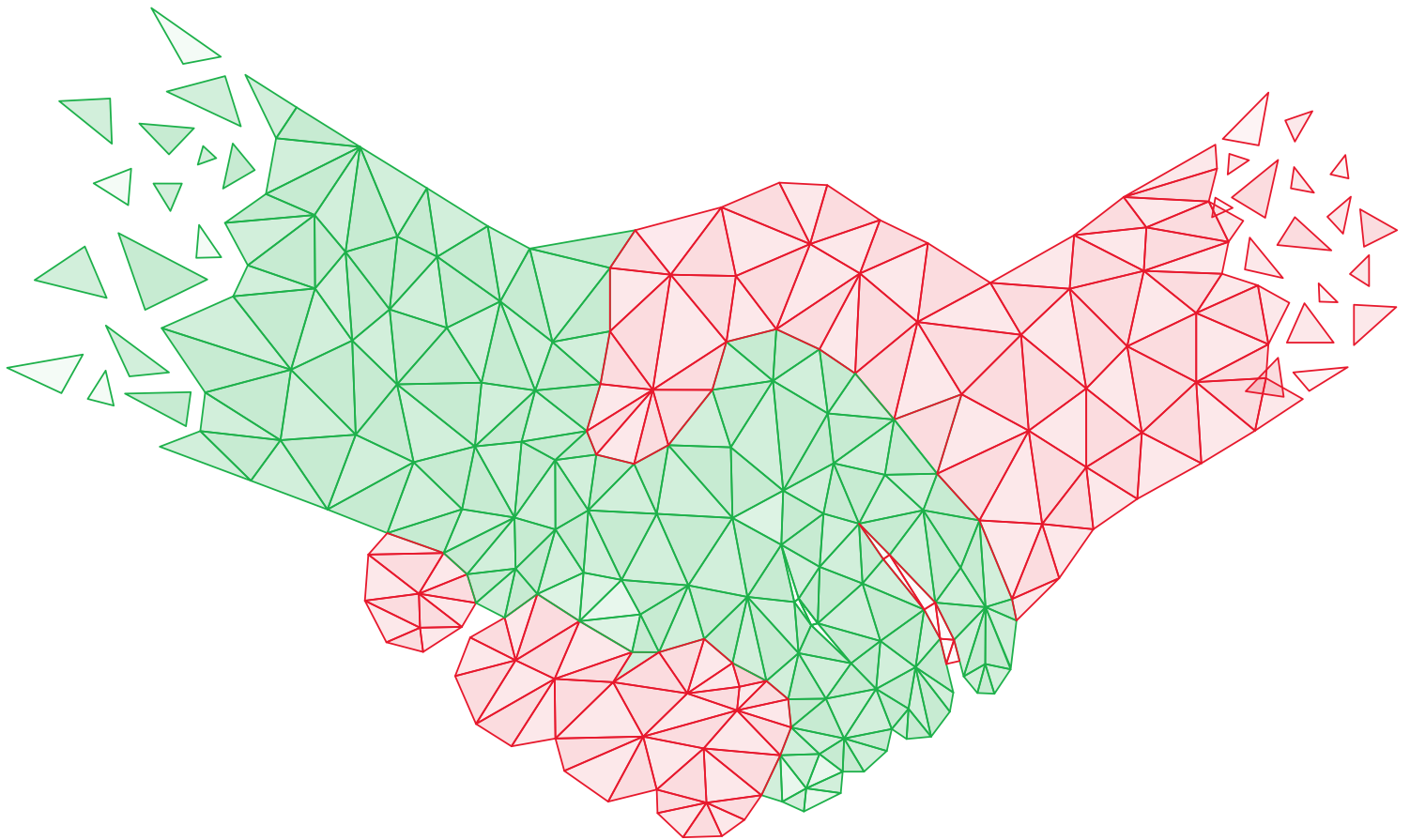


# GREEN, PAVE THE WAY FOR SOCIAL!

HOW THE EU'S GREEN PUBLIC PROCUREMENT CAN FORGE  
A PATH TOWARDS SOCIALLY RESPONSIBLE PUBLIC PROCUREMENT

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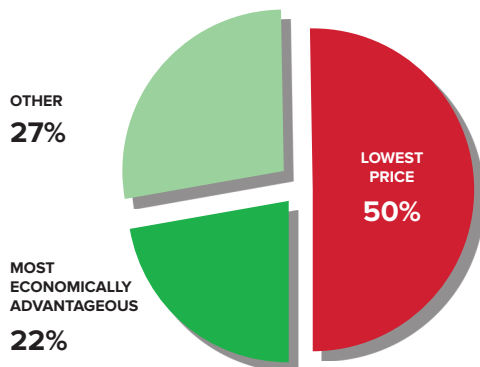
# EXECUTIVE SUMMARY

This report highlights how advancements in the EU's Green Public Procurement (GPP) process can pave the way for progress in Socially Responsible Public Procurement (SRPP). GPP and SRPP complement each other in the shared goal of transforming the EU into a fair and prosperous society with a modern and competitive economy as outlined in the **EU Green Deal**. This social dimension in public procurement also reflects the EU's commitments to the European Pillar of **Social Rights Action Plan**<sup>1,2</sup>, the **United Nations 2030 Agenda**<sup>3,4</sup>, and the **Porto 2021 Social Commitment**<sup>5,6</sup>.

**2,000,000,000,000**  
EUR PER YEAR



Every year, over 250,000 public authorities in the EU spend around 14% of GDP or around **€2 trillion per year** on the purchase of services, works and supplies. The public sector can use procurement to boost jobs, growth, and investment, and to create an economy that is more innovative, resource and energy efficient, and socially inclusive.<sup>7</sup>



Currently, the public procurement rules allow authorities to ignore social criteria in tendering—this results in **50 % of public tenders being awarded solely based on the lowest price in Europe**. In turn, lowest price tendering puts **pressure on wages and working conditions**, results in reduced competition, as high-quality contractors are reluctant to submit low bids, worsens the quality of public services, brings in less tax income and, crucially, weakens collective bargaining.

Given that public procurement totals €2 trillion annually in the EU, equivalent to 14 per cent of the EU's GDP, **it is imperative not to miss the opportunity to allocate this money for the betterment and wellbeing of both the environment and citizens alike**.

1. the European Pillar of Social Rights Action Plan support this transition to a more Social Europe, in the Action Plan the European Commission encourages 'national, regional and local authorities to increase the uptake of socially-responsible criteria in public procurement and to promote their use' And the European Pillar of Social Rights' Principle 8 on Social Dialogue and Involvement of Workers states that '[social partners] shall be encouraged to negotiate and conclude collective agreements'.

2. <https://op.europa.eu/webpub/empl/european-pillar-of-social-rights/en/>

3. In the United Nations 2030 Agenda in which Sustainable Development Goal 8 aims to achieve decent work for all (target 8.5) and protecting labour rights (target 8.8)

4. <https://sdgs.un.org/goals>

5. Porto Social Commitment from the Porto Social Summit on 7 May 2021 calls to "ensuring an enabling framework for collective bargaining" and to "mobilise all necessary resources –investments and reforms – ... to strengthen the competitiveness of the European economy, based on sustainable and inclusive growth, decent work and social justice"

6. <https://www.2021portugal.eu/en/porto-social-summit/porto-social-commitment>

7. [https://single-market-economy.ec.europa.eu/single-market/public-procurement\\_en](https://single-market-economy.ec.europa.eu/single-market/public-procurement_en)



As underscored in this report, the European Commission has displayed admirable **ambition in establishing mandatory GPP requirements**. However, while the EU has taken some initial steps through its ‘Buying Social’ guide, progress in advancing SRPP has been sluggish at best. **The social dimension of public procurement** relies on an insufficient **voluntary approach** despite the enormous potential benefits of SRPP, which include improved working conditions, reduced inequality, and increased social cohesion across member states. **This voluntary approach is repeatedly criticised for being insufficient**<sup>8</sup>.

**The pivotal relationship between GPP and SRPP is a key driver** in advancing the EU’s resilience and sustainability objectives. If the European Union is genuinely committed to strengthening Social Europe and enhancing collective bargaining, it should leverage the GPP’s advancements to promote SRPP by requiring bidding contractors to have collective agreements in place, uphold fundamental labour rights, and empower workers in their decision-making within the public procurement process. GPP and SRPP can operate in synergy, dispelling any concerns of counter-productivity.

This report argues that the European Commission should consider the following three strategies, already applied in GPP, for SRPP:

1. **Obligatory setting of award criteria** related to green procurement;
2. **Mandatory outcome criteria** by percentage and by a specified date;
3. **Mandatory criteria set by European Commission Delegated Acts**.

In this summary report, **UNI Europa** conducts a comparative analysis, mapping advancements in the public procurement across several sectoral files encompassing Green Public Procurement (GPP) in relation to Socially Responsible Public Procurement (SRPP), while evaluating them in comparison to the previous legislative files:



















1. **Clean Vehicles Directive**
2. **Energy Performance of Buildings Directive**
3. **Energy Efficiency Directive**
4. **Net Zero Industry Act Regulation**
5. **Energy Labelling Directive & Regulation**
6. **Batteries Regulation Directive & Regulation**
7. **Ecodesign of Sustainable Products Directive & Regulation**
8. **Construction Products Regulation**
9. **Packaging and Packaging Waste Directive & Regulation**

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8. <https://www.uni-europa.org/news/experts-call-out-broken-public-procurement-directive/>

# 5. TECHNICAL PART

## 5.10 OVERVIEW TABLE: COMPARATIVE PROGRESS ON GPP AND SRPP

Legislative file	Green Public Procurement (GPP)	Socially Responsible Public Procurement (SRPP)
Clean Vehicles Directive (2009)	 <b>Mandatory</b> GPP award criteria	 Nothing
Clean Vehicles Directive (2019)	 <b>Mandatory</b> GPP targets (national)	 Nothing
Energy Performance of buildings Directive (2010, 2018)	 <b>Criteria</b> for energy efficiency of public buildings	 Nothing
Energy Performance of buildings Directive (2023)*	 <b>Extra criteria</b> for energy efficiency of public buildings	 Nothing
Energy efficiency Directive (2010, 2012)	 <b>Semi-mandatory award/selection criteria</b>	 Nothing
Energy efficiency Directive (2023)*	 <b>More stringent criteria</b>	 Member States <b>may consider? social benefits</b>
Renewable Energy Act Directive (2018)	 Leading by example	 Nothing
Renewable Energy Act Directive (2021)	 <b>Semi-mandatory criteria</b> (where appropriate MS shall...)	 Nothing
Net Zero Industry Act Regulation (2023)*	 <b>Strict mandatory green award criteria</b> , specifically on which criteria and the weight of it. Although, with an opt out if the price is very different	 Some mentions in the recitals



Legislative file	Green Public Procurement (GPP)	Socially Responsible Public Procurement (SRPP)
<b>Energy Labelling Directive (2010)</b>	 GPP to be decided via delegated act	 Nothing
<b>Energy Labelling Regulation (2017)</b>	 Nothing	 Nothing
<b>Batteries and Waste Batteries Directive (2006)</b>	 No mentions	 No mentions
<b>Batteries and Waste Batteries Regulation (2020)</b>	 Mandatory green criteria to be established by delegated act.	 Mentions in the recitals
<b>Ecodesign of sustainable products Directive (2003)</b>	 Mandatory green criteria to be established by delegated act.	 Mentions in the recitals
<b>Ecodesign of sustainable products regulation (2022)*</b>	 Mandatory green criteria to be established by delegated act.	 Nothing
<b>Construction products Regulation (2011, 2019)</b>	 Mandatory green criteria to be established by delegated act.	 Nothing
<b>Construction products Regulation (2021)*</b>	 Mandatory green criteria to be established by delegated act.	 Mentions in the recitals
<b>Packaging and packaging waste Directive (1992)</b>	 Mandatory green criteria to be established by delegated act.	 Mentions in the recitals
<b>Packaging and packaging waste Regulation (2022)*</b>	 Mandatory green criteria to be established by delegated act.	 Mentions in the recitals



**FORWARD**

**THROUGH COLLECTIVE  
BARGAINING**