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# Key elements of EU legislation on circular procurement

9 April 2026, Núria Cases i Sampere



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# 01. Public Procurement in the EU

# 02. Public procurement and the EU legislative framework

# 03. Insights into Circular procurement



# 01.

# Public Procurement in the EU





EUR  
2.5 Trillion or  
**15% of GDP**

- **250.000 public authorities**
- Around 20% of overall procurement is covered by the Directives (EU thresholds)
- Sectors: Construction works, IT services, furniture and office equipment, transport, health, etc.



# 02.

## Public procurement and the EU legislative framework

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A photograph of a green tree branch with many small, oval-shaped leaves, set against a clear blue sky. The branch is positioned on the left side of the frame, extending towards the center. The leaves are bright green and appear to be in focus.

➤ **The Public Procurement Directives**

➤ **The Ecodesign for Sustainable Product Regulation (ESPR)**

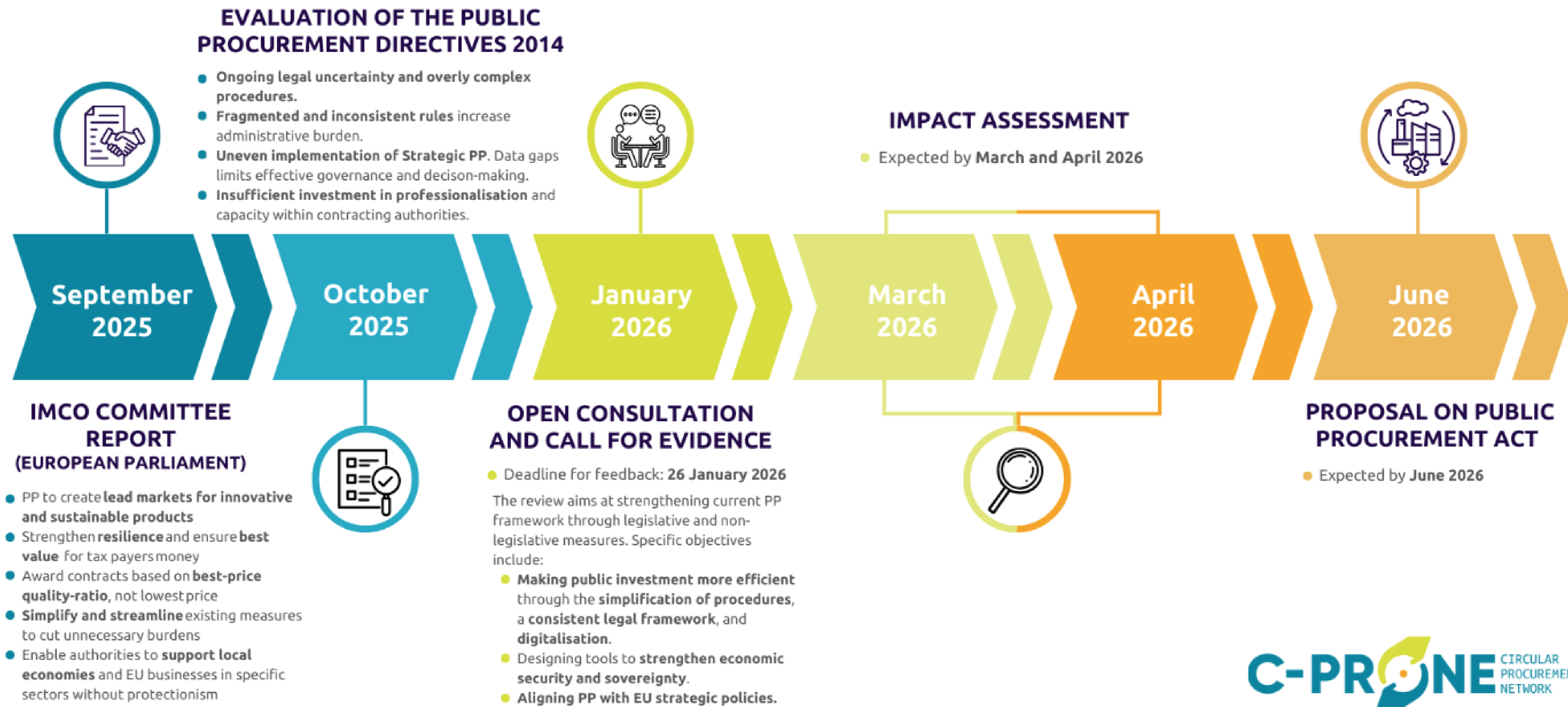
# Procurement in progress:

## Six milestones of the revision of the European Public Procurement Directives from December 2023 to February 2025



# Procurement in progress:

## Five milestones of the revision of the European Public Procurement Directives from September 2025 to June 2026



# EUROPEAN COMMISSION EVALUATION REPORT 2014 DIRECTIVES



Call for evidence: 949

Open public consultation: 733

The Directives have **partially met their intended objectives.**

Key findings:

The "Classical" Directive (2014/24/EU)  
The Concessions Directive (2014/23/EU)  
The Utilities Directive (2014/25/EU)

## Complex rules:

- Procedures still complex
- The use of PP as strategic tool remains uneven across MS
  - Direct cross border participation remains limited

## Beyond price procurement

- Data gaps and quality issues hamper effective governance and strategic decision making
- Lack of legal clarity awarding based on MEAT

## Legal coherence

- Sectoral tailoring recommended
- Clarification of conflicting legal wording





# Main aims of the revision

1- Making public investment more efficient through the **simplification** of procedures, a consistent legal framework, and digitalisation.

2- Designing tools to strengthen **economic security and sovereignty**.

3- Enhancing the **strategic role of Public procurement**





# Making public investment more efficient

**a. Simplification of procurement procedures** – making them faster and more flexible

**b. Consistent and coherent legal framework** – consolidation and clarification of interaction between PP provisions across different pieces of legislation

**c. Digital EU procurement marketplace** - with a single-entry point for economic operators



Reduce  
administrative  
burden

**Report 07/2025** : Willem A, Janssen: the Coherence of the PP legislation in the European Union – publications Office of the EU ([link](#))





# Introducing 'Made in Europe' criteria

*'By introducing **European preference in public procurement for strategic sectors and technologies** the Commission is seeking to achieve several ambitious political objectives, in particular, reinforcing technological security and domestic supply chains, as well as supporting start ups and innovative business'* (Competitive Compass, 2025)

## **Industrial Accelerator Act (proposal)**

- Use public procurement and public incentives to boost demand for EU clean tech industry and products
- Low carbon and 'Made in EU' requirements
- Steel, cement and aluminium, automotive components and net-zero technologies

**Made in Europe → requires adjustment of EU public procurement rules and it should be in line with international legal commitments**





# Uneven uptake within Member States

- Green | Social | Innovation
- Procurement as a strategic tool for circularity
- Impact limited by fragmentation

Challenges/barriers in the uptake of Strategic Public Procurement (SPP)	
Technical	Difficulty of measuring and monitoring the impacts and benefits of SPP, lack of technical expertise and knowledge, etc.
Organisational	Lack of strategic vision, political support, resistance to change, etc.
Legal and procedural	Complexity and rigidity of the legal framework, lack of clarity on how to apply green social or innovation criteria, fear of financial corrections, audits or litigation.
Market and communication	Lack of dialogue and trust, lack of information about availability, quality or price of innovative sustainable solutions, etc.
Resource and skills	Lack of financial, human and time resources, lack of competences, access to funding etc.

Source: Workshops in 27 Member States: the procurement Dialogues





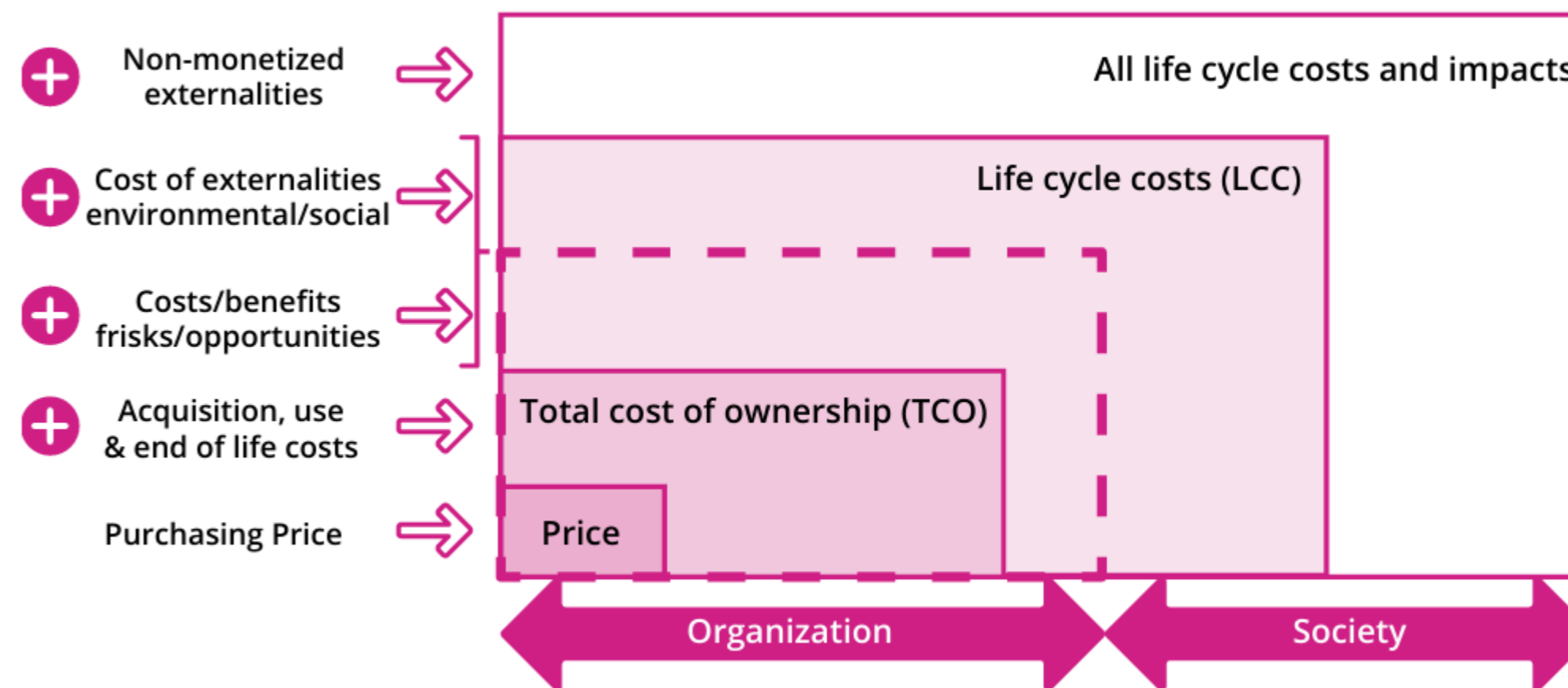
# SPP and the Public Procurement Directive (2014/24/EU)

How to buy

Currently, around 60% of procurement procedures **use lowest price as the only award criterion for public contracts.**

There is room to mandate quality criteria by **reinforcing the mandatory nature of MEAT** (the most economically advantageous tender).

‘One of the causes of limited integration of environmental and social criteria is the absence of standardise requirements and calculation tools, such as **life cycle costing**’ (*Evaluation report*).





# The Ecodesign for Sustainable Product Regulation (ESPR)

The ESPR provides the legal basis for introducing **mandatory minimum public procurement requirements** for different products groups in the form of technical specifications, contract performance conditions or targets.

**Ecodesign 2025-2030 Working plan** lists priority products for which the Commission will consider setting ecodesign requirements.

→ steel and aluminium, textiles (with focus on apparel), furniture, tyres and mattresses.

ESPR ([link](#))

Working plan ([link](#))

JRC - Method for the definition of mandatory Green Public Procurement requirements ([link](#))



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# 03.

## Insights into Circular procurement



## CIRCULAR PROCUREMENT



‘Circular procurement considers the **whole life-cycle of goods and services**, in order to avoid negative environmental and waste creation, and **achieve an overall reduction in the amount of energy and materials consumed**.

Including circular principles in procurement helps procurers take a more holistic approach to sustainability and **accelerate the transition of supply chains to a more circular economy**’.  
(Interreg NSR ProCirc project).

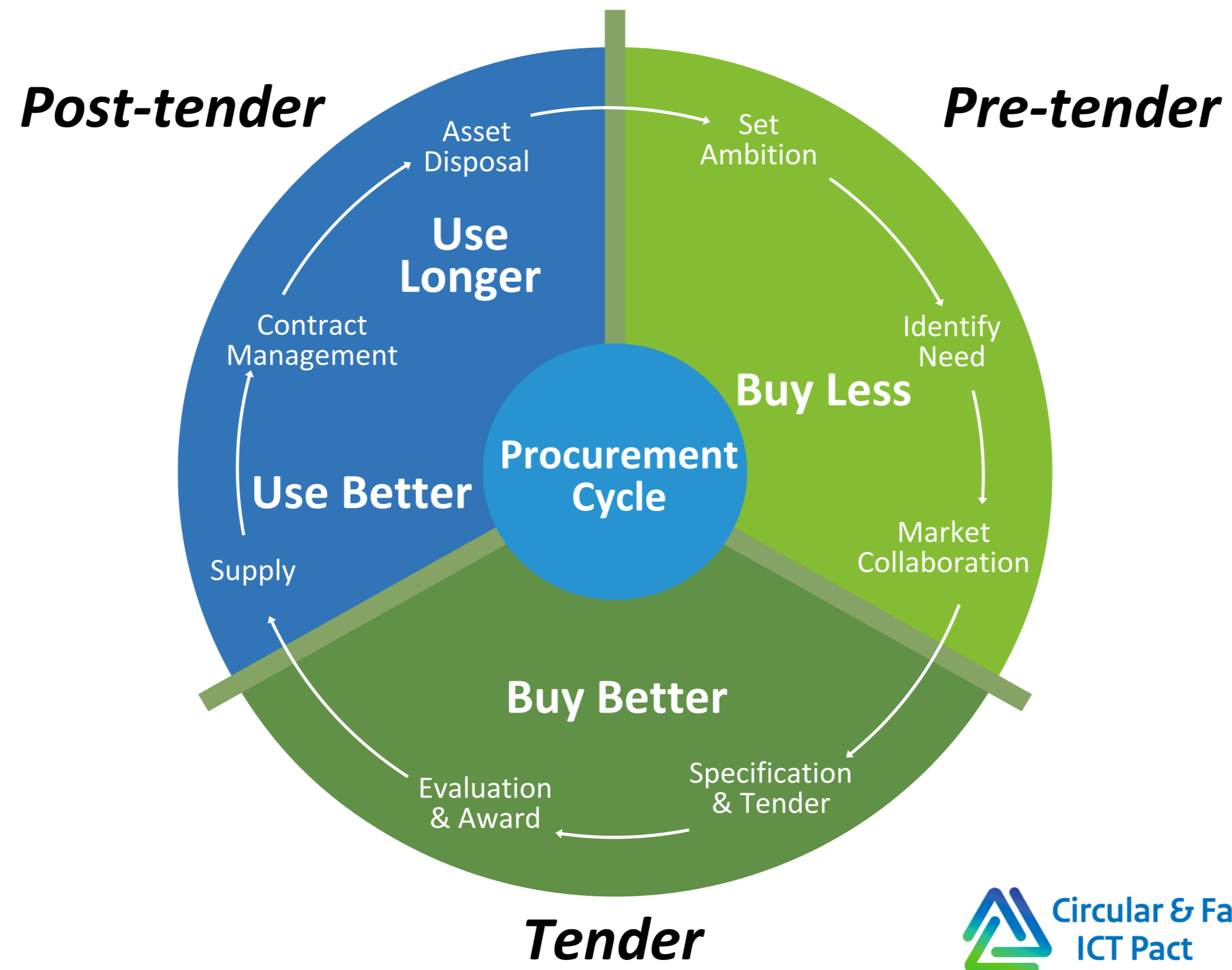
→ Lever to drive demand for circular products and services

Circular Flanders Ambition chart  
ProCirc Guidance



Source: ProCirc





<https://circularandfairictpact.com/>



# Thanks!

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