

SAFEGUARDING THE ENVIRONMENT BY CHOOSING GREEN PUBLIC PROCUREMENT¹

Cristina M. KASSAI*

ABSTRACT: *Human civilization goes hand in hand with climate change and the study of climate change is the foundation for understanding human history and the future of humanity. Environmental protection is an area of major worldwide concern. There is also a scientific consensus and the issue of climate change is found on the agenda of international meetings. In this regard, more environmental protection is taken into consideration along with the economic development.*

This paper overviews the Green Public Procurement (GPP), a procedure whereby open specialists try to obtain merchandise, administrations and works with a diminished ecological effect for the duration of their life cycle when contrasted with products, administrations and works with a similar essential capacity that would some way or another be acquired. Green Public Procurement (GPP) is an imperative device to accomplish natural strategy objectives identifying with environmental change.

KEYWORDS: *Environmental protection; Green Public Procurement; ecological approaches.*

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1. AN OVERVIEW ON THE GREEN PUBLIC PROCUREMENT PROCEDURE

GPP is an intentional instrument, which implies that Member States and open specialists can decide the degree to which they execute it. Open specialists are significant purchasers in Europe, spending around 2 trillion Euros yearly, proportionate to roughly 19% of the EU's total national output. By utilizing their buying energy to pick merchandise and ventures with bring down effects on the earth, they can make a critical commitment to maintainable utilization and generation. (Commission, 2012, pp. 5-7)

Europe's open experts are significant customers. By utilizing their acquiring influence to choose ecologically agreeable products, administrations and works, they ensure that

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* PhD Candidate, "Acad. Andrei Rădulescu" Legal Research Institute of Romanian Academy, Bucharest, ROMANIA.

citizens' cash is utilized effectively to guarantee coordinate natural benefits and lessen negative ecological contacts with the same (or better) quality, usefulness or incentive for cash as the ordinary decision. By advancing supportable utilization and generation they can likewise make numerous natural benefits. For instance, it is particularly for littler organizations, to get imaginative practical items and administrations with higher ecological execution into the market. This can be a direct result of higher introductory buy costs that might be set by longer term benefits, on account of absence of a minimum amount of interest to make generation reasonable, or just because of absence of familiarity with such options and their benefits. Green open acquirement can be an effective procedure to defeat such deterrents, giving a solid boost to eco-development, helping our efforts to make the EU a more asset economy and going about as a market driver for our eco-businesses. (Schutze, 2015, pp. 120-135)

GPP is characterized in the European Commission's Communication Public acquisition for a superior domain as "a procedure whereby open specialists look to obtain merchandise, administrations and works with a diminished natural effect for the duration of their life-cycle when contrasted with products, administrations and works with a similar essential capacity that would somehow or another be procured." (European Commission, 2016)

GPP can be connected to contracts both above and beneath the limit for use of the Procurement Directives. The 2014 Procurement Directives empower open experts to consider natural contemplations. This applies amid pre-acquirement, as a component of the obtainment procedure itself, and in the execution of the agreement. Guidelines in regards to prohibition and choice intend to guarantee a base level of consistence with ecological law by contractual workers and sub-temporary workers. Systems, for example, life-cycle costing, particular of maintainable creation procedures, and utilization of ecological honor criteria are accessible to enable contracting specialists to recognize earth ideal offers. This information and support given by the institutions are intended to help open experts effectively plan and actualize GPP. It clarifies the conceivable outcomes, by European Union law for all intents and purposes, and takes at basic and effective ways to deal with greening contracts. (European Commission, 2016, pp. 10-13) It likewise gives numerous genuine cases of green obtaining by open specialists over the EU. It has been delivered for open experts, yet a considerable lot of the thoughts and methodologies are similarly applicable for corporate buyers. It ought to likewise help providers and specialists – especially smaller organizations – to better comprehend the natural prerequisites progressively experienced out in the open tenders.

2. WHY PURCHASE GREEN?

Planning green means to have a strong support plan in this manner, which incorporates the worldview of sustainable development, an action plan at local and global level, which requires implementation where the person-environment interaction is made. (Szabó, 2011, pp. 255-256)

Government use on works, products and enterprises speaks to around 14% of EU GDP, representing generally EUR 1,8 trillion annually. By utilizing their acquiring energy to pick merchandise, administrations and works with a decreased natural effect, they can make a vital commitment towards nearby, provincial, national and universal

manageability objectives. (Tamiotti, et al., 2009, pp. 34-38) GPP can be a noteworthy driver for advancement, giving industry genuine motivating forces for creating green items and administrations. This is especially valid in areas where open buyers speak to an extensive offer of the market (e.g. development, wellbeing administrations, or transport).

GPP may likewise give money related investment funds to open experts – particularly in the event that you consider the full life-cycle expenses of a contract and not only the price tag. Diminishing risky substances in items can cut transfer costs. Experts who actualize GPP will be better prepared to address developing ecological difficulties, for instance to diminish ozone depleting substance outflows or move towards a more roundabout economy.

The legitimate system for open obtainment is characterized by the arrangements of the Treaty on the Functioning of the European Union and by the EU Procurement Directives, as translated by the European Court of Justice. From a universal point of view, the EU is bound by the states of the Government Procurement Agreement (GPA) of the World Trade Organization (WTO), and by two-sided exchange assertions. (Green Economy Coalition, 2012, pp. 22-28) Consistence with these instruments is for the most part accomplished by stretching out similar rights to administrators set up in third nations as apply to EU financial administrators.

3. LEGAL ASPECTS

Division particular EU enactment makes obligatory commitments for the acquisition of specific merchandise and ventures, for instance by setting least vitality efficiency benchmarks which must be connected. Compulsory commitments presently apply in the accompanying divisions, among others: (European Commission, 2016, pp. 13-24)

- IT hardware – IT items obtained by government experts must meet the most recent least vitality efficiency necessities endorsed by the EU Energy Star (Regulation No 106/2008 on a Community vitality efficiency marking program for equipment)

- Road transport vehicles – all contracting specialists must consider the operational vitality utilize and natural effects of vehicles as a major aspect of the obtainment procedure. A typical philosophy for computing lifetime operational expenses is given (Directive 2009/33/EC on the advancement of clean and vitality street transport vehicles)

- Buildings – Minimum vitality execution guidelines apply to open structures, these are set at national level in light of a typical EU system. From 1 January 2019, every new building possessed and claimed by open experts must be "almost zero-vitality structures" (Directive 2010/31/EU on the vitality execution of structures. The Energy Efficiency Directive additionally sets obligatory prerequisites with respect to redesign of open structures and buy or new rental understandings meeting least vitality efficiency norms.

Also, some Member States have particular tenets which make required GPP guidelines for specific segments or sorts of agreements. While a thought of these laws falls outside the extent, procurers ought to guarantee they are in the know regarding national prerequisites. GPP has been embraced in various EU arrangements and procedures, to empower a more manageable utilization of normal assets, build up behavioral changes for economical utilization and generation, and drive advancement. The Circular Economy Action Plan, received in December 2015, features GPP as one of the measures important to guarantee more effective utilization of assets.

4. NATIONAL AND LOCAL ACTIONS

At the national level, most EU Member States have now distributed GPP or SPP National Action Plans (NAPs) which diagram an assortment of activities and bolster measures for green or practical open procurement. Many have set focuses for GPP or SPP, either as far as general obtainment, or for singular item and administration gatherings. (European Commission, 2016, pp. 19-21)

Various nations and districts have additionally created GPP or SPP criteria sets. Much of the time these are like the EU GPP criteria, with changes in accordance with the specific conditions or needs of the specialists creating them. The greater part of the criteria depends upon life-cycle appraisal (LCA) information where it is accessible, together with eco-names and the confirmation which these are based upon.

Singular contracting experts at the neighborhood, territorial and national level have additionally embraced green and feasible acquirement hones. At times their activities have enlivened the NAPs, or been taken up as cases in other Member States. Numerous such cases are revealed, and all the great practices are constantly being established over the EU.

GPP execution requires some arranging: deciding the extension for GPP in your association, setting needs and focuses for your exercises, sorting out proper preparing and observing execution. These components may frame some portion of a GPP arrangement. The direction exhibited in this part is material to any open specialist wishing to actualize GPP. In most EU nations, GPP National Action Plans (NAPs) have been established, which will probably affect the vital way to deal with execution for experts in that nation, for instance as far as targets set, need item gatherings and checking prerequisites. (Thompson, 2010, pp. 58-65)

5. GREEN PUBLIC PROCUREMENT POLICY

Numerous open experts in Europe have adopted the strategy of building up a GPP arrangement, or including responsibilities regarding GPP usage inside different approaches. GPP requires effective co-operation between different divisions and individuals inside an association. Abnormal state bolster is for the most part thought to be a critical factor for the accomplishment of GPP. (Whitford, 2009, pp. 34-37)

To be most effective a GPP arrangement should:

- Include clear targets, needs and time spans
- Indicate the extent of the acquiring exercises secured
- Indicate who is in charge of actualizing the arrangement
- Include a system for properly observing execution

GPP strategy ought to be lined up with any current approaches and systems identifying with obtainment and the feasible operation of the association. The contribution of inner clients, providers and administration is regularly expected to guarantee the approach can be executed.

5.1 Issues of green public procurement to be evaluated

• *Cost contemplations*

Are greener choices liable to be taken a toll impartial or will they affect your financial plan? The evaluation of "cost" ought to consider all expenses for the duration of the life-cycle: price tag, utilization costs (vitality/water utilization, upkeep), and transfer costs.

Now and again, gifts or appropriations might be accessible for interest in greener alternatives, so it merits scanning for pertinent projects.

- *Availability of criteria*

For some item and administration gatherings, green obtaining criteria have been produced which can be embedded straightforwardly into your delicate, without the requirement for extensive research into natural execution attributes and market investigation. The EU GPP criteria at time of composing spread item and administration gatherings and are accessible in both center and complete variants. In numerous EU nations national or provincial criteria are additionally accessible.

- *Visibility*

How unmistakable will your GPP exercises be to the general population, the market, other contracting specialists and your own staff? Will they understand that you are making an effort to enhance natural execution? Prominent changes like the kind of vehicles utilized by an expert, or a change to natural sustenance in the flask, can help construct attention to your GPP strategy and enhance the picture of your association.

- *Practical contemplations*

Are there any essential contracts up for restoration, or are there long-running contracts set up for certain item/benefit gatherings? What time and budgetary assets are accessible for usage? Are there a specific item/benefit bunches where there is as of now some ecological aptitude? (European Commission, 2016, pp. 17-19)

5.2 Setting green public procurement targets

Clear targets are basic so as to evaluate advance, and to impart your expectations inside the association and to the overall population. Targets may include:

- Overall acquisition targets – e.g. 80% of acquirement (by esteem and by number of tenders) ought to incorporate GPP criteria by 2018.
- Product/benefit particular targets – e.g. by 2017, 60% of suppers served in school containers ought to be natural, or by 2018, all cleaning administrations should utilize items meeting the EU Ecolabel criteria
- Operational targets – e.g. all obtainment staff will get GPP preparing by 2017, or GPP direction will be accessible to all staff on the specialist intranet.

While considering obtainment targets, it is critical to have a reasonable, operational meaning of what considers green acquirement. (Eckersley, 2000, pp. 35-40) For a large number of the objectives set at the national level by Member States, tenders are viewed as green on the off chance that they incorporate the national or EU GPP criteria.

Open acquirement is liable to general standards got from the EU Treaty and to the specific precludes set in the mandates. The two wellsprings of law are important to GPP. (Whitford, 2009, p. 29)

5.3 The procurement process

- The preliminary stage is critical. Exhaustive investigation and arranging is fundamental before propelling a delicate if ecological objectives are to be accomplished. (Shoham, 2006, pp. 17-19) It can likewise guarantee that techniques are run efficiently and get best an incentive for cash over the whole life-cycle.
- Different systems might be utilized to execute GPP, contingent upon the topic of your agreement and the data assembled amid the pre-acquirement organize. Methodology, for example, the focused system with arrangement and aggressive exchange might be appropriate when you should have the capacity to adjust an answer for your specific

needs.

- Life-cycle costing, joint acquisition, system understandings or vitality execution contracting, for instance, may show cost reserve funds through GPP, or to bring down venture boundaries. (Hayward, 2004, p. 13)

5.4 Principles of public procurement

Value for money

Contracting experts have a commitment to get the best an incentive for citizens' cash for all that they obtain. Recognizing the most monetarily invaluable delicate does not really mean going just for the least expensive offer. It implies finding an answer, which meets the necessities you have distinguished – including natural ones – in the most cost-effective way. Best esteem not just measures the cost of products and enterprises, yet in addition considers factors, for example, quality, efficiency, effectiveness and wellness for reason. (Roberts, 2007, pp. 34-37) Security of the earth can be one of these variables and can in this way go about as an equivalent thought among others for the honor of the agreement.

Reasonableness

Acting reasonably implies applying the standards of the inside market (Singer, 2002, p. 17), which shape the reason for general society obtainment mandates and the national enactment in light of these directives.

The most imperative are the accompanying:

- Non-segregation – contracting specialists must guarantee rise to access to the agreement by administrators from all EU nations and from nations with comparable rights.
- Equal treatment – practically identical circumstances must not be dealt with different circumstances must not be dealt with similarly, unless such treatment is unbiasedly supported. For instance, similar due dates must be connected to every one of the givers and a similar data gave to each, yet tenders with different levels of natural execution ought to get different stamps under an ecological honor model.
- Transparency – delicate open doors must be publicized broadly enough to guarantee rivalry. The acquirement basic leadership process should likewise be straightforward, to block any danger of partiality or intervention with respect to the contracting specialist. Contracting specialists have the commitment to educate unsuccessful givers of the purposes behind dismissing their tenders.
- Proportionality – implies that measures embraced in an obtainment procedure ought to be proper to the targets sought after and ought not go past what is important to accomplish them. (European Commission, 2016, pp. 15-18)

CONCLUSIONS

Despite the fact that the benefits of Green Public Procurement are incredible, it remains an intentional instrument, and keeping in mind the end goal to help its take-up we have to ensure that open acquirement experts know about those benefits and how best to accomplish them. This best practice control features the achievements accomplished here by open specialists around Europe. The contextual investigations give illustrative and functional cases to the setting of acquisition goals, for the criteria utilized for the identification of greener items, and feature the significant consequences of and the lessons mastered among the obtainment forms.

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