Council of the EU adopts new rules on return

The Council adopted new EU rules to make the return of third-country nationals with no legal right to stay in the EU more effective. The measures are designed to support the implementation of the Pact on Migration and Asylum and address the low rate of effective returns.

The rules establish:

- New obligations for persons subject to a return decision to leave the EU and cooperate with national authorities, with sanctions possible in cases of non-compliance.
- Introduction of an European Return Order, a standardised form to facilitate the recognition of return decisions across Member States.
- Voluntary mutual recognition of return decisions between Member States, with a review after 3 years and the possibility of making this system mandatory in the future.
- Improved measures for individuals considered to pose a security risk, including longer detention periods and potentially indefinite entry bans where justified.
- The possibility for Member States to establish return hubs in third countries, subject to agreements with countries that respect international human rights standards and the principle of *non-refoulement*.

Unaccompanied minors are excluded from transfers to return hubs.

The regulation will enter into force following its publication in the Official Journal of the EU. While some provisions will apply immediately, others will become applicable one year after entry into force to allow for the necessary preparations.

Source(s)

- European Council | Council of the European Union (1 October, 2026), [Council adopts new rules on return for those with no right to stay in the EU], https://www.consilium.europa.eu/en/press/press-releases/2026/10/01/council-adopts-new-rules-on-return-for-those-with-no-right-to-stay-in-the-eu/

Related development(s)

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Council of the EU and the EU Parliament reach deal on return of irregular third-country nationals

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