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Brussels, 17 December 2012

Dear Member of the European Parliament,

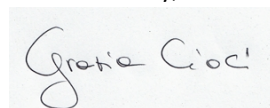
Re: Proposal for a Directive on Public Procurement – Tomorrow’s Vote in the IMCO Committee

Ahead of tomorrow’s IMCO Committee’s vote of MEP Marc Tarabella’s report on the EC proposal for a Directive on Public Procurement, replacing Directive 2004/18, Health Care Without Harm (HCWH) Europe, an international coalition of hospitals, healthcare systems, local authorities, and environmental and health organisations would like to urge MEPs to take into consideration its voting recommendations as detailed below:

1. **Please support the requirement** that the option of ‘most economically advantageous tender’ in Article 66 will allow a contracting authority to use multiple criteria, of which at least one must be a non-cost criterion. HCWH Europe appreciates the possibility given to national governments to decide on progressive public procurement policies for all the authorities in their Member States, by focussing on the concept of “most economically advantageous tender” (MEAT), instead of only on “the lowest cost”. However, **the “lowest cost” concept should be rejected as an option altogether**, shifting the focus towards purchasing best value in a broad, societal sense.
2. **Please reject dissimilarity between the types of characteristics** eligible as technical specifications (see list in Article 40 and Annex VIII) and those eligible as award criteria (see Article 66(2)). HCWH Europe believes that social and environmental considerations should not be limited to the “award criteria”, but should already be included in “technical specifications”. With social and environmental considerations being included in the “technical specifications”, such conditions move from being a competitive option to a standard requirement. Furthermore, by allowing contracting authorities to set such criteria in every step of the procurement process, like technical specifications, selection criteria, and award criteria and contract clauses, the principle of equal treatment and non-discrimination among suppliers will be strengthened.
3. **Please ensure that** obligations relating to social, employment and working conditions as laid down in national laws and/or collective agreements and which apply in the place where the work, service or supply is performed, are fully respected. It is also important that the new Directive **ensures workers legitimate rights along the supply chain**, as stated in the ILO conventions and national legislation, and that tenders are not won by suppliers who do not implement basic human and labor rights.

We look forward to an IMCO Committee’s vote on public procurement that will support the inclusion of social and environmental dimensions in the procurement process and that will take into consideration the global sustainability impacts of the purchasing choices public authorities make. Thank you very much for your consideration.

Yours sincerely,



Grazia Cioci, Policy Director
Health Care Without Harm Europe

Health Care Without Harm (HCWH) is an international coalition of hospitals and healthcare systems, medical professionals, health-affected constituencies, labour unions, and environmental and health organisations. HCWH has four regional offices: in Europe, United States, Latin America and Asia-Pacific, and counts 514 members in over 53 countries worldwide. HCWH mission is to transform the healthcare sector worldwide so that it becomes environmentally and ethically sustainable and no longer a source of harm to the environment and human health. HCWH Europe includes 70 members in 24 European countries (WHO Euro-region), of which 16 are part of the European Union.