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The Director General

Ms. Jessika Roswall
Commissioner for Environment, Water Resilience,
and a Competitive Circular Economy
European Commission
Rue de la Loi 200
1049 Brussels
BELGIUM

23 November 2026

Dear Commissioner Roswall,

Strengthening Europe's water resilience through a revision of the Water Framework Directive

Water is a strategic asset for the whole European economy from energy to manufacturing, semiconductors, food security, and raw materials. A framework that is clear, predictable, and enforceable allows companies to keep investing in Europe. That is the foundation of resilience and competitiveness. As such, we welcomed the European Commission's announcement to carry out a review and targeted revision of the Water Framework Directive (WFD), without altering its overall structure or weakening its core safeguards.

A shared starting point

The European Commission is conducting critical work in strengthening Europe's water resilience, including most recently the Guidance on applying the WFD in permitting. We fully support the Directive's objectives and its role in protecting and restoring Europe's waters; a high-quality standard for water should be ensured and maintained. The question remains on how to reach them in a way that works in practice.

Guidance, however valuable, cannot go beyond the text of the Directive. A targeted revision that addresses clearly identified and well-documented problems and covers all economic activities affected by the Directive's binding requirements is needed. Its objectives should remain unchanged, its decisions grounded in evidence, and its criteria clear.

Remaining challenges

Companies across Member States continue to report hesitations by authorities to use existing exemptions, derogations, or to apply them in individual permit decisions, because of litigation risk under current legal interpretations. Clear criteria in the Directive would give authorities a defensible legal basis and companies certainty, without weakening objectives. On some points, notably Articles 4(5) and 4(7), ambiguities still create legal uncertainty. A targeted revision can clarify these provisions and facilitate the consistent application of existing derogations.

What a targeted revision should deliver

In line with past BusinessEurope positions[1], we call for a targeted revision of the WFD, ensuring that it remains focused on a limited number of clearly identified issues throughout the legislative process:

[1] BusinessEurope reaction to the European Water Resilience Strategy November 2025;
BusinessEurope comments on the Guidance for implementation on the Water Framework Directive, July 2026

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- **Postponement without delaying action.** Postpone the 2027 deadline, which is unattainable in most cases. This is not a reason to delay action. The European Commission should consider allowing Member States to establish progressive protection schemes, under which improvements are made gradually and on a documented plan. This would give Member States time to adopt the measures needed to reach good water status and companies the legal certainty to continue investing in the modernization of industrial sites and infrastructures.

- **Proportionate non-deterioration and workable derogations.** We welcome confirmation that non-deterioration is assessed at water-body level. Some ambiguity remains however, including between language versions of the Guidance, and the reference to non-deterioration in Article 4(5) which in many cases prevents its practical use. Assessments should reflect causality and proportionality, including legacy pollution, natural background, and diffuse sources. Additionally, Articles 4(7), 4(7a), and 4(7b) should be amended to clearly apply more broadly to industrial activities, with concrete criteria for their application.

- **Clarification of permit reviews and exemptions.** The WFD should clarify how exemptions apply to individual permits, including already existing ones, so that permit review and the use of exemptions work together, and businesses have legal certainty and do not bear the consequences of administrative delays. Additionally, streamlined permitting should also facilitate upgrades to water and wastewater infrastructure that improve environmental performance and support compliance with EU legislation.

To conclude, companies invest in advanced treatment, recycling, and lower discharges, and the framework should not obscure that progress. Unrealistic requirements risk stagnation. Public and private investments in water infrastructure and treatment capacity should go hand in hand with a workable framework. BusinessEurope stands ready to engage with the European Commission, Member States and relevant stakeholders as the review takes shape.

Yours sincerely,

Markus J. Beyrer
Director General of BusinessEurope

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