



# Vattenfall's views on the review of the EU Public Procurement Directives

## Policy Paper

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We appreciate the opportunity to respond to the public consultation informing the public procurement legislation review. In our opinion, the current EU public procurement framework has provided a robust basis for standardisation, competition, and responsible business conduct. However, recent years have exposed areas where the framework could better serve public buyers and suppliers, particularly in the face of external shocks and evolving market realities.

Priority in the review should be given to making procurement rules more flexible and less detailed. The complexity and rigidity of current rules can hinder effective procurement, especially when circumstances change unexpectedly (e.g., Covid-19, geopolitical events). We believe that less detailed, more flexible rules would empower public buyers to adapt tenders and contracts in response to real-world developments, reducing delays and administrative burden. This includes enabling adjustments to ongoing tenders/agreements and providing more discretion to public buyers, rather than relying on rigid exceptions. Such an approach would also foster greater SME participation and innovation, as smaller actors often struggle with excessive procedural requirements. Moreover, the procurement framework must recognise the diversity of actors and value chains across Member States. One-size-fits-all solutions are rarely effective and general rules should continue to be complemented with sectoral legislation.

Equally, while we recognise the merits of addressing “how to buy” criteria—such as ensuring transparent, fair, and efficient procurement processes—we caution against an overly prescriptive approach to “what to buy.” Strategic objectives and market realities evolve over time, and procurement rules should retain the flexibility to reflect these changes. We believe it is important to strike a balanced approach: setting high-level ambitions within public procurement legislation, while carefully considering which objectives are best addressed through other EU or national policy instruments.

Lastly, we recommend that the EU public procurement rules actively promote government-led pilot schemes for clean and innovative procurement instead of enshrining it already in general public procurement rules. In doing so, the framework can help foster European lead markets for green products. Such pilots have the potential to create strong demand for premium green solutions and provide valuable insights into market responses, ensuring that policy ambitions are aligned with market readiness and capacity.

Vattenfall is a European energy company with approximately 21,000 employees. For more than 100 years we have electrified industries, supplied energy to people's homes and modernised our way of living through innovation and cooperation. We are committed to building a future where everyone can choose fossil-free ways to move, make and live. Everything we do and the decisions we take shall lead to this goal. This is the basis of Vattenfall's strategy, and we advocate for a regulatory environment that makes this transition possible – in the energy sector and beyond in transport, industry etc.

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