

**To: Environment Ministers of EU Member States**

**Cc: Commission President, Executive Vice-President for the Clean, Just and Competitive Transition, and Commissioners for Environment, Water Resilience and a Competitive Circular Economy, Climate, Net Zero and Clean Growth, Energy and Housing, Health and Animal Welfare and the Chair of the European Parliament Environment Committee**

## **Meeting of the EU Environment Council Meeting, 17 March in Brussels Recommendations from environmental citizens organisations**

Brussels, 12 March 2026

Dear Minister,

On behalf of the European Environmental Bureau, I am writing to share our recommendations ahead of the upcoming Environment Council on 17 March. This meeting takes place at a moment of profound uncertainty for global governance, including environmental and climate action. The United States' retreat from environmental multilateralism, combined with escalating geopolitical tensions and the dangerous spiral of violence in the Middle East following the ongoing U.S. attack on Iran, are further weakening international cooperation at the very moment when collective action is most needed. It is also leading to a hike in oil and gas prices, which underline again the need to shift away from fossil fuel dependency towards EU energy autonomy. This requires accelerated investments in renewable energies, smart grids extensions, battery storage, circular economy and energy efficiency and sufficiency measures. The price rises also underline that it is not environmental regulation or renewables that are behind the high cost of energy, but geopolitics and dependencies. On the contrary, high renewable contributions (and high electric-vehicle shares, electric public transport) save money and help insulate against price shocks.

In this geopolitical context, Europe's responsibility to provide stability, strategic autonomy, leadership and long-term vision has only grown. The European Green Deal, endorsed by the Commission and Member States, remains the EU's most coherent framework for building a climate-neutral, zero-pollution and nature-positive future on which we must build. Yet its foundations are increasingly strained by external pressures, and its objectives are questioned, including through disinformation campaigns, geopolitical shocks and deregulatory agendas as well as short-term interests within the EU. The Commission's "simplification" initiatives risk weakening essential rules that protect clean air and water, healthy food systems, restored ecosystems, fair working conditions and corporate accountability. They threaten decades of sound and evidence based environmental legislation providing clarity, predictability and a level playing field for businesses operating in a single market and now risks rewarding the laggards and punishing leaders.

At a time of accelerating climate and environmental impacts, widening inequalities and mounting global instability, Europe needs stronger, future-oriented regulation, regulatory certainty and

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accelerated decarbonisation, depollution and nature restoration — not deregulation and uncertainty. Increased investments are also essential to shield European people and businesses from the growing impacts of the triple crises (climate, pollution, nature), these needs are not reflected in the MFF proposals, on the contrary. Reinforcing Europe's environmental leadership is also a matter of strategic resilience: addressing the climate, biodiversity and pollution crises alongside social inequalities strengthens autonomy, innovation and human security, broadly understood to include climate, food, water, energy, housing, governance and the rule of law.

We therefore urge Ministers to increase public investment in climate and environmental action, including through the EU budget, and to uphold the ambitions of the Green Deal. We invite you to consider our recommendations and our vision for a resilient, just and sustainable Europe.

## **A. Amendment of the CO<sub>2</sub> emission standards for cars and vans Regulation (policy debate)**

### **Background**

Cars remain a major source of Europe's environmental and public-health burden, generating 14% of the EU's greenhouse gas emissions and contributing to air pollution. Electric light-duty vehicles already offer a cost-effective, zero-emission alternative to internal combustion engines, offering lower mobility costs while cutting climate and air-quality impacts.

For over a decade, EU CO<sub>2</sub> standards for cars have been the most effective tool for controlling road-transport emissions and steering the transport sector toward electrification. These rules have provided the clarity needed for large-scale investment in electric vehicles, batteries, charging infrastructure and manufacturing capacity, helping bring more affordable EVs to market. Yet the current proposal to weaken the regulation by removing the phase-out date and adding new flexibilities risks delaying emissions cuts, slowing down the EV market at the very moment it needs to accelerate, and ultimately damaging Europe's climate goals, the automotive industry's innovation potential and energy resilience.

### ***The EEB therefore calls on the Environment Council to:***

- Reaffirm the **EU's long-term commitment to full vehicle decarbonisation and to reject the weakening of the 2030 target ambition;**
- Support the **end of the sale of new petrol and diesel cars and vans by 2035**, ensuring that Europe remains on track for both climate neutrality and innovation.

For detailed analysis and recommendation regarding vehicle decarbonisation and electrification of mobility, please refer to the detailed position issues by Transport & Environment.

## B. Decarbonisation efforts in the area of climate post-2030 (Exchange of views)

### Background

Europe is already experiencing the **escalating human and economic costs of climate change**, with extreme heat, floods, droughts and ecosystem loss undermining public health, infrastructure, food systems and economic stability. Scientific assessments show that delaying climate action will dramatically increase these costs, while decisive action could bring major **economic and societal benefits, including at least €1 trillion by 2030**. Yet recent political debates, including **deregulation narratives** around the Antwerp Industry Summit and the February informal European Council, risk repeating past mistakes by weakening climate policy, delaying investment and undermining Europe's clean industrial leadership. **Citizens continue to prioritise climate action**, and Europe's credibility depends on maintaining ambition, strengthening resilience and ensuring a predictable, science-based policy framework. Robustness requires a clear, automatic enforcement mechanism – relying on some Member States overachieving or on infringement procedures is not enough. Fixed penalties for missing targets, based on ETS-prices, can provide guidance for finance ministries that currently operate in an uncertain environment.

At the same time, the EU's **insufficient ambition for 2040** makes it even more critical that the **post-2030 climate architecture is robust, credible and environmentally sound**. Europe must prioritise rapid emissions cuts, maintain binding national targets, safeguard the integrity of the EU ETS systems and ensure that removals and international carbon credits do not undermine real mitigation. Strong governance, predictable investment signals, and full alignment of public and private finance with climate objectives are essential to deliver a socially just transition, modernise Europe's industrial base and uphold the EU's global responsibilities—including increased support to the Global South for mitigation, adaptation and loss and damage.

We underline that **strong, compulsory targets remain the backbone of effective climate policy**. Weakening or removing sectoral national sub-targets, particularly in politically sensitive end-use sectors such as buildings and transport, would entrench inertia at a moment when accelerated action is essential. These sectors are highly visible to citizens and therefore vulnerable to politicisation, disinformation and anti-EU narratives. Without binding national obligations and clear measures to achieve them, progress risks stalling further. Rapid climate action protects long-run competitiveness, saves many thousands of lives of EU citizens due to better air quality and helps protect the EU's international geopolitical interests in light of fossil fuel importers with antidemocratic and aggressive agendas.

### *The EEB therefore calls on the Environment Council to:*

- **Commit to a robust post-2030 climate architecture** that prioritises rapid and deep emissions reductions, environmental integrity and social justice.

- **Set three distinct targets** for gross emissions reductions, LULUCF sequestration and permanent industrial removals, with **no flexibility or fungibility** between them.
- **Maintain binding national climate targets**, ensuring accountability, equity and strong incentives for progress across all sectors.
- **Protect the integrity of the EU ETS 1**, including its cap trajectory, Market Stability Reserve, full phase-out of free allocations and a strong, exemption-free CBAM.
- **Operationalise ETS 2 on time**, ensuring it drives decarbonisation in buildings and transport while supporting a fair transition through a strengthened, long-term Social Climate Fund.
- **Exclude all removals from the ETS**, preventing the system from becoming an offsetting mechanism and ensuring it remains focused on real emissions cuts.
- **Reject the use of international carbon credits** within EU climate policy or allow them only as strictly limited last resort with strong safeguards and no role in ETS compliance.
- **Strengthen the Governance Regulation**, including binding 2040 energy targets, stronger gap-filling mechanisms, fair transition measures and improved compliance and enforcement.
- **Align all public and private financial flows with climate objectives**, including a full phase-out of fossil fuel subsidies, increased EU and national climate investment, and a fit-for-purpose post-NGEU EU budget.
- **Increase international climate finance**, ensuring the EU contributes its fair share to the new global finance goal and supports mitigation, adaptation and loss and damage in the Global South.

[Please also refer to Climate Action Network Europe's letter ahead of the Council with more details on the post-2030 decarbonisation efforts here.](#)

## C. Enhancing strategic EU collaboration in global environmental diplomacy: Strengthening partnerships and science-driven engagement in a shifting geopolitical world (Exchange of views)

### Background

Environmental multilateralism is under unprecedented strain, with key international agreements, scientific bodies and environmental conventions facing both political pressure and chronic underfunding. As an environmental citizens organisation, we warn that the global rules-based system, which is essential for tackling climate change, biodiversity loss and pollution, is eroding at the very moment when coordinated action is most needed. In this shifting geopolitical landscape, the EU's credibility as a defender of international law and multilateral cooperation is being closely scrutinised. When the EU hesitates, underfunds its commitments or sends mixed signals, it risks diminishing its influence and weakening the very institutions it depends on. Yet this moment also presents a strategic opportunity: by investing in the international legal system, strengthening science-based diplomacy and building new partnerships grounded in respect for international norms, the EU can reassert itself as a reliable, principled global leader capable of stabilising a crumbling order.

*The EEB therefore calls on the Environment Council to:*

- **Uphold international law unequivocally**, ensuring that all EU and Member State positions reinforce the global rules-based system rather than contribute to its erosion.
- **Respect and support established organisations and conventions**, adhering fully to their rules, mandates and scientific authorities.
- **Continue to invest** in multilateral environmental agreements, in particular where under political and financial pressures, such as the Aarhus Convention.
- **Deliver on all existing funding pledges** and **increase financial support** where other global actors are stepping back, safeguarding the functioning and independence of multilateral environmental institutions.
- **Lead by example**, demonstrating that the EU's commitment to legality, multilateralism and environmental protection is consistent, credible and backed by action.
- **Build new partnerships grounded in legal certainty and mutual respect**, ensuring that cooperation with emerging and established partners alike is reliable, transparent, and anchored in shared commitments to international norms.
- **Ensure all EU position and engagement in environmental multilateralism is science-driven**, aligning diplomacy, partnership and cooperation with the best available evidence and long-term planetary boundaries.

## D. Conclusions on the EU Bioeconomy Strategy (Approval)

### Background

Bio-based materials are already an integrated part of the European economy. The most important question now is not how to incentivise further use, but to determine **how much biomass is available to the economy in a healthy ecosystem**. The answer to that will be much less than what is currently assumed, meaning that the priority needs to be to **reduce demand**, in particular in **short-lived non-circular sectors**. Since the European Commission's proposal for the bioeconomy strategy in November 2025, several different versions of Council conclusions have been circulating. The most recent version **weakens language on planetary boundary protection and consumption reduction**, and rather than reduce the list of prioritised sectors, asks to address further sectors including cork, natural resins, pulp and paper, natural fibres, mycelium-based materials, bio-based fibre packaging, biopharmaceuticals and biogenic carbon solutions. As not all of these are per definition destined for circular use, we encourage the Council to restrict rather than extend the list of possible lead markets.

*The EEB therefore calls on the Environment Council to:*

- Strongly reassert the **imperative to reduce the need for primary resources**, prioritise **high-value applications** and reaffirm the Council's collective **commitment to reduce environmental pressures** beyond merely committing to the avoidance of further harm in your Conclusions.

- Take **caution with over-identification of lead sectors and bio-based content targets**. Without appropriate safeguards, the demand-side of the equation could risk leading to perverse incentives, further eroding and depleting natural resources.
- Ensure that **simplification efforts do not lower standards in the context of the bioeconomy strategy**. Coherence to the highest common denominator can strengthen the common market, but harmonisation in a race to the bottom would risk lowering ecosystem value and the EU's long-term competitiveness.

## E. AOB: 12th session of the Plenary of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES-12)

### Background

The IPBES Plenary in Manchester approved the [\*Methodological Assessment Report on the Impact and Dependence of Business on Biodiversity and Nature's Contributions to People\*](#) that found that **businesses are central to halting and reversing biodiversity loss**, but that many **often lack information** to address their impacts and dependencies, as well as the risks and opportunities relating to biodiversity and nature's contributions to people. Every business depends on biodiversity, and every business impacts biodiversity. The growth of the **global economy has been at the cost of immense biodiversity loss**, which now poses a **critical and pervasive systemic risk to the economy, financial stability and human wellbeing**, so the findings of the recent landmark new report published by IPBES.

Even companies that might seem far-removed from nature or that do not see themselves as nature-based directly or indirectly, rely on material inputs, regulation of environmental conditions such as flood mitigation and water supply and non-material contributions such as tourism, recreation, education and spiritual, aesthetic and cultural values. But **businesses often bear little or no financial cost for their negative impacts**, and many are currently not rewarded for their positive impacts on biodiversity.

In this context, we would like to bring to your attention the very concerning **decision by the EC to review and revise the EU's Water Framework Directive** announced in the EU Action Plan with a stated objective "to promote circularity and access to critical raw materials in the EU". This sets the objective of the review to **lower the level of water protection, allowing potential increases in water pollution from mining**. The EC explained that this decision was taken in response to concerns raised by the critical raw materials sector. Our analysis of those concerns, summarised in the publications "[\*Industry's role in water resilience: How some lead – and others wreck\*](#)", shows that if the Commission implemented changes put forward by the sectors, this would essentially give those industries the green light to maintain their "business as usual" activities, resulting in further pollution and degradation of vulnerable freshwater ecosystems.

**The EEB therefore calls on the Environment Council to:**

- **Follow up on the central message of the *IPBES Business and Biodiversity Report*** by setting the enabling environment: policy, legal and regulatory frameworks; economic and financial systems; social values, norms and culture; technology and data; and capacity and knowledge. The Report provides more than 100 specific examples of concrete actions that can be taken by businesses, governments, financial actors and civil society;
- **Refrain from reviewing, revising or weakening the WFD** (see the annex with [5 reasons why the WFD should not be revised](#));
- Prioritise the full and timely **implementation and enforcement of the existing water acquis** (including the provisional deal to update priority substances in surface water and groundwater) and the Water Resilience Strategy, including through pursuing the Structured Dialogues started at the end of 2025;
- Use the time to **implement the upcoming new guidance document** on environmental permitting in relation to mining and water, and assess later if more flexibility is needed;
- Ensure a **clear, stable and predictable regulatory environment** that safeguards progress, qualified workers and investment.

We thank you, Ministers, for your consideration of the above points from civil society, and we hope that they are useful for your discussions, decisions and commitments. Please do not hesitate to get in touch if you would welcome further details on any of the above. We wish you all the best for your Council Meeting.

Yours sincerely,



Patrick ten Brink  
Secretary General



Patrizia Heidegger  
Deputy Secretary General

## Annex: 5 reasons not to revise the Water Framework Directive<sup>1</sup>

The Water Framework Directive (WFD) is a cornerstone of EU environmental law. It aims at (i) preventing further destruction of the EU's water environment and (ii) achieving good status of European rivers, lakes, streams, wetlands, groundwater, and transitional and coastal waters. In doing so, the law secures the crucial benefits of healthy freshwater ecosystems for the sake of human and environmental health, economic prosperity, and climate resilience. The Commission's announcement on 3 December 2025 in the RESourceEU Action Plan Communication to "review and revise the WFD, [...] paying particular attention to simplification and the need to address potential bottlenecks" in Q2 2026, is casting a major risk of weakening of the water protection rules.

In this paper, **the Living Rivers Europe coalition warns against the revision of the Water Framework Directive**, which will most likely result in weakening of the WFD and lead to more pollution and nature destruction, undermining Europe's water resilience and citizens' trust in the EU. During the [call for evidence](#) on the Environmental Omnibus in September 2025, nearly [200,000 Europeans](#) wrote in to oppose environmental rollbacks and demanded even stronger protection of nature, specifically highlighting the importance of the water protection laws for them. Unfortunately, the European Commission did not heed those calls and has embarked on the course of weakening the EU's flagship water law. The ongoing [Hands Off Nature](#) campaign that our organisations support continues to mobilise Europeans who demand that our European leaders defend the laws that protect people and nature, and do not bow to polluters and vested interests.

In the RESourceEU Action Plan Communication, the review and revision of the WFD is framed to "promote circularity and access to critical raw materials in the EU." This objective, repeated in the Environmental Omnibus communication, implies the lowering of water protection standards to respond to concerns raised by the critical raw materials sector. Our analysis of those concerns, summarised in the publication "[Industry's role in water resilience: How some lead – and others wreck](#)", showed if the Commission implemented the changes put forward by the polluters, they would be giving those industries the green light to carry out activities that are harmful for nature and people's health, resulting in further pollution and degradation of our vulnerable freshwater ecosystems. Moreover, even if the Commission's forthcoming proposal remains targeted to allowing more pollution only from the mining sector, there remains a danger in the fact that the scope of the revision can be broadened in the co-decision process, as shown during the update of the EU's water pollution standards, where Member States introduced new exemptions to the non-deterioration principle of the WFD.

Our coalition believes there are at least 5 reasons to not revise the WFD:

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<sup>1</sup> This annex is based on the [Briefing Paper by the Living Rivers Europe coalition](#) that brings together seven environmental and angling organisations: the European Anglers Alliance, the European Environmental Bureau, the European Rivers Network, Surfrider Foundation Europe, The Nature Conservancy, Wetlands International Europe and the WWF's European network.

## **Reason 1: Sound water protection and legal stability are essential to Europe's competitiveness**

Water and freshwater ecosystems have an immense economic value estimated to be over €11 trillion in Europe – [about 2.5 times the GDP of Germany](#). Europe's competitiveness depends on sound regulatory requirements, not a race to the bottom to appease those who will not take the necessary steps to address their pollution at source. [Forward-thinking companies stand up for strong water protection](#) because, in their own words, *"a stable, ambitious regulatory framework is key to encouraging investment, innovation, and sustainable business practices that contribute to Europe's water and climate resilience"*.

Water quality is as important as water availability. Key economic sectors such as agriculture, fisheries and aquaculture, energy production, and industries, including some participating in the green transition such as data centres, renewable hydrogen, and electric vehicle battery production, rely on both clean and abundant water supply – which is sourced from healthy freshwater ecosystems. Weakening the legislation which protects the ecosystems and the water cycle itself on the grounds of simplification is missing an entire part of the picture.

Unreliable access to clean and available water is increasingly identified as a business risk on our continent. This is due in the first place to human activities such as pollution and over abstraction, as well as to climate change. The 2022 [IPCC report confirms that climate change](#) manifests primarily through water, which reflects the findings of the [Stern review on the Economics of climate change](#), which holds that the economic impacts of climate will also be most felt through its effects on the hydrological cycle. Economic losses from water scarcity (primarily driven by excessive water demand and aggravated by the effects of climate change) already reach up to [€9 billion per year in the EU](#), largely through impacts on water-dependent sectors. The WFD is the tool to mitigate those impacts.

There is ample evidence that environmental regulation drives innovation and is a means to boost competitiveness. A 2024 [study from the European Central Bank](#) concluded that decisive environmental policy action is essential for increasing clean technology innovation, which in turn is vital for delivering emission reduction at a lower cost in the future. As an illustration, the introduction of the [Water Ecological Civilisation City Pilot policy](#) in China, a new environmental policy, has resulted in pollution reduction while increasing the number of green patent applications. Similarly, [research](#) showed that the Montreal Protocol and the U.S. Clean Air Act requiring the elimination of ozone-depleting chlorofluorocarbons (CFCs) led to innovation and the adoption of substitutes (for instance, cleaning agents used in industrial processes), resulting in an increase of product quality, lower operating costs and enhanced competitiveness.

A sound and stable WFD is needed to support a water-resilient industry. We welcome the fact that the EU has committed to become more climate and water resilient including in the recent EU Water Resilience Strategy, one of the key deliverables of the von der Leyen II Commission. Climate and water resilience can be achieved by promoting an industry that has taken responsibility to limit its impact on freshwater ecosystems (see example of investments at the Kittilä mine in Lapland, Finland, in annex) and adapted to withstand the consequences of our changing climate. Sound water protection standards force companies to invest in making their activities more water and

climate resilient. On the contrary, backtracking on environmental regulation would kneecap industry that has already invested in adapting, and [lead to a race to the bottom](#). As the effects of climate change worsen, this will just result in a less resilient industry, easily wiped out by the inevitable material shifts of climate change, and subsequent re-legislating to adapt to them (this being the opposite of a no-regret policy).

The Commission proposed an update to the WFD already three years ago, which provided additional flexibilities and extensive deadlines for Member States in tackling water pollution with pollutants of emerging concern such as PFAS. It went beyond the agreed mandate of the technical update of the directive by introducing two new exemptions from its environmental objectives. Rather than another revision of the WFD, companies need a stable and predictable regulatory framework that enables consistent implementation and improvement over time.

## **Reason 2: The WFD is needed to deliver water resilience**

The WFD is the toolbox which the EU Water Resilience Strategy relies on. In this Strategy, the Commission highlights that *"Achieving water resilience will depend on enhanced implementation of the comprehensive EU water acquis"*. On 21 October 2025, Environment Ministers stressed in the [Council conclusions on the EU Water Resilience Strategy](#) *"the urgent need for improved implementation of existing EU water legislation across sectors"*, a call which had also been made in the European Parliament's [EP INI report on water resilience](#) in 2025. Announcing a revision of the WFD only a couple of months after releasing the Water Resilience Strategy is politically inconsistent – and would make it impossible to achieve the objectives of the Water Resilience Strategy.

The [European Environment Agency's State of Water Report \(2024\)](#) states that: *"Urgent action is required to improve Europe's water resilience. Climate change is disrupting weather patterns and further increasing pressures on our water resources and ecosystems. Europe's water management practices are poorly adapted to cope with such rapid and large-scale change, which will compromise water security."*

Droughts already affect [20% of Europe's land each year](#), while water-related disasters have multiplied and intensified during recent years, with severe consequences for people and the economy. In 2024, storms and floodings across Europe claimed [335 lives and cost at least €18 billion](#). At the same time, water pollution across the EU remains significant, with less than 30% of surface water bodies meeting EU quality standards, putting at risk the right to access to clean water and burdening public budgets and drinking water bills.

Agriculture is reliant on water availability, and amongst the first to be hit by water scarcity and drought. 62,000km<sup>2</sup> of cropland was affected by drought in Europe on average every year during the period 2000-2021 – twice the surface area of Belgium ([EEA, 2021](#)). By regulating water abstraction permits and water allocation among users, the WFD ensures that water abstraction is kept to a level which guarantees the replenishment of ecosystems storing water. The proper allocation of water among different users is one of its key elements. Loosening the rules on water abstraction, or over-promising water to agriculture, like in the [Adour river basin](#) or in the [Marais Poitevin](#) in France, would only undermine the resilience of the sector in the long term.

### **Reason 3: A revision now would undermine efforts to close implementation gaps**

Environmental governance requires a long-term vision; translating legal objectives into ecological outcomes requires planning, implementation, investment and monitoring by Member States. The Water Resilience Strategy launched Structured Dialogues with each Member State, starting in November 2025, to identify and overcome [country-specific implementation issues](#). Changing the WFD at this moment will not only cause confusion, but it also risks taking valuable time from the preparations of the next River Basin Management Plans (2028-2033) and the intensive work required at the EU and national level to close implementation gaps by 2027. It does not make sense for the Commission to be working to help Member States identify and close implementation gaps of a law, while at the same time preparing to dismantle those rules.

Implementation gaps that have already been identified are the lack of capacity at a municipal level, and an [annual investment gap of around €23 billion](#) (0.1% of EU GDP) to implement the existing water legislation. Focus should be on closing this investment gap perhaps by supporting some of the sectors which need the most help to reduce their impact on water, for instance agriculture (see text box). On the contrary, frequent reopening of core objectives, shifting timelines, or weakening obligations undermine these processes by increasing uncertainty and discouraging long-term commitments.

With diffuse pollution from agriculture being the main pressure on surface and groundwater, changes in farming practices can help sustain productivity while reducing pollution and adapting to lower water use. The use of nature-based solutions in farmland, such as buffer strips around water courses, reduced mowing, tree or hedge planting, can facilitate water infiltration, mitigating both drought and flood risks. Transitioning to less water-intensive crops is also needed in the regions that are the most impacted by water stress. Additional incentives and financial support in the upcoming CAP could help farmers upscale such practices.

The EU agreed to comply with the WFD by 2015, but Member States could spread action over two additional 6-year implementation cycles for cases where more time was needed. After 2027, Member States will have less room to justify why they are not meeting the objectives, meaning that the next cycles of River Basin Management Plans that are currently being drafted by authorities will be the first ‘real’ implementation plans. Some countries are making significant advances on this, for example, Denmark which recently banned several PFAS-containing pesticides with a view to protecting groundwater. It is inconceivable that the standards would be lowered at this point to appease those sectors and Member States that have not taken sufficient action for the past 25 years.

### **Reason 4: There is no evidence supporting the need for revision**

The WFD was assessed “fit for purpose” in the European Commission’s [Fitness Check evaluation](#) in 2019. As its objectives have not been achieved but are more important than ever for the wellbeing of European citizens, nature and industries, the law must be kept strong and its implementation boosted.

The upcoming WFD revision proposal will need to be accompanied by a comprehensive Impact Assessment, as required by the Inter-Institutional Agreement on Better Law-Making and the Commission's Better Regulation Guidelines ([paragraph 13](#)). Exemptions from this requirement exist and have been invoked by Commissioner Roswall in her exchange with the ENVI Committee in January 2026, however they [do not cover the present case](#). The burden of proof demonstrating that the RESource EU Action Plan does qualify under an exemption relies on the Commission, and we have not seen such proof. The EU Ombudswoman [recently highlighted](#) the risks of an overly wide interpretation of the term "urgency" to justify not conducting impact assessments.

No evidence has been brought that revising the WFD to simplify it would result in a substantial and significant reduction of financial burden for the industry for which this revision is promised. On the contrary, research shows that the costs of not fully implementing EU environmental law and policy amount to at least [€180 billion a year](#).

According to the [2024 Eurobarometer survey](#) on *Attitudes of Europeans towards the environment*, 78% of Europeans want the EU to do more to tackle water pollution. Reopening the WFD would therefore also go against the wishes of a large majority of European citizens.

### **Reason 5: The WFD is a flexible tool, striking a balance between different water users**

The WFD, as it is now, is a "[flexible enough](#)" tool that already allows certain derogations, depending on the circumstances. Article 4(7) makes it possible to give projects derogations to the environmental objectives of the WFD if some conditions are met. One of those conditions is that projects are of overriding public interest – something which, according to case law, must be determined at a national level. There is, therefore, inbuilt flexibility and subsidiarity embedded in the existing directive.

Additional flexibility was also recently granted as part of the [update of priority substances in surface and groundwater](#), expected to enter into force shortly. The administrative burden for authorities was lowered by removing the obligation to report on implementation progress mid-way through the RBMP cycle. Two new exemptions were also introduced to article 4(7) to address the argued lack of flexibility of the non-deterioration principle of the WFD. Namely, one exemption regards short-term temporary deterioration of chemical (1 year) and biological (3 years) quality elements, and the other one allows for relocation of pollution from one water body to another.

The Environment Omnibus and Grids Package contain legislative proposals, namely the [Regulation for the speeding up of environmental assessments](#) and the [Directive on the acceleration of permit-granting of certain infrastructure projects](#), which amend directly or indirectly the Water Framework Directive to add flexibility for permit-granting. For example, the [Regulation for the speeding up of environmental assessments](#) (Article 14 and annex) grants the status of public interest to certain projects developed for strategic sectors or categories and flags that they "may be considered to have an overriding public interest", including with regards to the obligations referred to in WFD Article 4(7). In addition, both packages introduce rigid EU-level deadlines for undertaking environmental assessments, including assessments required under Article 4(7) of the WFD.

It is important to recall that the WFD is about balancing interests between water users. Multiplying derogations, particularly if those would be sectoral ones, or loosening legal requirements to improve the water status, might shift this balance and have repercussions for other water users. The WFD recognises that water is a common good (recital 1) and that “water supply is a service of general interest” (recital 15), underlining the shared nature of its governance. For instance, weakening requirements to address water pollution from agriculture (nitrates, phosphorus, pesticides) would result in further shifting the burden of clean-up to drinking water customers, which is in total contradiction with the standards recently adopted under the recast of the Drinking Water Directive that require more action to address pollution at source.

### **Way forward: Implement new flexibilities already granted before deciding if more flexibility is needed**

Some Member States and industry sectors claim that the WFD is standing in the way of permits. The [European Court of Auditors](#) indeed found out that ‘lengthy and complex permitting’ is a key bottleneck for permitting for critical raw materials projects, highlighting that “*The Commission has clarified the conditions for extraction in Natura 2000 areas, but it has not done so in relation to the Water Framework Directive. It has also started to address the permitting bottleneck in the Critical Raw Materials Act, mainly through one-stop shop solutions (paragraphs 70-75)*”. In fact, the Commission in its REsourceEU Action plan announced a guidance document to enable a simpler and more harmonised implementation in Member States of the EU law on environmental permitting, including aspects relating to the mining sector for Q1 2026. A revision of the WFD before Member States have properly started using the guidance document is therefore premature.

The Swedish government, in its [list of simplification proposals](#) sent to the European Commission, calls on the Commission to find ways to balance the interests at stake in situations where there are competing objectives, specifically mentioning Article 4(7) of the WFD. But Article 4(7) already offers this balance, for example, by allowing Member States to grant permits to harmful projects if they are deemed to be of overriding public interest. The perceived bottlenecks thus come from the fact that the competent Member State is not applying this exemption and using the flexibility offered by the Directive. As a result, the mining industry has chosen to lobby for changes to European policy rather than adjust its practices to reduce pollution and build trust with the local population.

Member States must first be given a chance to adapt national rules following the upcoming guidance document, so that issues which are rather connected to the transposition of the WFD into national law than to the WFD itself can be identified and solved at the appropriate level (see annex on Mining in relation to the WFD).

### **Recommendations**

We ask the Environment Ministers to:

- **Refrain from revising or weakening the WFD;**
- Prioritise the full and timely **implementation and enforcement of the existing water acquis** (including the provisional deal to update priority substances in surface water and

groundwater) and the Water Resilience Strategy, including through pursuing the Structured Dialogues started at the end of 2025;

- Use the time to **implement the upcoming new guidance document** on environmental permitting in relation to mining and water, and assess later if more flexibility is needed;
- Ensure a **clear, stable and predictable regulatory environment** that safeguards progress, qualified workers and investment.