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Answer given by Mr Brunner
on behalf of the European Commission
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Under the current rules, when Member States decide to apply the safe third country (STC) concept, Directive 2013/32¹ requires a connection between the applicant for international protection and the third country concerned on the basis of which it would be reasonable for that person to go to that third country.

Member States do not systematically report disaggregated statistics on inadmissibility decisions or subsequent transfers under the STC concept, and no EU legal act currently provides for the collection and transmission of such data to Eurostat.

The Commission has recently proposed amendments to the Asylum Procedure Regulation² that are aimed to provide Member States with greater flexibility in applying the STC concept. Under the proposal, Member States would be able to apply the STC concept where a connection exists, as well as where the applicant has transited through the safe third country, or where neither of those apply and an agreement or arrangement has been concluded with the third country concerned requiring the examination of the merits of the requests for effective protection made by the persons concerned. In parallel, the Commission has also proposed a new Regulation establishing a common system for return³, to ensure swifter, simpler and more effective return procedures across the EU. These initiatives aim to improve the coherence and enforceability of the EU's asylum and return systems.

¹ 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 (OJ L 180, 29.6.2013, p. 60, ELI: <http://data.europa.eu/eli/dir/2013/32/oj>), article 38 paragraph 2 point a.

² Proposal 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/2025/259 final.

³ 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.