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Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(18.8.2025)

The EU framework on public procurement - Directive 2014/23/EU¹ on concessions, Directive 2014/24/EU² on public procurement and Directive 2014/25/EU³ on procurement by entities operating in the water, energy, transport and postal service sectors, applies to procurement by contracting authorities or entities above certain pecuniary thresholds.

Pursuant to Article 42(2) and (4) of Directive 2014/24/EU, unless justified by the subject matter, technical specifications shall afford equal access of economic operators to the procurement procedure and shall not have the effect of creating unjustified obstacles to the opening of competition.

Based on the description of the facts provided by the Honourable Member, it is not possible to ascertain whether the EU public procurement directives apply and whether the principles of proportionality and equal treatment have been respected. Nevertheless, the Commission, as guardian of the Treaties, is committed to monitor the EU law and works in close collaboration with Member States' review bodies to ensure a level playing field in the public procurement domain.

¹ <https://eur-lex.europa.eu/eli/dir/2014/23/oj/eng>.

² <https://eur-lex.europa.eu/eli/dir/2014/24/oj/eng>.

³ <https://eur-lex.europa.eu/eli/dir/2014/25/oj/eng>.