

(English version)

Priority question for written answer P-003513/26
to the Commission
Jörgen Warborn (PPE)
(4 September 2026)

Subject: Preferential treatment of domestic goods in public procurement (national preference)

In recent years, a number of third countries have introduced provisions that reward the domestic production of goods in public procurement procedures and give domestic companies structural competitive advantages over European companies. Such national preference provisions are applied in, *inter alia*, the US and Canada through the ‘Buy American’ and ‘Buy Canadian’ initiatives respectively. These provisions constitute structural discrimination against EU companies producing on European soil, effectively excluding them from sections of the procurement markets, or significantly undermining their competitiveness compared to companies benefiting from a national preference. Through both formal — including the World Trade Organisation — and informal channels of communication, the Commission has criticised ‘Buy Canadian’, among others, for breaching international commitments. At the same time, it is clear that the introduction of national preference schemes in one country risks causing cascade effects, with more countries following suit and procurement markets effectively closing in the long term. Such a development would be very negative for EU companies, as the main emerging markets are located outside the EU and access to them would be undermined if more countries were to introduce national preference schemes.

In light of the above, what is the Commission doing to prevent more countries from introducing national preference schemes in procurement procedures and maintain or improve EU companies’ access to key emerging markets?

Submitted: 4.9.2026

Answer given by Mr Šefčovič on behalf of the European Commission
(16 October 2026)

The Commission shares the concern about national preference policies in public procurement in third countries.

The Commission distinguishes between measures contrary to international commitments and those that, while not prohibited, may still restrict market access for EU companies.

If a third country has commitments under the World Trade Organisation Agreement on Government Procurement (GPA) or a trade agreement, the Commission expects such commitments to be fully respected. It may raise cases of unfair treatment through bilateral and multilateral channels and may pursue dispute settlement where the relevant legal conditions are met.

To maintain or improve EU companies’ access to key emerging markets, the Commission also continues to negotiate trade agreements with procurement commitments with third countries and is a strong proponent of new accessions to the GPA.

If no international commitment exists, the Commission may raise the issue through bilateral engagement, seek improved and reciprocal procurement access in future trade negotiations, and use the trade instruments where their legal conditions are met.

This includes the International Procurement Instrument ⁽¹⁾, which allows the EU to respond to restrictions faced in third-country procurement markets.

The EU also continues to lead by example: the Commission has recently proposed the Public Procurement Act ⁽²⁾, which identifies measures that can be taken, in compliance with the EU’s international obligations, to strengthen the EU’s economic security.

The proposal also envisages action by the Commission, where needed, to strike the right balance between market openness and the possibility to closing access to the EU procurement market if necessary.

⁽¹⁾ Regulation (EU) 2022/1031; <https://eur-lex.europa.eu/eli/reg/2022/1031/oj/eng>.

⁽²⁾ COM(2026) 590 final; https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=comnat:COM_2026_0590_FIN.