

(English version)

**Priority question for written answer P-000725/25  
to the Commission**

**Jana Nagyová (PfE), Klara Dostalova (PfE), Ondřej Knotek (PfE), Ondřej Kovařík (PfE), Ondřej Krutílek (ECR)**  
(18 February 2025)

*Subject:* Public procurement and EU international agreements following CJEU Case C-652/22

Judgment of the Court of Justice of the European Union (CJEU) of 22 October 2024 issued in Case C-652/22 *Kolin İnşaat Turizm Sanayi ve Ticaret* <sup>(1)</sup> concludes that a supplier from a third country that has not concluded an international agreement with the European Union in the field of public procurement cannot claim equal treatment in the field of public procurement in an EU Member State.

Currently, there is no published list of such agreements on the EU level. This means that contracting authorities will have to address individually the complex question of whether a given entity is covered by any of the international agreements and whether the given agreement can be accepted or not.

This situation can significantly prolong the procurement procedure and can be a potential source of further legal issues.

1. Will the Commission prepare and publish a list of third countries with which the EU has concluded an international agreement guaranteeing reciprocal and equal access to public procurement markets, ideally with a statement of the specific agreements?
2. If not, how can contracting authorities access relevant and valid information?

Supporter <sup>(2)</sup>

Submitted: 18.2.2025

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission**  
(16 April 2025)

The Commission is aware of the challenges contracting authorities may face in assessing third-country suppliers' access to public procurement in the EU.

The Commission has made available an online tool to help contracting authorities find out about the international commitments applying to any intended or planned procurement: the 'Procurement for Buyers' tool <sup>(1)</sup>, publicly accessible via the Access2Market Database <sup>(2)</sup>, which provides up-to-date information on EU international commitments in the domain of public procurement.

Users only need to indicate the contracting entity and the subject matter and estimated value of the intended procurement and will in return receive a (positive) list of countries whose companies are entitled to participate in the bidding process on an equal footing with EU companies, and a (negative) list of countries whose companies are barred from participating.

---

<sup>1</sup> ECLI:EU:C:2024:910.

<sup>2</sup> This question is supported by a Member other than the authors: Kateřina Konečná (NI)

<sup>(1)</sup> <https://webgate.ec.europa.eu/procurementbuyers/#/procurementlocation>

<sup>(2)</sup> <https://trade.ec.europa.eu/access-to-markets/en/home>