



The voice of blind and partially sighted people in Europe

European Blind Union response to Commission call for evidence for revision of EU Public Procurement Directive

EBU Position Paper | January 2026

Object of the call for evidence

The call for evidence indicates:

“In the Commission’s 2024-2029 political guidelines, President von der Leyen announced a revision of the public procurement directives. This revision will:

- enable preference to be given to European products in public procurement, helping to ensure EU added value and secure the supply of vital technologies, products and services
- also modernise and simplify procurement rules, while making public procurement a tool for strategic investment.

(...)

The Commission would like to hear your views.”

Response

EBU would like to echo the concerns and recommendations expressed by its umbrella group the European Disability Forum.

The Public Procurement Directive has enormous potential to foster inclusion for persons with disabilities (PWD) but it does not currently reach its full potential.

The directive underserves PWD in a number of areas, particularly when it comes to support services. It is hard to demonstrate quality of support services as part of the procurement process, meaning that price is

almost always the determining factor in selection. The choice of service provider is designed for large groups of people rather than based on personal needs and preferences. The short-term approach to contract renegotiations means that PWD have to adjust to frequent changes in who provides support to them, and how it is done, which can be hugely destabilising and denies the right to choose enshrined in the UN Convention on the Rights of Persons with Disabilities (CRPD).

Another issue is that, despite the existence of Article 42 on technical specifications, public procurement does not always result in abiding by accessibility standards, let alone using accessibility as an award criteria. This is seen with the accessibility of buildings rented or constructed using this process, or in the transport sector. There is also currently no redress mechanism outlined in the directive, and no clear remedial process to guarantee that concerns will be addressed.

One way to make public procurement effective is to promote tenders for inclusive employers. Reserved contracts for undertakings employing a high percentage of staff with disabilities are already allowed under Article 20. However, it is essential that the type of workplace these contracts are reserved for uphold the rights of PWD as workers, in line with the CRPD. Sheltered workshops where PWD are paid below minimum wage, or do not have the same rights as other workers in their country, should be excluded from these reserved contracts. Social enterprises of quality that offer job protection in line with national norms and support persons with disabilities to transition to the open labour market should be prioritised, instead. Beyond the reserved contracts, employers in the open labour market who demonstrate a high level of inclusiveness within their workforce should be given extra points in the public procurement process and thus favoured in calls for tender. This could be made much clearer in Article 70 on Conditions for Performance of Contracts.

For all these reasons, the review of the Public Procurement Directive should aim to:

- Favour direct procurement for the provision of support for PWD, to enable greater choice over a service provider and a focus on quality and personal choice rather than cost alone.
- Better clarify which type of company or enterprise should be eligible to apply for reserved contract, and ensuring that quality of employment and respect for workers' rights are upheld in line with Article 27 of the CRPD.

- Make sure that inclusion of workers with disabilities is considered as a factor in public procurement beyond the reserved contracts.
- Strengthen provisions to ensure that technical specifications will incorporate accessibility for persons with disabilities in line with EU harmonised accessibility legislation (European Accessibility Act), and that accessibility will be used as an award criteria.
- Set up redress and enforcement mechanisms for citizens to challenge non-compliant public procurement decisions.
- Bring more support for authorities, especially authorities at the local level, to include accessibility in the procurement processes (how to require accessibility, check the offers received, etc.).
- Support organisations of persons with disabilities understand and engage in public procurement where persons with disabilities are concerned.

About EBU

The European Blind Union (EBU) – **Interest Representative Register number 42378755934-87** – is a non-governmental, non-profit making European organisation founded in 1984. It is one of the six regional bodies of the World Blind Union, and it promotes the interests of blind and partially sighted people in Europe. It currently operates within a network of 40 national members including organisations from 26 European Union member states, candidate countries and other countries in geographical Europe.

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