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# The Omnibus Package:

*The Death Knell for the European Green Deal?*

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

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Paradigm shift and the EU's eroding climate leadership

# 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:** CO2 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)

# From euphoria to the 'Simplification Revolution'



## 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

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

# 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 / P/E / ESN — break with the European Parliament's traditional cordon sanitaire.*

# 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).*

# 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.

# Who is driving this turn — and how?



## Reshuffled Parliament

June 2024 elections strengthen the EPP and let it form ad hoc majorities with ECR, P/E 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

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### 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*

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