



Mr Tomislav Ćorić
Minister of Environment and Energy
Chair of the Environment Council
Radnička cesta 80, 10000 Zagreb
Croatia

2 March 2020

Dear Minister,

Environment Council (5 March 2020) - Review of the Water Framework Directive

BusinessEurope, together with our membership, has been working for more than a year on the lessons learned from the implementation of the directive, looking at the strengths and weaknesses of the current legislative framework. You will find at annex a position paper presenting our assessment.

Since its introduction in 2000, the Water Framework Directive (WFD) has been instrumental in the protection and recovery of water bodies across Europe. It has also proven beneficial in taking on a systemic view of the water bodies with a strong methodological approach. At the same time, despite environmental and socio-economic developments in Europe, the directive has never been updated for twenty years. We therefore welcome the on-going review process.

In that context, we would like to share with you some of the concerns business has on the conclusions of the Fitness Check, more concretely on the [Staff Working Document](#). It concludes that the directive is fit for purpose, while raising some challenges that will need further work through implementation measures (e.g. one-out-all-out approach, integration with other policy areas, etc.).

In our view, improving implementation will not be enough to solve some of the challenges that industry is currently facing, in particular the interpretation of "non-deterioration" (art 4.5 and art 4.7 of the directive) according to the Weser case 2015 ruling. As it stands now, it is limiting industrial improvements, including their ability to develop solutions to mitigate pressures on water bodies. Industrial permits are currently being rejected in several Member States, regardless of new investments bringing forward technological developments that can help reducing emissions.

EU businesses fully support the existing ambition of the directive and do not question the need to achieve a good status of Europe's water bodies. On the contrary, we believe it is important that policymakers address the challenges industry is currently facing in order to achieve those objectives. We do not think that the Staff Working Document of the European Commission provides an appropriate response and therefore call on you to further examine these matters, particularly in light of the transformations the Green Deal will require.

We remain at your disposal for further discussion.

Yours sincerely,


Markus Beyrer