

Thierry Breton, Commissioner for Internal Market

Nicolas Schmit, Commissioner for Jobs and Social Rights

Petr Fiala, Prime Minister of Czech Republic

Ulf Kristersson, Prime Minister of Sweden

Pedro Sánchez Pérez-Castejón, Prime Minister of Spain

Alexander De Croo, Prime Minister of Belgium

Brussels, 5 December 2022
Ref: UE22/053/OR/CHF

Open Letter: 150+ MEPs call for fixing the public procurement directive to ensure dignity at work

Dear Commissioner Breton,
Dear Commissioner Schmit,
Dear Prime Minister of Czech Republic Petr Fiala,
Dear Prime Minister of Sweden Ulf Kristersson,
Dear Prime Minister of Spain Pedro Sánchez Pérez-Castejón,
Dear Prime Minister of Belgium Alexander De Croo,

We write to you in your capacity respectively as Commissioner for the Internal Market, Commissioner for Jobs and Social Rights, Prime Minister of Czech Republic and head of the Czech Presidency of the Council of the European Union until 12.2022, Prime Minister of Sweden and thus head of the Swedish head of the Presidency of the Council of the European Union in 01.2023-06.2023, Prime Minister of Spain and thus head of the Spanish Presidency of the Council of the European Union in 07.2023-12.2023, and Belgian Prime Minister and thus head of the Belgian Presidency of the Council of the European Union in 01.2024-06.2024.

The 5 December 2022 marks the World Competition Day. The European Union holds a remarkable role in ensuring fair competition on the Internal Market.

However, one of the main Directives with a direct impact on working conditions of thousands of workers promotes unfair competition, rather than guaranteeing fair competition.

While the current public procurement directive leaves space to authorities to add social clauses to public tenders, it is still surrounded by legal uncertainty as to what can and cannot be included as a social criterion.

We are obviously talking about the need for public money to support and strengthen collective bargaining. Current rules are unclear as to whether or not authorities can require contractors to have a collective agreement, follow collectively agreed wages and/or give preference to companies with collective agreements.

Without this, undercutters and cowboys, companies ignoring and disrespecting fundamental rights at work, have a competitive advantage over companies respecting democracy at work and social dialogue.

While public money should be a lever for social progress, it is currently a booster for social dumping.

The review of the public procurement directive is overdue. The review report that could propose a legal act to revise the public procurement directive was scheduled for 2019. This was postponed until 2021. In 2021, the European Commission further postponed the process until 2024. The continuous delay is not justified, and on the contrary, the Council can request the European Commission to layout a more reasonable timeline for the revision of the public procurement directive.

More than 150 MEPs from five different political groups, are sending a strong signal to the Commission to “*a clear political undertaking by the European Commission*” to ensure “*that companies can only be awarded public contracts if they have implemented collective agreements*” and calling for “*a swift legislative initiative*” (see the full text of the pledge and the current list of signatories below).

With this strong call from over 150 MEPs, we hope to receive an answer from the European Commission and the current and upcoming Council Presidencies.

“MEP endorsement: using public procurement to ensure dignity at work

Since the Covid-19 crisis started, care workers, cleaners, call centre workers, logistics and postal workers, security guards and all essential workers have been risking their lives to keep our society going. At the same time, they are among the lowest paid and most precarious workers in the EU. Many of them work in publicly procured projects. Yet too many essential workers are left without a voice. In this way, these companies not only become less accountable to their own workers but also the general public. Meanwhile other companies are forced to also drive down workers' pay and conditions in order to compete.

Public funding must not be complicit in fuelling this race to the bottom. Public contracts should not go to companies that seek a competitive advantage by suppressing workers' say and driving poverty wages and sub-standard working conditions. Decent pay and working conditions are in the public interest.

As a Member of the European Parliament, I pledge to work towards ensuring that companies can only be awarded public contracts if they have implemented collective agreements. I support the campaign to change EU public procurement rules to ensure:

- *no public contracts for companies without collective agreements;*
- *a clear political undertaking by the European Commission for this simple change now, followed by a swift legislative initiative.”*

Signatories (in alphabetical order):

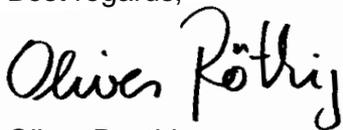
1. Agnes Jongerius, Netherlands, Socialists & Democrats
2. Alex Agius Saliba, Malta, Socialists & Democrats
3. Alexandra Geese, Germany, Greens/EFA
4. Alfred Sant, Malta, Socialists & Democrats
5. Alícia Homs Ginel, Spain, Socialists & Democrats
6. Alviina Alametsä, Finland, Greens/EFA
7. Ana Miranda, Spain, Greens/EFA
8. Andreas Schieder, Austria, Socialists & Democrats
9. Anja Hazekamp, Netherlands, The Left – GUE/NGL
10. Anna Cavazzini, Germany, Greens/EFA
11. Anne Sophie Pelletier, France, The Left – GUE/NGL
12. Aurore Lalucq, France, Socialists & Democrat
13. Bas Eickhout, Netherlands, Greens/EFA
14. Bernd Lange, Germany, Socialists & Democrats
15. Birgit Sippel, Germany, Socialists & Democrats
16. Brando Benifei, Italy, Socialists & Democrats
17. Carmen Avram, Romania, Socialists & Democrats
18. Caroline Roose, France, Greens/EFA
19. César Luena, Spain, Socialists & Democrats
20. Chris MacManus, Ireland, The Left – GUE/NGL
21. Christel Schaldemose, Denmark, Socialists & Democrats
22. Cindy Franssen, Belgium, EPP
23. Clara Aguilera, Spain, Socialists & Democrats
24. Clare Daly, Ireland, The Left – GUE/NGL
25. Claude Gruffat, France, Greens/EFA
26. Corina Crețu, Romania, Socialists & Democrats
27. Cornelia Ernst, Germany, The Left – GUE/NGL
28. Cristina Maestre, Spain, Socialists & Democrats
29. Cyrus Engerer, Malta, Socialists & Democrats
30. Damien Carême, France, Greens/EFA
31. Daniel Freund, Germany, Greens/EFA
32. Daniela Rondinelli, Italy, Independent
33. David Cormand, France, Greens/EFA
34. Delara Burkhardt, Germany, Socialists & Democrats
35. Dennis Radtke, Germany, EPP
36. Diana Riba I Giner, Spain, Greens-EFA
37. Dietmar Köster, Germany, Socialists & Democrats
38. Dimitrios Papadimoulis, Greece, The Left – GUE/NGL
39. Eero Heinäluoma, Finland, Socialists & Democrats
40. Eleonora Evi, Italy, Greens/EFA
41. Elisabetta Gualmini, Italy, Socialists & Democrats
42. Emmanuel Maurel, France, The Left – GUE NGL
43. Eric Andrieu, France, Socialists & Democrats
44. Erik Marquardt, Germany, Greens/EFA
45. Ernest Urtasun, Spain, Greens/EFA
46. Estrella Durá Ferrandis, Spain, Socialists & Democrats
47. Evelyn Regner, Austria, Socialists & Democrats
48. Evelyne Gebhardt, Germany, Socialists & Democrats (*)
49. François Alfonsi, France, Greens/ALE
50. Gabriele Bischoff, Germany, Socialists & Democrats
51. Giuliano Pisapia, Italy, Socialists & Democrats
52. Grace O'Sullivan, Ireland, Greens/EFA
53. Günther Sidl, Austria, Socialists & Democrats
54. Gwendoline Delbos-Corfield, France, Greens/EFA
55. Hannah Neumann, Germany, Greens/EFA
56. Hannes Heide, Austria, Socialists & Democrats
57. Heidi Hautala, Finland, Greens/EFA
58. Helmut Scholz, Germany, The Left – GUE/NGL

59. Ibán García del Blanco, Spain, Socialists & Democrats
60. Idoia Villanueva, Spain, The Left – GUE/NGL
61. Ignazio Corrao, Italy, Greens/EFA
62. Inmaculada Rodríguez-Piñero, Spain, Socialists & Democrats
63. Iratxe García Pérez, Spain, Socialists & Democrats
64. Irena Joveva, Slovenia, Renew
65. Irene Tinagli, Italy, Socialists & Democrats
66. Isabel Carvalhais, Portugal, Socialists & Democrats
67. Ismail Ertug, Germany, Socialists & Democrats
68. Jens Geier, Germany, Socialists & Democrats
69. Joachim Schuster, Germany, Socialists & Democrats
70. João Albuquerque, Portugal, Socialists and Democrats
71. Johan Danielsson, Sweden, Socialists & Democrats (*)
72. Jordi SOLÉ, Spain, Greens-EFA
73. José Gusmão, Portugal, The Left – GUE/NGL
74. Josianne Cutajar, Malta, Socialists & Democrats
75. Jutta Paulus, Germany, Greens/EFA
76. Karen Melchior, Denmark, Renew
77. Karsten Lucke, Germany, Socialists & Democrats
78. Katarina Barley, Germany, Socialists & Democrats
79. Kateřina Konečná, Czech Republic, The Left – GUE/NGL
80. Kathleen Van Brempt, Belgium, Socialists & Democrats
81. Katrin Langensiepen, Germany, Greens/EFA
82. Kim van Sparrentak, Netherlands, Greens/EFA
83. Kira Marie Peter-Hansen, Denmark, Greens/EFA
84. Konstantinos Arvanitis, Greece, The Left – GUE/NGL
85. Lara Wolters, Netherlands, Socialists & Democrats
86. Leïla Chaïbi, France, The Left – GUE/NGL
87. Lina Galvez, Spain, Socialists & Democrats
88. Luke ‘Ming’ Flanagan, Ireland, The Left – GUE/NGL
89. Malin Björk, Sweden, The Left – GUE/NGL
90. Manon Aubry, France, The Left – GUE/NGL
91. Manuel Bompard, France, The Left – GUE/NGL (*)
92. Manuel Pineda, Spain, The Left – GUE/NGL
93. Manuel Pizarro, Portugal, Socialists & Democrats (*)
94. Manuel Ripa, Germany, Greens/EFA
95. Marc Angel, Luxembourg, Socialists and Democrats
96. Marc Botenga, Belgium, The Left – GUE/NGL
97. Marc Tarabella, Belgium, Socialists & Democrats
98. Margrete Auken, Denmark, Greens/EFA
99. María Eugenia Rodríguez Palop, Spain, The Left – GUE/NGL
100. Maria Manuel Leitão Marques, Portugal, Socialists & Democrats
101. Maria Noich, Germany, Socialists & Democrats
102. Marianne Vind, Denmark, Socialists & Democrats
103. Marie Arena, Belgium, Socialists & Democrats
104. Marie Toussaint, France, Greens/EFA
105. Marina Mesure, France, The Left – GUE/NGL
106. Marisa Matias, Portugal, The Left – GUE/NGL
107. Martin Häusling, Germany, Greens/EFA
108. Martin Schirdewan, Germany, The Left – GUE/NGL
109. Martina Michels, Germany, The Left – GUE NGL
110. Matjaž Nemeč, Slovenia, S&D
111. Miapetra Kumpula-Natri, Finland, Socialists and Democrats
112. Michael Bloss, Germany, Greens/EFA
113. Michèle Rivasi, France, Greens/EFA
114. Mick Wallace, Ireland, The Left – GUE/NGL
115. Miguel Urbán Crespo, Spain, The Left – GUE/NGL
116. Milan Brglez, Slovenia, Socialists & Democrats
117. Mohammed Chahim, Netherlands, Socialists & Democrats
118. Monika Vana, Austria, Greens/EFA

119. Mounir Satouri, France, Greens/EFA
120. Niels Fuglsang, Denmark, Socialists & Democrats
121. Niklas Nienaß, Germany, Greens/EFA
122. Nikolaj Villumsen, Denmark, The Left – GUE/NGL
123. Nora Mebarek, France, Socialists & Democrats
124. Özlem Alev Demirel, Germany, The Left – GUE/NGL
125. Pascal Arimont, Belgium, EPP
126. Patrizia Toia, Italy, Socialists & Democrats
127. Paul Tang, Netherlands, Socialists & Democrats
128. Pedro Marques, Portugal, Socialists & Democrats
129. Philippe Lamberts, Belgium, Greens/EFA
130. Pierfrancesco Majorino, Italy, Socialists & Democrats
131. Pierre Larrouturou, France, Socialists & Democrats
132. Pierrette Herzberger-Fofana, Germany, Greens/EFA
133. Predrag Fred Matić, Croatia, Socialists & Democrats
134. Raphaël Glucksmann, France, Socialists & Democrats
135. Rasmus Andresen, Germany, Greens/EFA
136. Reinhard Bütikofer, Germany, Greens/EFA
137. René Repasi, Germany, Socialists & Democrats
138. Romana Jerković, Croatia, Socialists & Democrats
139. Romeo Franz, Germany, Greens/EFA
140. Sara Cerdas, Portugal, Socialists & Democrats
141. Sara Matthieu, Belgium, Greens/EFA
142. Sarah Wiener, Austria, Greens/EFA
143. Saskia Bricmont, Belgium, Greens/EFA
144. Silvia Modig, Finland, The Left – GUE NGL
145. Sira Rego, Spain, The Left – GUE/NGL
146. Sirpa Pietikäinen, Finland, EPP
147. Sylvie Guillaume, France, Socialists & Democrats
148. Theresa Muigg, Austria, Socialists & Democrats
149. Theresa Reintke, Germany, Greens/EFA
150. Thijs Reuten, Netherlands, Socialists & Democrats
151. Tiemo Wölken, Germany, Socialists & Democrats
152. Tilly Metz, Luxembourg, Greens/EFA
153. Tomas Waitz, Austria, Greens/EFA
154. Tsvetelina Penkova, Bulgaria, Socialists & Democrats
155. Tudor Ciuhodaru, Romania, Socialists & Democrats
156. Udo Bullmann, Germany, Socialists & Democrats
157. Vera Tax, Netherlands, Socialists & Democrats
158. Yannick Jadot, France, Greens/EFA
159. Younous Omarjee, France, The Left – GUE/NGL

The MEPs marked by (*) have since left the European Parliament.

Best regards,



Oliver Roethig
Regional Secretary