

MICHEL BARNIER

Membre de la Commission européenne

Brussels, 02. 02. 2011
GR/aa D (2011) 937716

Dear Mrs Walker Shaw,

I would like to thank you for the contribution to the Commission services evaluation of the impact and effectiveness of the EU public procurement policy as drafted by your working group of trade unions and social and environmental NGOs. I have read the paper with interest and noted your general concerns on the issues of wider social and sustainability objectives as well as your specific comments and suggestions. I would like to assure you that the Commission will give these issues and concerns our full consideration in the evaluation and subsequent policy initiatives.

Since the last revision of the directives in 2004 there has been growing interest in the increased inclusion of environmental and social criteria and the encouragement of innovative solutions within procurement policy and practice. This is reflected in the Commission's 2020 Strategy and the Single Market Act. These issues are also given a prominent place in the Commission's recent Green Paper on the modernisation of EU public procurement legislation adopted on 27 January 2011.

Along with the responses to this Green Paper on modernising public procurement policy, the evaluation will provide a source of background information and empirical material which will inform the preparation of the legislative proposals announced in the Single Market Act.

The Commission's evaluation will assess whether EU procurement legislation has realised its objectives, whether those objectives remain relevant in a changing context, and whether the current framework strikes the right balance between costs and benefits. The evaluation will focus in particular on the experience of purchasing bodies and suppliers with these provisions.

Mrs Kathleen WALKER SHAW
European Officer
GMB Brussels Office
Rue Guimard 7
1040 Bruxelles

As you have noted the evaluation will review Member States experience in the strategic use of public procurement. It will analyse how far the adoption of national action plans and other initiatives have influenced the behaviour of contracting authorities and whether this has had a significant effect on the actual outcomes of the procurement process: is public procurement greener, more socially and ethically responsible or innovative as a result?

However, the evaluation of 'strategic procurement' is faced with particular challenges starting with the absence of common definitions, measurement methods, and reliable monitoring at national and local levels. Nevertheless, the evaluation will shed light on the extent to which the strategic use of public procurement is increasing across Member States. Preliminary analysis of Member State policy indicates that most Member States have national strategic orientations or action plans in place which mandate or encourage the use of public procurement to support other policy objectives notably environmental, socially responsible and innovative objectives.

Once we have analysed how far these policy objectives have been achieved through the current framework, we will be better able to judge the extent to which that framework may need to be modified in order to allow the broad range of contracting authorities to incorporate wider social and sustainability objectives effectively within their purchasing choices.

May I thank you for your initial contribution and welcome your continued interest in the evaluation and subsequent legislative work as it takes shape over the next year.

Yours sincerely, 



Michel BARNIER