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(Tender No VT/2005/063)**

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Sustainable Public Procurement in EU Member States: Overview of government initiatives and selected cases

Final Report to the EU High-Level Group on CSR

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Executive Summary

Background information and subject

This report documents government initiatives at the national/federal level that aim to align public procurement with social and/or environmental criteria. If both social and environmental aspects are taken into account, one can speak of Sustainable Public Procurement (SPP). If only environmental aspects are taken into account, one can speak of Green Public Procurement (GPP). This report considers GPP initiatives as a contribution to SPP.

The study supports a structured exchange among the members of the High-Level Group (HLG) on CSR. DG Employment and Social Affairs (Tender No VT/2005/063) commissioned the research for this report, and it consists of the following *three analytical steps*:

- A survey among public administrators on national SPP initiatives in EU Member States (part I of this report)
- An in-depth analysis of three good or interesting SPP initiatives (part II)
- A synthesis of the survey and the case study results (part III)

Countries and initiatives surveyed: some figures

- We have conducted 24 telephone interviews with public administrators from 24 EU Member States between 26 March and 30 April 2007. By taking into account existing benchmark/overview studies and surveys on SPP/GPP initiatives in Europe, we were able to cover two additional countries. In total, **26 EU Member States (excluding Greece) are covered in the survey of this study**.
- The telephone survey revealed **103 SPP initiatives** launched by national/federal governments in the 26 EU Member States.
- The average number of SPP initiatives per country is 3.96. The range of initiatives is one (Latvia, Luxemburg, Portugal, Romania, Slovak Republic and Spain) to nine (UK).

Types of policy instruments

- Generally speaking, **CSR policies** make use of the following five types of **instruments**:
 - Informational or endorsing instruments (e.g. campaigns, guidelines),
 - Partnering instruments (e.g. networks, partnerships),
 - Financial or economic instruments (e.g. tax incentives, subsidies),
 - Mandating instruments (e.g. regulations, laws), and
 - Hybrid instruments (e.g. strategies, action plans, platforms, centres).
- The 103 initiatives we found in the survey are mostly legal (35 percent), hybrid (33 percent) and informational instruments (31.1 percent). Partnering and financial/economic instruments hardly exist in this context.

Characterising the most common instruments with selected examples

Informational or endorsing instruments

- Government-sponsored guidelines – Austria: Several guidelines for GPP have been developed in recent years, like the general government guidelines on GPP, a criteria catalogue that covers a broad range of product groups (“Check it”) and guidelines for the environmentally sound organisation of events (“Green Events”).

- Information resources – Germany: A website (www.beschaffungs-info.de) offers information on GPP for nine different product groups.

Legal instruments

- Laws – France: The “Public Procurement Contracts Code” was passed in 2006 and implements the two EU directives on public procurement in France. The law facilitates environmental and social considerations being taken into account in public procurement contracts.

Hybrid tools and others

- Action plans/programmes/strategies for CSR – UK: The “Sustainable Procurement Action Plan” was published in 2007. It defines the objective for the UK to be among the EU’s leaders in SPP by 2009. It focuses on government estates, properties and roads as well as government supply-chains and public services.
- Platforms/centres/other institutions – Sweden: The EKU Tools is the Swedish platform for GPP. The EKU website (www.eku.nu) offers background information and various documents on GPP.

Case study 1: Legal framework on SPP in France

The first case study in part II of this report describes three key components of the legal SPP framework in France, namely the Public Procurement Contracts Code (PPCC, “Code des marchés publics”), the Ordinance No. 2005-649 and two respective circulars.

The PPCC provides general legal provisions for public procurement in France. Legally, it has the status of a decree, which is sufficient to define the public procurement rules for central state authorities, central administrative bodies and several local authorities. With the last amendment of the PPCC in 2006, SD objectives were included.

The second important legal text that includes provisions for SPP is the Ordinance 2005-649 that was issued on 9 June 2005. Having the status of a law, it complements the PPCC in its goal to offer legal provisions for including SD in public procurement processes by targeting public institutions with a commercial purpose.

The third important instrument of the legal SPP framework in France are circulars. They are used to specify the general provisions laid out in the legal texts and usually include practical advice and recommendations for the public sector on how to implement them. Currently, two circulars are directly related to SPP (on wood products and energy efficiency).

The case study reveals that the EU procurement directives and the “Charter for the Environment”, an annex to the French Constitution, were two important driving forces for including SD prominently in the general procurement laws. As a key challenge to SPP, the interviewees mentioned that legal provisions on SPP were not sufficient because they did not build capacities among public procurers, capacities that are necessary to implement them.

Case study 2: Strategies and action plans for SPP in the UK

The UK was chosen as a case study because it has in place a comprehensive strategic framework on SPP. The UK’s national SD strategy sets the goal that the UK should be one of the leaders in SPP within the EU by 2009. The main strategies and action plans that aim to deliver this ambitious goal are the “UK Government Sustainable Procurement Action Plan”, the strategy document “Transforming Government Procurement” and the SD Action Plans of individual government departments.

Informed by a report by the business-led Sustainable Procurement Task Force and responding to the European Commission's communication on integrated production policy, the "UK Government Sustainable Procurement Action Plan" (SPAP) has been issued in March 2007. It is an overarching action plan which describes actions to be undertaken collectively by the central government and its departments. The SPAP is the key tool to assure that the UK will lead in SPP by 2009.

The strategy document "Transforming Government Procurement", issued by HM Treasury, focuses on building capacity and capability among procurement professionals and must be seen in close context of the SPAP. The document comprises two parts: Part one on 'setting the scene' offers an overview of general public procurement and the challenges to include SD as well as mapping out new structures for the Office of Government Commerce (OGC). Part two outlines how the SPP vision can be delivered through increased capacities.

The UK's national SD strategy also includes the commitment that each government department will draw up its own departmental SD action plan by the end of 2005. These action plans specify what individual departments will do to deliver the national SD strategy, including efforts for SPP.

The interviewees emphasised that involving different stakeholders (including businesses) is a crucial success factor for strategic SPP approaches. They also noted that action plans can only deliver if they are backed by high-level political commitment, and they succeed in building capacities for SPP among procurers.

Case study 3: Guidelines for SPP/GPP in Austria

Since the lack of capacities and knowledge is one of the key challenges of SPP, informational instruments such as guidelines are regarded as important means to overcome them. Austria has developed a number of guidelines for GPP in recent years, such as the General Government Guidelines on GPP, the criteria catalogue "Check it" and the guidelines on "Greening Events". These guidelines are at the focus of the third case study.

The "General Government Guidelines on GPP" inform public authorities on environmental issues in public procurement. The first version was developed in 1998, following the OECD recommendations on "improving the environmental performance of government". Due to developments on the international and national level, the General Guidelines were updated and revised in 2004.

The criteria catalogue "Check it" was published in 2001 and provides environmental information for various products, services and systems. "Check it" comprises 11 modules in which public authorities receive background and legal information, recommendations and suggestions on how to formulate tender specifications. Additionally, planning and evaluation instruments are defined in order to support public authorities when integrating ecological issues in the purchasing process.

The guidelines "Greening Events", published in 2005, were developed specifically for the organisation of events during the Austrian EU Presidency in the first half of 2006. They offer advice on how to organise socially and environmentally friendly events at low costs.

The case study on GPP guidelines in Austria shows that guidelines are an important tool to build awareness and capacities for GPP/SPP, but that the key challenge is to make them as simple and practical as possible by involving different stakeholders, including procurers themselves, so that they really use them.

Synthesis and conclusions

By synthesising the findings of the survey and the case studies, part III of the report draws the following conclusions:

- Legal provisions, action plans and guidelines/websites on SPP are complementary instruments that have developed into a standard set of SPP policy-making across the EU in recent years.
- The fact that CSR policies in general are comparatively weakly developed in Central and Eastern European (CEE) countries (for CSR awareness raising initiatives, see Berger et al 2007) applies also to SPP policies in particular.
- To gain a clear understanding of the effectiveness of various SPP policy instruments, governments (or future research) should assess them regarding their influence on procurement decisions.
- SPP allows governments to implement their commitment to SD in their own domain, ideally leveraging considerable effects on overall production and consumption patterns. However, because SD is mainly concerned with integrating economic, environmental *and* social issues, the scope of SPP (and respective initiatives) should reflect all three dimensions of SD.
- SPP initiatives should not avoid but pro-actively use the value for money argument for their own purposes. It should be made clear that governments should take the full range of economic, social and environmental costs and benefits of public procurement into account.
- Laws and Action Plans are key elements of a comprehensive SPP policy. However, if public procurers are not educated and trained to implement them (respectively the initiatives defined in the Action Plans), their effectiveness may be impaired severely. Thus, building respective capacities and capabilities for SPP among public procurers is important to make a difference on the ground.
- Building capacities for SPP requires that respective initiatives address the needs and concerns of public procurers to help them change their practices (see also the key success factors below).
- SPP policies (and its most comprehensive instruments, such as Action Plans) should be concerned not only with the launch of individual instruments, but also with preparing the ground for their success, for example, by addressing possible obstacles, securing high-level political commitment, facilitating stakeholder involvement and, consequently, bottom-up ownership.
- Since several interviewees have emphasised that in particular European policies, but also some regions and/or municipalities are leading in SPP, it seems that respective national initiatives are often driven both bottom-up and top-down (“sandwich-structure”).

1. Introduction

This report documents government initiatives at the national level in all EU Member States that aim to align public procurement with:

- **Economic** issues other than price (fostering, for example, innovation or the diversity of supplier markets) (Fraunhofer Institute, 2005)
- **Environmental** criteria (i.e. purchasing products and services that meet environmental criteria in product design, production/delivery and/or consumption) (van Asselt et al., 2006)
- **Social** issues (such as employment, improved working conditions, equal opportunity and accessibility, fair wages or employment opportunities to disabled workers, etc. (McCrudden, 2004)

and/or

- Other **ethical** issues (such as Fair Trade, safeguarding human and labour rights, etc.) (McCrudden, 2004).

If both social and environmental aspects are taken into account, one can speak of Sustainable Public Procurement (SPP). If either social or environmental aspects are taken into account, one can speak of Social or Green Public Procurement (GPP). Both Social and GPP initiatives are taken into account here as a contribution to SPP.

Of course, the exact definition of SPP varies between countries and organisations. The UK's Sustainable Procurement Task Force (2006), for example, developed a comprehensive definition of SPP that emphasises "**value for money**" *in a wider sense*. It defines SPP as "a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits, not only to the procuring organisation, but also to society and the economy, whilst minimising damage to the environment".

This study supports a structured exchange among the members of the High-Level Group (HLG) on CSR. The research for this report was commissioned by DG Employment and Social Affairs (Tender No VT/2005/063), the chair of the HLG on CSR. According to a decision taken at the meeting of the HLG on CSR on 30 May 2006, a study on CSR awareness raising initiatives was finalised in June 2007 (Berger et al., 2007), and a third study of this type will focus on government initiatives facilitating Socially Responsible Investing (SRI). All deliverables of the project can be accessed at www.sustainability.eu/csr-polcies.

From public procurement to SPP (or GPP respectively)

Public procurement is an important area of the European economy. In the EU, spending on public procurement amounted to about 16 per cent of the gross domestic product (GDP) of the Member States, or €1,500 billion in 2002.¹ This sum equals the GDP of several smaller EU Member States, or half the GDP of Germany (European Commission, 2004). Therefore, the purchasing power of public institutions can have significant impacts on the market.

¹ Report on the functioning of public procurement markets in the EU: benefits from the application of EU directives and challenges for the future, 03/02/2004, http://ec.europa.eu/internal_market/publicprocurement/docs/public-proc-market-final-report_en.pdf.

For a long time, public procurement had to be economical and efficient only. Due to the growing acceptance of *SD as an overarching guiding model*, environmental and social aspects have become increasingly important, also for public procurement. The rationale behind SPP is not only that governments can use their purchasing power as an economic incentive for SD in general, and for Sustainable Consumption and Production (SCP) in particular, but also that the option of SPP puts the governments to the test to “walk the talk”, or to “lead by example” in achieving SD.

Both SPP and SCP are increasingly taken into account in the EU policy and legal framework. For instance, the *Presidency Conclusions of the European Council* in March 2006 highlighted the importance of “specific actions to bring about more sustainable consumption and production patterns at EU and global level, including the development of an EU SCP Action plan, and fostering green public procurement, inter alia by promoting environmental criteria and performance targets” (European Council, 2006a, 25). Furthermore, the *renewed EU SD Strategy* defines SCP as one of the key challenges for SD in Europe. It also contains the objective “to achieve by 2010 an EU average level of Green Public Procurement (GPP) equal to that currently achieved in the best performing Member States” (European Council, 2006b, 12). In order to reach this goal, the Commission and the EU Member States intend to share best practice and expertise on GPP. Furthermore, the Commission aims to facilitate regular EU wide benchmarking of GPP performances and to examine with the Member States how best to promote GPP for major product groups. These EU initiatives point already to the fact that SPP is dominated by GPP.

In fact, most guidelines – like the European Commission’s Environmental Public Procurement handbook (European Commission, 2004) – and studies focus on GPP rather than on SPP. An exception is the “Procura+ Manual” which was developed by ICLEI – Local Governments for Sustainability (ICLEI, 2007). The manual was designed to provide clear, easy-to-understand guidance on how public authorities can implement SPP in practice. The guidebook refers to SPP as “systematically integrating environmental and social considerations into all procurement activities” (ICLEI, 2007, 8). It outlines actual purchasing criteria for six product groups (construction, IT equipment, cleaning products, food, buses and electricity). Additionally, a SPP process design is given with several milestones which aim to support the implementation phase.

The legal framework of SPP in Europe

Regarding the legal framework, public procurement in the EU is based on Community and international rules (McCrudden, 2007). These rules make sure that the procurement activities of the public sector are based on transparent procedures that warrant fair conditions of competition for the suppliers in line with the rules of the European Single Market.

In March 2004, *two EU Directives* on public procurement were adopted in order to clarify, simplify and modernise existing legislation. Directive 2004/18² focuses on contracting authorities, while Directive 2004/17³ is oriented towards special sectors of contracting authorities. Although the two directives do not prescribe SPP, they open possibilities to consider social and/or environmental issues at an early stage of the procurement process (McCrudden, 2007; van Asselt et al, 2006). Directive 2004/18 “clarifies how the contracting authorities may contribute to the protection of the environment and the promotion of SD, whilst ensuring the possibility of obtaining the best value for money for their contracts” (L134/114). As will be shown later in this study, both directives have facilitated the renewal of public procurement laws in the Member States.

² http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/l_134/l_13420040430en01140240.pdf

³ http://eur-lex.europa.eu/LexUriServ/site/en/oj/2004/l_134/l_13420040430en00010113.pdf

The structure of this study (in comparison with a previous study on GPP)

One of the most comprehensive reports on GPP was published in 2006 on behalf of DG Environment (Bouwer et al., 2006; for the DG Environment website on GPP, see http://ec.europa.eu/environment/gpp/index_en.htm). It gives an overview on “Green Public Procurement in Europe” by analysing the degree to which environmental issues are reflected in 1000 public procurement tender documents. The report revealed that seven countries – Austria, Denmark, Finland, Germany, Netherlands, Sweden and UK – have more tenders including environmental criteria than the rest of the Member States. The so-called “*Green-7*” feature some or all of the following *characteristics* (Bouwer et al., 2006, 1-2):

- Strong political drivers, national guidelines and programmes for GPP;
- Public information resources via website and eco-labels;
- Use of innovative tools like life-cycle thinking and green contract variants in procurement procedures; and
- Frequent implementation of environmental management systems (EMS) by the purchasing authorities.

The report also identified several *barriers* for an increased use of GPP, namely the higher costs of green products and a lack of environmental information, knowledge and training as well as weak managerial and political support.

While the GPP study summarised above focuses on environmental criteria included in tender documents, this study focuses on SPP initiatives that aim to align the tendering process with SD principles. The number and quality of initiatives found here may help to understand the varying performances of green tendering found in the GPP study (see the conclusions in part III).

In the *first step* of this policy study, we conducted a telephone survey among public administrators from most EU Member States dealing with SPP between 26 March and 30 April 2007. The *key objectives of the survey* were:

- To amend the information given in the 2003 and 2006 Compendiums,
- To characterise different policy instruments and approaches used in the Member States,
- To derive a typology of different SPP policy approaches,
- To identify interesting or good SPP practice cases and
- To get a first idea about success factors and challenges of SPP.

The general overview of SPP initiatives in 26 EU Member States is documented in part one of this report.

In a *second step*, we narrowed down the research focus. Based on the survey results and in cooperation with the European Commission, we selected three good practice cases from different Member States and analysed them in more depth. In the case studies documented in part two of this report, we analysed relevant policy documents in English, and we conducted telephone interviews with administrators and stakeholders. The *key objectives of the case studies on SPP* were:

- To facilitate an in-depth discussion of different approaches,
- To facilitate the discussion on policy transfer and coherence among Member States, and
- To highlight relevant obstacles, drivers and success factors.

In the *third step* of the study, we briefly synthesise the results of the survey and the case studies with a special focus on success factors and challenges of different SPP initiatives. The *key objectives of the synthesis* documented in part three of this report are:

- To facilitate an in-depth discussion by the CSR HLG and
- To lay down the path to subsequent in-depth analyses and assessments.

The advantage of this three-step policy study design is that it provides both a general overview on governmental SPP initiatives in 26 EU Member States (Part I), and in-depth information on selected cases (Part II). In order to make our work transparent and further analyses and assessments as easy as possible, we list all the relevant sources used in this study (i.e. literature, policy documents in English, websites, interviews conducted, the survey questionnaires etc.) in the ***An-***
nexes.

Part I: Overview of SPP initiatives in Europe: the survey results

2. Survey methodology

The survey of government initiatives on SPP in the EU Member States was based on telephone interviews with public administrators that are experts on the topic. The project team at RIMAS - the Research Institute for Managing Sustainability - received a list of contact persons from DG Employment and Social Affairs. This list mainly consisted of the national contact persons who regularly attend the meetings of the HLG on CSR. The project team approached these persons as first contacts in each of the EU Member States.⁴ In the cases where these contact persons were not experts on SPP, they provided us with contact details of other government experts in their respective countries.

Thanks to the information provided by DG Employment and Social Affairs and our own findings, we were able to identify public administrators dealing with SPP for most of the EU Member States. They were contacted and surveyed between 26 March and 30 April 2007 (for a summary of the survey methodology see table 1).

Topic	Sustainable Public Procurement (environmental, social & ethical)
Scope	Government initiatives in the 27 EU Member States at the federal/national level (26 countries covered) that facilitate (or, in the case of legal instruments, at least enable) SPP ⁵
Surveyed persons	Public administrators familiar with SPP
Time	26 March – 30 April 2007
Limitations	The results reflect mainly the knowledge of the public administrators interviewed and cannot be regarded as a complete picture of SPP in Europe

Table 1: Summary of the survey methodology

Based on a review of the 2003 Compendium on CSR policies in the EU⁶ and its update in 2006⁷, the literature on SPP or GPP (including existing studies) documented in Annex I, and with the assistance of a panel of experts,⁸ we developed a comprehensive questionnaire that guided the telephone survey (for details, see Annex IIb) with the following structure:

- Legal instruments that facilitate (or at least enable) SPP, in particular the implementation of the EU directives on public procurement;

⁴ If two contacts from the same ministry were provided in a country, only one person was randomly contacted. If contact persons from two different ministries per country were provided, representatives of both ministries were contacted.

⁵ Initiatives focussing on Social or Green PP were taken into account as contributions to SPP.

⁶ http://ec.europa.eu/employment_social/emplweb/csr-matrix/csr_topic_allcountries_en.cfm?field=14

⁷ http://ec.europa.eu/employment_social/soc-dial/csr/csr_compendium_csr_en.pdf

⁸ Christopher McCrudden (Lincoln College, University of Oxford, UK) and Frans Oosterhuis (Institute for Environmental Studies, Free University of Amsterdam, Netherlands).

- Information about other public initiatives on SPP;
- General questions about the relevance of SPP in the respective countries; major drivers, success factors and challenges for SPP.

3. Survey interviews

Between 26 March and 30 April 2007, we conducted 24 interviews with public administrators familiar with SPP initiatives from 24 EU Member States (for the full list of interviews conducted, see Annex IIa). Some of the surveyed experts also provided additional written information via email. We were not able to consider material we received after the survey was completed and presented to the HLG on CSR on 7 May 2007.

By taking into account existing studies and surveys on SPP initiatives in Europe, we were able to cover two additional countries (Latvia and Italy), bringing to a total of 26 surveyed EU Member States. We were not able to conduct an interview with a representative from Greece, nor could we gather additional information about the country from previous studies and surveys. Figure 1 shows the EU Member States that were included in the survey (in green with telephone interviews and in orange with existing studies and surveys).

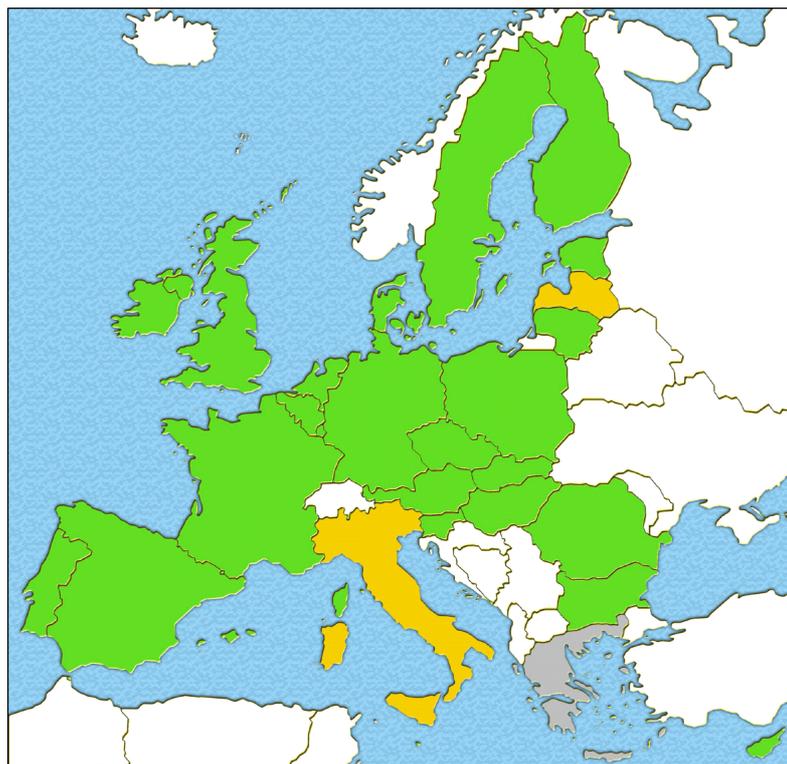


Figure 1: EU Member States covered in the survey

Figure 2 shows the institutional affiliation of the interview partners in the SPP survey. Obviously, the expertise on SPP initiatives is located in different ministries (in particular in environment and social ministries).

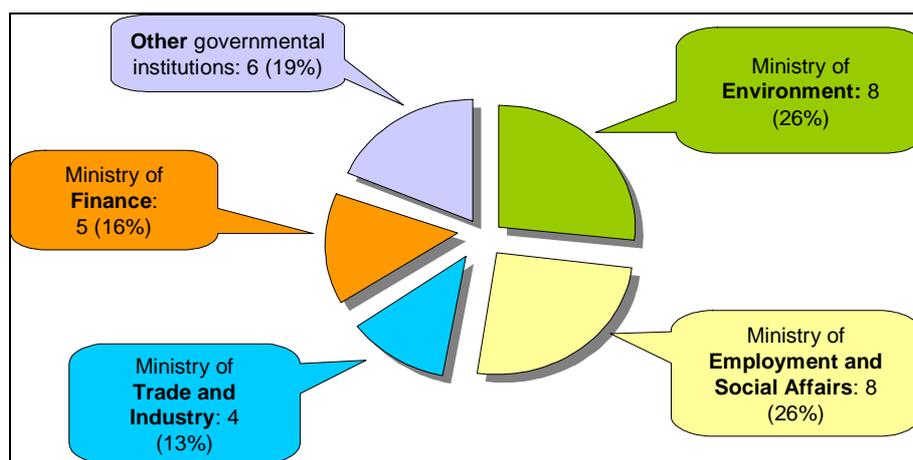


Figure 2: Institutional affiliation of interview partners in the survey.

4. Survey results

This section provides an overview of the main results of the survey on governmental SPP initiatives in EU Member States. Since we were not able to survey all Member States and the surveyed persons may have overlooked some initiatives in their country, the results provide a comprehensive but certainly not complete picture on SPP initiatives in the EU 27. Moreover, we investigated neither the quality nor the relevance of the individual initiatives.

4.1 Number of SPP initiatives

The survey revealed details about **103 governmental SPP initiatives in 26 EU Member States**. Therefore, the average number of SPP initiatives per country is 3.96. The number of initiatives is, however, very different in EU Member States, ranging from one (Latvia, Luxemburg, Portugal, Romania, Slovak Republic and Spain) to nine in the UK (an overview of all individual SPP initiatives per country is provided in Annex III).

Of course, the number of SPP initiatives surveyed does not predict the SPP/GPP performance of a country, because SPP can be driven by one solid legal provision more than by several other softer initiatives. However, in part III we show that the number of initiatives may have some political significance.

A closer look at the initiatives listed in Annex III shows that some initiatives mentioned by the interviewees do not focus exclusively on SPP, but on public procurement (like the Dutch PI-ANOO network) or on environmental protection in general (such as the Irish campaign “Race against Waste”). We included these initiatives only when the interviewees assured us that they also focus on SPP (see also the survey questionnaire in Annex IIb). An independent validity check was not conducted.

4.2 Types of SPP initiatives

Governments that address CSR in general or SPP in particular can make use of the following four policy instruments (Fox, Ward and Howard, 2002):

- Informational or endorsing instruments (e.g. campaigns, guidelines, trainings),
- Partnering instruments (e.g. networks, partnerships, dialogues),

- Financial or economic instruments (e.g. economic incentives, subsidies, grants), and
- Mandating instruments (e.g. regulations, laws, and decrees).

However, in one study on public CSR awareness raising initiatives (Berger et al., 2007; Steurer, 2007) we found that some initiatives combined different approaches, requiring a fifth category:

- Hybrid instruments (e.g. strategies, action plans, platforms, centres)

As Figure 3 shows, these instruments of CSR policy-making range from a ‘soft-law approach’ (informational and partnering instruments) to more traditional, regulatory approaches (legal instruments). With the emergence of complex and cross-sectoral challenges such as SD, the focus has increasingly shifted from regulatory to soft-law instruments (Lehtonen, 2005; Jordan et al., 2003). Since most governments agree that CSR is a voluntary business approach, the dominance of the soft-law approach applies in particular to CSR policies.

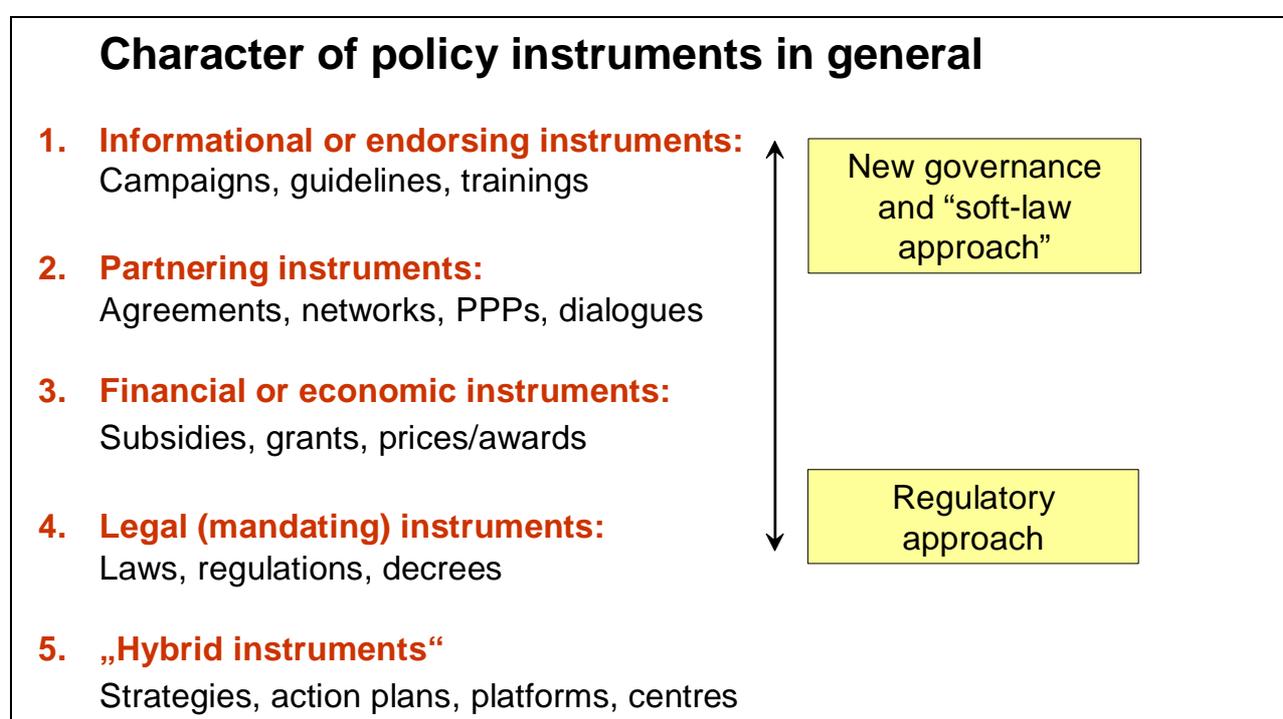


Figure 3: Overview of policy instruments

A closer look at the survey results reveals that the **103 initiatives** are mostly legal, informational and hybrid instruments. They can be **categorized and specified** as follows (for a graphical overview, see figure 4):

- | | |
|--|--|
| <ul style="list-style-type: none"> • Informational instruments (32): <ol style="list-style-type: none"> 1. Educational activities, e.g. conferences, seminars, trainings 2. Government-sponsored guidelines 3. Information resources, e.g. websites, studies, reports, etc. 4. Information/awareness raising campaigns • Partnering instruments (1): <ol style="list-style-type: none"> 5. Networks/partnerships/agreements 6. Multi-stakeholder fora • Financial or economic instruments (0): <ol style="list-style-type: none"> 7. Prices and awards, e.g. CSR audits etc. | <p>31,1 percent</p> <p>3.9</p> <p>13.6</p> <p>11.7</p> <p>1.9</p> <p>1.0 percent</p> <p>1.0</p> <p>-</p> |
|--|--|

8. Economic incentives, e.g. loans, grants, subsidies, etc.
- **Legal instruments (36):** **35.0 percent**
 - 9. Laws 25.2
 - 10. Decrees, resolutions 4.9
 - 11. Circulars 4.9
 - **Hybrid instruments (34):** **33.0 percent**
 - 12. Action plans/programmes/strategies for CSR 27.2
 - 13. Platforms/centres/institutions 5.8

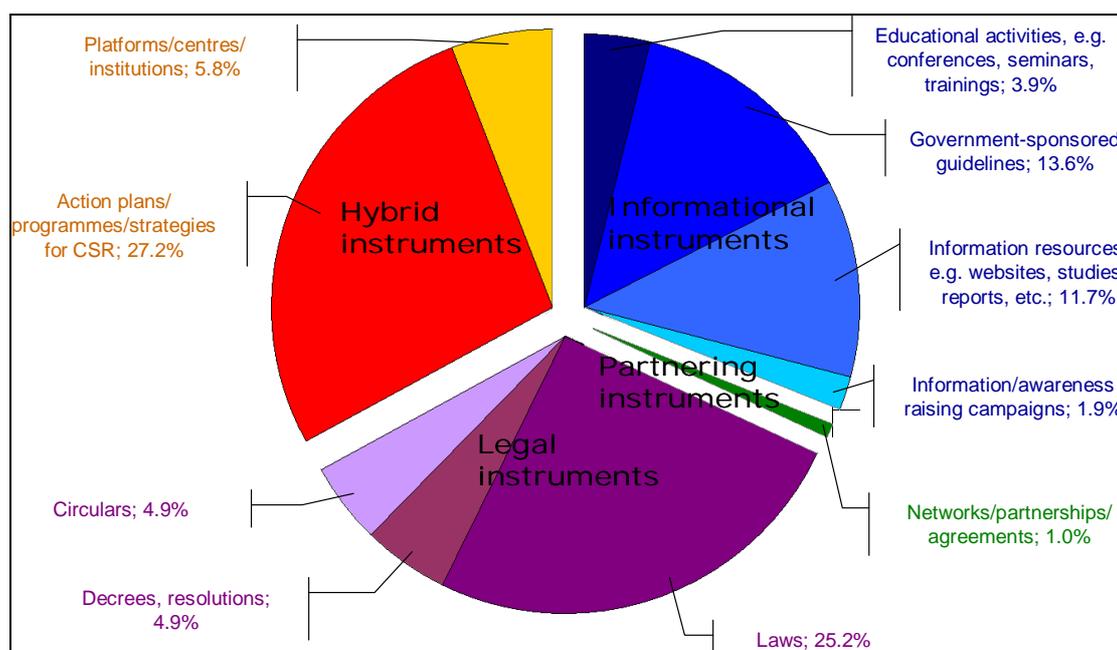


Figure 4: SPP initiatives grouped along the different public policy instruments

As mentioned in Section 1, most of the laws do not prescribe SPP but open possibilities to consider social and/or environmental issues. Most of them are a direct result of the EU Directives 2004/18 (“procurement directive”) and 2004/17 (“utilities directive”) because they require Member States to renew their national procurement laws (McCrudden, 2007). As outlined in the EU Treaty, a directive “shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods”⁹.

Figure 5 shows the status of implementation of the directives as revealed in the survey. 19 Member States have implemented the directives (green), two Member States are currently preparing the implementation (orange), one Member State has not yet implemented them (red), and for some Member States we were not able to clarify the status (grey).

⁹ EU Treaty, Article 249, http://eur-lex.europa.eu/en/treaties/dat/12002E/htm/C_2002325EN.003301.html.

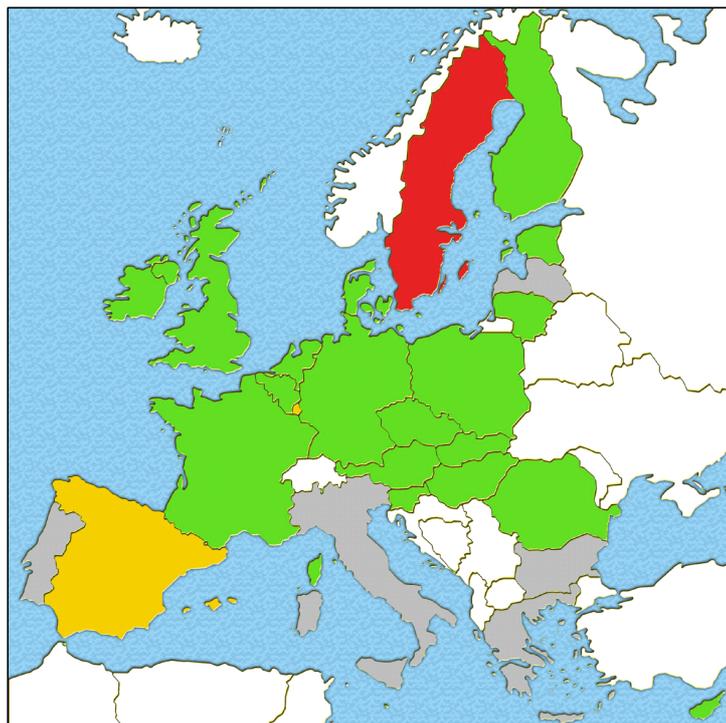


Figure 5: Status of implementation of the EU Directives 2004/18 and 2004/17

Hybrid instruments, orchestrating or making use of several other types of initiatives, also featured prominently in the SPP context. Particularly important in this respect were found to be national action plans (NAPs) and programmes on SPP or GPP. Figure 6 shows that nine Member States have adopted NAPs (green), seven are currently drafting their NAP (orange) and three Member States have no (draft) NAP (red). In eight Member States, we found the status to be unclear (grey).

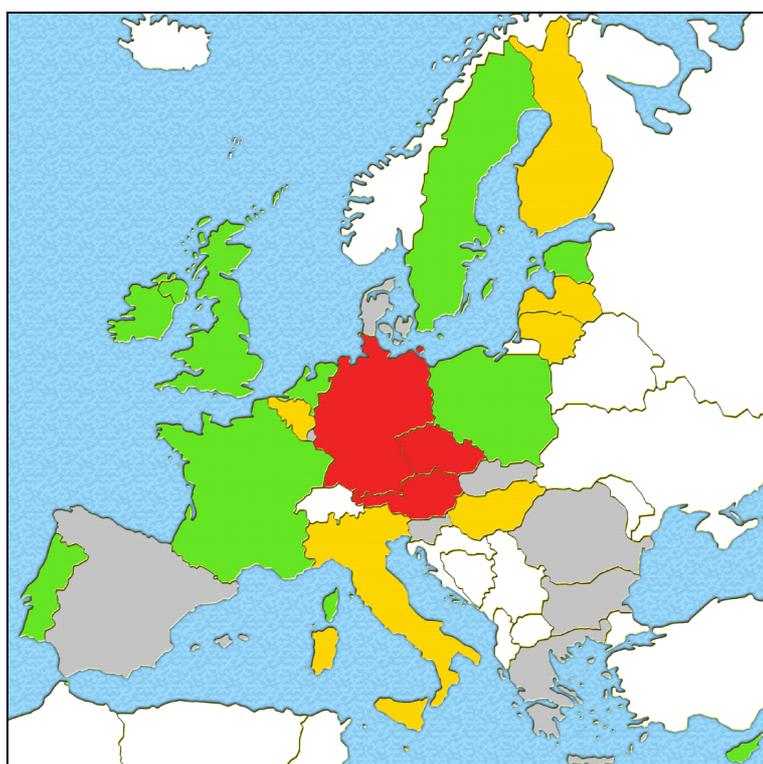


Figure 6: Adoption of national action plans on SPP/GPP in EU Member States.

Once more, EU policies back up this finding. The European Commission (2003) encouraged Member States to adopt NAPs on GPP in its Communication on integrated product policy in 2003. According to the Communication, the NAPs should contain an assessment of the existing situation, prescribe GPP targets and measures to achieve them. These strategic efforts are not legally binding but are supposed to raise awareness and provide momentum for GPP.

While partnering and economic instruments play a prominent role in CSR awareness raising (Berger et al 2007), they are obviously irrelevant in the SPP context. However, the fact that we found not a single initiative that works with economic or financial incentives requires an explanation. On the one hand, public authorities could honour procurers directly (for example with awards or premiums) for stepping up SPP. On the other hand, it is clear that all SPP initiatives aim to foster CSR economically by considering respective criteria in the procurement process. In this sense, all SPP initiatives provide economic incentives for CSR in an indirect way. This becomes clearer when we look at the target groups of the initiatives.

4.3 Target groups of the initiatives and of SPP in general

Figure 8 shows the target groups of the 103 initiatives surveyed (it was possible to mention more than one target group per initiative). Not surprisingly, the major “direct” target group of government initiatives aimed at SPP is the public sector in general (66 per cent), followed by procurers at the national/federal level (19.4 per cent). Although only 10.7 per cent of the government initiatives on SPP target businesses directly, they are of course the most important indirect target group standing behind all SPP initiatives.

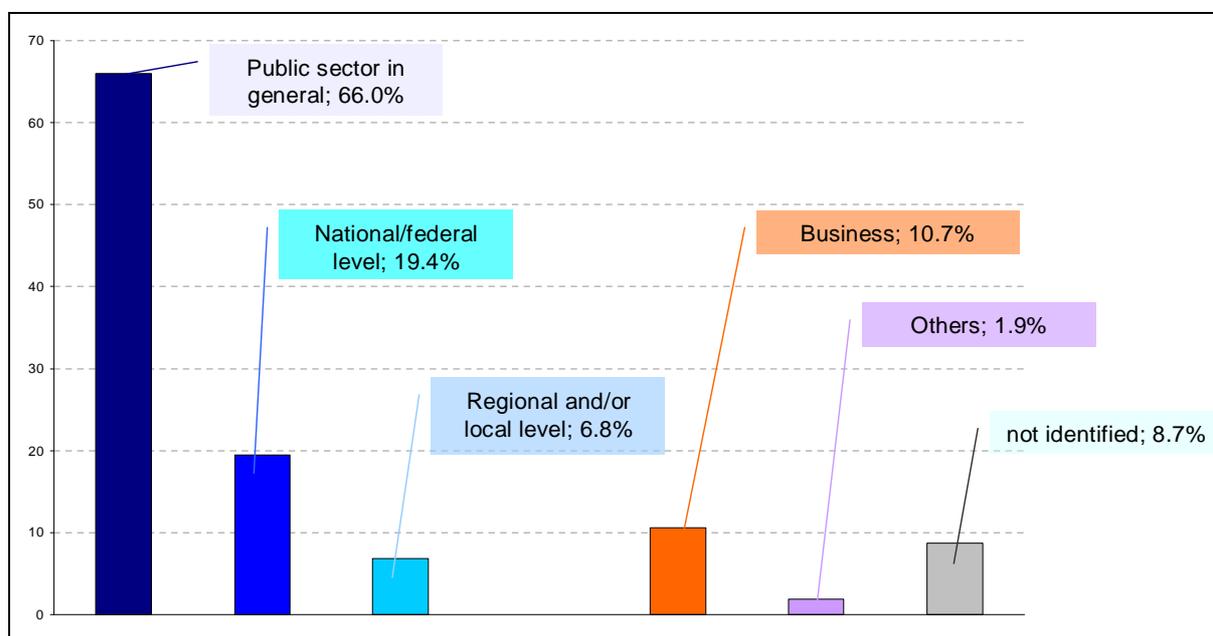


Figure 8: Target groups of SPP initiatives

4.4 Focus of SPP initiatives

The survey shows that 47.6 per cent of the 103 initiatives focus on environmental and social issues (SPP), 41.7 per cent on environmental issues (GPP), and only 6.8 per cent on social issues.

Since many of the SPP initiatives have a strong environmental focus, we can conclude that SPP is still dominated by GPP. Figure 9 provides a graphical illustration of this finding.

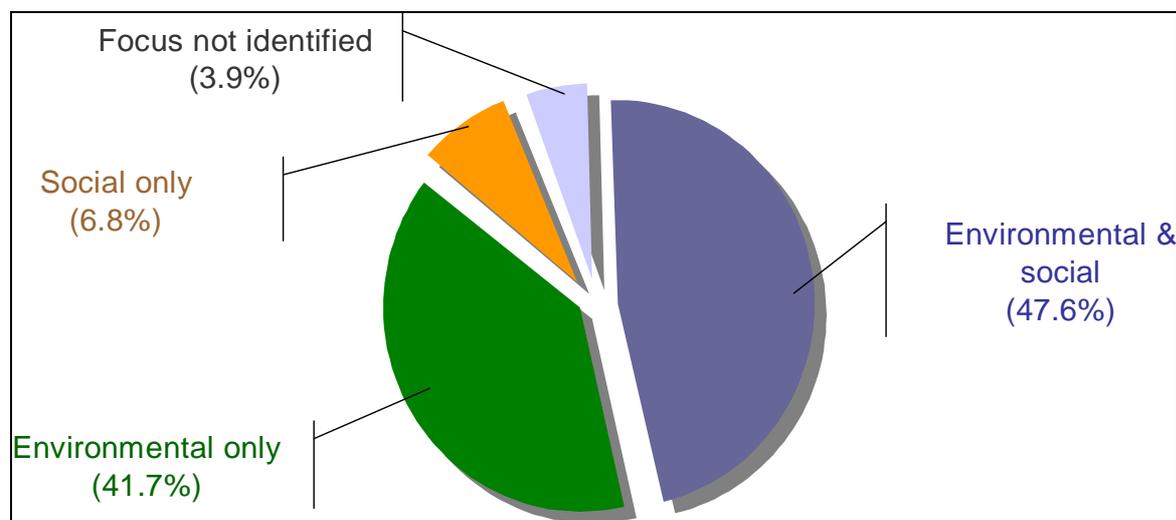


Figure 9: Focus of public SPP initiatives

4.5 Examples of the different types of initiatives

After going through the main findings of the survey, this section illustrates the different types of public SPP initiatives distinguished above with a few practical examples from the survey (excluding the type “financial and economic instruments” that we did not find in the survey). Part II explores in more detail the legal framework of SPP in France, strategic efforts on SPP in the UK and the use of guidelines in Austria.

Informational and endorsing instruments:

Educational activities, e.g. conferences, seminars, trainings:

- **Cyprus:** The “Best Practice Guide” on public procurement (published in May 2007) and a respective training series for 600 public purchasers (to be completed by November 2007) assist public procurers in carrying out their work in a transparent and sustainable way in line with the new legal framework.

Government-sponsored guidelines:

Austria: Several guidelines on GPP exist. For instance, the General Government Guidelines on GPP aim to provide a basis for public procurement of national institutions. “Check it” is a criteria catalogue that covers a broad range of product groups. “Green Events” provides guidelines on how to organise environmentally sound events. It was used for the organisation of events during the Austrian EU Presidency and will be used for the organisation of the EURO 2008 (for further details see section 6.3).

Information resources, e.g. websites, studies, reports, brochures:

Germany: The website www.beschaffungs-info.de offers information on GPP for nine different product groups. The information provided is mostly on environmental and legal

aspects of public procurement. Furthermore, the website offers a regular newsletter and a forum for information exchange.

Information/awareness campaigns:

- **Ireland:** The campaign “Race against Waste” (www.raceagainstwaste.ie) advises all kinds of organisations (including public procurers) on how to minimise waste by applying a life-cycle approach (from purchase to waste reduction to recycling).

Partnering instruments:

Networks/partnerships/agreements:

The Netherlands: The Network for Public Procurers (PIANOo) is an important network for public procurement in the Netherlands. It was established in 2005 as a follow-up to the increasingly professional approach to public procurement in the context of the two EU directives. The network fosters the exchange of information mainly via its homepage at www.pianoo.nl. Although the network focuses on public procurement in general, SD issues are covered as well.

Legal instruments:

Laws:

France: Like 18 other Member States, France has implemented the 2 EU directives on public procurement, 2004/18 and 2004/17. The French “Public Procurement Contracts Code” was passed in 2006. It opens up the possibility to take into account environmental and social considerations in all public procurement contracts (for further details see section 6.1).

Decrees, circulars:

France: The decree number 2005-649 is aligned with the “Public Procurement Contracts Code” but it has a different institutional scope. It applies to large companies (e.g. Electricité de France, French Railways, etc.), the bank sector and various associations (for further details see section 6.1)

Belgium: Several circulars have been issued to foster SPP on a non-binding basis, e.g. on social and environmental aspects of public procurement, on sustainable wood utilisation, and on the purchasing of vehicles (at least 50 per cent of newly purchased vehicles must comply with specific environmental criteria applicable to federal government).

Hybrid tools:

Action plans/programmes/strategy for CSR:

UK: The “UK Government Sustainable Procurement Action Plan” was published in March 2007 and is based on recommendations by the Sustainable Procurement Task Force. The action plan defines the objective for the UK to be among the EU’s leaders in SPP by 2009. The focus is put on sustainably built and managed central government estate, sustainably built and managed properties and roads, and government supply-chains and public services. This should be achieved through policies, performance frameworks and procurement practice, working with the supply-chain to provide the innovative eco-technologies and solutions that will be needed (for further details see section 6.2)

Platforms/centres/institutions:

Sweden: The EKU Tools is the Swedish platform for GPP. The EKU website (www.eku.nu) offers various background information and documents on GPP. The initia-

tive exists since 2001 and has been operated by the Swedish Environmental Management Council since 2003.

4.6 Success factors and obstacles of SPP initiatives

In the survey, we also asked the interview partners to name the success factors and obstacles of particular SPP initiatives in their countries. What follows is a summary of the answers we received from the interviewees.

Success factors:

- Involvement of public procurers, businesses and NGOs (7 mentions): Interviewees mentioned that it is important to involve the groups mentioned in SPP initiatives in order to get new, demand-driven and practical ideas and secure their commitment.
- Type of support for public procurers (5 mentions): The interview partners mentioned that it is important to have specific information tools for SPP that provide public procurers with high quality and up-to-date support for their specific concerns. The information provided should be concrete and easily applicable in the day-to-day activities of public procurers.
- New EU Member States would like to see an increased exchange of experiences with the European Commission and other countries (e.g. in workshops), in particular regarding the development and implementation of SPP NAPs (5 mentions).

Challenges and obstacles:

- Assumption that SPP/GPP is more/too expensive (12 mentions): It was mentioned frequently that SPP may sometimes be connected to higher costs and may, therefore, be uneconomical or beyond budget constraints. Furthermore, time pressure was mentioned as an obstacle for SPP.
- Qualification and support (12 mentions): As SPP is a relatively new topic, many interviewees think that many public procurers are often not aware of the possibilities that they have. The interviewees also think that this lack of awareness is rarely addressed with adequate support (such as trainings). This impression is confirmed by the survey results on policy instruments. As mentioned above only 3.9 per cent of all SPP initiatives are “educational activities”.
- Legal concerns (8 mentions): Many interviewees think that public procurers hesitate to implement SPP because of legal concerns. Again, awareness raising campaigns and trainings could address this obstacle, but only a few initiatives serve this purpose.
- Three interviewees mentioned that the political commitment to SPP is sometimes weak or missing altogether.

4.7 General aspects of SPP initiatives

At the end of the survey questionnaire, we asked the interview partners to reflect upon some general issues regarding SPP initiatives, such as the role of SPP to foster CSR, the most relevant issues of SPP and the major policy drivers for SPP initiatives.

Role of SPP to foster CSR

The interview partners consider SPP an important tool to foster CSR. They argued that SPP initiatives would create awareness and demand among public procurers for environmentally and socially sound products and services. This, in turn, would send important signals to the market to offer these products and services, thus fostering Sustainable Consumption and Production.

Most relevant issues of SPP initiatives

Asked about the most relevant focus of SPP (environmental, social, ethical), 10 interviewees mentioned environmental aspects because they have a higher political priority, stronger and more visible effects and because they are easier to implement (in terms of criteria, legal aspects, etc.).

Six interviewees argued that it is difficult to say which aspects are most relevant because this depends on several factors, e.g. the department which undertakes procurement, the stage in the public procurement process and who finally takes the decisions for procurement.

Three interviewees observed that social issues gained increasing importance with bottom-up initiatives.

Major policy drivers for SPP initiatives

When asked about the major drivers for SPP initiatives, the interviewees identified the following forces:

- Environmental problems, for instance the Climate Change debate (5 mentions);
- International and European policies (5 mentions);
- Increasing awareness and public opinion (4 mentions);
- Local communities interested in avoiding environmental and social costs (3 mentions).

Part II: Case studies on Sustainable Public Procurement

5. Methodology

From the 103 governmental SPP initiatives that we found in the survey (see part I and Annex III), we selected six (sets of) initiatives as potential case studies. Together with DG Employment representatives, we narrowed the six potential cases down to three actual case studies. This part of the report presents the case studies (section 6) and, in brief, the three examples that were not selected as cases (section 7).

The three case studies cover the three most important instruments according to the survey, namely guidelines (the most popular informational instrument overall) in Austria, legal instruments in France and hybrid instruments in the UK. The countries were selected for their intensive use of the instruments in question, i.e. all three countries have not only one but several respective instruments in place. Thus, compared to the CSR awareness raising case studies on individual initiatives (Berger et al 2007, part II), each case in this report covers not only one, but several complementary initiatives from the same instrument type. However, it is important to note that each of the three countries has, of course, also other SPP initiatives in place that are not covered in the case studies (for an overview, see the respective tables in Annex III).

The three SPP case studies are based on a document analysis about the specific instruments and, more importantly, on telephone interviews. In the document analysis, we considered legal texts, websites, reports and other background material about the respective initiatives in English, German and French. The telephone interviews were conducted with ministerial representatives who are responsible for the development and/or implementation of the selected case study instruments. In the Austrian case study on guidelines, we also interviewed a stakeholder whose institution is responsible for public procurement. In total, six interviews were undertaken (two per country). The list of interview partners can be found in Annex IVa.

In order to obtain comparable results for the three case studies, the research team developed two interview guides (one for the interviews with ministerial representatives and a slightly different one for the interview with the stakeholder in the Austrian case). The interview guides cover general aspects of the SPP initiatives, administrative issues, target groups and stakeholders, the implementation of the initiatives, and some concluding questions, e.g. effectiveness of the initiatives, framework conditions, recommendations to other Member States (the interview guides can be found in Annex IVb). The development of the interview guides was influenced by the logic model method, which links the initial objectives and the results of a particular intervention.

6. Case studies: Selected SPP/GPP initiatives

This section describes the legal framework on SPP in France (6.1), strategies and action plans for SPP in the UK (6.2), and guidelines on GPP/SPP in Austria (6.3).

6.1 Case study 1: The legal framework on SPP in France

General overview

Country	France
Focus	Legal framework on SPP
Type	Legal instruments: laws, ordinances, decrees and circulars
Key SPP initiatives	<ul style="list-style-type: none"> • Public Procurements Contract Code • Ordinance No. 2005-649 • Various circulars
Objectives	Inclusion of environmental and social objectives into public procurement contracts
Focus	Environmental and social
Target groups	Public sector
Contact & websites	<p>Contact: Marc Poulain, Ministry of Economy and Finance & Rémy Risser, Ministry for Ecology, Sustainable Development and Spatial Planning</p> <p>Websites of legal instruments:</p> <ul style="list-style-type: none"> • Public Procurement Contracts Code: http://www.minefi.gouv.fr/directions_services/daj/marches_publics/cod_e2006/comparatif_cmp2006-cmp2004.pdf • Ordinance 2005-649 : http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=ECOX0500022R • Circulars : http://www.ecoresponsabilite.ecologie.gouv.fr/article.php3?id_article=196, http://www.ecoresponsabilite.ecologie.gouv.fr/article.php3?id_article=183&theme_menu=1

Detailed overview of the legal framework on SPP

In France, more than 50,000 public authorities from all political levels with about 200,000 purchasers are responsible for public procurement. Recently, France established a legal framework that aims to guide these actors, towards SPP also. Like in other areas of CSR (such as reporting), France offers a good example of how to develop and apply legal instruments in this policy field. In this section, we show that three different types of legal instruments result in a comprehensive legal framework that enables and facilitates SPP.

The French government decided to include SPP in general legal procurement texts rather than issuing particular SPP laws or decrees. As the interview partner from the Ministry of Economy

and Finance argued, “it was a political decision to have comprehensive legal instruments for public procurement and to include in them provisions related to SPP”. The two major legal texts that include SPP are the Public Procurement Contracts Code (“Code des marchés publics” in French) and the Ordinance 2005-649, both of which implement the EU Directives 2004/17 and also 2004/18. In addition, this case study also covers various circulars on SPP.

The **Public Procurement Contracts Code (PPCC)** was first issued in 2001 and lays down general legal provisions for public procurement in France. Legally, it has the status of a decree. In France, a decree issued by the government is sufficient to define the public procurement rules for central state authorities, the central administrative bodies and the local authorities in the broad sense (including regions, “départements”, “intercommunalités” and “municipalités”). The PPCC was amended twice, in 2004 and in 2006. In 2004, some provisions on environmental and social issues were included. However, it was only with the amendment of 2006, that SD objectives were more thoroughly included in the PPCC (McCrudden, 2007).

Article 5 of the PPCC’s latest version states that “the nature and scope of the requirements [for public procurement] are to be precisely defined before any call for tender or any negotiation, not preceded by a call for tender, by taking into account the objectives of SD. The procurement agreements concluded by the contracting authorities are subject to these needs” (own translation, http://www.minefi.gouv.fr/directions_services/daj/marches_publics/code2006/comparatif_cmp2_006-cmp2004.pdf). As the interviewee from the Ministry for Ecology, Sustainable Development and Spatial Planning pointed out, “this is very interesting and very new in the French regulation. It implies that sustainable development has to be integrated in the process before the contract. This is important because it is a way of saying: when you think about your needs, think about sustainable development”. The article also refers to monitoring mechanisms of public procurement: Public procurers must show that they have integrated SD and if not, they must explain why they did not.

Article 14 of the PPCC refers to the environmental and social clauses that can be included in the public procurement contract terms and conditions as follows: “The conditions for the execution of contract agreements *can* include social and environmental issues which take into account the *objectives of sustainable development* by reconciling economic development, protection and enhancement of the environment and social progress” (own translation and emphasis, http://www.minefi.gouv.fr/directions_services/daj/marches_publics/code2006/comparatif_cmp2_006-cmp2004.pdf). In other words, this article enables (rather than coerces) procurers to include SD in contract performance clauses.

Other articles in the PPCC also refer either to social or environmental issues. Regarding social issues, reference is made to the employment of previously unemployed persons by companies awarded with a public contract and also to public procurers reserving parts of the contract to companies that employ a majority of disabled people (Article 15). Regarding environmental issues, the technical specification in the PPCC enables procurers to specify their needs by using eco-labels. EMAS certifications can be used only when selecting suppliers and only in work and service contracts. Moreover, Article 53 states that criteria of “global costs of utilization” can be applied when awarding public contracts. The same article also allows using environmental performance as award criteria. As the interviewee from the Ministry for Ecology, Sustainable Development and Spatial Planning argued, “for us, this is a sustainable development criteria. It means that future costs need to be included in the contracts”.

As both interview partners pointed out, the inclusion of the objectives of SD into the PPCC was only made possible because of the “Charter for the Environment”, an annex to the French Constitution (<http://www.assemblee-nationale.fr/english/8ab.asp>). The Charter was passed in 2005 in order to provide a constitutional basis for all environmental policies in France. Article 6 of the charter includes a strong reference towards SD. It states, “public policies shall promote sustain-

able development. To this end they shall reconcile the protection and enhancement of the environment with economic development and social progress”. The interview partner from the Ministry for Ecology, Sustainable Development and Spatial Planning said, “the definition of sustainable development used in the Charter has been used for the PPCC. The Charter made it possible to include sustainable development in the amendment of the PPCC in 2006. The Ministry for Ecology, Sustainable Development and Spatial Planning also supported the inclusion of sustainable development in the 2004 amendment of the PPCC, but we were not successful. In 2006, it was possible because of the change in the French Constitution. Indeed, the PPCC is usually regarded as a strong document with a constitutional background”.

Another important legal instrument is **Ordinance 2005-649** (<http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=ECOX0500022R>), issued on 9 June 2005. In France, ordinances are issued by the government, without the involvement of the parliament, and have the status of a law. Ordinance 2005-649 complements the PPCC in that it addresses different target groups that need to be covered according to the EU Directive 2004/17. It covers legal provisions for public institutions with a commercial purpose that do not fall under the PPCC, such as the French electricity company, French Railways, the Banque de France, and various business associations. Two subsequent decrees specify the provisions laid down in article 3 (Decree No. 2005-1742 of 30 December 2005, http://www.marche-public.fr/decret-2005-1742/Decret_no_2005-1742.htm) and article 4 of the Ordinance (Decree No. 2005-1308 of 20 October 2005, http://www.marche-public.fr/decret-2005-1308/Decret_no_2005-1308.htm).

The third important instrument in the French legal SPP framework are circulars, issued by the French Prime Minister. As the interview partner from the Ministry of Economy and Finance mentioned, circulars are used to specify the general provisions laid out in other legal texts. The legal status of circulars in the French system is below a decree, and they have no mandatory character, but state administrations are compelled to comply with them. They usually give thematic and practical advice or recommendations to public institutions about how to implement legal provisions. Currently, two circulars are directly related to SPP. First, the **Circular on wood and wood-based products**, published on 5 April 2005, which complements the Action Plan on tropical woods (French Government, 2004). Second, the **Circular on energy efficiency**, issued on 28 September 2005, which gives guidance on how to purchase energy efficient vehicles and equipment as well as construct energy efficient public buildings. According to the interview partner from the Ministry for Ecology, Sustainable Development and Spatial Planning, two additional circulars are in preparation at the moment, one on food and alimentary products and one on the implementation of the National Action Plan on SPP. The National Action Plan on SPP (French Government, 2007) was published in March 2007 and was a reaction to the Communication of the European Commission on Integrated Product Policy (2003).

Development of the legal framework and administrative issues

The responsibility for the development of the legal framework on SPP was shared between the Ministry for Ecology, Sustainable Development and Spatial Planning and the Ministry of Economy and Finance, as these two ministries generally work in close cooperation on this topic. As the PPCC outlines general provisions for public procurement, the duration for developing individual parts of the legal text is difficult to estimate. Generally, it took two years to amend the PPCC to its current version.

The two ministries were also major drivers for the inclusion of SD objectives in the legal provisions for public procurement. The Ministry for Ecology, Sustainable Development and Spatial Planning gave the initial impulse to include SD issues in public procurement. As the interview partner from this ministry argued, “we were very demanding to include sustainable development in the latest amendment of the PPCC, also regarding the development of individual tools, the Na-

tional Action Plan and the circular on wood products”. The Ministry of Economy and Finance was not only in charge of writing the main legal texts, but also organised major parts of the reflection process. However, both interview partners acknowledged that the “Charter for the Environment” had been the major political basis for the legal framework on SPP and the negotiations in the State Council (which discusses the amendments of the PPCC).

The responsibility for drafting circulars depended on the topics. For instance, three ministries were involved in the circular for wood products (ministries of environment, economy, and agriculture). As the interview partner from the Ministry of Economy and Finance mentioned, it took about 3-4 years to develop the circulars related to SPP, mainly because they include more specific considerations for practical implementation than other circulars: “The development of general provisions is often easier, because they address more basic issues. Developing circulars is more difficult and time-consuming, also because the target groups are more aware of what it at stake for them.”

There was no specific budget foreseen for the development or the implementation of the French legal framework on SPP. The main reason for this is that, since 2005, the French Constitution makes it an obligation for all ministries to include SD in their policies. Of course, ministries are also obliged to implement the legal framework described above. However, as the interviewee from the Ministry of Economy and Finance pointed out, ministries and other public authorities increasingly argue that they would only follow up the SPP provisions in the legal framework when they get a special budget that covers the extra costs: “This is particularly the case for social and ethical issues. Compared to them, environmental issues are easier to grasp and implement. Moreover, it is easier to show the economic benefit, e.g. energy efficiency can save money over time. For social and ethical issues, this is more difficult. Many administrations feel the need to develop a monitoring system to prove actions, which involves additional staff. Therefore, it becomes a question of who is paying for the human resources to implement this policy.”

Target groups and stakeholders

The main target groups of the French legal framework on SPP are central state authorities, local authorities (regions, “départements”, “intercommunalités” and “municipalités”) as well as all other public law bodies as defined in the EU Directive 2004/18. They and many other stakeholders were invited to comment on draft legal provisions on public procurement during the consultation phase. The legal texts are made available on the website of the Ministry of Economy and Finance and feedback can be given online. As the interview partner from the Ministry for Ecology, Sustainable Development and Spatial Planning remarked, most comments on the PPCC were received from the business community, and only some from NGOs.

In addition to this online consultation process, there is what the interviewee of the Ministry of Economy and Finance called “informal consultation” with the business community. In this process, the business stakeholders meet with representatives of ministries in order to express their interests, ideas and concerns. The same interview partner mentioned that although the business stakeholders clearly pursue their interests, their practical expertise is nevertheless an important part of the consultation process. Other stakeholders are also involved in the development of circulars.

Implementation

The representative of the Ministry of Economy and Finance argued that a clear distinction could be made between the local and the national level in terms of implementation. The local authorities were the main drivers of SPP. They had included social, ethical and environmental issues in their procurement practices long before the legal provisions of the State were issued. The reason

for this, as the interview partner from the Ministry of Economy and Finance affirmed, is the pressure exerted by the local population: “The mayors and regional administrations are held responsible for their actions very directly in the local elections. They are much more sensitive towards issues like ethical purchasing or including employment issues into purchasing decisions.”

Central authorities were, on the other hand, according to the same interview partner, more reluctant when it came to SPP for two reasons. First was the pressure in public procurement to purchase the cheapest options. Although various units within the administration try to show that considering SD implies considerable societal benefits, the pressure to purchase purely according to economic terms is still severe. Consequently, public authorities often ask for special budgets in order to carry out SPP. Second, public purchasers on the national level are very much concerned about legal uncertainty. Because of the strong judicial control of procurement activities, they are afraid of being sued for considering SD criteria. Therefore, much effort is set into developing circulars and guidelines for various SPP topics in order to clarify the general provisions laid out in the PPCC and the Ordinance 2005-640 and to offer practical support.

Success factors and challenges

The representative of the Ministry for Ecology, Sustainable Development and Spatial Planning argued that particularly Article 5 of the PPCC had provoked some changes: “Now with Article 5, public procurers have an obligation to do something in terms of sustainable development.” He also mentioned as an important success factor the development of guidelines that specify the general provisions in terms of practical application. The interview partner from the Ministry of Economy and Finance emphasised that the national level could learn from good SPP practices at the local level. For instance, some municipalities (like the city of Nantes) pay particular attention to employment issues in procurement contracts.

Apart from the perceived costs of SPP as well as the legal uncertainties, the interview partners also mentioned the complexity of SD as an obstacle to SPP. For public procurers it is still difficult to see how SD principles could be applied in procurement. Therefore, the interview partner from the Ministry for Ecology, Sustainable Development and Spatial Planning argued, “there is currently a problem of capacity-building regarding the application of sustainable development in the purchasing process”. As the interviewee from the Ministry of Economy and Finance pointed out, “this is almost a cultural question. Most purchasers are not yet used to thinking about externalities but a shift can be perceived, especially regarding environmental aspects”. Overall, fostering SPP crucially depends on training public procurers so that they can gain legal certainty and understand the fact that the cheapest product may not always be the best and most durable one.

Effectiveness, political circumstances and recommendations

The effectiveness of the French legal framework on SPP is assessed by the Observatory of Economic Aspects of Procurement, a unit located at the Ministry of Economy and Finance. It follows up all policies and legal provisions on public procurement, including those on SPP. In this context, it is important to refer to a new “statistical obligation” which is part of the legal framework. Decree 2006-1071 (from 28 August 2006) requests each public procurer with contracts over €90,000 per individual contract to fill out a form in which at least one social and one environmental clause have to be identified. The decree came into force on 1 January 2007. As the interview partner from the Ministry for Ecology, Sustainable Development and Spatial Planning pointed out, a first statistical analysis of the inclusion of environmental and social clauses in procurement contracts could be available as of 2008. On the local level, the national association of local networks (comprising procurement representatives of various sub-national levels) currently

undertakes a study about SPP in French local authorities. The results are expected in September 2007.

Although it is too early to draw comprehensive conclusions, both interview partners agreed that the legal framework described here provides the basis and gives a strong impulse to SPP. The provisions are particularly important for the central state authorities because they call for more secure legal instruments before including sustainability criteria into their purchasing decisions. Moreover, the legal framework should give a boost to local authorities for them to expand their activities.

Regarding the political context that enabled the legal SPP framework, both interview partners stressed the importance of the ‘Charter for the Environment’ as an annex to the French Constitution. The Charter made it possible, according to them, to include the objective of SD in the general provisions for public procurement. Additionally, as the representative of the Ministry of Economy and Finance argued, it “helped to consider sustainable development not as a sectoral issue, but as a concept that cuts across every public policy.”

The interview partners also mentioned several issues they considered to be important preconditions for developing a similar legal framework on SPP: Firstly, SD should be included in the general approach to public procurement. Procurement laws should require that SD principles have to be taken into account already in the early phases of the purchasing process. Secondly, capacity-building for SD among public procurers is crucial because of the obstacles mentioned above. This involves a close cooperation between procurers and SD experts. Thirdly, a close cooperation between public authorities and businesses should ensure the practical implementation of the legal provisions. Fourth, strong political commitment for SD is necessary to change practices on the ground.

6.2 Case study 2: Strategies and action plans for SPP in the UK

General overview

Country	UK
Focus	Strategies and action plans for SPP
Type	Hybrid instruments: strategies and action plans
Key SPP initiatives	<ul style="list-style-type: none"> • UK Government Sustainable Procurement Action Plan • Transforming Government Procurement • SD Action Plans of individual Government Departments
Objectives	Inclusion of SD issues into public procurement so that the UK will be an EU leader in SPP by 2009
Focus	Environmental and social
Target groups	Public sector and supplying businesses
Contact & websites	<p>Contact: Andy Davey, Sustainable Development Unit, Department for Environment, Food and Rural Affairs (DEFRA)</p> <p>Websites:</p> <ul style="list-style-type: none"> • UK Government Sustainable Procurement Action Plan: http://www.sustainable-develop-ment.gov.uk/publications/pdf/SustainableProcurementActionPlan.pdf

	<ul style="list-style-type: none"> • Transforming Government Procurement: http://www.hm-treasury.gov.uk/media/E/6/government_procurement_pu147.pdf • SD Action Plans of individual Government departments: http://www.sustainable-development.gov.uk/government/department/index.htm
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Detailed overview of strategies and action plans

In the UK, one of the “Green-7 countries” identified in a study on GPP (Bouwer et al., 2006), public sector purchasing amounts of up to approx. £150 billion per year, or 13 per cent of the country’s GDP (DEFRA, 2006). The major impact of the public sector in procurement and its potential contribution to the delivery of SD objectives was recognised in the UK’s national SD strategy from 2005. It sets the goal that the UK should be one of the leaders in SPP within the EU by 2009 (HM Government, 2005). This case study provides an overview of three complementary strategic approaches and action plans that aim to achieve this ambitious goal, namely (1) the UK government Sustainable Procurement Action Plan, (2) the strategic document “Transforming Government Procurement”, and (3) the SD Action Plans of individual government departments.

The UK’s national SD strategy outlines not only the goal to become a European leader in SPP. It also announced the establishment of a business-led *Sustainable Procurement Task Force* to “develop a national action plan for sustainable procurement across the public sector” (HM Government, 2005, 55). The Task Force was established in May 2005 and consisted of 33 members with different backgrounds, including supply chain practitioners, suppliers to the public sector, central government departments, local governments, NGOs and trade unions. They were given one year to develop a report and provide recommendations to the UK government on how to make public procurement more sustainable. The report “Procuring the Future” was published in June 2006, which also marked the end of the mandate of the Task Force (DEFRA, 2006). The DEFRA policy lead pointed out that “‘Procuring the Future’ should be seen as a report to the UK government rather than a government strategy per se”.

The report of Task Force gives the following six recommendations that address public procurement in all public authorities throughout the UK:

- 1) SPP should be a leadership priority with clarified ownership within government;
- 2) The framework for SPP should be streamlined and clarity should be provided on policy priorities;
- 3) Minimum standards should be met now and demanding goals should be set for the future;
- 4) Capacities to deliver SPP should be developed;
- 5) Budgetary mechanisms should enable and support SPP; and
- 6) Opportunities to stimulate innovation in the market should be sought.

For each of these recommendations, the Task Force identified current barriers, provided examples of practical application and outlined actions required.

The Task Force report also includes several ‘building blocks’ that are meant to help the public sector organisations to start the process towards SPP and measure progress. Among them is the so-called ‘flexible framework’ which provides “steps needed at an organisational and process level to improve procurement practice and to make sustainable procurement happen” (DEFRA, 2006, 66). The ‘flexible framework’ comprises five key themes (people; policy, strategy and communications; procurement process; engaging suppliers; and measurements and results)

which should be addressed by the public sector in order to move towards SPP. The report provides guidance on five levels about how to implement the five themes.

Informed by the Task Force report and responding to the European Commission's (2003, 12) communication on integrated production policy that "encourages Member States to draw up publicly available action plans for greening their public procurement" until the end of 2006 and then revise it every three years, the "*UK Government Sustainable Procurement Action Plan*" (SPAP) was issued in March 2007 (HM Government, 2007). As the DEFRA policy lead stressed, the SPAP is "the overarching action plan under which everything else falls". It describes actions to be undertaken collectively by the central government and its departments. It commits local government and the health sector (in England) to publish their own sustainable procurement action plans during 2007. The SPAP is intended to deliver the UK goal to become a leader in the EU in SPP by 2009 and to achieve a low carbon more resource efficient public sector. It directs departmental efforts towards using sustainable procurement to achieve the sustainable operations targets for the government estate, launched by the UK Prime Minister in June 2006 (Annex B in the SPAP). This should be achieved through "policies, performance frameworks and procurement practice, working with the supply chain to provide the innovative eco-technologies and solutions that will be needed" (HM Government, 2007, 3).

The SPAP describes actions in eight key areas which are briefly outlined below:

- Comprehensive Spending Review: All government departments are expected to show how they are responding to five long-term challenges identified by the UK government – demographic change, global economic integration, technological innovation, global uncertainty, climate change and natural resources – that encapsulate the main challenges to domestic and international SD. The Public Service Agreement (PSA) framework is being revised, so that there will be in future a large number of cross-governmental PSAs alongside sets of departmental strategic objectives. As the DEFRA policy lead pointed out, this arrangement should be suitable for considering SD, which cuts across governmental activities.
- Priorities and future plans: A sustainable procurement policy framework was issued (included in the annex of the SPAP) which requires compliance in all departments. By the end of 2007, procurement policies that maximise the contribution to SD goals should be in place.
- Strengthening leadership: Accountability and roles throughout the government are clarified. Moreover, it must be ensured that appropriate performance objectives and incentives are in place in each department.
- Budgeting and accounting practices: Departmental practice is to be improved through promoting greater compliance with existing government policy on value for money. Value for money is defined as the optimum combination of whole life costs and quality to meet the purchasers' needs.
- Building capacity: SPP is seen as a key driver in improving public service delivery. The challenge is that procurement experts have to be familiarised with SD issues. This requires that capacities have to be built in procurement departments. The full use of the 'flexible framework', developed by the Task Force, is encouraged.
- Raising standards: This should be achieved by improving departmental compliance to agreed mandatory standards, including greater use of pan-government collaborative procurement.
- Market engagement and capturing innovation: The aim is that public procurement should more effectively stimulate innovation to deliver better value for money. This should be

fostered by closer relationships between government and suppliers over a longer time frame and encourage SMEs and local companies to apply for contracts.

- **Scrutiny and reporting:** Progress made towards the goals of the SPAP will be assessed by the Sustainable Development Commission, the government's 'watchdog' on SD issues.

The SPAP also quantifies the outcomes achievable if the sustainable operations targets are delivered, on which the success of the plan should be judged, like a reduction of carbon dioxide emissions by 180,000 tonnes, an increase in energy efficiency that should save about £1 million or a waste reduction of 30,000 tonnes, by 2020.

As pointed out above, the SPAP is a response of the UK government to the Task Force report. Local authorities and the health sector are expected to publish their responses to the Task Force report in the form of respective action plans. As pointed out by the UK expert from Action Sustainability interviewed for this study, these action plans are currently out for consultation and are expected to be published in September 2007. The interviewee also pointed out that there is currently no actual follow-up to the "National Procurement Strategy for Local Government" (Office of the Deputy Prime Minister, 2003) but that work on a next generation document is planned.

In January 2007, HM Treasury (the UK's finance ministry) published the strategy document "**Transforming Government Procurement**". As the DEFRA policy lead mentioned, it is focused on building capacity and capability in the procurement profession and should be seen in close context to the SPAP: "We cannot deliver the SPAP until we build capacity and capability on better procurement in general. Therefore, 'Transforming Government Procurement' is an essential part of the SPAP." The document comprises two parts: Part one on 'setting the scene' offers an overview of general public procurement and the challenges (including SD) as well as mapping out new structures for the Office of Government Commerce (OGC)¹⁰. Part two outlines the transformation in procurement that will consistently deliver high quality public services at good value for money.

The UK's national SD strategy also includes the commitment that each government department will draw up its own *departmental SD action plan* by the end of 2005. These action plans (<http://www.sustainable-development.gov.uk/government/department/index.htm>) are about what individual departments will do to deliver the national SD strategy, including their efforts for SPP. As the DEFRA policy lead stressed, "these action plans translate high level commitments into what departments are actually going to do. So there is a clear link to the SPAP, but the departmental action plans are much broader in scope". Progress made in the various departments towards delivering SD objectives (including SPP) is assessed by the SD Commission.

Development of strategies/action plans and administrative issues

The DEFRA policy lead pointed out that the main drivers for the development of the SPAP were the commitment made in the national SD strategy to become a leader in SPP in Europe, and the European Commission's (2003) communication on integrated product policy, which encouraged Member States to develop national action plans. Consequently, the SPAP was developed by a cross-departmental board, involving representatives from all government departments, which was chaired by the 2nd Permanent Secretary of the Ministry of Defence, one of the departments with the biggest estate in the UK government. In total, it took nine months to develop the SPAP. Work on it started right after the release of the Task Force report in June 2006 and was finalised

¹⁰ OGC, an office of HM Treasury, is a one-stop shop central procurement organisation in order to foster best procurement practice within central government. It was set up in 2000. More information can be found at: <http://www.ogc.gov.uk/>.

in March 2007. The DEFRA policy lead interview for this study is the main contact point for all matters related to the SPAP.

The DEFRA policy lead mentioned that a DEFRA programme and administration budget was set aside to support the Task Force and for the subsequent development of the action plan. However, the total resources allocated are difficult to quantify, mainly because the development process involved staff from across the UK government dedicating part of their time to its development. Members of the business-led Task Force provided their time in-kind.

Driving forces, target groups and stakeholders

The interview partners pointed to two different driving forces. On the one hand, the inspiration for the SPAP came largely from the European Commission and its recommendation in the communication on integrated product policy. On the other hand, UK expert pointed out that the UK has some track record of writing good strategies and helping to develop action plans. However, she was not sure if evidence on delivery would prove the same.

Both interview partners stressed that there are basically two target groups for the action plan and strategies: on the one hand, the public procurement units within central government, local authorities and other government agencies that buy goods and services and manage the public estate; and on the other hand all businesses that supply the government. The main aim was to provide strategic guidance for both groups, as the UK expert pointed out: “We wanted our message to influence what happens in the public procurement behaviour as well as in the supply chain.”

Both interview partners argued that the relationship with the target groups was positive and productive. As the UK expert mentioned, both in the government procurement departments and among the suppliers “there has been a healthy degree of enthusiasm for embracing the subject. This is largely because either the private sector suppliers are already embracing sustainability issues or anticipated what the requirements were going to be”.

According to the interview partners, several stakeholder groups were involved in the development of the action plan and strategies. The DEFRA policy lead pointed out that during the development of the SPAP, the persons responsible for procurement and estates in all government departments were fully consulted. The cross-departmental board facilitated this internal consultation process and the exchange between departments. Additionally, the Task Force consulted widely on its proposals, and its findings influenced the UK government’s thinking and final published SPP.

Implementation of the strategies and action plans

The SPAP and “Transforming Government Procurement” were both issued in 2007, therefore, the interview partners stressed that it would be too early to speak about experiences made in the implementation. There still exists a cross-departmental board which is responsible for the implementation of the SPAP. The UK expert argued that, in addition to the SPAP, “most central government departments and local authorities will use the ‘flexible framework’, the prioritisation methodology that was developed by the Task Force, and make progress against it”. The interviewee also pointed out that several companies are now offering training courses on SPP for government procurers.

However, more insights can be derived from the departmental SD action plans which were scrutinised by the SD Commission (SDC) in 2006 regarding their provisions for and their implementation of SPP. The assessment report concluded that “whilst most plans include actions on sustainable procurement, most do not set out how they intend to contribute to ensuring that the UK Government is an EU leader on sustainable procurement by 2009” (SDC, 2006a, 9). Moreover,

the SDC's annual report 2006 on how the UK government implements the SD targets set out in the "Framework for Sustainable Development on the Government Estate" (<http://www.sustainable-development.gov.uk/government/estates/background.htm>), a framework which relates to how government manages its own use of resources) assessed the performance of the individual departments on SPP for the period 2005-06. Based on the responses from 21 departments, only three were considered to have exceeded or achieved the targets (DEFRA, Ministry of Defence, Office for National Statistics). Nine departments had made good progress and the nine remaining ones were without good progress or did not respond (SDC, 2006b). It is interesting to note that the Department of Communities and Local Government, responsible for local authorities that account for 26 per cent of public procurement, is among those with no good progress towards SPP targets (SDC, 2006a, 2006b).

Success factors and challenges

The interview partners identified three main success factors in developing the SPAP which may also influence its implementation, namely:

- The involvement and consultation process with the stakeholders through the cross-departmental board;
- The strong sense of 'learning from experience' by listening to what businesses can or cannot achieve; and
- The political commitment to make SPP a government priority.

Regarding challenges of implementing the strategies and action plans, both interview partners referred to uncertainties about costs and benefits. The DEFRA policy lead pointed out that numerous research reports have highlighted the 'paucity of evidence' on outcomes achieved by SPP initiatives and the associated costs and benefits. Generally, it would be important to show that SPP does not increase costs of public purchasing and instead provides more value for money. The UK expert pointed out that several financial barriers to move towards SPP had been identified by the Task Force, namely short-term budgeting and insufficient facilitation of the transfer of benefits between departments. However, she stressed that departments must achieve value for money and the Treasury advises that departments must ensure they do not incur additional costs through SPP without achieving justifiable benefits.

Effectiveness, political circumstances and recommendations

Like on implementation experiences, interview partners pointed out that it is too early to say how effectively the strategies and action plans fostered SPP in the UK. Nevertheless, both hold that the SPAP is an important document which sets the tone right for successful implementation. The DEFRA policy lead argued, "the SPAP provides the foundation to foster SPP in the UK, and it is a crucial foundation".

In order to measure its effectiveness, the SPAP will be assessed internally and externally: Internally, DEFRA is currently working on indicators which will be used to measure success. As the DEFRA policy lead explained, they received some data on carbon emissions from the public sector, but still have to build evidence on causalities on SPP and associated emissions. The SD Commission is already collecting data on departmental emissions and scrutinises departmental progress on an annual basis. During 2008, the DEFRA policy lead expects the National Audit Office and/or the Environmental Audit Committee to return to this subject. This will in effect provide an independent review of progress towards the objectives of the SPAP. Otherwise, the SD Commission will be invited to conduct a review of the ambitions and progress.

The interview partners identified three political circumstances that fostered the development of the SPAP. First, there was heightened media and public interest in environmental issues, especially since the debate about climate change and CO₂ emissions had become more prominent. This, in turn, heightened political interest. Second, the business community was stated to be increasingly aware of stakeholder and investor interests. Therefore, there was a willingness of the market to engage in SPP. Finally, the legal framework in the UK had had an influence. For instance, the landfill tax is still increasing and this provides an interest for companies to be more resource efficient.

The interview partners also mentioned several recommendations and preconditions for the successful development and implementation of strategic SPP efforts. First, high level political commitment is necessary to drive the agenda. Second, the business sector should be involved in order to realise innovation potentials. Third, the general procurement structure and capacities are deemed important. As the DEFRA policy lead stressed, “in the UK, we came to the conclusion that you need good procurement in order to deliver SPP effectively”. Finally, strategic efforts should focus on building robust evidence on the advantages of SPP. The DEFRA policy lead argued, “you need to convince ministers and departmental officials that this is affordable and delivers better value for money for the taxpayer, so there needs to be pretty good evidence on costs and benefits”.

6.3 Case Study 3: Guidelines on GPP/SPP in Austria

General overview

Country	Austria
Focus	Guidelines on GPP/SPP
Type	Informational instruments: government-sponsored guidelines
Key SPP initiatives	<ul style="list-style-type: none"> • General Government Guidelines on GPP • “Check it” – criteria catalogue for green procurement • “Greening events” – guidelines for taking into account SD in the organisation of events
Objective	Supporting the public sector when including environmental issues in public procurement decisions
Focus	Mainly environmental (social issues covered only marginally)
Target groups	Public authorities
Contact & websites	<ul style="list-style-type: none"> • General government guidelines on GPP: <ul style="list-style-type: none"> ○ Website: http://www.ifz.tugraz.at/oekoeinkauf/leitlinien-bund/index.htm (in German) ○ Contact: Andreas Tschulik, Ministry of Agriculture, Forestry, Environment and Water Management • “Check it”: <ul style="list-style-type: none"> ○ Website: http://www.ifz.tugraz.at/oekoeinkauf/index_en.php (in English) ○ Contact: Andreas Tschulik, Ministry of Agriculture, Forestry, Environment and Water Management • “Greening Events:

	<ul style="list-style-type: none"> ○ Website: http://www.greening-events.at/ (in German, parts in English) ○ Contact: Elisabeth Freytag, Ministry of Agriculture, Forestry, Environment and Water Management
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Detailed overview of guidelines on GPP

Informational instruments, such as guidelines, are key instruments for the implementation of SPP and GPP, a fact that is not only confirmed in the survey of this study (see part I), but also by a contribution to a recent OECD workshop (Siemens, 2003). Austria, one of the “Green-7 countries” in the GPP study of Bouwer et al. (2006, 1-2), has developed a number of guidelines to inform general procurers about GPP possibilities. As the interview partner from the Ministry of Agriculture, Forestry, Environment and Water Management (referred to as Ministry of Environment) pointed out, “guidelines are instruments which enable the dissemination of important information about GPP to the persons in charge of procurement”. The guidelines can also be understood as a device for implementing the latest amendment of Austrian Public Procurement Law (<http://www.bva.gv.at/BVA/Rechtsgrundlagen/BVergG/default.htm>), that of 2006. The amendment was a response to the EU directives 2004/17 and 2004/18 and foresaw the inclusion of environmental¹¹ and social aspects¹² in public procurement processes. This case study gives an overview of three main guidelines on GPP in Austria, namely the General Government Guidelines on GPP, the criteria catalogue “Check it” and “Greening Events”.

The “**General Government Guidelines on GPP**” offer information for public procurers when taking into account environmental issues. The first version was developed and adopted by the Austrian council of ministers in 1998, following the OECD recommendations on “improving the environmental performance of government” ([http://webdomino1.oecd.org/horizontal/oecdacts.nsf/linkto/C\(96\)39](http://webdomino1.oecd.org/horizontal/oecdacts.nsf/linkto/C(96)39)). Due to substantial developments on the international and national levels, the General Guidelines were updated in 2004. However, the updated guidelines have an informal character only because the Austrian council of ministers did not adopt them formally. According to the representative of the Ministry of Environment, the political rejection had to do with unclear follow-up costs of GPP. The interview partner from the Federal Public Procurement Agency (BBG, abbreviation for “Bundesbeschaffungsgesellschaft”)¹³ agreed and added that some ministries regarded the updated guidelines as too detailed, sometimes ignoring or even thwarting their needs. For instance, the need of the Home and Defence Ministries (the largest public procurers) for specific vehicles stood against certain environmental criteria outlined in the guidelines.

The main objective of the revised General Guidelines is to offer “a practical tool for the purchasing departments in line with the OECD recommendations” (Austrian Federal Chancellery, 2004, 6). They comprise two parts. Part A offers general guidelines for GPP. Part B outlines the main terms for GPP. On the one hand, it includes a section on general requirements that apply to all products and services. This section refers to the Austrian Public Procurement Law as well as to the significance of eco-labels and environmental management systems for purchasing decisions.

¹¹ Paragraph 15, Article 5 refers to taking into account environmental issues in the awarding procedure. Environmental aspects can be considered in the performance description, the definition of technical specifications or the determination of concrete awarding criteria.

¹² Paragraph 15, Article 6 refers to taking into account certain social issues (i.e. employment of women, trainees, permanently unemployed persons, disabled persons as well as older people) in the awarding procedure. These aspects can be considered in the performance description, the definition of technical specifications or the determination of concrete awarding criteria.

¹³ The Federal Public Procurement Agency (BBG) was established in 2001 and is a 100 per cent subsidiary of the Ministry of Finance. It is the central public purchasing institution for goods and services that seeks contract partners for public purchasing demands and also places contracts (for further details, see <https://bbg.portal.at/>).

On the other hand, Part B provides specific requirements for nine product groups and services (office equipment and material, the building industry, energy, cleaning material, interior design, food and catering, transport and vehicles, landscape conservation, and waste management).

As the interview partner from the Ministry of Environment pointed out, the most recent initiative related to the updated Guidelines is a *pilot project for testing and evaluating GPP*. The project is a result of cooperation between the Federal Chancellery, the Ministry of Finance, the Ministry of Environment and the BBG, and is a response to the latest Austrian government programme that includes GPP as one area where the government itself could contribute to achieve SD (Austrian Federal Chancellery, 2007). The pilot project aims to establish criteria for GPP in five product groups. Since the General Guidelines of 2004 served as a starting point for the pilot project, they are still on the political agenda. As the interview partner from the Ministry of Environment argued, “a decision about the Guidelines in the Council of Ministers is an objective of our ministry. But, at the moment, it is essential to have consent about the criteria for the selected five product groups”. The representative of the BBG agreed with the representative of the Ministry of Environment that the general objective is “to define the criteria in a way that there will be consent among the ministers.”

Separately from the national level, several Austrian regions (“Laender”) have also developed guidelines on GPP. Vorarlberg, for example, has developed two “ecological guidelines”, one for office equipment and material and one for the building sector (<http://www.umweltverband.at/index.php?id=beschaffung#320>), and Vienna issued GPP guidelines for 20 product groups (<http://www.wien.gv.at/umweltschutz/oekokauf/pdf/handbuch.pdf>). In both cases, the Ministry of Environment cooperated closely with the regions.

The *criteria catalogue “Check it”* is another important informational GPP tool in Austria. Published in 2001, it informs public authorities on ecological issues for various products, services and systems. Its 11 modules provide an overview of GPP, legal information, detailed information on various product groups,¹⁴ as well as recommendations and suggestions on how to formulate bids and include environmental information sheets. Additionally, planning and evaluation instruments support public authorities in implementing GPP.

The *“Greening Events” guideline*, published in 2005, was developed specifically for the organisation of events during the Austrian EU Presidency in the first half of 2006. The objective of the guidelines is to offer advice on how to organise events at low costs while at the same time taking into account environmental and social considerations (Austrian Ministry of Environment, 2005). The guidelines include 10 environmental topics (i.e. waste management, procurement, energy and climate, mobility, food, water, venues, side events, documentation and communication, and host presents) and two social topics (i.e. accessibility for disabled people and gender mainstreaming). For each of the 12 topics, the guidelines contain “significant issues” (outlining key principles) and “priority-1-measures” (including concrete recommendations regarding implementation).

The “Greening Events” guideline was followed-up by several other initiatives:¹⁵

- During the Austrian EU Presidency, the conference “Greening Events” was organised in January 2006. About 200 experts from the European Commission, the EU Member States and several other countries discussed new ways of making events more sustainable.

¹⁴ The product groups covered in detail in the “Check it” guidelines are stationeries, office equipment, electrical office equipment, electrical domestic appliances, interior design, cleaning material, building construction, technical building equipment and water.

¹⁵ A comparative study about green events in Europe was undertaken by Delft University of Technology and presented at the Roundtable on Sustainable Consumption and Production (<http://www.erscp2007.net/cms/>).

- The conference outcomes were summarised by the Austrian Presidency in the document “Twenty Steps to Green Events” (<http://www.greening-events.at/article/articleview/42558/1/16712>), containing guidelines for “Greening Events” on four topics.¹⁶ The document was presented at the EU Environmental Council Meeting in March 2006.
- In November 2006, the PREPARE network, together with the Austrian Ministry of Environment, organised a workshop on “Green Events” with 25 experts. The experts agreed that an ISO certification would not lead to desired outcomes because each event involves specific requirements. A documentation of the event can be found at <http://www.greening-events.at/article/articleview/52630/1/16708>.

GPP versus SPP

Generally, both the General Government Guidelines on GPP and “Check it” focus mainly on environmental issues. This was confirmed by the interview partner from the Ministry of Environment. On social issues he added that they “are partially considered, but were not the focus of the guidelines”. The pilot project mentioned above will also focus exclusively on environmental issues. Only “Greening Events” deliberately included all three dimensions of SD.

The representative of the BBG criticised this narrow approach and argued that the organisation he works for is concerned about sustainable, not green procurement. The interviewee said that leaving out social and economic issues may have severe repercussions and may lead in the wrong direction, and illustrated this argument with an example: The formulation of very detailed and complex environmental criteria may make a bidding document too technical, dense and difficult to read. This may render it impossible for SMEs to bid for a public contract because they may have difficulties understanding the overly detailed bidding documents and, if required in the tender specifications, they may not be able to conduct an environmental product assessment (e.g. on chemical substances in products). Therefore, concentrating on detailed environmental criteria may exclude smaller, regionally based SMEs which would have great economic and social impacts.

Development of guidelines and administrative issues

The main driver for developing the General Guidelines and the “Check it” catalogue was the Ministry of Environment. Generally, however, the representative of this ministry pointed out that there was a close cooperation with other ministries, regions and experts.

The revised General Guidelines on GPP were developed by the Ministry of Environment (in particular by its unit for Environmental Management and Technology), in cooperation with other ministries and the Federal Chancellery. The latter was mainly involved regarding the legal aspects of GPP, taking into account regulations set out in the Austrian Public Procurement Law as well as the technical standard norms (ÖNORM). The Ministry of Economic Affairs, for example, was involved in the specifications for the building sector. However, as the representative of the BBG pointed out, BBG was not involved in the process, although it is the central government procurer.

There was no specific budget foreseen for the development of the revised General Guidelines, mainly because most of the work was undertaken within ministries. Experts were included without assigning particular contracts.

¹⁶ (i) Decrease environmental impacts; (ii) foster regional economy; (iii) provide social and cultural impulses, and (iv) make use of public attention and media interest

The development of the “Check it” criteria catalogue was undertaken as a LIFE project coordinated by Procurement Service Austria and match-funded by the European Commission, three Austrian ministries (Ministries of Environment, Education and Economy) and five Austrian regions (Vienna, Styria, Salzburg, Upper Austria and Burgenland). The development process was organised as a broad discussion and drafting process, involving not only national ministries and regions, but also various experts. The LIFE project’s running time was two years, and it took about 2.5 years to develop the criteria catalogue. “Check it” also falls under the responsibility of the Environmental Management and Technology unit in the Ministry of Environment.

The responsible body for developing “Greening Events” was the European Affairs unit in the Ministry of Environment. The actual development of the guidelines was commissioned to the Austrian Environment Agency and took about nine months. A specific budget was assigned for the development of the guidelines.

Target groups and stakeholders

The main target group of the guidelines are public procurers at the national, regional and local levels. The representative of the Ministry of Environment pointed out that regional authorities and municipalities carry out a good portion of public procurement. Therefore, the involvement of the sub-national levels in GPP is of great importance. Another target group are outsourced legal entities, like the BBG and the Federal Real Estate Company¹⁷ that have responsibilities previously held by ministries.

As mentioned above, various experts were involved in developing and applying the guidelines, including researchers and environmental consultants. For instance, the Procurement Service Austria (<http://www.ifz.tugraz.at/index.php/article/articleview/19/1/9>), located at the Inter-University Research Centre for Technology, Work and Culture (IFZ) in Graz, was coordinating the development of “Check it”, offered advice for public procurers and publishes the quarterly newsletter “take it!”.

The interview partner from the Ministry of Environment stressed that his institution is in regular contact regarding the various guidelines on GPP with other ministries and stakeholders, the most important cooperation partner of the ministry being the BBG. The representative of the BBG emphasised that it is crucial to involve practitioners in the development and application process of guidelines, namely central procurement institutions, all ministries (which are the main purchasers) and the business sector. The latter would be particularly important because they are the suppliers and need to fulfil predefined criteria: “It is important to talk to the business community about what is possible. Furthermore, one should use the innovative efforts and achievements of businesses”.

Application of the guidelines, related challenges and success factors

Since the updated General Guidelines have an informal status, they are used only as support document by public procurers. In addition, eco-labels and environmental management systems can also be taken into account. While national and EU eco-labels can be considered in the drafting of bidding documents, environmental management systems (e.g. EMAS and ISO 14001) can be used as selection criteria that certify specific technical capacities and standards.

¹⁷ The Federal Real Estate Company was funded in 1992 and is responsible for the organisation and management of state-owned real estate. More information can be found at: <http://www.big.at/BIG/en/default.htm>.

The criteria catalogue “Check it” offers clear parameters for the application of GPP criteria. The representative of the Ministry of Environment stressed that, in contrast to the General Guidelines, “Check it” is applied in a one-to-one basis.

The interview partner from the BBG was very critical of the practical usefulness of GPP guidelines. The interviewee argued, “we should be the institution that applies the guidelines. However, we only use some parts and hardly ever use the whole set of guidelines”. The reason for this is that, on the one hand, the interviewee regards the guidelines as useless in practice (too detailed, not practical enough). On the other hand, the BBG has developed its own ‘guidelines’ and expertise about how to include environmental and social issues based on the provisions laid out in the Austrian Public Procurement Law. The BBG may use similar approaches as outlined in the various guidelines, but any overlap is due to “practical necessity”. The interviewee from the BBG emphasised that BBG is in close contact with the Ministry of Environment for improving their bidding documents, but he then added that the GPP guidelines play little role in this respect. He argued, “we do not criticize that we have guidelines on GPP. What we criticise is that they should be oriented more towards practical use”, and he added that the reason why BBG is now involved in the GPP pilot project is that “it was realised that we have guidelines that are not an integral part of the procurement system”. Thus, a major challenge when developing GPP guidelines is to strive for practicality (i.e. by making them as flexible and simple as possible and as detailed as necessary), also by involving affected stakeholders.

Asked about major challenges, the representative of the Ministry of the Environment pointed out that the relationship between economic and environmental issues is still not resolved. As public procurement involves high amounts of money, the decisive factor is most often value for money. Furthermore, the interviewee argued that another challenge in Austria is to increase GPP at a regional level. Currently, two regions (Vienna and Vorarlberg) have several GPP initiatives (including regional guidelines) in place. In the future, other regions must be encouraged to address GPP in similar ways.

What are the major success factors of developing and applying the GPP guidelines in Austria? The interview partner from the Ministry of Environment stressed that the expertise that went into the development of the General Guidelines and “Check it” was very high, and that it was used efficiently. He further argued that relevant actors should be involved in the application of the various guidelines. This became evident on the national level in the collaboration with BBG. Generally, he argued that “the involvement of affected stakeholders is important in order to achieve broad acceptance of GPP”. The representative of the BBG also mentioned the involvement of stakeholders and practitioners as crucial for the success of guidelines.

Effectiveness, political circumstances and recommendations

The representative of the Ministry of Environment argued that it is difficult to say if the guidelines have fulfilled their purpose because no quantitative goals have been defined. Nevertheless, the interviewee was confident that the importance of the guidelines must not be underestimated: “I think that the guidelines are an important element of the overall strategy towards GPP. Without the guidelines, we would not have achieved positive results in GPP, because they have put pressure on all actors to take up environmental issues in their procurement activities.” The interview partner from the BBG agreed that the guidelines were useful to demonstrate that green procurement is actually important. However, they have only partially become an integral part of the procurement system (i.e. for paper, cleaning, furniture).

Currently, the effectiveness of the GPP guidelines is not monitored, but single initiatives are evaluated. For instance, the pilot project will also evaluate the provisions of the updated General Guidelines. Moreover, there was an evaluation of the “Greening Events” initiative during the

Austrian EU Presidency. The Ministry of Environment commissioned an evaluation of 11 meetings of ministers and five symposia that used the “Greening Events” guidelines. The general conclusion of the evaluation report (Ministry of Environment, 2006) was that the “Greening Events” initiative had raised the event organisers’ awareness for GPP, resulting in waste reduction, reusable packaging, organic food catering etc. Additionally, some areas of improvement were also identified (among them: better mobility concepts, allowing for smaller distances between venues and hotels; motivate hotels and venues to apply for eco-labels; and strengthen gender mainstreaming among event participants).

Regarding political circumstances, the interview partner from the Ministry of Environment stressed that it is necessary to address GPP comprehensively. He argued that cost efficiency is still considered to be the most important criteria of public procurement. Thus, environmentally sound products and processes are assumed to be more expensive, although practical experiences have proved differently. Therefore, “it would be important to create framework conditions which treat GPP as an important element to achieve SD, without neglecting the danger of increasing costs”. The BBG representative highlighted the advantage of central procurement organisations: “If they include environmental and social issues in their purchasing decisions, they can have a much stronger impact compared to individual department purchasing.”

Asked about why guidelines played a relatively important role in achieving GPP in Austria, the two interview partners had different explanations. The representative of the Ministry of Environment stressed that many ministries and sub-national authorities saw the necessity for GPP and developed guidelines as a first step. The BBG representative argued that because environmental issues are taken very seriously in Austria, it was politically important to take measures. Developing GPP guidelines is one way to demonstrate that environmental issues are taken up at the political level. However, he argued that central procurement organisations would apply green or sustainable procurement even if central government guidelines did not exist. Nevertheless, GPP guidelines are a good tool to provide information to individual purchasers.

7. Interesting initiatives not selected as case studies

This section briefly summarises three interesting SPP initiatives which were considered but ultimately not selected as case studies (one from Sweden, one from the Netherlands and one from Denmark). It concludes the overview of SPP initiatives provided in this report.

EKU Tool in Sweden

Type: Hybrid instrument – Platform

Short description: EKU Tool (www.eku.nu/eng) for ecologically sustainable procurement was developed by the Swedish government in collaboration with local authorities, county councils and the business sector. Established in 2001, EKU Tool offers guidance on how to integrate environmental criteria into public procurement for 20 different product groups. Since 2003, the Swedish Environmental Management Council (SEMCO) has been responsible for EKU Tool. SEMCO cooperates with businesses in order to improve and develop EKU Tool further and to make it attractive for the private sector. Furthermore, SEMCO provides a help desk, offers legal advice, and organises seminars and workshops on GPP.

Success factors: EKU Tool offers easy-to-use information for public procurers on how to integrate environmental considerations into their purchasing decisions, including legal aspects. The main objective is to ultimately “make a difference for the environment”.

Challenges: Building a consensus on the criteria for the 20 product groups was time consuming. However, consensus-building is considered as a necessity because otherwise public procurers would have difficulties in their daily purchasing decisions. Furthermore, there is the aim to organise an open stakeholder process when defining new criteria (including not only Swedish but also stakeholders from other countries).

Sustainable Procurement Programme & National Action Plan for Sustainable Public Procurement in the Netherlands

Type: Hybrid instruments – Programme, action plan

Short description: The Dutch government has been actively encouraging SPP since 1999. In 2003, the Ministry of Spatial Planning, Housing and the Environment (VROM) established the “Sustainable Procurement Programme”. The main objective of the programme is to encourage public authorities to purchase sustainable goods and services. The programme is implemented by SenterNovem which offers practical information to public procurers via its website (<http://www.senternovem.nl/duurzaaminkopen/English/Index.asp>), including specifications for environmental and social criteria for 32 products and services. Moreover, SenterNovem organises an annual network day for all procurement officers. An evaluation of the effects of the programme in 2004, which included information from 165 government organisations, showed that environmental and social criteria were included in 23 per cent of public purchases. The Dutch parliament regarded this figure as too low and in 2005 set the goal that by 2010 all central government procurement and investments must include SD as one of the most influential criteria. In order to implement this ambitious goal, a “National Action Plan for SPP” was introduced in February 2007.

Success factors: The objective to foster SPP was set by both the Dutch government and parliament. The ambitious goal increases attention to SPP.

Challenges: The ambitious goal must now be implemented in practice – SPP needs to be applied in all national public purchases. It was rather difficult to develop social criteria and convince businesses of their importance.

Informational tools in Denmark

Type: Informational instruments – Guidelines, information resources

Short description: The Danish government issued an action plan for GPP as early as 1994 and an action plan for SPP in 1995. Since then, a number of informational instruments to foster SPP have been made public. Since 1996, the Danish government has issued about 50 environmental guidelines on public purchasing of various products. Furthermore, a website (www.ski.dk) provides extensive information on GPP. It offers a product criteria catalogue for about 100 products based on eco-labels, environmental and energy guidelines developed by the Danish Environmental Protection Agency. Finally, the “Danish Public Procurement Portal on Social Clauses” (<http://www.udbudsportalen.dk/socialaftaler>) was established in 2000 by the Ministry of Trade and Industry in cooperation with Local Government Denmark. Its objective is to offer information on social issues in public procurement, especially how to use public procurement to create employment.

Success factors: Denmark has one of the most elaborated tools for the inclusion of social issues in public procurement in Europe. A secretariat offers detailed information for public procurers. An evaluation showed that the approach was successful.

Challenges: Political commitment and support is crucial. Legal issues need to be taken into account from the beginning. Currently, the Danish Public Procurement Portal faces a lack of resources that makes it difficult to chronicle best-practice examples.

Part III: Synthesis and conclusions

This section synthesises some significant findings of the survey (part I) and the case studies (part II) in order to

- Facilitate an in-depth discussion by the HLG on CSR and
- Give a direction to subsequent in-depth analyses and assessments of CSR policies.

The synthesis explores (i) the number and type of SPP initiatives (ii) the number of initiatives and actual SPP performance, (iii) the focus of initiatives, (iv) obstacles of SPP and possibilities to overcome them, (v) success factors and (vi) driving forces of SPP.

i) Number and type of SPP initiatives

The number of SPP initiatives in EU Member States is significant (103 in total or about 4 per country surveyed). While CSR awareness raising, for example, depends on a broad mix of policy instruments (including economic and partnering instruments) (Berger et al., 2007), policies on SPP are dominated by laws, action plans and informational tools such as guidelines and websites. The three types of SPP instruments account for roughly three quarters of all initiatives found in the survey (about 25 per cent per type). Twelve of the 26 surveyed EU Member States make use of all three types of SPP instruments, and eight countries of two. The three case studies in part II provide interesting examples from different countries for all three instruments.



Conclusion: Legal provisions, action plans and guidelines/websites on SPP are complementary instruments that have developed into a standard set of SPP policy-making across the EU in recent years.

The average number of SPP initiatives in the “new” EU Member States from the CEE region (2.4) is significantly below the average of the EU-15 (4.5, including Greece that did not participate in the survey). The only CEE country that lies above the EU-15 average of SPP initiatives is the Czech Republic (5)



Conclusion: The fact that CSR policies in general are comparatively weakly developed in CEE countries (for CSR awareness raising initiatives, see Berger et al 2007) applies also to SPP policies in particular.

ii) Number of initiatives and actual SPP performance

The number of SPP initiatives surveyed does certainly not predict the SPP/GPP performance of a country, because SPP can be driven by one solid legal provision more than by several other softer initiatives. However, if we compare our findings with the study on “Green Public Procurement in Europe” that analysed the degree to which environmental issues were reflected in public procurement tender documents (Bouwer et al., 2006), some accordance can be observed. While six countries of the “Green-7” have an above-average number of SPP initiatives in place, four of the five weakest performers in GPP have an average or below-average number of SPP initiatives in place (the exceptions are Sweden at the upper end and Belgium at the lower end). The underlying causalities (good performance because of many SPP instruments or vice versa) are, of course, unclear.

➔ Conclusion: To gain a clear understanding of the effectiveness of various SPP policy instruments, governments (or future research) should assess them regarding their influence on procurement decisions.

iii) Focus of initiatives: SPP is dominated by GPP

The survey and the case studies both confirmed that SPP policies still focus on integrating environmental issues into procurement processes. As many as half of the 16 newly developed National Action Plans focus entirely on GPP. One interview partner emphasised that the focus on GPP could disadvantage SMEs because they often struggle with elaborate tender specifications.

➔ Conclusion: SPP allows governments to implement their commitment to SD in their own domain, ideally leveraging considerable effects on overall production and consumption patterns. However, because SD is mainly concerned with integrating economic, environmental *and* social issues, the scope of SPP (and respective initiatives) should reflect all three dimensions of SD.

iv) Key obstacles of SPP and possibilities to overcome them

The obstacles of SPP (and ways to overcome them) that were most often mentioned in the survey and case study interviews can be summarised as follows.

Value for money is one of the guiding principles of public procurement in general, and it is also dominant in the context of SPP. Given that SPP is often perceived to be more costly, many interviewees mentioned the pressure to buy the cheapest goods and services as a major obstacle for SPP.

➔ Conclusion: SPP initiatives should not avoid but pro-actively use the value for money argument for their own purposes. It should be made clear that governments should take the full range of economic, social and environmental costs and benefits of public procurement into account.

For many public purchasers, including environmental and social issues in their purchasing decisions is new. They are often not familiar with SD principles like internalising external costs and long-term thinking, and they do not have the legal knowledge of how to incorporate social and environmental criteria in tender specifications.

➔ Conclusion: Laws and Action Plans are key elements of a comprehensive SPP policy. However, if public procurers are not educated and trained to implement them (respectively, the initiatives defined in the Action Plans), their effectiveness may be severely impaired. Thus, building respective capacities and capabilities for SPP among public procurers is important to make a difference on the ground.

Capacities and capabilities for SPP can be built with many complementary informational instruments, such as campaigns, websites, guidelines and trainings. However, as the Austrian case study showed, these tools sometimes fail to meet the needs of those who should apply them. Some may be too complex, others too simplistic, and altogether not realistic or practical.

➔ Conclusion: Building capacities for SPP requires that respective initiatives address the needs and concerns of public procurers to help them change their practices (see also the key success factors below).

Similar barriers to GPP have been surveyed in the study “Green Public Procurement in Europe” that identified the “Green-7” (Bouwer et al., 2006, 26-30).

v) Key success factors of SPP

The success factors mentioned most often in the survey and case study interviews can be summarised as follows:

- As it is the case for many other CSR and SD policy issues, the successful implementation of SPP initiatives requires high-level political commitment. As the French case shows, legal or constitutional provisions for SD can help as a concrete expression of political backing.
- However, the top-down political commitment to SPP must be complemented by bottom-up ownership and a commitment to learning among those who are responsible for public procurement. Bottom-up ownership and commitment requires, inter alia, that procurers and other stakeholders (including businesses) should be involved in developing SPP initiatives.
- Involving stakeholders in the development of SPP initiatives may also help in optimising their design, i.e. in making them only as complex as necessary and as practical and simple as possible.
- Informational SPP instruments (such as guidelines, trainings and websites) can change procurement routines only when the information provided is compatible with existing day-to-day routines of public procurers. They must be up-to-date, have to speak a similar language and take (legal) uncertainties and (economic) concerns of public procurers into account.

➡ Conclusion: SPP policies (and its most comprehensive instruments, such as Action Plans) should be concerned not only with the launch of individual instruments, but also with preparing the ground for their success, for example, by addressing possible obstacles, securing high-level political commitment, facilitating stakeholder involvement and, consequently, bottom-up ownership.

vi) Driving forces of SPP

Several interviewees of the survey and the case studies indicate that the two most important driving forces behind SPP are the following:

- European policies, in particular the procurement directives that have required the renewal of national procurement laws, and communications by the European Commission, such as the one on integrated production policy that encourages Member States to develop “action plans for greening their public procurement” (European Commission, 2003, 12).
- Increasing awareness of environmental problems (in particular Climate Change) and public pressure to which some sub-national governments (in particular at the municipal level) have responded quicker than national governments.

➡ Conclusion: Since several interviewees have emphasised that in particular European policies, but also some regions and/or municipalities are leading in SPP, it seems that respective national initiatives are often driven both bottom-up and top-down (“sandwich-structure”).

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Annex IIa: The survey interviews

Country	Name	Institution	Date	Written information
Austria	Michael Fruhmann	Federal Chancellery	6 April 2007	
Austria	Andreas Tschulik	Ministry of Agriculture, Forestry, Environment and Water Management	23 April 2007	
Belgium	Jo Versteven	Federal Public Planning Service Sustainable Development	3 April 2007	
Bulgaria	Lazar Lazarov	Ministry of Labour and Social Policy	10 April 2007	
Czech Republic	Alena Markova	Ministry of Environment	27 April 2007	
Czech Republic	David Mlíčko	Ministry of Regional Development	30 April 2007	
Czech Republic	Eva Vozábová	Ministry of Labour and Social Affairs	30 April 2007	Written information
Czech Republic	Alena Markova, David Mlicko	Ministry of Trade and Industry	27 April 2007 and 30 April 2007	Written information Martina Funková, 4 April 2007
Cyprus	Rea Georgiou / Lefkia Xanthou-Araouzou	Treasury Department	19 April 2007	
Denmark	Niels Hojensgard	Ministry of Employment	30 March 2007	
Denmark	Jakob Scharff	The Danish Public Procurement Portal / Local Government Denmark	26 April 2007	
Estonia	Aime Võsu	Ministry of Finance	19 April 2007	
Finland	Olli-Pekka Rissanen	Ministry of Finance	10 April 2007	
Finland	Taina Nikula	Ministry of Environment	17 April 2007	
France	Aude Pohardy	Ministry of Finance		Written information
Germany	Dagmar Kase	Federal Environment Agency	26 April 2007	

Hungary	Istvánné Somodi / Gabriella Tölgyes	Ministry of Social Affairs and Labour	27 April 2007	Written information
Ireland	Frances Gaynor	Department of Enterprise, Trade and Employment	13 April 2007	
Lithuania	Vidmantas Adomonis	Ministry of Environment	25 April 2007	
Luxemburg	Michèle Toussaint	Ministry of Employment	26 April 2007	
Malta	Roderick Mizzi	Department of Industrial and Employment Relations	30 March 2007	
Netherlands	Jaap Stokking	Ministry of Housing, Spatial Planning and the Environment	27 March 2007	
Poland	Beata Adamczyk	Ministry of Economic Affairs	27 April 2007	Written information
Portugal	João Bolina	Portuguese Institute of Environment	19 April 2007	Written information on 18 April 2007 by Antonio Oliveira, Ministry of Economy and Innovation)
Romania	Serghei Mesaros	Ministry of Labour, Family and Equal Opportunities	26 March 2007	Written information
Slovak Republic	Elena Paliková	Ministry of Employment	2 April 2007	Written reference to http://www.uvo.gov.sk/
Slovenia	Miranda Groff-Ferjancic	Ministry of Finance	3 April 2007	
Spain	Gil Ramos Masjuan	Ministry of Work and Social Affairs	17 April 2007	
Sweden	Annika Löfgren	Ministry of Environment	29 March 2007	
Sweden	Peter Norstedt	Swedish Environmental Management Council	29 March 2007	
UK	Barbara Morton	Department of Environment, Food and Rural Affairs	25 April 2007	

Annex IIb: Questionnaire of the survey

The key purpose of the survey is to get a picture of policy initiatives by national/federal governments of all 27 EU Member States that facilitate Sustainable Public Procurement (SPP). In addition, the survey will also help us to identify and select three interesting practice case studies for the second stage of the analysis.

Governmental **Sustainable Public Procurement (SPP)** initiatives can have a legal (see part I) and non-legal character (see part II), and they can address one or more of the following issues:

- Social procurement, i.e. procurement that, for example, promotes employment, safeguards working conditions, supports the social economy, promotes equal opportunities and accessibility, fair wages and/or employment opportunities to disabled workers
- Green procurement, i.e. procuring products and services that meet environmental criteria in product design, production/delivery, use of energy and/or transportation, ‘buying local’ etc.
- Ethical procurement, i.e. taking Fair Trade issues such as fair price, safeguarding human and labour rights into account in procurement
- Economic issues in procurement other than price (for example, fostering innovation, enhancing the diversity of supplier markets)

I. Legal aspects of SPP (and the CSR policy compendium)

The **CSR policy “compendium”** at DG Employment website (http://ec.europa.eu/employment_social/soc-dial/csr/) provides some general information on SPP for your country which we want to use as a starting point for our survey:

Information given in the CSR policy compendium:

- EU Member States are obliged to implement the European Commission’s procurement directive from 2004, which leaves some space open for SPP.
 - When did your country **implement the directive** in national law?
 - What is the **scope of SPP in the law**? Does it *allow or require* certain aspects of SPP?
 - Which types of procurement do the SPP specifications address (services, works/buildings, supplies, utilities)?
 - Do the SPP specifications relate only to contractors or also to sub-contractors?
- Did the national/federal government of your country pass **other laws that relate to SPP**? If so, do they *allow or require* SPP?
 - Which types of procurement do the SPP specifications address (services, works/buildings, supplies, utilities)?
 - Do the SPP specifications relate only to contractors or also to subcontractors?

II. Other SPP initiatives at the national/federal level

Does the national/federal government also facilitate SPP with initiatives such as:

- Action (or implementation) plans (specify various initiatives)
- National database on governmental SPP initiatives (lists all SPP initiatives)
- Codes of Practice (guidelines with legal status)
- Guides/guidelines (no legal status)
- Criteria catalogues; product catalogues; purchase pools
- Websites and other informational publications (leaflets, brochures)
- Information centres
- Staff training
- Publicity events

If so, we would like to ask you some questions about these other SPP initiatives (only if the initiatives focus also on SPP; no general public procurement or CSR awareness raising initiatives):

- **Name/Title** of the initiative
 - **Type** of the initiative (informational, economic incentive, partnering, mandatory)
 - **Basic information about the initiative:**
 - Commissioning agent/responsible organisation
 - Contact person & website
 - Timing (when enacted/published)
 - Purpose:
 - § Aim of the initiative
 - § Issues of SPP (social, environmental, ethical)
 - § Types of procurement (services, works/buildings, supplies, utilities)
 - Target groups (other departments/ministries of the national/federal government, regional/state governments, local governments, utilities, businesses, others)
 - Importance/budget
 - How was the initiative launched and enacted (describe **process**)?
 - What worked well (**success factors**)?
 - What worked not so well (**obstacles**)?
 - Lessons learned and **recommendations** for others who are interested in the initiative?

III. Concluding questions

- Which issue(s) of SPP do you regard as most relevant?
 - Social, environmental, ethical
- Which type(s) of public procurement do you regard as the most relevant ones for SPP initiatives?
 - Services, works/buildings, supplies, utilities
- Which target groups do you regard as most important for governmental SPP initiatives?
 - Other departments/ministries of the national/federal government, regional/state governments, local governments, utilities, businesses, others
- What were the major drivers of SPP in your country so far?
- What were the major obstacles/challenges for SPP in your country so far?
- Do you consider governmental SPP initiatives as an appropriate tool for fostering CSR in

your country? Why?

- What kind of SPP initiative(s) do you regard as most important to achieve CSR?
- Other comments, concluding remarks?

Annex III: Details on the surveyed Member States

Below is the list of SPP initiatives for 26 EU Member States that were collected during the telephone survey in March and April 2007. The results of the telephone survey were complemented with the results of existing studies/overviews on GPP or SPP in Europe (for details, see the column “Source”).¹⁸ Information added after the survey was completed upon request (indicated with footnotes) was not included in the analysis of the survey results in Part I of this report.

For the typology we use in the column “Type”, please see section 4.2. For more details on the different focuses of SPP initiatives, see section 4.4. For more details on the sources used, see Annex I (references to other studies) and Annex IIa (survey interviews).

As mentioned in part I of the report, the following tables list government initiatives in the 27 EU Member States at the federal/national level (26 countries covered) that facilitate (or, in the case of legal instruments, at least enable) SPP. Obviously, some initiatives listed below do not focus exclusively on SPP, but on public procurement (like the Dutch PIANOo network) or on environmental protection in general (such as the Irish campaign “Race against Waste”). We included these initiatives only when the interviewees assured us that they also facilitate SPP (see also the survey questionnaire in Annex IIb). An independent validity check was not conducted.

Austria

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Bundesvergabegesetz 2006	Legal: law	<ul style="list-style-type: none"> • Environmental (obligation), • Social (allowed) 	<ul style="list-style-type: none"> • Federal Government of Austria; • Bundesvergabeamt; • BBG (Bundesbeschaffung GmbH) 	In force since 1 February 2006; validity: continuous	<ul style="list-style-type: none"> • Public sector in general 	Michael Fruhmann, WWW	Interview Michael Fruhmann, 6 April 2007
2	Ecological guidelines for Public Procurement	Informational: guidelines	<ul style="list-style-type: none"> • Environmental 	<ul style="list-style-type: none"> • Federal Ministry of Agriculture, Forestry, Environment and Water Management (FMAFEW); 	Revised 2004 (to be approved by Council of	<ul style="list-style-type: none"> • Public sector: national level 	Michael Fruhmann, WWW	Interview Michael Fruhmann, 6 April 2007

¹⁸ Greece is not included in the survey because we were not able to conduct a telephone interview with an expert on SPP in Greece, and because the existing studies contained no significant SPP initiative for Greece.

				• Federal Chancellery	Ministers) validity: continuous			
3	Guidelines for the Environmentally Sound Organisation of Events	Informational: guidelines	• Environmental	• FMAFEW	Issued 2006	• Public sector in general • Business	Andreas Tschulik / WWW	Interview Andreas Tschulik, 23 April 2007
4	klima:aktiv module "Energy Efficient Appliances"	Hybrid: programme	• Environmental	• FMAFEW	Since 2006	• Public sector in general • Business	Ulrike Seebacher, WWW	Interview Andreas Tschulik, 23 April 2007
5	Beschaffungsservice Austria	Hybrid: platform	• Environmental	FMAFEW	Since 1996 validity: continuous	Public sector in general	Ulrike Seebacher, WWW	Interview Andreas Tschulik, 23 April 2007

Belgium

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Social clause	Legal: law	• Social • Environmental	Government of Belgium	Start: 2001; validity: continuous	Public sector: National level	Sebastien Perea / WWW	DG Employment (2003)
2	Revision of federal law from 1993 (implementation of EU Directives was done in different steps, finalised in the laws of 15 and 16 June 2006)	Legal: law (consideration of social, environmental and ethical criteria is allowed)	• Social • Environmental	Government of Belgium	Publication of the laws in February 2007	Public sector in general	Not identified	Interview Jo Versteven, 3 April 2007
3	National Administrative Working Group on Sustainable Public Procurement	Hybrid: programme (training of public authorities, launch of pilot projects, work on action plan on SPP)	• Social • Environmental	Ministry of Sustainable Development and Ministry of Environment	Established in 2005	Public Sector in general	Jo Versteven / Sophie Sokolowski WWW	Interview Jo Versteven, 3 April 2007
4	Draft National Action Plan on SPP	Hybrid: action plan	• Social • Environmental	Ministry of Sustainable Development and Ministry of Environment	Approved by Administrative Level: April 2007	Public Sector in general	Jo Versteven / Sophie Sokolowski WWW	Interview Jo Versteven, 3 April 2007

5	Circulars a) on Social and Environmental Aspects in PP b) on Sustainable Wood Exploitation c) on Cars d) on Fax and Copy Tools	Legal: circulars	Ad a) • Social • Environmental Ad b/c/d) • Environmental	Ministry of Sustainable Development	Since 2002	Public sector: National level	Jo Versteven / Sophie Sokolowski WWW	Interview Jo Versteven, 3 April 2007
6	“Le Guide des Achats Durables” developed within the obligation of the ministerial circular (a)	Informational: resources	• Social • Environmental	Ministry of Sustainable Development	Since 2002	Public sector: National level	Jo Versteven / Sophie Sokolowski WWW	Interview Jo Versteven, 3 April 2007

Bulgaria

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Public Procurement Act	Legal: Law (consideration of social, environmental criteria is allowed)	• Social • Environmental	Government of Bulgaria	In force since 1 October 2004	Public sector in general	WWW	Interview Lazar Lazarov, 10 April 2007

Cyprus

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of Directives 2004/17/EC and 2004/18/EC in two acts	Legal: law	• Environmental • Social	Government of Cyprus	February 2006	Public Sector in General	Not identified	Interview Rea Georgiou, Lefkia Xanthou-Araouzou, Stelios Kountouris, 19 April 2007
2	Action Plan on Green Public Procurement	Hybrid: action plan	• Environmental	Ministry of agriculture, natural resources and environment/ Treasury	Approved by Council of Ministers on 21 March 2007	Public sector: national level	Dr. Charalambos Hajipakkos / WWW e-mail	Interview Rea Georgiou, Lefkia Xanthou-Araouzou, Stelios Kountouris, 19 April 2007

3	Best-Practice Guide and Training on Public Procurement	Informational: education activities	<ul style="list-style-type: none"> • Social • Environmental 	Treasury	Starts in May 2007	Public sector in general	T. Tsiolas / Treasury of the Republic ttsio- las@treasury.gov.cy	Interview Rea Georgiou, Lefkia Xanthou-Araouzou Stelios Kountouris, 19 April 2007
4	Awareness Raising Campaign on GPP	Informational: awareness raising campaign	<ul style="list-style-type: none"> • Environmental 	Ministry of agriculture, natural resources and environment/ Treasury	June 2006	Public sector in general	Dr. Charalambos Hajipakkos / WWW e-mail	Interview Rea Georgiou, Lefkia Xanthou-Araouzou, Stelios Kountouris, 19 April 2007
5	Brochure & CD ROM	Informational: resources	<ul style="list-style-type: none"> • Environmental 	Ministry of agriculture, natural resources and environment	In 2006	Public sector in general	Dr. Charalambos Hajipakkos / WWW e-mail	Interview Rea Georgiou, Lefkia Xanthou-Araouzou, Stelios Kountouris, 19 April 2007
6	Clauses on Health & Safety / Employment in Contracts	Legal: law	<ul style="list-style-type: none"> • Social 	Public Works Department / Treasury	Currently prepared	Public sector in general	Treasury Stelios Kountouris e-mail	Interview Rea Georgiou, Lefkia Xanthou-Araouzou, Stelios Kountouris, 19 April 2007

Czech Republic

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Act on Public Contracts	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Czech Republic	Implemented 1 July 2006	Public sector in general	WWW	Interview Alena Markova, 27 April 2007 and David Mlíčko, 30 April 2007; Written information Martina Funková, 4 April 2007
2	Government resolution No. 1004: Support and integration of disabled citizens for the period of 2006-2009	Legal: resolution	<ul style="list-style-type: none"> • Social 	Government of Czech Republic	Adopted 17 August 2005	Public sector in general	David Mlíčko / PDF	Interview David Mlíčko, 30 April 2007
3	Working Group on Sustainable Public Procurement; Task: Drafting Guidelines	Informational: guidelines	<ul style="list-style-type: none"> • Environmental • Social 	Ministry of Environment	Started 2006 (to be finished 2008)	Public sector in general	Alena Markova / WWW	Interview Alena Markova, 27 April 2007

4	Handbook on Green Public Procurement	Informational: resources	• Environmental	Ministry of Environment	Not identified	Public sector in general	Daniel Hájek / WWW	Interview Alena Markova, 27 April 2007
5	Support to SME's access to Public Procurement in the national SMEs support programmes	Hybrid: programme	• Social	Ministry of Trade and Industry	Since 2003	Business: SMEs	Not identified	Written information, Martina Funková, 4 April 2007

Denmark

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of Directives 2004/17/EC and 2004/18/EC	Legal: law	• Environmental / Social	Government of Denmark	1 January 2005	Public sector in general	Not identified	Interview Jakob Scharff, 26 April 2007
2	Danish Public Procurement Portal on Social Clauses	Informational: resources	• Social	Department of Trade and Industry / Local Government Denmark	Since 2000	Public sector in general, focus: local authorities	Jakob Scharff / WWW	Interview Jakob Scharff, 26 April 2007
3	www.ski.dk , Product criteria catalogue	Informational: resources (contains an overview of different product groups with Eco-labels)	• Environmental		continuous	Introduction for public and professional private purchasers	e-mail: WWW (Danish)	DG Environment (2006) ¹⁹

¹⁹ For further information, see also <http://www.ski.dk/greenprocurement>, www.gronindkobsportal.dk, www.umweltdaten.de/publikationen/fpdf-l/2914.pdf

4	Guidance for GPP (for example purchasing of tropical timber)	Informational: guidelines (Since 1996, the Danish Ministry of the Environment has launched approximately 50 environmental guidelines on public purchasing of various products)	• Environmental	Danish Ministry of the Environment	Since 1996; Validity: continuous	Public Sector in general	WWW , PDF	DG Environment (2006) ²⁰
5	Circular on improving energy efficiency in Danish state institutions (to all state institutions)	Legal: circular (obliges procurement officers to buy energy efficient products)	• Environmental	Danish Government,	Since 1995 Validity: continuous	Public sector in general	WWW	DG Environment (2006) ²¹
6	Act of Danish Parliament	Legal: law	• Social	Danish Parliament	Passed 2001	Public sector in general	Not identified	DG Employment (2003); DG Employment (2006)

Estonia

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Public Procurement Act	Legal: law	• Environmental • Social	Government	Implemented 1 May 2007	Public sector in general	Not identified	Interview Aime Võsu, 19 April 2007
2	National Action Plan "Estonian Environmental and Sustainable Public Procurement Priorities 2007-2009"	Hybrid: action plan	• Environmental	Ministry of Environment	25 January 2007	Public sector in general, business	Aare Kasemets / http://www.envir.ee/	Interview Aime Võsu, 19 April 2007
3	Working group on SPP (development of criteria, promotion of SPP)	Hybrid: platform	• Environmental	Ministry of Environment	Started 2006	Public sector in general	Aare Kasemets / http://www.envir.ee/	Interview Aime Võsu, 19 April 2007
4	Trainings on new Public Procurement Act	Informational: educational activities	• Environmental	Ministry of Finance	2006/2007	Public sector: regional and local level	Aime Võsu / http://www.fin.ee/	Interview Aime Võsu, 19 April 2007

²⁰ For further information, see also <http://www.ski.dk/greenprocurement>, www.gronindkobsportal.dk, http://www.skovognatur.dk/Emne/Skov/Miljoe/Indkoeb/Expanded_summary.htm, http://www.skovognatur.dk/Udgivelser/Tidligere/2003/Tropical_timber.htm

²¹ For further information, see also <http://www.un.org/esa/sustdev/sdissues/consumption/denmark021127.pdf>

Finland

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of Directives 2004/17/EC and 2004/18/EC	Legal: law	<ul style="list-style-type: none"> Environmental Social 	Government of Finland	Adopted in 2007	Public sector in general	Not identified	Interview Olli-Pekka Rissanen, 10 April 2007
2	Working Group on SPP that develops a National Action Plan on SPP	Hybrid: action plan	<ul style="list-style-type: none"> Environmental 	Ministry of Environment	Started Feb. 2007 (to be finished by end of 2007)	Public sector: national level	Eija Kontuniemi / WWW	Interview Olli-Pekka Rissanen, 10 April 2007 / Taina Nikula, 17 April 2007
3	Website: Databank on environmental criteria for different product groups	Informational: guidelines (criteria catalogue)	<ul style="list-style-type: none"> Environmental 	Ministry of Environment	Since 2001	Public sector in general, business	Sirpa Korhonen, Henna Hauta-Heikkilä / WWW	Interview Taina Nikula, 17 April 2007
4	Strategy on Sustainable Production and Consumption (with strong focus on SPP)	Hybrid: programme	<ul style="list-style-type: none"> Environmental Ethical 	Ministry of Environment / Ministry of Trade and Industry	2003-2005	Public sector in general	Taina Nikula / WWW	Interview Taina Nikula, 17 April 2007
5	Waste Act	Mandatory: law (obliges authorities to use recycled and recyclable materials)	<ul style="list-style-type: none"> Environmental 	Ministry of Environment	Since 1993	Public sector in general	WWW	DG Environment (2006) ²²

France

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Public Procurement Code	Legal: law	<ul style="list-style-type: none"> Environmental Social 	National Government	1 August 2006	Public sector : National and local	WWW	Written information Aude Pohardy, 27 April 2007

²² For further information, see also <http://www.environment.fi/download.asp?contentid=35671&lan=EN>

2	Decree no. 2005-649	Legal: decree	<ul style="list-style-type: none"> • Environmental • Social 	National Government	6 June 2005	Other contracting authorities	WWW	Written information Aude Pohardy, 27 April 2007
3	<p>Circulars:</p> <p>a) on wood public procurement to promote forest sustainable management</p> <p>b) role of the State in energy saving</p> <p>c) development of the « flex-fuel » sector in France and the purchase of alternative fuel vehicles by State services</p>	Legal: circulars	<ul style="list-style-type: none"> • Environmental • Social 	Prime Minister	<p>a) April 2005</p> <p>b) Sep 2005</p> <p>c) Mar 2007</p>	Public sector: national level	WWW	Written information Aude Pohardy, 27 April 2007
4	<p>Different Procurement Guidelines: e.g. Eco-responsible Procurement (Feb. 2005)</p> <p>Eco-responsible procurement of paper (Dec. 2005)</p> <p>Inclusion of disadvantaged people (April 2007)</p>	Informational: guidelines	<ul style="list-style-type: none"> • Environmental / social 	<ul style="list-style-type: none"> • Ministry of Economy and Industry • Ministry of ecology and sustainable development • Ministry for youth, sports and associative life • General Delegation for Arms 	Since 2005	Public sector in general	WWW	Written information Aude Pohardy, 27 April 2007
5	National Action Plan on Sustainable Public Procurement	Hybrid: action plan	<ul style="list-style-type: none"> • Environmental • Social 	Ministry of Environment and Ministry of Economy and Finances	March 2007	Public sector in general Business	Not identified	Written information Aude Pohardy, 27 April 2007

6	Law on public procurement – public procurement contracts code (art 14)	Legal: law (authorises the inclusion of social and environmental considerations in PP)	<ul style="list-style-type: none"> • Environmental • Social (employment of persons who are experiencing particular difficulty in securing a post, to combat unemployment ...) 	Government of France	Since March 2001 Validity: continuous	Public sector in general	WWW	DG Employment (2006); PDF ²³
7	Website : Achats éco-responsables	Informational: resources (place for exchange of experiences and information between different public authorities)	<ul style="list-style-type: none"> • Environmental • Social 	Commande publique et développement durable		Public sector in general	e-mail , WWW	DG Environment (2006)
8	Procurement criteria on Fair Trade	Informational: guidelines (an AFNOR working group was set up in order to develop guidelines and criteria for FairTrade in public procurement)	<ul style="list-style-type: none"> • Social 	Secretary of State for Economic Solidarity; AFNOR (Agence Française de Normalisation, the French standard-setting body and member of ISO)	2002 - 2006	Public sector: national level	WWW	PDF

²³ For further information, see also and <http://195.83.177.9/code/liste.phtml?lang=uk&c=28&r=1384>

Germany

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of EU directives (Amendment to Vergabeordnung)	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Germany	Nov 2006	Public sector in general	Not identified	Interview Dagmar Kase, 26 April 2007
2	Federal waste law („Kreislaufwirtschafts- und Abfallgesetz“) §37	Legal: law	<ul style="list-style-type: none"> • Environmental 	Federal government of Germany	Latest novella: 09.12.2006	Public sector: national level	WWW , WWW	Interview Dagmar Kase, 26 April 2007 DG Environment (2006)
3	Decree on sustainable timber procurement	Legal: decree	<ul style="list-style-type: none"> • Environmental • Social 	National Government	2007	Public sector: national level	Not identified	Interview Dagmar Kase, 26 April 2007
4	Website – beschaffung-info.de	Informational: resources	<ul style="list-style-type: none"> • Environmental 	Federal Environment Agency / Ministry of Environment	Since 2001 Validity: continuous	Public sector in general	Ms. Ewen / WWW	Interview Dagmar Kase, 26 April 2007
5	Environmental research project (Umweltforschungsplanvorhaben)	Informational: resources	<ul style="list-style-type: none"> • Environmental 	Federal Environment Agency / Ministry of Environment	2006-2008	Public sector in general	Ms. Dross / WWW	Interview Dagmar Kase, 26 April 2007
6	Guidelines on the procurement of green electricity	Informational: guidelines	<ul style="list-style-type: none"> • Environmental 	Federal Environment Agency and Ministry of Environment	2006	Public sector in general	Ms. Vogt WWW , Mr. Worm WWW	Interview Dagmar Kase, 26 April 2007
7	Guidelines for the Environmentally Sound Organisation of Events during Germany's EU Council Presidency and G8 Presidency	Informational: guidelines	<ul style="list-style-type: none"> • Environmental/ social 	Federal Environment Agency and Ministry of Environment	2006	Public sector: national level	Dagmar Kase / WWW	Interview Dagmar Kase, 26 April 2007

Hungary

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of EU directives in several acts	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Hungary	2006	Public sector in general	Not identified	Written information by Istvánné Somodi / Gabriella Tölgyes, 27 April 2007
2	Working Group that develops an Action Plan on Green Public Procurement	Hybrid: action plan	<ul style="list-style-type: none"> • Environmental 	Ministry of Environment and Water	to be elaborated in 2007	Not specified	Not identified	Written information by Istvánné Somodi / Gabriella Tölgyes, 27 April 2007

Ireland

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Regulation Nr. SI 329/2006 (implementation of EU directives)	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Ireland	<ul style="list-style-type: none"> • 2006 	Public sector in general	Not identified	Interview Frances Gaynor, 13 April 2007
2	National Action Plan on Green Public Procurement	Hybrid: action plan	<ul style="list-style-type: none"> • Environmental 	Department of Environment, Heritage and Local Government	To be published 2007	Public sector: national and local level	Michael McKenna / WWW	Interview Frances Gaynor, 13 April 2007
3	Guidelines on GPP and Green Handbook	Informational: guidelines	<ul style="list-style-type: none"> • Environmental 	Department of Finance	2004	Public sector: national and local level	Pat Leahy WWW / WWW	Interview Frances Gaynor, 13 April 2007 DG Environment (2006)
4	National Campaign "Race against Waste"	Informational: awareness raising	<ul style="list-style-type: none"> • Environmental 	Department of Environment, Heritage and Local Government	2003-2004	Public sector in general, business	Michael McKenna / WWW	Interview Frances Gaynor, 13 April 2007

5	Preventing and recycling waste – a policy statement	Informational: resources (recommends the use of recycled and recyclable materials)	• Environmental	Department of the Environment and local Government	2002	Public sector in general	WWW	DG Environment (2006) ²⁴
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Italy

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Draft national action plan	Hybrid: action plan	• Environmental • Social	Adopted by the Italian government	2007	Public sector in general		DG Environment (2006)
2	Decree 203/2003	Legal: decree (obliges all public bodies to purchase at least 30% of all annually purchased goods of recycled material)	• Environmental	Ministry of the Environment and Territory	2003	Public sector in general	WWW	DG Environment (2006)
3	Ministerial Guidelines regarding the Decree 203/2003,	Informational: guidelines (defines minimum criteria for recycled products relevant for decree 203/2003)	• Environmental	Ministry of the Environment and Territory	August 2004 - February 2006	Public sector in general	WWW	PDF

²⁴ See also [http://www.environ.ie/DOEI/doi/pub.nsf/0/22eb358f59499ce280256f0f003db978/\\$FILE/guide\[1\].pdf](http://www.environ.ie/DOEI/doi/pub.nsf/0/22eb358f59499ce280256f0f003db978/$FILE/guide[1].pdf)

Latvia

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Draft national action plan circulated to relevant ministries for comments	Hybrid: action plan		Not identified	In preparation	Not identified	Not identified	DG Environment (2006)

Lithuania

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Public Procurement Law	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Lithuania	2005	Public sector in general	Not identified	Interview Vidmantas Adomonis, 25 April 2007
2	Draft National Action Plan on Green Public Procurement	Hybrid : Action Plan	<ul style="list-style-type: none"> • Environmental 	Ministry of Environment and Ministry of Economy	2007	Public sector in general	Vidmantas Adomonis / WWW	Interview Vidmantas Adomonis, 25 April 2007

Luxemburg

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Draft law for the implementation of the EU directives	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Luxemburg	Expected to be approved by Council of Ministers in 2007	Not specified	Not identified	Interview Michèle Toussaint, 26 April 2007

Malta

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Green Public Procurement - Draft National Action Plan	Hybrid: action plan	<ul style="list-style-type: none"> • Environmental 	Ministry for Rural Affairs and Environment; Ministry of Finance	2006	Public sector in general	PDF	Interview Roderick Mizzi, 30 March 2007
2	Legal Notices	Legal: law	<ul style="list-style-type: none"> • Social 	Department of	2005	Public sector in	Mr. Faber WWW /	

	<ul style="list-style-type: none"> Subsidiary Legislation 174.04 Public Contracts Regulations 174.06 Public Procurement Of Entities operating in the water, energy, transport and postal services sectors regulations 		<ul style="list-style-type: none"> Environmental 	Contracts		general	PDF	Interview Roderick Mizzi, 30 March 2007
3	Training of staff responsible for tenders	Informational: education activities	<ul style="list-style-type: none"> Environmental 	Department of Contacts & Malta Environment and Planning Authority	2006	Public sector: national level	WWW	Interview Roderick Mizzi, 30 March 2007
4	Guidelines	Informational: guidelines	Not identified	Ministry of Investment, Industry and IT	Not identified	Not identified	Not identified	DG Employment (2006)

Netherlands

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Programme on Sustainable Government Management	Hybrid: programme	<ul style="list-style-type: none"> Environmental Social 	Ministry of Environment	Established in January 2006	<ul style="list-style-type: none"> Public sector in general Business NGOs 	Jaap Stokking, WWW	Interview Jaap Stokking, 27 March 2007
2	Network for Public Procurers (PI-ANOo)	Partnering: network	<ul style="list-style-type: none"> Environmental Social 	Ministry of Economic Affairs	Established 2005	Public sector in general	Walter Stolwig / WWW	Interview Jaap Stokking, 27 March 2007
3	Regiebureau	Hybrid: platform	<ul style="list-style-type: none"> Environmental Social 	Ministry of Economic Affairs	Established 2006	Public sector: national level	Hans Dussel / WWW	Interview Jaap Stokking, 27 March 2007
4	National programme for GPP	Hybrid: programme	<ul style="list-style-type: none"> Environmental 	Not identified	1999	Public sector in general	Not identified	DG Environment (2006) ²⁵
5	Menu card for SPP	Informational: resources (environmental and social criteria on 13 prod-	<ul style="list-style-type: none"> Environmental Social 	Ministry of Environment	Not identified	Public sector: national level	WWW	DG Environment (2006) ²⁶

²⁵ See also http://forum.europa.eu.int/Public/irc/env/wssd/library?l=/by_country/netherlands/netherlandsdoc/ EN_1.0_&a=d

		uct groups)						
6	National Action plan on sustainable public procurement	Hybrid: action plan (by 2010 all purchases made by the Dutch state ought to be sustainable)	<ul style="list-style-type: none"> • Environmental • Social 	Dutch Government	February 2007	Ministries	WWW , DOC	Written information Jan van Wijngaarden, 16 March 2007; DG Environment (2006); DG Employment (2006)
7	Sustainable Procurement programme	Hybrid tool: programme	<ul style="list-style-type: none"> • Environmental 	Ministry of Environment	Developed 1999-2004; Period of validity: 2006-2010	Public sector in general	Ms Corine van As / WWW	DG Environment (2006)

Poland

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Amendment to public procurement law from 2004 (implementation of EU directives)	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of Poland	Adopted in April 2006	Public sector in general	Not identified	Written information, Beata Adamcyk, 27 April 2007
2	National Action Plan on Green Public Procurement 2007-2009	Hybrid: action plan	<ul style="list-style-type: none"> • Environmental 	Not identified	Adopted on 30 Jan 2007	Not specified	Not identified	Written information, Beata Adamcyk, 27 April 2007
3	Recommendations, guides and catalogues	Informational: resources (on green products and services)	<ul style="list-style-type: none"> • Environmental 	Ministry of Economy	Not specified	Not specified	Not identified	Written information, Beata Adamcyk, 27 April 2007; DG Environment (2006)
4	Website on Green Public Procurement	Informational: resources	<ul style="list-style-type: none"> • Environmental 	Office of Public Procurement	Not specified	Not specified	Not identified	Written information, Beata Adamcyk, 27 April 2007; DG Environment (2006)

²⁶ See also <http://www.sustainable-development.gov.uk/government/task-forces/procurement/documents/wg1-report.pdf>; http://ec.europa.eu/environment/ecolabel/pdf/marketing/management_group/dutch_menukaart.pdf

Portugal

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	National Action Plan on Green Public Procurement 2008-2010	Hybrid: action plan	<ul style="list-style-type: none"> Environmental 	<ul style="list-style-type: none"> Ministry of Environment 	Approved 15 th January 2007	Public sector in general	Not identified	Written information Antonio Oliveira, 18 April 2007, Interview Joao Bolina 19 April 2007

Romania

No	Name of initiative	Type	Purpose/focus	Initiator	Timing	Target groups	Contact & website	Source
1	Government Emergency Ordinance 34/2006 (Article 39) – Implementation of EU directives	Legal: decree	<ul style="list-style-type: none"> Environmental Social 	Government of Romania	2006	Public sector in general	WWW	Written information Serghei Mesaros, 26 March 2007

Slovak Republic

No	Name of initiative	Type	Purpose/focus	Initiator	Timing	Target groups	Contact & website	Source
1	Act No. 25/2006 on public procurement – Article 34 (15) (see also: Article 35 (3))	Legal: law	<ul style="list-style-type: none"> Environmental Social 	National Council of the Slovak Republic	2006	Public sector in general	Office of Public Procurement WWW	Written reference to http://www.uvo.gov.sk/ by Elena Paliková, 2 April 2007

Slovenia

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Public Procurement Act	Legal: law	<ul style="list-style-type: none"> Environmental Social 	Government of Slovenia	2007	<ul style="list-style-type: none"> Public sector in general 	PDF	Interview Miranda Groff-Ferjancic, 3 April 2007
2	National Action Plan on Sustainable Public Procurement	Hybrid: action plan	Not identified	<ul style="list-style-type: none"> Ministry of Environment 	Not identified	Not identified	Samo Kovacs / WWW	Interview Miranda Groff-Ferjancic, 3 April 2007
3	Innovation in Public procurement	Hybrid: pro-	<ul style="list-style-type: none"> Social 	<ul style="list-style-type: none"> Ministry of 	Started 2007	<ul style="list-style-type: none"> Business: SMEs 	Not identified	Interview Miranda

		gramme		Finance • Ministry of Economy				Groff-Ferjancic, 3 April 2007
4	Seminars and Trainings	Informational: educational activities	• Environmental	• Ministry of Finance	Not identified	• National level • Local level	Not identified	Interview Miranda Groff-Ferjancic, 3 April 2007

Spain²⁷

No	Name of initiative	Type	Purpose/focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of EU Directives	Legal: law	• Environmental • Social	Government of Spain	In preparation	Public sector in general	Not identified	Interview Gil Ramos Masjuan, 17 April 2007

Sweden

No	Name of initiative	Type	Purpose/focus	Initiator	Timing	Target groups	Contact & website	Source
1	National Action Plan on Green Public Procurement	Hybrid: action plan	• Environmental	Government of Sweden	Published 8 March 2007	Public sector in general	Annika Löfgren, WWW	Interview Annika Löfgren, 29 March 2007
2	EKU Tool - The Swedish Instrument for Ecologically Sustainable Procurement	Hybrid: platform	• Environmental	Swedish Environmental Management Council	Established 2001	Public sector in general	Peter Norstedt, WWW , WWW	Interview Peter Norstedt, 29 March 2007
3	Setting verifiable environmental requirements	Informational: guidelines	• Environmental	Swedish Environmental Management Council	Established 2005-2007 (to be published)	Public sector in general	Peter Norstedt / PDF	Interview Peter Norstedt, 29 March 2007
4	"Västernorrlandspärmen" (green purchasing guideline)	Informational: guidelines (environmental criteria for 25 product groups)	• Environmental		Mid-1990s	Public sector in general		DG Environment (2006) ²⁸

²⁷ Although the study from DG Environment (2006) provides some entries on GPP in Spain (such as an agreement of the Council of Ministers on GPP and the establishment of a working group on GPP), they have to be regarded as preparatory steps eventually leading to SPP initiatives later on. Other initiatives mentioned in the EU compendium and/or in the interview by Mr. Ramos Masjuan do not show direct reference to SPP issues, but rather to CSR in general.

UK

No	Name of initiative	Type	Focus	Initiator	Timing	Target groups	Contact & website	Source
1	Implementation of EU Directives	Legal: law	<ul style="list-style-type: none"> • Environmental • Social 	Government of UK	Not identified	Public sector in general	Not identified	Interview Barbara Morton, 25 April 2007
2	Circular on Sustainable Timber Procurement	Legal: circular	<ul style="list-style-type: none"> • Environmental • Social 	Department of Environment, Food and Rural Affairs	Since 2000	Public sector: national level	Bob Andrew / WWW	Interview Barbara Morton, 25 April 2007
3	Public Sector Food Procurement Initiative (PSFPI)	Legal: circular	<ul style="list-style-type: none"> • Environmental • Social 	Department of Environment, Food and Rural Affairs	Since 2002	Public sector in general	Roger Hinds / WWW	Interview Barbara Morton, 25 April 2007
4	OGC Buying Solutions	Hybrid: platform	Not identified	Department of Treasury	Not identified	Not identified	WWW	Interview Barbara Morton, 25 April 2007
5	Government Strategy on Sustainable Public Procurement Government departments are required to develop sustainable procurement strategies	Hybrid: programme	<ul style="list-style-type: none"> • Environmental • Social 	UK Government	2005	Public sector in general	WWW	Interview Barbara Morton, 25 April 2007; PDF
6	National Procurement Strategy for local governments	Hybrid: programme	<ul style="list-style-type: none"> • Environmental • Social 	Office of the Deputy Prime Minister	2003	Local governments	Office of the Deputy Prime Minister Local Government Procurement Team WWW , PDF	DG Environment (2006)
7	Sustainable Procurement Task Force	Hybrid: platform (task to prepare recommendations on SPP)	<ul style="list-style-type: none"> • Environmental • Social 	Department for Environment, Food and Rural Affairs (DEFRA)	May 2005 to June 2006	Public Sector in general	Barbara Morton / WWW , PDF	Interview Barbara Morton, 25 April 2007; PDF

²⁸ See also http://www.lumes.lu.se/database/Alumni/03.04/theses/wickenberg_bjorn.pdf

8	Sustainable Procurement Action Plan (Incorporating the Government response to the report of the Sustainable Procurement Task Force)	Hybrid: action plan	<ul style="list-style-type: none"> • Environmental • Social 	UK Government	2007	Public sector in general	Andy Davey / PDF	Interview Barbara Morton, 25 April 2007
9	CPET – The Central Point of Expertise on Timber Procurement	Hybrid tool: platform (provides advice, trainings and workshops on how to meet the UK's timber procurement policy)	<ul style="list-style-type: none"> • Environmental 	Funded by DEFRA; operated by Pro-Forest	Since 2005	Public sector in general Businesses (suppliers)	WWW	DG Environment (2006)

Annex IVa: Case study interviews

Case study	Name of interviewees	Institution	Government representative or stakeholder	Date
<i>Legal framework on SPP in France</i>	Rémy Risser	Ministry of Environment and Sustainable Development	Government representative	6 August 2007
	Marc Poulain	Ministry of Finance	Government representative	21 August 2007
<i>Strategies and action plans in the UK</i>	Andy Davey	Sustainable Development Unit, Department for Environment, Food and Rural Affairs (DEFRA)	Government representative	23 August 2007
	Barbara Morton	Action Sustainability (social enterprise that promotes sustainable procurement)	Stakeholder	2 August 2007
<i>Guidelines for SPP/GPP in Austria</i>	Andreas Tschullik	Ministry of Agriculture, Forestry, Environment and Water Management	Government representative	19 July 2007
	Hannes Hofer	Federal Public Procurement Company	Stakeholder	29 August 2007

Annex IVb: Interview guides used in the case studies

Interview guide for representatives of ministries

Overview – selected SPP initiatives in your country:

We found the following initiatives for SPP in your country:

- Ø A
- Ø B
- Ø C

- Is this a complete picture of SPP initiatives or are there any other instruments of this kind?
- What are the main objectives of the selected initiatives? Can you describe how they complement or compete with each other?
- Are there selected initiatives to other SPP/GPP initiatives?

Developing the initiatives and administrative issues:

- Which institutions/actors were the main drivers for developing the initiatives and what were their reasons/motives?
- Who actually developed the initiatives?
- How long did it take to develop the initiatives (start-end)?
- Who is the main contact person(s) for the initiatives? Does the contact person assist other institutions in implementing the initiatives?
- Is there a budget foreseen for the development/implementation of the initiatives?
 - If yes, what amount and where does it come from (national, EU, match-funding)?

Target groups/stakeholders:

- What are the main target groups of the initiatives?
- Were/are any other stakeholders involved in developing/implementing the initiatives?
- How would you describe the relationship with the target groups?

Implementation of the initiatives:

- Please describe how the initiatives are used/implemented in practice?
 - Either: What are your personal experiences?
 - Or: Do you know about experiences made by users of the initiatives?
- What worked well? What were/are the main success factors of developing and implementing the initiatives?
- What were/are the major challenges of developing and implementing the initiatives?

Concluding questions:

- Do the initiatives fulfill their initial purpose/aim? To what extent did the initiatives foster SPP in your country?
- Will there be an assessment/review of their relevance and effectiveness?
- What contextual issues/framework conditions (political system, administrative issues, legal framework, business sectors, etc) fostered and/or hindered the implementation of the initiatives?
- What would you recommend other Member States that want to introduce similar initiatives? Are there any preconditions that need to be taken into account?
- It seems that your country makes extensive use of the selected initiatives when it comes to fostering SPP. Do you agree?
 - If yes, how do you explain this focus on these kinds of initiatives?

Interview guide for stakeholders of the initiatives (for Austria)

Overview – Selected SPP initiatives in your country:

We found the following initiatives for SPP in your country:

- Ø A
- Ø B
- Ø C

- Is this a complete picture of SPP initiatives or are there any other instruments of this kind?
- Do these initiatives complement or compete with each other?
- What are the main objectives of the selected initiatives? Can you describe how they complement or compete with each other?
- How are these initiatives related to legal aspects of public procurement?
- Are there selected initiatives to other SPP/GPP initiatives?

Application of the initiatives:

- Please describe how the initiatives are used in practice? What is the role of your institution in applying the initiatives?
- What worked well? What were/are the main success factors of applying the initiatives?
- What were/are the major challenges of applying the initiatives?

Concluding questions:

- Do the initiatives fulfil their initial purpose/aim? To what extent did the initiatives foster SPP/GPP in your country?
- What contextual issues/framework conditions (political system, administrative issues, legal framework, business sectors, etc) fostered and/or hindered the application of the initiatives?
- What would you recommend other Member States that want to introduce similar initiatives? Are there any preconditions that need to be taken into account?
- It seems that your country makes extensive use of the selected initiatives when it comes to fostering SPP/GPP. Do you agree?
 - If yes, how do you explain this focus on these initiatives?