

# Directive 2023/1791 EED: A Step Closer to Mandatory Green Public Procurement Criteria Through Sectorial Legislation

*Buftic Alexandru*

*Babes-Bolyai University, Faculty of Political, Administrative and Communication Sciences, Cluj  
Napoca, Romania*

**Abstract:** The European Union's Directive 2023/1791 EED is a critical step in the European Union's trajectory towards climate neutrality by 2050, instituting enforceable Green Public Procurement criteria. This article delves into the Directive's implementation complexities, scrutinising its potential to navigate the EU energy policy evolution and foster sustainability in public procurement. Notably, Article 7 and Annex IV of the Directive demonstrate a clear shift by mandating high energy efficiency performance standards across various sectors, signifying a move from discretionary to compulsory Green Public Procurement criteria. Despite its robust policy stance, the Directive faces practical impediments, including diverse Member States compliance levels and the need to balance regulatory directives with market dynamics. While the Directive aims to position public authorities at the forefront of sustainable procurement, catalysing market transformation, it walks a delicate line between legislative ambition and actionable enforcement. The variability in economic and technological capacities among Member States could hinder uniform application. By introducing a framework that allows for enforceable, adaptive, and technology-sensitive specifications, the Directive could bridge the gap between policy and practice, optimising its impact on energy consumption and environmental sustainability. However, addressing potential ambiguities in interpretation, the economic burden on public entities, and institutional inertia remains critical for its rigorous and effective implementation. This article provides a comprehensive analysis of Directive 2023/1791, situating it within the EU's broader energy policy framework, and critically evaluates its potential to truly change the Union's approach to energy efficiency and Green Public Procurement.

**Keywords:** EU Energy Efficiency, Energy Efficiency Directive, Green Public Procurement, Sustainable Construction, Climate Neutrality Legislation.