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The Omnibus Packages

The Death Knell for the European Green Deal?

Ten legislative packages reopening the EU climate & environmental acquis (2025–2026)

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ROADMAP

What this talk covers

1. **The Green Deal in 2019**
   Climate neutrality 2050 and the regulatory shockwave
2. **The political turn of 2024**
   Draghi, Letta, and the 'Simplification Revolution'
3. **The ten Omnibus packages**
   From CSRD to plant protection products
4. **A common pattern**
   Stop-the-clock, lower thresholds, weaker science
5. **Case study — Omnibus X**
   Abolishing the 15-year renewal of active substances
6. **Constitutional implications**
   Non-regression, precaution, Better Law-Making
7. **Conclusion**
   Paradigm shift and the EU's eroding climate leadership

PART 1 — CONTEXT

The 2019 European Green Deal

The biggest regulatory shockwave since the 1986 Single Market

Anchor: Climate Law (Regulation 2021/1119) — climate neutrality by 2050.

Underpinned by ~100 legislative instruments adopted 2021–2024 covering:

- **Climate:** ETS reform, CBAM (Fit for 55)
- **Energy:** energy efficiency, buildings (Fit for 55)
- **Sustainable finance:** CSRD, CS3D, Taxonomy
- **Environment:** Industrial emissions, air pollution, water, circular economy
- **Ecosystems:** Agriculture, deforestation (EUDR), nature restoration
- **Transport:** CO_2 standards, end of ICE cars (2035)

By the numbers

~100
legislative acts 2021–2024

−55%
GHG emissions by 2030 (vs 1990)

2050
climate neutrality target

−90%
GHG target by 2040 (proposed)

PART 1 — CONTEXT

Climate neutrality 2050

The cornerstone of the 2021–2024 reform agenda

€1,200–1,300 bn

estimated annual investment needed to reach climate neutrality by 2050

The European Climate Law (Reg. 2021/1119) binds the EU to climate neutrality by 2050 and a –55% GHG cut by 2030.

Climate neutrality is the **spearhead** of the entire Green Deal: every sector — energy, industry, finance, transport, agriculture, buildings — must contribute.

It justifies the post-2021 wave of legislation: ETS reform, CBAM, CSRD/CS3D, EUDR, CO2 standards, Nature Restoration…

PART 2 — THE POLITICAL TURN

From euphoria to the 'Simplification Revolution'

Dec 2019	Jun 2024	Sep 2024	Nov 2024	Feb 2025
European Green Deal launched	EP elections — right & far-right surge	Draghi report on competitiveness	Budapest Declaration — 'revolution'	Omnibus I tabled; 9 more follow

Two key drivers

Competitiveness anxiety: Letta & Draghi reports flag US/China gap; industry federations demand a Clean Industrial Deal.

Political realignment: Member States hostile to the EGD (HU, SK, CZ) gain influence; the EP's cordon sanitaire weakens.

What is an 'Omnibus' package?

A single legislative proposal that reopens, amends or postpones multiple acts grouped by topic — without a fresh impact assessment.

What it does

- Bundles amendments to several Regulations/Directives
- Postpones entry into force ("stop-the-clock")
- Raises thresholds; carves out SMEs/medium firms
- Replaces full impact assessments with a brief "analytical document"

How it differs from ordinary reform

- No genuine public consultation — closed-door talks with selected industry groups
- Invokes "urgency" to bypass Better Law-Making rules
- No prior evaluation of climate / environmental coherence
- Procedure compressed to a few months

Why it matters

- Reopens recently adopted acquis still being implemented
- Creates legal uncertainty for authorities and businesses
- Risks breaching procedural pillars of the rule of law (Art. 2 TEU)
- Cumulative effect: substantial roll-back of protection

The ten Omnibus packages at a glance

I	Sustainable Finance	CS3D, CSRD, Taxonomy
II	InvestEU / Funding	Investment vehicles & funds
III	Common Agricultural Pol.	GAECs, support conditionality
IV	Medium-sized Enterprises	Threshold relief, Battery Reg.
V	Defence	Chemicals & permits accelerated
VI	Chemicals	REACH, CLP simplification
VII	Digital	Reporting & compliance
VIII	Environment	Water, EIA, industrial emissions
IX	Automotive	CO2 standards, ICE phase-out
X	Food & Feed Safety	Pesticides, active substances

Estimated savings claimed by the Commission: ***€11.9 billion*** *for public authorities and businesses combined — but no robust impact assessment supports these figures.*

A PATTERN ACROSS PACKAGES

Stop-the-clock — postponed entry into force

Six years of negotiation. Adopted instruments delayed before they begin to bite.

Instrument	Original date	New date	Delay
CS3D (corporate due diligence)	July 2026	July 2028	**+2 yrs**
EUDR (deforestation regulation)	1 Jan 2025	1 Jan 2027	**+2 yrs**
CLP (chemicals labelling)	1 July 2026	2028	**+~2 yrs**
ETS2 (road transport & heating)	2027	2028	**+1 yr**
Battery due diligence	2025	Aug 2028	**+3 yrs**

Cumulative effect: the EU may miss the −90% GHG target for 2040 and most of its 2030 environmental objectives (EEA, 2025).

Sustainable Finance — CS3D, CSRD, Taxonomy

BEFORE

CS3D (Dir. 2024/1760) as adopted

1 000 employees

threshold

€450 m net turnover

- Full supply-chain duty of care
- NGOs included as stakeholders
- Mandatory Paris-aligned transition plan
- Harmonised civil liability regime

AFTER OMNIBUS I (Directive (UE) 2026/470)

Drastically narrowed scope

5 000 employees

(threshold ×5)

€1.5 bn net turnover

(×3)

- Duty limited to impacts firm deems 'actual or potential'
- NGOs removed from stakeholder definition
- Paris transition plan obligation deleted (but kept in CSRD — inconsistency)
- Civil liability regime made optional for Member States

Reform pushed through by an alliance of the EPP with ECR / PfE / ESN — break with the European Parliament's traditional cordon sanitaire.

Simplifying investments — InvestEU

Mobilising private capital for the climate transition.

+€2.5 bn

added to the existing €26.2 bn InvestEU guarantee envelope (Reg. 2025/2005, adopted 16 Dec 2025)

- InvestEU Fund: EU guarantees backing public institutions and private investors in 'activities of strategic importance' — including sustainable infrastructure.
- 30% of guaranteed investments must comply with the Taxonomy Regulation, securing the 'sustainable growth' anchor.
- Increased financial capacity to leverage private investment in industrial decarbonisation, clean-energy production, storage and deployment, and electrification.
- Annual investment needed to reach climate neutrality by 2050: €1,200–1,300 bn — the InvestEU top-up remains a fraction of that gap.

Base reference: *Regulation (EU) 2021/523 establishing the InvestEU Programme, as amended.*

Common Agricultural Policy

Easing GAECs and conditionality after the 2024 farmers' protests.

- Expected annual savings: €1.6 bn for farmers and administrations.
- Extends the 2024 reform that already softened several 'Good Agricultural and Environmental Conditions' (GAECs) — including the abolition of the 4% non-productive land requirement (former GAEC 8).
- Reduces administrative burden and on-site controls; simplifies payment schemes for small farmers.
- Eases conditionality rules — the bridge between CAP support and environmental performance.
- Photo: farmers' tractor protest, Brussels — Place du Luxembourg, January 2024.

Base reference: *Regulation (EU) 2021/2115 on the CAP Strategic Plans, as amended.*

Medium-sized enterprises

Threshold relief and postponed due-diligence obligations.

+2 years

postponement of the Battery Regulation's due-diligence requirements on critical raw materials

- Introduces a new category of 'medium-sized enterprises' across the acquis, with lighter compliance regimes.
- Battery Regulation: due-diligence rules on cobalt, lithium, nickel and natural graphite postponed by **two years** (now applicable in August 2028).
- These materials are at the heart of EV batteries — the postponement weakens supply-chain transparency at a moment when global mining standards are under scrutiny.
- Logic: protect 'mid-caps' from regulatory cost, in line with the Letta and Draghi reports' competitiveness diagnosis.

Base reference: *Regulation (EU) 2023/1542 on batteries and waste batteries, as amended.*

Chemicals — *CLP (Classification, Labelling, Packaging) and cosmetics

Postponements and selective protection.

→ 2028

new CLP rules (Classification, Labelling, Packaging) postponed from 1 July 2026 to 2028

- New CLP rules — designed to better identify hazardous chemicals on the market — pushed back by approximately 18 months.
- Cosmetics: prohibition envisaged for CMR substances (Categories 1A, 1B and 2 — carcinogenic, mutagenic, reprotoxic).
- Targeted enforcement on cosmetics: a politically uncontroversial subset, while the broader CLP rollout is delayed.
- Cumulative effect: hazard information reaches consumers and downstream users later than initially scheduled.

Base reference: *Regulation (EC) 1272/2008 (CLP), as amended; Regulation (EC) 1223/2009 on cosmetic products.*

Digital

A double-edged sword: efficiency gains vs. resource consumption.

→ Twin Package

Omnibus 'digital' is in fact a twin package, covering AI training data, GDPR easing and reporting.

- Digital technologies — **two faces**:
- Smarter management of production, consumption and energy networks.
- Yet themselves a major source of energy and water consumption (data centres, AI training).
- Key environmental impact: easing GDPR constraints on AI model training reduces compliance friction for developers — but raises questions on data infrastructure footprint, which is not addressed.

Base reference: *Regulation (EU) 2016/679 (GDPR); Regulation (EU) 2024/1689 (AI Act); related digital acts.*

Environment — overview

The package most directly aimed at the environmental acquis. Three principal building blocks examined in turn.

Listed installations

Industrial Emissions Directive simplification: audits, substitution, climate-neutral transition plans, livestock obligations.

Impact assessment

Faster, lighter EIA/SEA, Habitats, Birds and Water Framework procedures in the name of competitiveness and security.

Circular economy

SCIP database on substances of concern in articles slated for removal due to administrative cost.

Plus: a fourth strand on ecosystems (water non-deterioration; deforestation regulation). Examined on slide 19.

Listed installations

Industrial Emissions Directive — a quiet rollback.

- New IED Directive (EU) 2024/1785 to be simplified before it has been fully implemented.
- Removal of the obligation of independent audit (on the assumption that EMAS / ISO 14001 already cover it).
- Removal of the obligation to assess safer substitutes for hazardous chemicals.
- Removal of the obligation, for energy-intensive industries, to explain their transition to climate-neutral and circular production.
- Agricultural exemption: large poultry and pig farms no longer required to report their use of water, energy and raw materials — reversing Reg. (EU) 2024/1244.

Base reference: *Directive (EU) 2024/1785 on industrial and livestock emissions; Reg. (EU) 2024/1244.*

Impact assessment — five directives in one go

'Competitiveness, autonomy, security' as justification.

5 directives

to be amended by a single regulation covering EIA, SEA, Habitats, Birds and Water

- Draghi report rationale: length and uncertainty of permitting hinder energy infrastructure, critical raw materials and the twin (digital + green) transition.
- Proposed amendments — via a single regulation — to:
- Strategic Environmental Assessment Directive 2001/42/EC
- Environmental Impact Assessment Directive 2011/92/EU
- Habitats Directive 92/43/EEC
- Birds Directive 2009/147/EC
- Water Framework Directive 2000/60/EC
- Risk: cumulative weakening of the core nature-protection toolkit, achieved by procedural amendments rather than substantive debate.

Base reference: *Directives 2001/42/EC; 2011/92/EU; 92/43/EEC; 2009/147/EC; 2000/60/EC.*

Circular economy — SCIP database

Information on substances of concern: a tool slated for removal.

- SCIP database (Substances of Concern In articles, as such or in complex objects/Products) is established under the Waste Framework Directive.
- Purpose: track hazardous substances in articles placed on the EU market — essential for safe recycling and informed downstream use.
- Commission proposes to discontinue SCIP on cost grounds.
- Effect: less transparency on what's in our products — undermining the very logic of a circular economy that relies on knowing the chemical history of materials.

Base reference: *Directive 2008/98/EC (Waste Framework Directive), Article 9(2).*

Ecosystems — water and forests

Water non-deterioration — eroded

Non-deterioration principle (Water Framework Directive, Arts. 1(a) and 4(7)) now subject to two new derogations: temporary short-term deterioration of water bodies, and inter-body pollution transfer. Direct reversal of CJEU France Nature Environnement (C-525/20).

EUDR — postponed (again)

Deforestation Regulation, due to apply on 1 January 2025, has been postponed twice by the EU legislator. Application of due-diligence obligations on cocoa, coffee, palm oil, soy, rubber and other commodities further delayed.

Base references: *Directive 2000/60/EC (Water Framework); Regulation (EU) 2023/1115 (EUDR).*

Automotive industry

Three blows to the green mobility framework.

−90% (not −100%)

new CO_2 target for cars and vans by 2035 — a watered-down version of zero-emission

- Regulation (EU) 2019/631, as amended by Reg. (EU) 2023/851, set a 100% GHG-emission cut for new cars and vans from 2035 onwards.
- Amending regulation substitutes a −90% target by 2035 — opening the door to plug-in hybrids and low-carbon fuels.
- End-of-life vehicles: political agreement reached on 16 December 2025 on the revised ELV directive (recycling and circularity of vehicles).
- ETS2 (extension of the carbon market to road transport and building heating) postponed by one year — to 2028.
- Cumulative effect: the 2035 phase-out, flagship of EU climate policy, is structurally weakened.

Base reference: *Regulation (EU) 2019/631 on CO_2 emission performance standards; Directive 2000/53/EC on end-of-life vehicles.*

Omnibus X and the precautionary principle

How does Regulation 1107/2009 work?

A two-tier authorisation system seeking a high level of protection for human health and the environment, consistent with the precautionary principle.

Tier 1 — Active substances (EU level)

Approved by the Commission via comitology, following EFSA's assessment. Annex II excludes CMR substances and endocrine disruptors. Today: ~234 substances on the positive list (down by half in 15 yrs).

Tier 2 — Plant protection products (national level)

Market authorisations granted by Member States within three zones (North, Centre, South), subject to mutual recognition within each zone.

The renewal mechanism

Substances approved for max. 10 years.

Producers must reapply for a renewed approval of up to 15 years, demonstrating that the substance still meets Annex II criteria in light of current science.

Since 2011:

31 substances banned at renewal (mancozeb, chlorpyrifos, buprofezin…)

Abolishing periodic renewal regarding the marketing active substances

Omnibus X: Replace time-limited approvals with **indefinite** approval of active substances (glyphosate, acetamiprid…). Roughly **90% of currently approved substances** would benefit — only candidates for substitution remain in the renewal track.

No impact assessment

Commission produced no estimate of the number of substances affected, nor of health/environmental consequences.

Breach of precaution

CJEU Blaise (C-616/17): authorities must assess substances 'in light of current scientific knowledge'. Removing renewal undermines this.

Producer burden disappears

Without renewal, industry no longer has to demonstrate compliance with Annex II criteria over time as science evolves.

Ignores national case-law

Paris Court of Appeal, 3 Sept 2025: France must revise pesticide risk-assessment in light of latest scientific knowledge.

Other Omnibus X measures: grace periods extended to 3 years; Member States barred from relying on new scientific data; hazard-based assessment narrowed.

The Ombudsman's verdict (25 Nov 2025)

EU Ombudsman Teresa Anjinho — ruling on NGO complaint regarding the 2024 CAP reform and Omnibus I (CSDDD/CSRD).

2016 Interinstitutional Agreement on Better Law-Making

- Public, inclusive consultation
- Full impact assessment with evidence base
- Coherence check with climate / environmental goals
- Reasoned proposal under Art. 296 TFEU
- Proportionality (Art. 5(4) TEU) and participatory democracy (Art. 11(3) TEU)

What the Ombudsman found

- CAP reform: only four farmers unions consulted, behind closed doors (§74)
- Analytical document published 7 months after CAP regulation adoption — too late
- Omnibus I: 'urgency' misconstrued (§77)
- Proposals not based on rigorous evidence; not transparent or inclusive
- Coherence with climate policy not properly examined (§§ 82–88)

"The Commission does not enjoy unfettered discretion. Omnibus practice undermines pillars of the rule of law (Art. 2 TEU).”N. de Sadeleer

High-level-of-protection and non-regression

Art. 168(1) TFEU

High level of human health protection

Art. 169(1) TFEU

High level of consumer protection

Art. 191(2) TFEU

High level of environmental protection; precaution

Arts. 37 & 38 EU Charter

Environmental & consumer protection as fundamental rights

The non-regression test

A reduction in the level of protection is in principle possible — but where the reduction is significant, it must be (i) justified by another aspect of the general interest, and (ii) proportionate in light of rigorous scientific data.

Supporting CJEU case-law

Blaise (C-616/17)

Authorities must assess pesticides 'in light of current scientific and technical knowledge'.

France Nature Environnement (C-525/20)

Non-regression of water quality — Omnibus VIII proposes to reverse this.

POLITICAL ECONOMY

Who is driving this turn — and how?

Reshuffled Parliament

June 2024 elections strengthen the EPP and let it form ad hoc majorities with ECR, PfE and ESN — bypassing the social-democrats, Greens and liberals that backed von der Leyen.

The cordon sanitaire is no longer airtight.

Industry pressure

Industry federations and coalitions (incl. 'Competitiveness Roundtable' bringing US firms) lobby for the Clean Industrial Deal.

Closed-door consultations replace structured public input.

Member State realignment

Council weakened in tempering the EP.

Influence of EGD-sceptic States (Hungary, Slovakia, Czech Republic) grows; only weak majority before COP30 on the 2035–2040 climate target.

"The devil hides in the detail" — taken together, the ten packages amount to a sustained roll-back of the EGD acquis, not a technical correction. *N. de Sadeleer*

CONCLUSION

A controversial paradigm shift

1

From flagship policy to managed retreat

In 2019 the EGD was meant to anchor EU strategic autonomy through a decarbonised, circular economy. In 2026, governance is shaped by postponements, adjustments and mitigations.

2

A method as troubling as the substance

Bundled reforms, no impact assessments, opaque consultations and invocation of 'urgency' weaken the procedural pillars of EU rule of law.

3

An EU short of its own targets

The European Environment Agency (2025): the EU will miss most 2030 environmental objectives. Meanwhile floods, heatwaves, droughts, biodiversity loss and ocean acidification continue to escalate.

"Côté cour, the Commission proclaims high standards. Côté jardin, it dismantles them. N. de Sadeleer

Thank you

Questions & discussion

Selected references

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