

**Question for written answer E-002241/2025
to the Commission**

Rule 144

Marco Tarquinio (S&D), Leoluca Orlando (Verts/ALE), Rudi Kennes (The Left), Mélissa Camara (Verts/ALE), Jaume Asens Llodrà (Verts/ALE), Ilaria Salis (The Left), Brando Benifei (S&D), Alessandro Zan (S&D), Pasquale Tridico (The Left), Mounir Satouri (Verts/ALE), Saskia Bricmont (Verts/ALE), Murielle Laurent (S&D), Estrella Galán (The Left), Giorgio Gori (S&D), Emma Rafowicz (S&D), Evin Incir (S&D), Sandro Ruotolo (S&D), Anna Strolenberg (Verts/ALE), Matjaž Nemec (S&D), Pernando Barrena Arza (The Left), Chloé Ridel (S&D), Alessandra Moretti (S&D), Nicola Zingaretti (S&D), Annalisa Corrado (S&D), Marta Temido (S&D), Erik Marquardt (Verts/ALE), Özlem Demirel (The Left), Fabienne Keller (Renew), Damien Carême (The Left), Per Clausen (The Left), Maria Walsh (PPE), Krzysztof Śmiszek (S&D), Gaetano Pedulla' (The Left), Udo Bullmann (S&D), Cecilia Strada (S&D), Rima Hassan (The Left)

Subject: ‘Safe third country’ concept

The Commission has proposed a review of the ‘safe third country’ (STC) concept¹ that:

- eliminates the mandatory connection between the applicant and the STC;
- considers transit through an STC a sufficient link to apply the concept;
- in the absence of a connection or transit, applies the concept if there is an agreement or arrangement with a third country that examines the asylum application;
- eliminates the automatic suspensive effect of appeals against inadmissibility decisions that are based on the concept.

However, the European Court of Human Rights’ case-law has repeatedly clarified that a transfer to a third country respects the ECHR only if the applicant has a significant connection with the country and if effective and accessible procedural safeguards are guaranteed.

Therefore, how will the Commission:

1. ensure that the application of the STC concept in the absence of a concrete link, and the abolition of the automatic suspensive effect of appeals, are compatible with international law, including Article 13 ECHR and Article 47 of the EU Charter of Fundamental Rights, which enshrine the right to an effective remedy?
2. guarantee that such a broad interpretation of the STC concept will not lead to a systemic externalisation of asylum responsibilities, contrary to the spirit of the Common European Asylum System and the EU’s international obligations?

Supporters²

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¹ Proposal of 20 May 2025 for a regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the ‘safe third country’ concept (COM(2025)0259).

² This question is supported by Members other than the authors: Cristina Guarda (Verts/ALE), Benedetta Scuderi (Verts/ALE)