



*Together in Defense of
Life, Family, Liberty,
and Sovereignty!*

Warsaw, 18th March 2026

Mr Emmanuel Macron
President of the French Republic
Palais de l'Élysée
55 Rue du Faubourg-Saint-Honoré
75008 Paris
France

Dear President Macron,

On 27 January 2026, the Council of Ministers of Spain adopted a draft Royal Decree providing for a mass amnesty for irregular migrants who arrived on its territory before 31 December 2025. It is estimated that by June 2026 between 500,000 and 700,000 irregular migrants—most of them from Latin American countries—will be granted legal residence. According to the Spanish government, such a far-reaching measure is justified by the rights of migrants, fiscal considerations, and labour shortages in the Spanish market.

The government refers to this amnesty as an “extraordinary regularisation” (Spanish: *regularización extraordinaria*), assuring that the proposed framework includes appropriate procedural safeguards designed to prevent negative consequences arising from the acceptance of such a large number of migrants. The measure is intended to be temporary; residence permits will be granted upon application, limited to migrants who arrived before the end of 2025 and who have no criminal record and pose no threat to public order.

At the same time, the procedure involves a number of risks that are relevant not only for Spain itself but for the European Union as a whole. On the basis of residence permits granted by the Spanish government, hundreds of thousands of migrants will acquire the right to enter any Member State of the European Union (as provided for in Article 21 of the Convention Implementing the Schengen Agreement). In theory, their stay in another EU country may not exceed 90 days; in practice, however, in the absence of internal border controls within the Schengen Area, compliance with this limit will be difficult to verify. As a



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result, the challenges assumed by Spain through the acceptance of a large number of irregular migrants may easily become shared challenges for the whole of Europe.

It is therefore unsurprising that concern about the Spanish government's decision has recently been expressed by the EU Commissioner for Internal Affairs and Migration, who stated: *Obtaining a residence permit in the European Union is not a blank cheque. Every state must avoid decisions that have negative effects on other members.* It is difficult, however, to imagine that an amnesty on such a scale would not produce negative consequences.

First, an amnesty for hundreds of thousands of individuals who have violated the law in order to enter Spain may encourage many more foreign nationals from around the world to attempt irregular migration (the so-called "pull factor"). Europe has still not fully recovered from the consequences of the three major migration crises of the past decade, and Spain is now exposing it to yet another one.

Second, the effectiveness of verifying the criminal records of such a large number of irregular migrants remains highly uncertain. While this may be relatively straightforward with respect to the Spanish criminal register, obtaining confirmation of the absence of a criminal record in the migrants' countries of origin will present a far greater challenge. Formally, each migrant is expected to obtain a certificate of no criminal record from the authorities of their country of origin and arrange for its translation into Spanish. In practice, however, this may prove difficult in many cases due to the inefficiency or corruption of the administrative authorities in the country of origin, the absence of reliable criminal registers, or even ongoing civil war. As a result, the government may ultimately be forced to abandon effective verification of this requirement and instead rely only on unverifiable declaratory statements by migrants that they have no criminal record.

Third, it will be even more difficult to determine whether a given migrant, despite having no criminal record, nevertheless poses a threat to public order. With hundreds of thousands of applicants, it is highly unlikely that the Spanish police and security services will be able to carry out effective background checks in each case.

Fourth, the problem of mass immigration is not limited to criminality. It also arises from the inherent difficulty of effectively integrating such a large group of people into society. The fact that the majority of the migrants in question are not currently involved in criminal activity in no way guarantees that they will not become a burden on social welfare systems, nor does it eliminate the risk of the emergence of alienated enclaves of national minorities rejecting European customs and values.



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The decision of the Spanish government stands in clear tension with European Union law: the principle of sincere cooperation (Article 4(3) TEU), the concept of an area of freedom, security and justice (Article 3(2) TEU), and the standards governing the Union’s immigration policy (Article 79(1) TFEU).

We call upon Your Excellencies to stand in defence of the security of your nations against uncontrolled mass immigration. We recall that neither the Charter of Fundamental Rights of the European Union, nor any other international treaty guarantees anyone a “right to immigrate.” We further emphasise that, under Article 3(2) TEU, *The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with **appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.*** We also note that, pursuant to Article 79(1) TFEU, *The Union shall develop a common immigration policy aimed at (...) **the prevention of, and enhanced measures to combat, illegal immigration and human trafficking.***

In our view, in the present circumstances it has become necessary to take the requisite legal and political steps to nip in the bud the seeds of another migration crisis being sown by the Government of the Kingdom of Spain.

First of all, it is necessary to shield other European nations from the adverse consequences of Spain’s immigration amnesty. The Schengen Borders Code provides your governments with instruments enabling them to protect their borders:

1) in the event of a “serious threat to public policy or internal security,” a Member State may reintroduce border controls (Article 25 SBC);

2) only after the reintroduction of border controls does it become possible to effectively verify all the conditions governing the entry of third-country nationals, such as the absence of a criminal record or the possession of sufficient means of subsistence (Article 6(1) and (5) SBC).

Secondly, the entry into force of the aforementioned government decree may be regarded as a failure to comply with the obligations arising from the principle of sincere cooperation, the area of freedom, security and justice, and the standards of EU migration policy. In this context, we recall that any Member State has the right to bring an action before the Court of Justice against another Member State if it considers that the latter “has failed to fulfil an obligation under the Treaties” (Article 259 TFEU).



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Last but not least, it is still not too late to avert the crisis by taking political steps, in particular by engaging in bilateral diplomatic talks with the Government of Spain with a view to persuading it to abandon its plans for a mass immigration amnesty and to take into account the interests of the European community as a whole when making major decisions affecting the entire continent.

In light of the above, we respectfully call upon your Government to take swift and decisive action in defence of fundamental European values and to spare Europe another migration crisis.

Yours sincerely,

Jerzy Kwaśniewski

President

Ordo Iuris Institute for Legal Culture