

(English version)

**Question for written answer E-002665/26
to the Commission
Stanisław Tyszką (ESN)
(26 June 2026)**

Subject: Mass regularisation of migrants in Spain, Schengen and the migration pact

Spain has launched a procedure to regularise the stay of third-country nationals illegally staying in its territory. The procedure runs until the end of June 2026. People who receive a Spanish residence permit will be able to move within the Schengen area on a short-term basis and apply for EU long-term resident status after five years of legal residence.

During a debate in the European Parliament on 10 February 2026, Commissioner Magnus Brunner pointed out that regularisation is a national competence, but that decisions by one country must not be to the detriment of other Member States. Regulation (EU) 2024/1351, a key element of the migration pact, establishes a mandatory solidarity mechanism covering relocations, financial contributions and other measures.

1. How will the Commission reconcile Commissioner Brunner's position with the scale of the regularisation in Spain, which, a few days before the procedure ended, had risen to more than 900 000 applications, far exceeding the Sánchez government's original estimate of around 500 000, and which may have significant implications for the entire Schengen Area?
2. Does the Commission have an estimate of how many beneficiaries of this procedure can obtain EU long-term resident status and move to other Member States?
3. Why should the unilateral mass regularisation of migrants in Spain be treated as a national matter, when countries that refuse to relocate migrants or make financial contributions under the migration pact are deemed by the Commission to be not acting in solidarity?

Submitted: 26.6.2026

**Answer given by Mr Brunner on behalf of the European Commission
(11 September 2026)**

The Commission refers to its replies to the questions: E-000366/2026 ⁽¹⁾; E-000405/2026 ⁽²⁾; E-000522/2026 ⁽³⁾; and E-001628/2026 ⁽⁴⁾.

In these replies, the Commission explained that decisions to regularise third-country nationals illegally staying in a Member State are a national competence.

It was also explained that a national residence permit does not give authorisation to settle freely around the EU, but only to live and work in the Member State that issued it.

The Commission cannot estimate the number of those who would qualify for the EU long-term residence permit. The eligibility conditions under the Long-Term Residents Directive ⁽⁵⁾ are: legal and continuous residence of five years in the Member State; stable and regular resources; and a comprehensive sickness insurance.

Member States may ask applicants to comply with integration conditions and refuse to grant the status on grounds of public policy or security. EU long-term residents in one Member State do not have an automatic right to move to and reside in other Member States.

They must comply with the specific conditions set out in the directive, such as applying for and obtaining a residence permit in the second Member State.

The Asylum and Migration Regulation ⁽⁶⁾ introduces a mandatory but flexible solidarity mechanism to support Member States facing migratory pressure.

The identification of these Member States is carried out on the basis of a dedicated methodology ⁽⁷⁾, based on a set of indicators outlined in the regulation.

⁽¹⁾ https://www.europarl.europa.eu/doceo/document/E-10-2026-000366-ASW_EN.html.

⁽²⁾ https://www.europarl.europa.eu/doceo/document/E-10-2026-000405-ASW_EN.html.

⁽³⁾ https://www.europarl.europa.eu/doceo/document/E-10-2026-000522-ASW_EN.html.

⁽⁴⁾ https://www.europarl.europa.eu/doceo/document/P-10-2026-001628-ASW_EN.html.

⁽⁵⁾ Article 4(1) and 5(1) and (2) of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, OJ L 16, 23.01.2004, p. 44-53: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02003L0109-20110520>.

⁽⁶⁾ Regulation 2024/1351 on asylum and migration management, OJ L 2024/1351, 22.05.2024: <https://eur-lex.europa.eu/eli/reg/2024/1351/oj/eng>.

⁽⁷⁾ Commission Staff Working Document SWD(2025) 792 final: https://home-affairs.ec.europa.eu/document/download/80637837-e569-4896-98f2-2e8b92abf66e_en?filename=Methodology_en.pdf.

The number of residence permits issued is not among the indicators. Decisions to regularise third-country nationals illegally staying in a Member State have no impact on the assessment of migratory pressure and cannot trigger any solidarity measures under that regulation.
