European Parliament approves the start of negotiations with the Council on Return Regulation

The European Parliament has approved the start of negotiations with the Council on the Common system for the return of third-country nationals staying illegally in the Union (Return Regulation). In a plenary vote held on 26 march 2026, MEPs endorsed moving forward with the legislative process, with 389 votes in favour, 206 against, and 32 abstentions.

The purpose of the Return Regulation is to establish a Common European System for Returns with faster and effective return procedures for third-country nationals who have no right to stay in the EU. The legislative proposal is part of the EU Pact on Migration and Asylum (agreed in 2024).

The legislative proposal (summary available here):

- establishes uniform criteria for issuing return decisions and entry bans.
- updates definitions to align them with the newly adopted Pact instruments.
- ensures consistency between Member States and clarifies when removals must be enforced.
- defines conditions for voluntary return and strengthens incentives for cooperation.
- clarifies monitoring rules for forced returns.
- introduces explicit duties for third-country nationals to cooperate, non-cooperation may lead to consequences such as reduced allowances or document seizure.
  Strong safeguards remain in place, including right to appeal, protection for vulnerable persons, minors and families and full respect for international human rights and *non-refoulement*
- introduces a new, standardised EU form to accompany national return decisions, available in the Schengen Information System (SIS) for visibility across Member States.
  streamlines cross-border enforcement by allowing a return decision issued in one Member State to be enforced in another.
- strengthened tools for Member States for financial guarantees, reporting obligations and designated place of residence, making clearer detention rules, with detention extended up to 24 months (currently 18 months).

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Automatic suspensive effect of appeals is limited, except in *non-refoulement* cases.

- mandatory early screening for security risks, mandatory forced return, longer entry bans, specific detention grounds, potentially beyond 24 months (with judicial order)
- allows to return individuals who are illegally staying in the EU and have received a final return decision to a third country based on an agreement or arrangement concluded bilaterally or at EU level (in the so-called "Return Hubs"), subject to respect for international human rights, full monitoring and exclusion of families with minors and unaccompanied minors
- Finally, it introduces a standard EU-wide form and process for submitting readmission requests, providing for systematic follow-up on return decisions.

Source(s)

- European Parliament (26 March, 2026), [Returns regulation: MEPs ready to start negotiations], https://www.europarl.europa.eu/news/en/press-room/20260324IPR38908/returns-regulation-meps-ready-to-start-negotiations

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