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Op-Ed: “The Omnibus Package: The Death Knell for the European Green Deal?”

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Since the adoption of the European Green Deal in 2019 (EDG), concerns about compliance costs for achieving climate neutrality and other environmental objectives, the resulting loss of competitiveness of EU undertakings, trade retaliation and geopolitical turmoil have induced the European Commission to undertake a major simplification of existing legislation. The EU executive has proposed ten ‘omnibus’ packages to EU lawmakers, which involve revisiting existing legislation in order to reduce disproportionate, redundant or overlapping regulatory requirements. Given that administrative simplification has now become the EU’s new mantra, these changing political winds not only provide cover for a controversial form of regulation but also risk blowing the EGD off course.

A ‘Simplification Revolution’ to Alleviate Regulatory and Administrative Burdens Brought About by New Climate and Environmental Measures

The [EGD](#) has caused the biggest regulatory shockwave the EU has seen since the single market was created in 1986. The goal of climate neutrality by 2050 ([Climate Law of 2021](#)) is underpinned by a flurry of new legislative instruments and amendments adopted between 2021 and 2024, designed to ensure sustainability in finance, energy, industry, transport, the internal market, agriculture and foreign trade. Having emerged from the shadows thanks to this deal, the Union's climate and environmental policies were set to become flagship vehicles of European integration. However, the euphoria was short-lived.

On 8 November 2024, following [Mario Draghi's report 'The future of European competitiveness'](#), which stressed that excessive regulatory and administrative burdens are undermining the competitiveness of EU companies, the European Council proclaimed with great fanfare 'a revolution in simplification' of regulatory and administrative burdens, particularly for SMEs (see the [Budapest Declaration on the New Pact for European Competitiveness](#)). In the wake of this declaration, other EU institutions were called upon to ease reporting requirements for businesses by at least 25%. The first signs of this 'simplification' initiative came in June 2024, under pressure from certain agricultural federations, with the repeal or relaxation of several good agricultural and environmental conditions ([GAECs](#)), which affect the financial support that farmers receive under the CAP's first pillar.

Guided by its '[competitiveness compass](#)', in 2025 the European Commission submitted ten 'omnibus packages' to the European Parliament and the Council. In brief, this initiative did not entail a minor correction to the recent *acquis communautaire*, given that these ten legislative proposals aim, without any robust scientific or economic prior assessments, to reform dozens of legislative instruments grouped together by subject matter.

The [first 'Omnibus' simplification package](#) from February 2025 aimed to lighten several obligations under the Corporate Sustainability Due Diligence Directive (CS3D) ([2024/1760](#)) and those provided for in the Corporate Sustainability Reporting Directive (CSRD) ([2022/2464](#)) on the publication of information related to the sustainability of environmental and social governance, as well as the Taxonomy Regulation ([2020/852](#)). Since then, a succession of Omnibus packages have been adopted with the aim of simplifying existing Regulations. These include European legislation on the common agricultural policy

([Omnibus III](#)), medium-sized enterprises ([Omnibus IV](#)), defence ([Omnibus V](#)), chemicals ([Omnibus VI](#)), digital technology ([Omnibus VII](#)), the environment ([Omnibus VIII](#)), the automotive sector ([Omnibus IX](#)) and food and feed ([Omnibus X](#)). As justification for the reduction and simplification of administrative formalities, the Commission points to the need to strengthen the competitiveness of several economic sectors that have been hit hard by the rise of foreign competitors. This exercise should enable public authorities and the businesses concerned to save just over 11.9 billion euros.

That said, this sweeping reform has been accompanied by a series of postponements of the entry into force of new regimes (stop-the-clock) including postponement of [several corporate sustainability reporting and due diligence requirements](#) (2027-28), the entry into force of the EUDR Regulation ([2023/1125](#)) (1 January 2027), the [battery due diligence obligation](#) (August 2028) as well as the extension of the carbon market ([ETS2](#)) to road transport and building heating (2028).

As the devil tends to hide in the detail, this wave of Omnibus packages, according to its detractors, masks a real attempt to undermine the progress made towards achieving climate neutrality by 2050, coupled with the circular economy and zero pollution. While some adjustments are undoubtedly necessary, given the scale of the expected transition, the fact remains that the exercise undertaken by the European Commission lacks clarity, rigour and even vision.

Climate and the Environment: The Scapegoats for the New Regulatory Packages

To begin with, the new climate and environmental requirements have become scapegoats for the European Commission. In addition to [Omnibus VIII](#), which aims to simplify several pieces of environmental legislation (impact assessments, industrial emission standards, water, etc.), most of the other Omnibus proposals impinge upon environmental law. By way of illustration, [Omnibus IV](#) on medium-sized enterprises has resulted in amendments to the Battery Regulation regarding due diligence. By providing for the acceleration of authorisation procedures and relaxing several rules on the management of chemical substances, Omnibus V on defence is also likely to affect environmental law.

Lack of Transparency and Scientific Rigour

The Commission's lack of transparency and scientific rigour when drawing up its proposals is striking. Prior to the adoption of legislation between 2021 and 2024, genuine public consultations enabled all interested parties to air their concerns. Just one year later, under the auspices of the Omnibus, relatively opaque consultations with the relevant economic operators replaced broader consultations. In its proposals to dust off existing legislation, the Commission seems to favour those made by businesses that are beneficial to them. This is clear from the [European Union Ombudsman's report of 25 November 2025](#), Teresa Anjinho. She considered that the [Commission proposals to simplify the CAP in 2024](#) and the CSDDD and CSRD directives ([Omnibus I](#)) in 2025 did not comply with the obligations of the [2016 Interinstitutional Agreement on Better Law-Making](#). As regards the 2024 reform of the CAP, the Commission consulted only four agricultural unions, behind closed doors, without seeking the opinion of other agricultural federations and other 'interested parties' (NGOs, experts) on the grounds that 'they were not concerned' by these changes (§74).

As regards Omnibus I, the Ombudsman considered the interpretation of the notion of 'urgency' to be misconstrued.

Decline in Health and Environmental Protection Standards

Many legislative changes are more like major surgery than cosmetic surgery. In some cases, they even complicate existing legal frameworks. For example, in relation to Omnibus I, EU lawmakers have drastically reduced the scope of the CS3D Directive by quintupling the threshold number of employees for its application (from 1,000 to 5,000) and tripling the turnover threshold (from €450 million to €1.5 billion of net turnover), also removing NGOs from the definition of stakeholders. Furthermore, the obligation for undertakings to adopt climate transition plans in line with the Paris Agreement has been scrapped. However, the obligation to draw up a climate transition plan is nevertheless maintained in the CSRD, albeit inconsistently. The scope of companies' duty of care with regard to their supply chains has been limited to impacts that they consider to have 'actual or potential negative impacts'. Last but not least, the harmonised civil liability regime has been made optional, at the discretion of Member States. [On 24 February 2026, the Council gave its final green light to this simplification.](#) At this stage, we really need to call a spade a spade: these far-reaching amendments weaken the scope of landmark legislation on sustainable finance. A flagship measure of sustainable transport, the [ban on the sale of new combustion engine cars](#) was

watered down in 2025 by a target to reduce CO2 emissions from new cars by 90% compared to 2021 levels, thereby allowing vehicles running on low-carbon fuels (plug-in hybrids) to be placed on the market.

Distrust of Science

The European Commission's blatant disregard for science is appalling. While the legislation adopted between 2021 and 2024 was preceded by in-depth economic and scientific analyses covering socio-economic and environmental dimensions, in 2025 the Commission did not bother to assess extensively the cost and extent of the health and environmental consequences of its various proposals that will result in the postponement, repeal, weakening, etc. of various legislative requirements. For example, in order to reduce the administrative burden on farmers, in June 2024 the legislature permanently removed the [BAEC 8](#) that stipulated a minimum allocation of 4% of arable land to non-productive areas or features (fallow land, hedgerows, nitrogen-fixing crops). In doing so, it disregarded the recommendations made by scientists who have advocated for a minimum coverage of 10% of arable land. The Commission's proposal to abolish the periodic review (every 15 years) of active substances found in plant protection products ([Omnibus X on food and safety](#)) that are inherently dangerous (e.g. glyphosate) disregards the precautionary principle, according to which science is not immutable.

Blurring of the 'Cordon Sanitaire' Between the Right and the Far Right

The June 2024 elections clearly had the effect of reshuffling the deck. The Omnibus I proposals, which are intended to ease reporting rules and corporate due diligence requirements, were approved thanks to an unprecedented alliance between the European People's Party (EPP), the main political group in the European Parliament, and several far-right groups (ECR, PflE and ESN) that were keen to scrap the EGD. The social-democratic, green and moderate liberal groups that supported Commission President von der Leyen's election in 2024 opposed these changes. This bombshell in what is otherwise a rather consensual parliamentary setting undoubtedly marks a rupture of the '*cordon sanitaire*' between the right and the far right. As for the Council, it has failed to temper the anti-

regulatory fervour of a majority of MEPs. To make matters worse, the influence of Member States that are at odds with the EDG (Hungary, Slovakia, Czech Republic) has also grown.

Constitutional Principles Called into Question

The lowering of the level of protection as a result of various measures either already adopted or in planning could breach the obligations to achieve a high level of protection for health, the environment and consumers set out in the founding treaties and the Charter of Fundamental Rights (Articles 168(1), 169(1) and 191(2) TFEU, Articles 37 and 38 of the Charter). While it may, in principle, be possible to lower the level of protection previously achieved, this is not allowed where the reduction is significant. Such a reduction must be justified in light of other aspects of general interest and must be proportionate, in particular in light of rigorous scientific data, to the objectives of administrative simplification pursued. It will be for the courts to verify whether these conditions are met.

Furthermore, under the [2016 Interinstitutional Agreement on Better Law-Making](#), EU legislation must be drafted and adopted in accordance with a number of procedural requirements designed to ensure compliance with the principles of proportionality (Article 5(4) TEU), participatory democracy (Article 11(3) TEU), transparency and legal certainty (Article 1 TEU and Article 296 TFEU). Accordingly, the European Commission does not have absolute discretionary power to amend major pieces of legislation when setting out its proposals. However, as we have seen, the new form of regulation resulting from the Omnibus packages tends to systematically undermine these pillars of the rule of law (Article 2(1) TEU).

Controversial Paradigm Shift

Ultimately, it will be recalled that the EU made environmental transition its flagship policy in 2019. The advent of a decarbonised, circular economy should have strengthened its strategic autonomy. Six years later, concerns about compliance costs, a loss of competitiveness, trade reprisals and geopolitical tensions have forced the EU to change track. The European Commission has inundated legislators with a panoply of amendments to recently adopted legislation. There is now a sense that things need to move quickly, for

reasons of competitiveness. In the future, one might fear that sustainability governance will be defined by postponements, adjustments and mitigations.

In any case, according to the European Environment Agency, as the law currently stands the EU will not achieve most of the environmental targets it has set for 2030 ([EEA, Europe's environment and climate: knowledge for resilience, prosperity and sustainability, 2025](#)). Meanwhile, the increase in the frequency of storms, floods, heatwaves, droughts and wildfires, exacerbated by accelerated biodiversity loss, the degradation of carbon sinks, and rapid ocean acidification, reminds us of the dramatic human consequences of the climate and environmental polycrisis ([UNEP, Global Environment Outlook](#), p. 7).

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