Azerbaijan	1																				
Bangladesh	6																				
Barbados	1																				
Benin	5																				
Bosnia and Herzegovina	15																				
Botswana	3																				
Brazil	2																				
Canada	7																				
Cabo Verde	4																				
Chile	3																				
Costa Rica	2																				
Cote d'Ivoire	1																				
Cuba	1																				
Egypt	5																				



	Total number of EU+ countries	AT	BE	BG	CH	CY	CZ	DE	DK	EE	EL	FR	HU	IS	IE	IT	LU	MT	NO	SE	SI
EU Member States	7																				
Faroe Islands	1																				
Gabon	1																				
Gambia	4																				
Georgia	15																				
Ghana	12																				
Iceland	6																				
India	7																				
Israel	1																				
Jamaica	1																				
Japan	4																				
Jordan	1																				
Kazakhstan	1																				
Kenya	1																				
Kosovo	13																				
Liechtenstein	8																				
Malawi	1																				
Mauritius	1																				
Moldova	9																				
Monaco	2																				
Mongolia	8																				
Montenegro	15																				
Morocco	9																				
Namibia	2																				
Nepal	3																				



	Total number of EU+ countries	AT	BE	BG	CH	CY	CZ	DE	DK	EE	EL	FR	HU	IS	IE	IT	LU	MT	NO	SE	SI
New Zealand	7																				
Nigeria	1																				
North Macedonia	15																				
Norway	6																				
Pakistan	3																				
Peru	1																				
Philippines	1																				
Senegal	11																				
Serbia	15																				
South Africa	2																				
South Korea	2																				
Sri Lanka	2																				
Switzerland	6																				
Tanzania	2																				
Togo	2																				
Tunisia	8																				
Türkiye	3																				
Ukraine	1																				
United Kingdom	7																				
Uruguay	2																				
USA	6																				
Vatican City	1																				
Vietnam	1																				

**Table 2. Exceptions to the application of the safe country of origin concept**

Country of origin	Profiles exempted
Armenia	• Territorial exception: Nagorno-Karabakh (EE – applied also to safe third country concept)
Benin	• Women (LU)
Bosnia and Herzegovina	• Territorial exception: Republika Srpska (EE – applied also to safe third country concept)
Botswana	• LGBTIQ applicants (NO)
Georgia	• LGBTIQ applicants (DK) • Territorial exception: Abkhazia and South Ossetia (EE – applied also to safe third country concept)
Ghana	• LGBTIQ applicants (NO) • Women (LU) • Girls under 18 years old (NO) • Applicants who faced forced marriage (NO)
India	• Single women (NO)
Kosovo	• Minorities (NO)
Moldova	• Territorial exception: Transnistria (CH)
Namibia	• LGBTIQ applicants (NO)
Tanzania	• Girls under 18 years old (NO) • LGBTIQ applicants (NO) • Applicants who faced forced marriage (NO) • Applicants with albinism (NO)
USA	• Territorial exception: States which do not apply the death penalty (HU – applied also to safe third country concept)

**Table 3. National lists of safe third countries**

Third country	Total number of EU+ countries	BG	CH	DE	EE	EL	HU	IE
		3	3	2	7	3	18	1
Albania	3					²		
Australia	1							
Bangladesh	1							
Bosnia and Herzegovina	2							
Canada	1							
EU Member States	3							
Georgia	2							
Iceland	2							
Iran	1							
Kosovo	2							
Liechtenstein	2							
Moldova	1							
Montenegro	2							
New Zealand	1							
North Macedonia	3					³		
Norway	3							
Serbia	2							
Switzerland	2							
Türkiye	3					⁴		
United Kingdom and Northern Ireland	1							
USA	1							
Ukraine	1							

For more information, consult the [Database on International Protection in Europe \(DIP\)](#) platform. The map of [Countries applying the concept of safe countries in the asylum procedure](#) is updated on a regular basis and includes information on national lists (including designated exceptions), the relevant authorities responsible for the implementation of the safe country concepts, and links to the relevant national legislative acts, where applicable, for each EU+ country.

Additionally, relevant case law on safe country concepts is available on the [EUAA Case Law Database](#), using the relevant search tags: [safe country concept](#), [safe country of origin](#), [safe third country](#) and [first country of asylum](#).

² Albania is designated as a safe third country for applicants for international protection entering the Greek territory illegally through the borders with Albania.

³ North Macedonia is designated as a safe third country for applicants for international protection entering the Greek territory illegally through the borders with North Macedonia.

⁴ Türkiye is designated as a safe third country for applicants for international protection from Afghanistan, Bangladesh, Pakistan, Somalia and Syria.