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Answer given by Mr Brunner
on behalf of the European Commission
(6.3.2026)

The Commission deeply deplores the tragic shipwreck south of Crete. All Member States involved in search and rescue operations must prioritise saving lives at sea, in accordance with their obligations under EU and international law. The Geneva Convention¹ does not provide for a right of passage to a specific country. EU asylum rules concern applications made within the territory, at the border, in territorial waters or in transit zones of Member States², and therefore do not regulate situations before an applicant reaches those zones.

The Pact on Migration and Asylum³ aims to establish a comprehensive and balanced framework for migration management in the EU, combining responsibility and solidarity and ensuring full respect for fundamental rights and international obligations. It seeks to reduce dangerous journeys, illegal migration to the EU, address migrant smuggling and trafficking networks, and ensure that persons in need of international protection have access to appropriate procedures. The Commission proposal of March 2025 establishing a common EU system for returns⁴ lays down the legal base to allow a Member State to establish ‘return hubs’ in third countries, provided that international human rights standards and principles in accordance with international law, including the principle of non-refoulement, are respected.

¹ Convention relating to the Status of Refugees, signed in Geneva on 28 July 1951, as amended by the Protocol relating to the Status of Refugees of 31 January 1967.

² Article 3 of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast), OJ L 180, 29.6.2013, pp. 60–95.

³ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en.

⁴ Proposal for a Regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC, COM/2025/101 final.