

# Application of the ‘safe third country’ concept

2025/0132(COD) - 26/02/2026 - Final act

**PURPOSE:** to revise the conditions for applying the concept of a safe third country.

**LEGISLATIVE ACT:** Regulation (EU) 2026/463 of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the concept of safe third country.

**CONTENT:** along with the [regulation](#) establishing the first EU-wide list of safe countries of origin, this regulation constitutes a **revision of the concept of a safe third country**, which will offer Member States greater flexibility in rejecting asylum applications as inadmissible. These measures are important for the implementation of the EU Pact on Migration and Asylum.

The safe third country concept allows EU Member States to reject an asylum application as inadmissible (without examining its substance) when asylum seekers could have sought and, if eligible, received international protection in a non-EU country that is considered safe for them.

This regulation amending Regulation (EU) 2024/1348 **broadens and clarifies** the grounds for declaring an application inadmissible on the basis of this concept. It stipulates that Member States may choose to apply the safe third country concept in the following **three situations**:

- (i) there is a **connection** between the applicant and the third country concerned on the basis of which it would be reasonable for him or her to go to that country;
- (ii) the applicant has **transited** through the third country concerned on the way to the Union; or
- (iii) there is an **agreement or arrangement** with the third country at bilateral, multilateral or European level for the admission of asylum seekers, this option not applying to unaccompanied minors.

The regulation specifies that the connection between the applicant and the third country could be considered established in particular where members of the applicant’s family are present in that third country, where the applicant has settled or stayed in that third country, or where the applicant has linguistic, cultural or other similar ties with that third country.

In view of the situation of vulnerability of **unaccompanied minors** and of the need for targeted support, the concept of safe third country should be applied to unaccompanied minors only where a connection with, or transit through, the third country concerned can be established and the conditions set out in Regulation (EU) 2024/1348 are fulfilled. Member States should ensure that the best interests of the child are a primary consideration in all decisions concerning minors. Member States should also take due account of the principle of family unity when applying the concept of safe third country.

**ENTRY INTO FORCE:** 27.2.2026.