

**Question for written answer E-000680/2023
to the Commission**

Rule 138

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Subject: Last-minute approval of the Spanish national public procurement strategy

On 28 December 2022, the Spanish Government approved the national public procurement strategy three days before the deadline set out in the Spanish Recovery and Resilience Facility (RRF) plan¹. The Commission had been repeatedly requesting the strategy since 2018, when Directive 2014/24/EU² was incorporated into Spanish Law 9/2017.

1. What is the Commission's assessment of this strategy and the circumstances under which it was approved?
2. Promoting strategic public procurement is one of the strategy's goals, as established in the RFF³, Directive 2014/24/EU and Spanish Law 9/2017. In 2020, environmental selection or performance criteria were introduced in 11.5 % of Spanish public contracts⁴, while environmental award criteria were set forth in only 2.4 % of Spanish public contracts in the third quarter of 2020⁵. What is the Commission's assessment of the strategy's provisions on strategic procurement, particularly on green public procurement?
3. The body that drafted the strategy, the Comité de Cooperación en materia de contratación pública, included only one member representing all Spanish local entities⁶. Does the Commission believe that local entities were sufficiently involved in the development of the strategy?

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¹ https://www.eldiario.es/economia/espana-aprueba-in-extremis-estrategia-nacional-mejorar-contratacion-publica-exigia-bruselas_1_9928847.html.

² Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

³ <https://data.consilium.europa.eu/doc/document/ST-10150-2021-ADD-1-REV-2/en/pdf>, p. 100.

⁴ https://contrataciondelestado.es/wps/wcm/connect/75943fcc-67b7-4302-bbf5-b060b75d6330/20210414_INFORME_TRIENAL_APROBADO_POR_COMISION_PERMANENTE+.pdf?MOD=AJPERES, p. 66.

⁵ https://contrataciondelestado.es/wps/wcm/connect/75943fcc-67b7-4302-bbf5-b060b75d6330/20210414_INFORME_TRIENAL_APROBADO_POR_COMISION_PERMANENTE+.pdf?MOD=AJPERES, p. 81.

⁶ Article 329 of Law 9/2017.