

Chapter 7

Green Public Procurement: Instrument of Sustainable Development

Carmen Lenuta Trica

Bucharest University of Economic Studies, Romania

Luminita Ghita

Ministry of Environment, Romania

ABSTRACT

At present, legal provisions and environmental policy regulate the possibilities of using environmental considerations in the development of award criteria, as well as in the performance clauses of procurement contracts. The first part of the chapter analyzes the concept of green procurement and product categories for which green procurement can be used. The second part of the chapter presents the benefits of using green procurement. The third part of the chapter will include assessing the progress and impact of using green procurement. The fourth part of the chapter analyzes the legal framework for public procurement in Romania, as well as the capacity of the market to offer and develop products and services that include minimum environmental requirements and criteria. In the fifth part of the chapter, the authors analyze the possibility of implementing a mechanism for the operation and implementation of the legal provisions in Romania in order to improve the quality of the services and optimize the costs of the public procurement.

GREEN PUBLIC PROCUREMENT CONCEPT

Sustainable Public Procurement (SPP) is the broader concept, including also social consideration among economic and environment ones. Relying on Agenda 21 (the outcome document of the Earth Summit in 1992 – UN Conference on Environment and Development) in the 4th chapter on Changing Consumption Patterns, mentioned 10 years after Rio Summit, in Agenda 21's operationalizing plan: The Johannesburg Plan of Implementation JPOI (the outcome of World Summit on Sustainable Development in Johannesburg in 2002), as,

DOI: 10.4018/978-1-5225-5739-5.ch007

Green Public Procurement

encourage relevant authorities at all levels to take sustainable development considerations into account in decision-making, including on national and local development planning, investment in infrastructure, business development and public procurement,

Sustainable Public Procurement has gained international recognition in 2012 as part of the outcome of Rio+20 Conference (UN Conference on Sustainable Development) being one of the five programmes in The 10-Year Framework of Programmes on Sustainable Consumption and Production patterns (10YFP) is a global framework of action to enhance international cooperation to accelerate the shift towards sustainable consumption and production (SCP) in both developed and developing countries.

At global level, the agreed concept is Sustainable Public Procurement, including environmental, social and economic considerations, based on national circumstances. Sometimes “green” is associated only with environment and economic criteria, missing one of the three dimensions of sustainable development – social dimension.

At European level, more often used is Green Public Procurement. Public authorities represent high consumers in Europe, spending about 16% of the EU’s Gross Domestic Product (an amount equivalent to half of Germany’s GDP).

Using their purchasing power to achieve environmentally friendly goods and services, they can make an important contribution to sustainable development. Green public procurement covers areas such as the purchase of computers and energy-efficient buildings, office equipment made of sustainable wood-based wood products, recyclable paper, electric cars, ecological public transport, organic food canteens, electricity from renewable energy sources and air conditioning systems that correspond to the most advanced technical solutions for environmental protection.

Green procurement also refers on influencing the market by the power of the example. By promoting green procurement, public authorities can really stimulate industry to develop green technologies. For certain production, works and services, the impact can be particularly significant, as public institutions command a large part of the market (computers and buildings that are energy efficient, public transport, and so on).

Finally, by taking into account the costs of the entire life cycle of a contract, green public procurement gives the opportunity to save money while protecting the environment. By buying wisely, you can save materials and energy, reduces waste and pollution, and encourages sustainable behavioral patterns.

The legal framework for public procurement is defined by the provisions of the Treaty on the Functioning of the European Union and by the EU Public Procurement Directives, as interpreted by the European Court of Justice. From an international perspective, the EU must comply with the terms of the World Trade Organization (WTO) Agreement on Procurement (WTO) and bilateral trade agreements. In practice, compliance with these instruments is, as a general rule, achieved through the extension of the same rights applying to economic operators from the EU to agencies established in third countries.

Specific EU legislation imposes obligations on the procurement of certain goods and services, for example by setting minimum energy efficiency standards to be applied. Such mandatory obligations are currently applied in the following sectors, among others:

- **IT and Office Equipment:** IT products purchased by central government authorities must meet the latest minimum energy efficiency requirements set out in the EU Energy Star Regulation (Regulation No 106/2008 on a Community program of Labeling energy efficiency of office equipment).

23 more pages are available in the full version of this document, which may be purchased using the "Add to Cart" button on the publisher's webpage:

www.igi-global.com/chapter/green-public-procurement/210019

Related Content

Adoption of Sustainable Energy Solutions: A Study of Mumbai Households with Reference to LED Bulbs

Ritu Sinha and Ranjan Chaudhuri (2017). *Business Infrastructure for Sustainability in Developing Economies* (pp. 232-252).

www.irma-international.org/chapter/adoption-of-sustainable-energy-solutions/174499

When the Blessed Resource "Oil" Curses: Environmental Degradation Related to Oil Exploration Fueling Socio-Political Conflicts

Louiza Chenchouni, Mohamed Karim Kheder and Haroun Chenchouni (2022). *International Journal of Social Ecology and Sustainable Development* (pp. 1-17).

www.irma-international.org/article/when-the-blessed-resource-oil-curses/292076

Determinants of Sustainable Consumption Behaviour: Review and Conceptual Framework

Yatish Joshi and Zillur Rahman (2018). *Green Initiatives for Business Sustainability and Value Creation* (pp. 239-262).

www.irma-international.org/chapter/determinants-of-sustainable-consumption-behaviour/183202

Value Added Tax Administration and its Implications for Tax Performance

Isaac Okoth Randa (2022). *International Journal of Sustainable Economies Management* (pp. 1-24).

www.irma-international.org/article/value-added-tax-administration-and-its-implications-for-tax-performance/309400

Sustainable Agriculture: An Evaluation Using ANFIS

Debesh Mishra and Suchismita Satapathy (2022). *International Journal of Social Ecology and Sustainable Development* (pp. 1-15).

www.irma-international.org/article/sustainable-agriculture/287124