German Bundestag adopts new regulations on safe countries of origin

The German Bundestag adopted a draft bill on the determination of safe countries of origin by statutory order and the suppression of legal representation in cases of detention pending removal. The aim of the draft law is to enable a faster designation of safe countries of origin.

The Federal Government will now be able to designate a country of origin as safe by means of a statutory order for the purposes of international protection within the meaning of Sections 3 and 4 of the Asylum Act (protection under the Geneva Refugee Convention or subsidiary protection). The regulations for determining safe countries of origin for asylum entitlement within the meaning of Article 16a of the Basic Law remain unaffected by the new regulation. According to the latter, safe countries of origin are determined by a law that must be approved by the German Federal Council (Bundesrat).

The draft law entails that applications from nationals of safe countries of origin could be processed more quickly by the Federal Office for Migration and Refugees (BAMF). Following a negative decision on the application as manifestly unfounded, their stay in Germany could therefore be terminated more quickly. The individual right to a case-by-case examination remains unaffected.

At the same time, the draft law aims to repeal the regulation that came into force in February 2024 on the mandatory appointment of legal counsel in proceedings concerning the ordering of detention pending removal.

Source(s)

- German Parliament | Deutscher Bundestag (5 December, 2025), Neuregelung zu sicheren Herkunftsstaaten beschlossen [New regulation on safe countries of origin adopted], https://www.bundestag.de/dokumente/textarchiv/2025/kw49-de-herkunftsstaaten-1128486

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