



13 myths about the Water Framework Directive – and what the law really says

Countering frequent misunderstandings that risk undermining the implementation and enforcement of the Water Framework Directive (WFD). Despite being one of the EU's strongest environmental laws, the WFD is often misrepresented. Below are 13 common myths – and the facts that set the record straight.

1

“The WFD expires in 2027.”

There is no sunset clause - no expiration date. The Directive remains fully in force beyond 2027. What ends are time-limited exemptions under Article 4(4), not the WFD itself. Obligations continue.



2

“Member States can postpone measures after 2027.”

False. After 2027, Member States will only be able to postpone the achievement of good status (not the measures) because of natural conditions, using Article 4(4)(c) exemption. Postponement of measures for technical feasibility or disproportionate cost (4(4)(a)/(b)) is no longer allowed. This is why the fourth cycle of River Basin Management Plans for 2028-2033 will be the cycle of implementation.



3

“2027 is the final deadline for achieving good status.”

False. It is the end of time extensions, not of obligations. If good status isn't reached by 2027, Member States remain legally bound to implement measures, update programmes of measures, and justify any failure through Articles 4(4)(c), 4(5), 4(6), or 4(7).



4

“Programmes of measures are not binding.”

False. Article 11(8) requires that programmes of measures be reviewed every six years and that new or revised measures be made operational within three years. Implementation is not optional.



5

“Using Article 4(5) exemption means we don't need to take measures.”

False. Less stringent objectives must still reflect the best status achievable with all feasible and not disproportionately expensive measures. Measures must still be implemented.



6

"Climate change justifies exemptions under Articles 4(4)–(7)."

Only in very limited cases. Climate change cannot be used as a general justification for exemptions under Articles 4(4) and 4(5). Climate change can only justify exemptions under Article 4(6) for natural events (extreme floods and prolonged droughts) that could not be reasonably expected,¹ and only where supported by strong evidence and where all other exemption conditions are met. It cannot be used as a blanket excuse.



7

"Non-deterioration isn't binding at project level."

False. CJEU rulings (e.g. CJEU Weser case C-461/13) confirm non-deterioration is legally binding at project level. Projects must be denied if they risk deterioration unless they pass the strict Article 4(7) test.



8

"Deterioration is not defined in the WFD."

True, but it is defined by case law. Deterioration occurs when even one quality element drops by one class – even if overall status remains unchanged (CJEU Weser Case C-461/13).



9

"Temporary deterioration doesn't count."

False. Temporary deterioration is only allowed under strict conditions set by Article 4(6) or 4(7). Even short-term impacts can breach the Directive if not properly justified (CJEU Case C-525/20).



10

"The WFD blocks nature restoration, green transition and sustainable development projects."

False. Such projects, in cases where they would cause the water status to deteriorate, can be authorised if they meet public interest or environmental benefit tests under Article 4(7) (c). Member States have a broad margin of discretion for determining what constitutes an overriding public interest (Case C-346/14 (EC vs. Austria)). As for renaturation specifically, the Court of Justice of the EU (Case C-525/20 (FNE vs. France)) confirmed that renaturation is not blocked by the WFD (para 43), and that the rules on deterioration do not affect programmes or projects which, by their nature, have little effect on the water body status (para 45).



11

"The WFD doesn't allow us to show progress."

False. Member States can and do report progress on individual quality elements. The EEA publishes data visualisations that reflect these improvements.



12

"The WFD is too expensive."

Inaction on water pollution, floods, and droughts is costly. The foregone benefits of not achieving good status for surface waters are estimated at €51.1 billion per year, while the funding gap for implementing the WFD is about €25 billion annually. Restoring freshwater ecosystems is a long-term investment, not a burden.



13

"The WFD is not adapted to climate change."

False. The WFD addresses water scarcity, flow regulation, pollution control and climate impacts. It is one of the EU's most climate-relevant laws – but needs to be fully implemented.

**Want to know more ?**

Read our briefing on the Water Framework Directive