

(English version)

**Question for written answer E-002735/26
to the Commission
Stanisław Tyszką (ESN)
(1 July 2026)**

Subject: Justification for continuing to implement the migration pact in its current form

The Pact on Migration and Asylum has been in force since 12 June 2024 as a package of acts including border, asylum and return procedures, responsibility rules and a solidarity mechanism. From the start of its application, fundamental problems have been apparent: deep differences in public support for a common migration policy, political opposition from some Member States, doubts about operational readiness, and actions that could increase migratory pressure, such as the mass regularisation by the Pedro Sánchez government in Spain.

1. Is the Commission considering revising, suspending or withdrawing the current migration pact if its application in practice confirms the ineffectiveness of the solidarity mechanism or the unwillingness of Member States to implement the new obligations?
2. Does the Commission consider the mass regularisation of migrants' residence status carried out by a Member State to be consistent with the objectives of the migration pact, and does it not undermine the rationale of the solidarity mechanism?
3. In view of these issues, does the Commission envisage an earlier evaluation of the functioning of the pact, rather than waiting for the first review, which is not due until 1 February 2028, and the overall assessment of the regulation, which is not due until 1 July 2031?

Submitted: 1.7.2026

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

Any suspension, withdrawal or substantive revision of the Pact on Migration and Asylum⁽¹⁾, including the solidarity mechanism under the Asylum and Migration Management Regulation⁽²⁾, would require a proposal under the Treaties and agreement by the co-legislators.

As indicated in the European Asylum and Migration Management Strategy⁽³⁾, the review scheduled for 2027 of the Asylum and Migration Management Regulation and the Asylum Procedure Regulation⁽⁴⁾ will be the opportunity for a first evaluation of how the new rules are working in practice, and whether further adjustments are needed.

Notwithstanding the distribution of competences defined by the EU legal framework, policies and individual decisions to regularise the status of illegally staying third-country nationals should not affect the correct application of the EU migration and asylum rules.

A national residence permit gives authorisation only to live and work in the Member State that issued it. National decisions regarding the regularisation measures do not alter the applicability of the Pact's responsibility and solidarity rules.

The Commission continuously monitors the application of the Pact, including operational readiness in all Member States. The legal acts establishing the Pact contain clauses and deadlines for the reviews to be complied with.

The Commission is regularly reporting on the implementation of the Pact and is available to exchange with the European Parliament when needed.

⁽¹⁾ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en.

⁽²⁾ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, PE/21/2024/REV/1, OJ L, 2024/1351, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1351/oj>.

⁽³⁾ COM(2026) 45 final.

⁽⁴⁾ Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, PE/16/2024/REV/1, OJ L, 2024/1348, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1348/oj>.