

**Question for oral answer O-000058/2023
to the Commission**

Rule 136

Dragoş Pişlaru

on behalf of the Committee on Employment and Social Affairs

Subject: The role of social award criteria in public procurement in strengthening social rights, good working conditions and inclusive labour markets

Directive 2014/24/EU (the Public Procurement Directive) has the potential to promote fair competition and inclusive labour markets. It could also be an essential instrument for increasing collective bargaining coverage in line with Directive (EU) 2022/2041 on adequate minimum wages in the European Union. However, the recent European Parliament study 'The social impact of public procurement'¹ concludes that public authorities face legal challenges and uncertainty when trying to apply mandatory social and sustainable award criteria.

Given this:

1. What measures does the Commission plan to take to further strengthen the social clause of Directive 2014/24/EU and enforce it? Does the Commission agree that collective agreements and social criteria should not be considered discriminatory measures in public contracts? Will the Commission consider revising the Directive to ensure legal certainty in this regard?
2. Does the Commission agree with the recommendation made in the Parliament study that Annex X of Directive 2014/24/EU should be revised in order to update the list of ILO Conventions therein, particularly with regard to ILO Convention 94? Will the Commission take measures to ensure that non-compliance with fundamental ILO Conventions such as Conventions 98 and 87 becomes a ground for exclusion in the context of public procurement?
3. Will the Commission promote joint and several liability in subcontracting chains and/or limit subcontracting chains in order to ensure the enforcement of the social clause in public procurement?
4. How will the Commission ensure social conditionalities in Union funding related to public procurement?
5. How can public procurement play a role in promoting the upskilling and reskilling of workers, particularly in view of the new technologies arising from the green and digital transitions?
6. How will the Commission improve data collection on the volume and value of socially responsible public procurement and enhance the exchange of knowledge and best practices in the EU?

Submitted: 4.12.2023

Lapses: 5.3.2024

¹ [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/740095/IPOL_STU\(2023\)740095_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/740095/IPOL_STU(2023)740095_EN.pdf).