

## **Public Affairs Project**

**Analisis on the potential synergies between  
fair and green public procurement (short  
English version)**



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## 5. Methodology

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Each year the Spanish Public Administration spend a considerable amount of the budget in the procurement of goods and services, approximately 13.02% of the GDP. In an ideal assumption, the environmental, social and ethical criteria may be applicable to many of them, however, the Spanish administrations are actually facing many obstacles when introducing changes in the administrative procedures. These **obstacles** result from:

- The products and services acquired by means of **different procedures and that normally involve different people**, so the information and awareness work within one administration have to be planned and integrating ,
- It is **difficult to obtain objective data on the criteria** (environmental or ethical) that are necessary to introduce.
- There is a **lack of knowledge about the verification and accreditation methods** as well as the way to use them.
- The public employees **do not know the social and environmental impact** their procurements generate nor the solutions within reach.
- There is a **great ignorance on the possibilities the market offers** in order to provide more sustainable alternatives from the social and environmental point of view.
- In many cases **does not exist a political commitment** that reinforce the technicians performances.

These obstacles are very common in the introduction of environmental, social or ethical criteria, so it is logical to think that the introduction of ethical and environmental social criteria in public procurement need therefore **a strategy with actions regarding the information, training and commitment, as well as a common strategy for the integration of environmental, social and ethical criteria** in order to optimise resources and give coherence to a sustainable consumption policy that have to include the different dimensions of sustainability.

The introduction of **Purchase and Green Public Procurement strategies** in the Public Administrations tends to be a gradual process respectful with the different initial situations and points out the necessary steps for a successful implementation. The European and Spanish public administrations experiences - leaders in the implementation of programs and action plans of Purchase and Green Public Procurement- allow to define the key basic elements. In general, these main **elements** are:

- Political commitment and working out of the specific regulation.
- Communication, training and information.
- Suppliers and manufacturers motivation.
- Technical criteria to be incorporated in the public procurement process.
- Performance Analysis.

In the same way, some strategies can be raised taking into account the simultaneous consideration of ethical, social and environmental criteria in each of the strategy key elements. This model of **strategic partnership** may generate -and in fact it is in the administrations where it is being implemented- different **opportunities** to establish the sustainable public procurement:

- On one side it allows to optimise the human and technical resources the administrations have to put at the disposal of the sustainable public procurement strategy.
- It also facilitates the introduction of fair trade and social criteria in those administrations less addressed to these initiatives but on the contrary clearly committed with environmental criteria and vice versa.
- Give coherence to public policies through the objectives interrelation.

- Allow to promote more sustainable products and services from the social and environmental point of view, preventing the environmental aspects from generating discrimination among the suppliers.

## 6. Conclusions

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### 6.1 Green public procurement and ethical public procurement synergies

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As we have mentioned along this report, in Spain the green public procurement has had a better development than the ethical public procurement. Nevertheless, in the last years the perception of sustainability has evolved to a much wider concept, where the environmental criteria must be necessarily balanced with the social ones and where the environmental sustainability changed from being “a whole” to being a part. This change of perception has not implied a significant reflection on the public policies and yet less in the diverse legislation in force. However, the labour developed by administrations, NGO’s and suppliers in the issue of green public procurement has lead to an excellent situation –in awareness and training issues- regarding the integration of the ethical public procurement. It is important to highlight that the objective it is not going from a greater environmental awareness to a greater social awareness, but to fully understand that both belong to the same solution, and that –in the field of consumption- it is necessary to change the production and consume patterns in order to achieve a more sustainable social and environmental model. In any case, there are some aspects where the synergies between the green public procurement and the environmental one can indicate the patterns to be followed in order to further integration of ethical criteria.

Aspects	Green public procurement and ethical public procurement synergies
Legal framework	Clarifying the legal possibilities of the green public procurement has allowed a minimum definition of the ethical public procurement possibilities, due to the increase in the number of administrations that once situated in an advanced position in environmental issues have demand a clarification of the possibilities the legal framework offer about the inclusion of ethical criteria.
Political framework	In both cases it is necessary a joint action in the European field in order to avoid differences in the market as a consequence of different national criteria approval for the same products and to reduce administrative barriers.

<p>Methodology</p>	<p>The introduction of ethical and environmental social criteria in the public procurement, <b>needs a strategy</b> that takes into account – in addition to the incorporation of environmental or ethical criteria in the documents- actions related to information, formation and awareness as well as a progressive achievement of political commitment. To that end it is necessary a methodology that allows to know the initial situation of an administration and to establish an action plan gathering all the actions previously mentioned.</p> <p>A <b>coordinated strategy</b> model can generate – and in fact that is the case in administrations where it is implemented- different <b>opportunities</b> to introduce sustainable public procurement, like: optimisation of human and technical resources, introduction of fair trade and social criteria in administrations less addressed to these initiatives and that on the contrary clearly commit with environmental criteria and vice versa, and the coherence with public policies through the objectives interrelation.</p>
<p>Training/ Information</p>	<p>In both cases training and information are key aspects for the experiences success. In fact, all the successful experiences in green public or ethical procurement have had a training and awareness component. The coordinated broadcasting and training of the environmental and social criteria allow to train and to inform as a whole in sustainability aspects (environmental and social), facilitating the understanding of some aspects, less developed as the ethical, by means of the comparison with the environmental criteria. On the other side, the training in an administration sensitive to one of both subjects (usually the environmental though not always) facilitates the introduction of further subjects due to the awareness work developed in relation to a more responsible procurement (be this one environmental or social).</p>

## 6.2 Ethical Public Procurement Potentialities and limitations

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Even being part of the concept of sustainability as far as the environmental criteria are, the truth is that the ethical public procurement faces a series of limitations coming basically from the legal framework in force and from the limitation of products and services in the market with Fair Trade alternatives. However, the ethical public procurement is still a recent experience in Spain and shows potentialities to develop that can contribute to the generalization of the ethical criteria introduction in a series of public contracts.

Aspects	Ethical public procurement limitations	Ethical public procurement potentialities
<p>Legal Framework</p>	<p>The introduction of ethical criteria is expressly recorded only in the awarding and execution phase of the contract and in very specific conditions</p>	<p>Most of fair trade products are purchased by means of minor contracts so the administrations are free to require fair trade products.</p>

Political Framework	At the moment, none of the products in which it is possible to introduce the ethical variable (textile, food) appear in the principal policies about sustainable public procurement, like for example, the national plan for green public procurement.	Although the green public procurement national plan have not included products like textile, promotional materials or food, many autonomic and local administrations have considered as high-priority - in their responsible procurement strategies- the introduction of environmental and ethical criteria in these products.
Products	As seen before, the product lines and services required by the administration that represent now a fair trade alternative are limited. On the other side, it is necessary to clarify the potential of fair trade product importers and distributors in order to satisfy a demand greater than the present one (either in quantity or in time).	These product lines can be extended in the future if we take into account the amount of products actually imported from those countries, where it would be necessary to guarantee worthy labour conditions and a fair salary. It is necessary to examine the possibilities these products present and promote the projects that encourage the production of these products in fair conditions.
Experiences	The tender call experiences having included ethical clauses, have not had widespread coverage yet so the known jurisprudence about ethical public procurement in Spain is still limited. The experience always refer to large administrations, so the small ones stand far away from the ethical public procurement.	In general, the experiences in ethical public procurement have been successful and it is necessary to give information about this. And at this moment there are probably another ongoing experiences that it is necessary to bring to public knowledge.