


SUSTAINABLE PUBLIC PROCUREMENT: THE ROLE OF THE STATE IN PROMOTING THE 2030 AGENDA <https://doi.org/10.63330/aurumpub.008-001>**Alex Salviano da Silva¹****ABSTRACT**

Sustainable public procurement emerges as one of the most effective instruments for implementing the United Nations 2030 Agenda at the state level. This article analyzes how the Brazilian State can incorporate sustainability principles into its procurement processes, promoting sustainable development through public purchasing power. Using a qualitative and exploratory approach, supported by literature review and document analysis, the paper investigates the alignment of procurement policies with the Sustainable Development Goals (SDGs), highlighting good practices, challenges, and recommendations. It concludes that adopting social and environmental criteria in public procurement represents a crucial step in transforming public administration into an active agent of sustainability, as proposed by the 2030 Agenda.

Keywords: Sustainable Public Procurement; 2030 Agenda; Sustainable Development; SDGs; Public Administration.

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INTRODUCTION

The pursuit of sustainable solutions has emerged as a pivotal challenge in the 21st century, necessitating structural transformations in management, consumption, and the interplay between the state, the market, and civil society. In this context, the United Nations 2030 Agenda, approved in 2015 by 193 member states, is noteworthy as a global action plan to eradicate poverty and promote economic, social, and environmental development in an integrated and balanced way (UN, 2015). The 17 Sustainable Development Goals (SDGs) that comprise this agenda underscore the necessity for inter-institutional coordination and cross-cutting public policies.

The state's purchasing power is one instrument that has the potential to contribute directly to the achievement of the SDGs. According to data from the Organization for Economic Cooperation and Development (OECD, 2022), public purchases account for between 10% and 20% of Gross Domestic Product (GDP) in many countries. In Brazil, this percentage is approximately 12% of GDP, thereby conferring a strategic role to government purchases in inducing sustainable behavior on the part of the productive sector and in promoting socio-environmental objectives.

The concept of Sustainable Public Procurement (SPP) entails the integration of environmental, social, and economic criteria into public sector procurement processes for goods, services, and works. This governance strategy enables the state to exert influence over production chains, stimulate green innovation, reduce inequalities, and promote a low-carbon economy (UNDP, 2021; IDB, 2022). Concurrently, this initiative aligns with the constitutional tenets of efficiency, economy, and public interest.

In Brazil, the issue has been a subject of discussion since the early 2000s. However, it was not until the enactment of Law No. 14,133/2021, the New Law on Bids and Administrative Contracts, that sustainability emerged as a prominent component of the normative frameworks for government procurement. Article 11 of this law expressly includes sustainability as one of the bidding objectives, signaling a new paradigm in the management of Brazilian public procurement.

In light of the aforementioned context, the present article seeks to analyse the role of the state in promoting sustainable public procurement as an instrument for implementing the 2030 Agenda. The analysis focuses on current Brazilian legislation, positive national and international practices, and the operational challenges faced by public managers. The hypothesis underpinning this study is that the adoption of sustainability criteria in public tenders can promote greater coherence between the state's procurement policies and the international commitments made by the country.

The article's structure is delineated as such: Section 2 presents a literature review of the 2030 Agenda, sustainable procurement, and pertinent international experiences; Section 3 describes the methodological procedures adopted; Section 4 discusses the results of the documentary and bibliographic



analysis; finally, Section 5 presents the final considerations and recommendations for strengthening sustainable public procurement in Brazil.

LITERATURE REVIEW

THE 2030 AGENDA AND THE SDGS

The 2030 Agenda constitutes a significant international commitment, endorsed by 193 member states of the United Nations (UN) in 2015. The agenda, which comprises 17 Sustainable Development Goals (SDGs) and 169 targets, seeks to eradicate poverty, protect the planet, and ensure prosperity for all by the year 2030. The distinctive characteristic of the 2030 Agenda is its universality, indivisibility, and interconnectedness. In order to achieve the objectives of the Agenda, it is necessary to integrate public policies and to encourage the participation of various social actors, including governments, the private sector, and civil society (UN, 2015).

In the context of Brazil, the implementation of the 2030 Agenda has been orchestrated by the SDG Interinstitutional Committee, with the backing of institutions such as the Institute for Applied Economic Research (IPEA) and the Brazilian Institute of Geography and Statistics (IBGE), which are responsible for the monitoring of national indicators. The Sustainable Development Goals most directly related to sustainable public procurement include: The Sustainable Development Goals (SDGs) relevant to this discussion are as follows: 12 (Responsible Consumption and Production), 13 (Action against Global Climate Change), 9 (Industry, Innovation and Infrastructure) and 8 (Decent Work and Economic Growth).

As posited by Sachs et al. (2022), the attainment of the objectives delineated within the 2030 Agenda is contingent upon the capacity of states to effect structural changes in their methodologies for the management of resources and the provision of goods and services. From this standpoint, public procurement has evolved into a pivotal instrument for promoting sustainability, functioning as a catalyst for transitioning towards more inclusive, resilient, and low-carbon models.

The incorporation of sustainability criteria within public tenders signifies the state's acknowledgement of its role as a strategic agent in shaping market dynamics, fostering innovation, and catalysing regional development. As Costa and Almeida (2021) have demonstrated, contemporary public management must align its operational instruments with global commitments, and sustainable procurement constitutes a concrete trajectory towards this objective.

SUSTAINABLE PUBLIC PROCUREMENT

Sustainable public procurement (SPP) can be defined as the systematic incorporation of environmental, social and economic criteria into public administration procurement processes for goods,



services and works. The central idea is to utilise the state's purchasing power as a lever to promote sustainability policies, thereby contributing to the transition to more responsible production and consumption models (UNDP, 2021).

According to the United Nations Industrial Development Organization (UNIDO, 2022), the potential exists for SPP to induce sustainable practices throughout the supply chain, thereby stimulating technological innovation, social inclusion, and reducing environmental impacts. In Brazil, the concept of sustainability in public procurement has gained legal backing through several legislative acts, beginning with Law No. 12.305/2010 (National Solid Waste Policy), followed by Decree No. 7.746/2012 and, most recently, Law No. 14.133/2021, which establishes sustainability as a bidding principle and objective (art. 11).

According to Fiorini and Ribeiro (2021), adopting SPPs requires planning, technical training, and tools to measure the socio-environmental impact of contracts. These measures include establishing sustainable selection and qualification criteria and including contractual clauses that encourage the use of recyclable materials, energy efficiency, and gender and racial equity in executing teams.

Despite regulatory progress, implementing the SPP faces practical obstacles. A 2023 study by the Institute for Applied Economic Research (IPEA) revealed that fewer than 20% of Brazilian federal entities incorporate sustainability criteria into their tenders. Pointed out obstacles include a lack of technical training, difficulty measuring positive externalities, and fear of increased costs.

INTERNATIONAL EXPERIENCES

Several countries have already institutionalized sustainable public procurement as a state policy. The European Union is a leader in this area, having incorporated mandatory environmental and social criteria into its public procurement directives. For example, Directive 2014/24/EU encourages the adoption of best value criteria rather than the lowest price, allowing aspects such as durability, energy consumption, and social inclusion to be considered (European Commission, 2020).

In Germany, the Green Procurement Program establishes guidelines for sustainable procurement at the federal and state levels, promoting extended life cycle products and services with a lower environmental impact. In France, the National Sustainable Procurement Plan mandates that contracts must include at least one environmental or social criterion (OECD, 2022).

In Portugal, the Public Contracts Code (Decree-Law no. 18/2008) establishes provisions for the consideration of environmental and social factors in government procurement. The country has also implemented the Action Plan for Ecological Public Procurement (PAPV), which aims to reduce the ecological footprint of public administration and stimulate innovation in the productive sector (APA, 2022).



These international experiences demonstrate that institutionalizing SPP requires political will, clear regulations, technical support instruments, and monitoring and evaluation mechanisms. As the OECD (2023) notes, the success of sustainable procurement policies hinges on the involvement of public leaders and the integration of ministries, agencies, and levels of government.

The next section presents the methodology adopted in this study to investigate the state of sustainable public procurement in Brazil in light of the 2030 Agenda, based on these analyses.

METHODOLOGY

The present research adopted a qualitative, exploratory, and descriptive approach with the aim of understanding how sustainable public procurement (SPP) has been incorporated into the practice of Brazilian public administration and how this incorporation contributes to the promotion of the Sustainable Development Goals (SDGs) established in the UN's 2030 Agenda.

The choice of a qualitative approach is justified by the need to deepen the analysis of the meanings, strategies, and challenges related to implementing the SPP, which would not be possible using only quantitative methods. As Creswell (2014) indicates, qualitative research allows us to explore complex phenomena within specific contexts, particularly when interpreting ongoing social and institutional processes.

The study is exploratory because it investigates a relatively new and constantly evolving field with theoretical and practical gaps that still need to be filled. It is also descriptive, as it characterizes the current state of SPP in Brazil based on normative frameworks, institutional experiences, and secondary data.

METHODOLOGICAL PROCEDURES

The data was collected through a meticulous literature review and a thorough documentary analysis. A comprehensive review of the extant literature was conducted, encompassing scientific articles, books, reports from international organizations (OECD, UN, IDB, UNDP), national and foreign legislation, administrative rules, decrees, and technical manuals. The selection of bibliographic material prioritized publications from the last five years (2019 to 2024), in order to guarantee the timeliness and relevance of the information.

The documentary analysis focused on official sources such as:

- Law No. 14.133/2021 (Brazil's new Bidding and Administrative Contracts Law);
- Decree No. 10.936/2022 (Brazil's Regulation of the National Solid Waste Policy);
- European Union Directive 2014/24/EU on public procurement;



- Portugal's Green Public Procurement Action Plan (PAPV);
- OECD reports (2021, 2022, 2023) on sustainable procurement;
- Reports by IPEA, Federal Court of Accounts - Brazil and the Ministry of Management and Innovation in Public Services.

ANALYSIS CRITERIA

The data was analyzed based on three main criteria:

- **Normative effectiveness:** verification of the presence and clarity of legal provisions that encourage or oblige the adoption of sustainability criteria in public tenders;
- **Institutional capacity:** evaluation of public entities' structural and organizational conditions to implement SPP, including technical training, use of digital tools, and control mechanisms.
- **Strategic alignment:** refers to the degree to which the SPP is integrated with the goals of the 2030 Agenda and Brazil's international commitments.

The data was systematized using the content analysis method proposed by Bardin (2016), which involved categorizing the information extracted from the analyzed documents by theme.

The next section will present the research results, which are organized into three parts: a diagnosis of the Brazilian scenario, an identification of the obstacles and potentialities of the SPP, and proposals to improve its effectiveness.

RESULTS AND DISCUSSION

DIAGNOSIS OF THE BRAZILIAN SCENARIO

Brazil has made significant regulatory progress in the area of sustainable public procurement (SPP), especially with the enactment of Law 14.133/2021. This law explicitly includes sustainability as one of the objectives of the bidding process (Art. 11). However, the transition from norm to practice still faces significant challenges. According to 2023 data from the Ministry of Management and Innovation in Public Services, only 19% of Brazilian municipalities claim to incorporate sustainability criteria into their procurement processes, and fewer than 10% do so systematically.

An analysis of the transparency portals of various federal entities reveals that, although public notices are in place with generic mentions of sustainability, objective and verifiable criteria for environmental impact, social responsibility, and the product's life cycle are rarely included. This finding aligns with the conclusions of IPEA's 2022 diagnosis, which identified the inadequate institutionalization of SPP, particularly at the municipal level.



Another critical issue is the lack of technical training. Many public officials are unaware of the legal instruments available for implementing SPPs or do not know how to implement them. According to a 2021 survey by the Federal Court of Auditors (TCU), 72% of the civil servants interviewed cited a lack of technical knowledge as the main barrier to adopting sustainable criteria in tenders.

Despite these obstacles, there are positive examples in some government sectors. For instance, the Paraná State Government has implemented a State Policy for Sustainable Public Procurement with clear guidelines and ongoing training for civil servants. At the federal level, the Ministry of the Environment published a practical guide for drafting terms of reference with environmental criteria in 2020, demonstrating efforts to strengthen SPP.

OBSTACLES AND POTENTIALITIES

The obstacles to the widespread adoption of SPP in Brazil are multidimensional. In addition to the aforementioned lack of training, the following issues stand out:

- **Lack of Standardization and Clear Indicators:** The absence of agreed technical parameters to define what is sustainable in different types of procurement makes it difficult to apply the criteria objectively.
- **Fear of increased costs:** Many managers fear that including sustainable criteria will generate additional costs, which is not always true. Studies by the UNDP (2021) indicate that, when considering life cycle costs, sustainable purchases can generate savings in the medium and long term.
- **Low inter-institutional coordination:** The lack of dialogue between environmental and legal bodies and procurement sectors jeopardizes the cross-cutting nature necessary for the success of SPP.

Conversely, Brazil has the potential to spearhead sustainable purchasing initiatives in Latin America. Public procurement policies can encourage the use of ecologically responsible products, such as recycled paper, furniture made from certified wood, organic food, and green technologies. Additionally, Brazil has a robust environmental regulatory framework and experience with programs such as Comprasnet and the National Public Procurement Portal (PNCP), which allow for the standardization and monitoring of tenders.

IMPROVEMENT PROPOSALS

Given this diagnosis, the following measures are proposed to increase the effectiveness of SPP in Brazil:



- **Create performance indicators and targets linked to the SDGs:** Incorporate progressive targets into public procurement plans, aligned with the SDGs, allowing the social and environmental impacts of contracts to be monitored.
- **Provide permanent and compulsory training for public agents:** include content on CPS in the continuous training programmes of The National School of Public Administration (ENAP), the courts of auditors, and state and municipal government schools.
- **Fostering innovation and a sustainable market:** Encourage micro and small companies to offer sustainable products and services by providing them with access to targeted public notices for tender and green credit.
- **Transparency and social control:** Create mechanisms that enable civil society to monitor the implementation of sustainable criteria in tenders, such as public performance panels or participatory audits.
- **Federative articulation:** Promote inter-municipal consortia and partnerships between the Union, states, and municipalities to facilitate the exchange of best practices and the development of SPP joint solutions.

These measures not only improve public management, but also help to build a fairer, more ethical development model committed to future generations.

FINAL REMARKS AND RECOMMENDATIONS

The analysis conducted throughout this study revealed that sustainable public procurement (SPP) is a vital tool for achieving the Sustainable Development Goals (SDGs) and fostering a more efficient, inclusive, and environmentally responsible public administration. However, despite the regulatory progress observed, particularly following the enactment of Law 14.133/2021, the implementation of SPP in Brazil remains in its early stages and continues to encounter structural, institutional, and cultural challenges.

Based on the presented diagnosis, the main obstacle appears to be the discrepancy between legal provisions and day-to-day public procurement practices. A lack of training for public agents, a scarcity of objective criteria, a fear of increased costs, and poor coordination between different public entities and bodies make it difficult to establish SPP as a structured public policy.

Conversely, the study also delineates a scenario that exhibits considerable potential. The existence of a robust regulatory framework, the development of digital procurement platforms, and the success of initiatives in certain Brazilian states and municipalities demonstrate that the state's purchasing power can be harnessed to promote sustainability. International experiences analysed in the study reinforce this



possibility, indicating concrete ways to strengthen the governance of SPP in Brazil.

In light of this, this article makes the following recommendations:

1. The creation of a complementary regulatory framework to Law No. 14.133/2021, with national technical parameters for SPP;
2. The establishment of targets linked to the SDGs in the procurement plans of public bodies, with clear monitoring indicators;
3. The mandatory inclusion of content on SPP in training courses for public servants;
4. Strengthening federative coordination and encouraging consortia and inter-institutional partnerships to share good practices;
5. Increasing transparency and social control over the criteria used in public tenders.

Thus, sustainable public procurement ceases to be merely a normative guideline and becomes an instrument for concrete transformation. Integrating sustainability into public procurement goes beyond administrative innovation; it is an ethical commitment to future generations and to fostering fair and sustainable development.

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