

ON THE REVISION OF EU RULES FOR PUBLIC PROCUREMENT

Input by Cradle to Cradle NGO

Cradle to Cradle NGO welcomes the fact that the European Commission recognises the **strategic importance of public procurement** and, through the revision of the EU public procurement rules, seeks to fully harness its **potential for achieving the European Union's environmental, social and innovation policy objectives**. Our organisation actively advocates, at all levels of the European multi-level governance system, for the strategic use of public purchasing power by contracting authorities. With an annual procurement volume of approximately EUR 2.6 trillion across Europe — corresponding to around 15% of EU GDP — public procurement constitutes a powerful lever to create lead markets and, through its signalling effect, to shape norms and standards.

In this context, the European Union plays a particularly **important role as a framework legislator**. We share the European Commission's assessment that regulatory requirements and exemplary practices at EU level are necessary to create “sizeable lead markets for sustainable and innovative solutions, while upholding social standards”. The current revision of the EU public procurement framework therefore represents a **major opportunity to define clear objectives for public procurement across Europe and to align procurement practices with effective and forward-looking approaches**.

As a holistic approach to a genuine circular economy, Cradle to Cradle (C2C) integrates climate protection and resource conservation, addresses social challenges alongside environmental ones, and provides a framework for revitalising the European economy through new forms of market leadership in future-defining technologies and business practices. The C2C approach offers a comprehensive alternative to prevailing strategies that primarily focus on efficiency improvements. Such strategies do not provide long-term solutions, as being “less

harmful” is not equivalent to being “good”. Instead, Cradle to Cradle enables a practical approach to circularity aimed at creating positive value—environmental, economic and social. Cradle to Cradle sets positive goals: resources are used in such a way that, after their use phase, they become nutrients for new products and systems. The approach prioritises innovation over reduction and **promotes holistically designed solutions that integrate economic, social and sustainability considerations**. (Further information on the Cradle to Cradle approach is available here: <https://c2c.ngo/en/cradle-to-cradle/>).

In practice, Cradle to Cradle means that, at product level, **only products designed for integrated cycles should be placed on the market**. Circular business models, such as product-service systems, must become the new normal for companies in order to bring C2C-designed products into closed loops. The C2C design concept provides guidance for innovative and future-proof products and business models: materials that are safe for human health and the environment circulate in biological and technical cycles; production relies exclusively on renewable energy; water and soil quality are maintained or improved; and fair and decent working conditions are ensured.

These principles are already being implemented successfully by more than 500 companies worldwide — from start-ups and SMEs to large corporations such as ZF Friedrichshafen, Liebherr and L’Oréal. For European companies, aligning with Cradle to Cradle offers the opportunity to **secure early leadership in innovation processes** that will define future markets. For Europe as a whole, it offers a **pathway towards sustainable competitiveness in line with ecological and social progress**. However, the **successful scaling** of such practices that serve the public interest **requires appropriate political framework conditions**, including active support from public authorities, especially contracting authorities.

If the revised EU public procurement rules create the conditions for products, processes and business models designed according to Cradle to Cradle principles to become **the new standard in public procurement across Europe**, the European Commission will **equip public authorities with a highly effective instrument to use public procurement in line with their environmental, social and innovation overarching strategies**. At the same time, public procurement rules would **support Europe’s long-term ecological, economic and social development**, including the EU strategies aimed at strengthening resilience and competitiveness.

The revision of the public procurement framework and the design of the **Ecodesign for Sustainable Products Regulation (ESPR)** are closely connected: The more clearly Cradle to Cradle quality standards are integrated into the Ecodesign Regulation, the better the revised public procurement rules can support innovation and social and environmental sustainability. (Further details can be found in our [position paper on the ESPR](#)):

In summary, **Cradle to Cradle criteria and objectives in the context of public procurement** can be described as follows:

- The **circularity of products** is ensured, potentially supported by take-back schemes, reusable systems and/or product-service models.
- **Product design is aligned with the intended purpose**; products are designed for their specific function, and their components can circulate in the biological and/or technical cycles.
- **Material health** of all inputs is ensured for the respective purpose; 100% of materials and process chemicals are known and assessed with regard to their impact on human and environmental health.
- **Renewable energy** is used in production, with a long-term perspective towards energy generation systems that are designed for circularity.
- **Clean water, clean air and healthy soils** are ensured; impacts on local water systems, air and soil are assessed in the context of production and use. Water is not polluted and is kept in cycles; soil is regenerated and ideally improved.
- **Fair, needs-based working conditions and forms of work** are guaranteed. Compliance with the International Labour Organization's core labour standards throughout the entire supply and value chain constitutes the absolute minimum requirement.

The **five measurable criteria of the Cradle to Cradle** Certified Product Standard—material health, product circularity, clean air and climate protection, responsible water and soil stewardship, and social fairness—can serve as a useful **orientation for product evaluation**. (Please note: Cradle to Cradle NGO does not certify products. Certification is carried out by the independent Cradle to Cradle Products Innovation Institute: <https://c2ccertified.org/>). In areas where only few certified products are available, contracting authorities can apply C2C-inspired criteria to identify the market option that most closely meets C2C quality standards (see: <https://c2c-beschaffung.org/b-c2c-im-beschaffungsprozess/ii-anknuepfungspunkte/6-beispielkriterien/>).

The **revision of EU public procurement rules** (and accompanying regulatory acts) should, inter alia, **address the following aspects**:

- **Mandatory consideration of ecological, social and innovation-oriented sustainability criteria based on Cradle to Cradle in procurement procedures**, for example by strengthening C2C quality standards as award criteria.
- **Mandatory calculation of the “cost” criterion based on life-cycle costs** (production, use and circularity), including externalised costs such as environmental and health impacts.
- **Removal of restrictions and exemptions** that limit the strategic use of public procurement for EU policy objectives.
- Explicit **recognition of circular business models**, such as product-service models, as desirable under EU public procurement rules. Procuring usage rights or services ensures that product responsibility, including take-back obligations, remains with the manufacturer or service provider.
- Strengthening the framework for **the procurement of used and remanufactured products**, provided they meet the specified requirements.
- Clear objectives and measures to promote the **digitalisation of public procurement**.
- **Capacity-building for procurement staff** through training and education on Cradle to Cradle, life-cycle assessment approaches, sustainable procurement and available procurement instruments.

At municipal level in Germany, **public procurement based on Cradle to Cradle principles is already being successfully implemented**. The city of Ludwigsburg, for example, has aligned its procurement practices with the C2C approach. An internal directive on sustainable procurement requires mandatory consideration of C2C criteria in all procurement procedures, with at least 20% of award criteria linked to C2C. A recent economic efficiency assessment confirmed the financial benefits of a C2C-based procurement approach using life-cycle costing.

Cradle to Cradle NGO has **analysed the experiences and best practices** of municipal actors within its C2C Regions network (<https://c2c-regionen.org/>) through continuous dialogue. To support further municipalities in using public procurement as a lever for sustainability and social policy objectives, our organisation has developed a **practical guidance document on municipal procurement according to Cradle to Cradle**,

tailored to the current European and German procurement frameworks (<https://c2c-beschaffung.org/>).

A revision of the EU public procurement rules designed as outlined above will help ensure that **procurement practices suitable for establishing a genuine circular economy** do not remain isolated pilot initiatives of individual municipalities, but become the new standard across Europe at all governance levels.

Cradle to Cradle NGO looks forward to cooperating with the European Commission to jointly **shape the EU public procurement framework in line with the Union's environmental, social and innovation policy objectives.**

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About Cradle to Cradle NGO

The donation-funded and non-profit [Cradle to Cradle NGO](#) has been advocating for a future-proof circular economy since 2012. Through educational initiatives, [network-building](#), and hands-on projects, it promotes the Cradle to Cradle approach across business, politics, and society. Its goal: a society in which products and processes are designed from the outset to be healthy and fair, with materials that can circulate continuously. This mission is advanced through initiatives such as the recurring C2C Congress, the [C2C LAB](#) in Berlin, the concert project [Labor Tempelhof](#) with the band Die Ärzte, which received the Special Award of the German Sustainability Award in 2024, as well as a long-term strategic partnership with leading trade fair for [innovations in consumer electronics](#) IFA.
