



### Public contract in Legal Globalization

## CURRENT TRANSFORMATIONS IN PUBLIC PROCUREMENT LAW – A EUROPEAN PERSPECTIVE

### LES TRANSFORMATIONS CONTEMPORAINES DU DROIT DE LA COMMANDE PUBLIQUE – UNE PERSPECTIVE EUROPEENNE

International workshop - Thursday, December 15<sup>th</sup> – Jeudi 15 décembre 2022 – h. 15.00-18.30 CET

#### 15h – Welcome note

#### 15h05 – 16h05 - The evolving interpretation of public procurement core principles / L'interprétation évolutive des principes fondamentaux de la commande publique

*How does the interpretation of the core principles can take into account and consider new issues of public procurement – such as environmental social requirements, or the focus on circularity ? What can we learn from the diversity of principles which are recognized at the national level? The discussion will give the opportunity to discuss on the recent collective book « Principles of public contracts in Europe » (dir. S. de La Rosa and P. Valcárcel Fernández).*

*Chair : Laurent Richer, Emeritus Professor of public law, Université Paris I Panthéon Sorbonne*

#### Speakers :

**Paulo Magina**, Head of the Public Procurement Unit at the OECD

**Annamaria La Chimia**, Professor of Law and Development, Faculty of Social Sciences of Nottingham

**Steven Vangarse**, Professor of public Law at the Hasselt University, Vice-Dean of the Faculty of Law

#### 16h10 – 17h10 - Tools fostering innovation and sustainability in public procurement law / Les instruments à l'appui de l'innovation et de la durabilité de la commande publique

*Public procurement contracts have to take into account overriding requirements regarding sustainability and environmental considerations and must rely on new implementation's technics trough digital tools.*

#### Chair :

**Pierre Bourdon**, Full Professor of public law at the University of Cergy-Pontoise

#### Speakers :

**Gabriella M. Racca**, Full Professor of Administrative Law at the University of Torino and **Michael Bowsher KC** Barrister, Visiting Professor - King's College London, - « *Public procurement and digitalisation* »

**François Lichère**, Full Professor of Public Law at the University of Lyon III, Director of the Chair on public contracts law, « *Enforcing Tools for Sustainable Public Procurement. An appraisal of the Draft Council Conclusions on the Development of Sustainable Public Procurement* » (21.6.2022)

#### 17h15 – 18h15 - Crisis forcing innovation and shifts in public procurement law / Les crises comme vecteur de changements et de ruptures en droit de la commande publique

*The Covid-19 crisis and the sharp deterioration of the geopolitical context have changed the landscape of public procurement. New directions are taking shape, such as the research of flexibility in the execution phase to take into account prices volatility, a different design of the contract or the enactment of protectionist to preserve key sectors*

Chair : **Laurence Folliot-Lalliot**, Full Professor of Public Law at the University Paris 10 Nanterre La Défense

Speakers :

**Bertrand du Marais**, Conseiller d'Etat, *A new impetus to the « imprevison » theory (unforeseen circumstances)? Avis du Conseil d'Etat du 15 septembre 2022 relatif aux possibilités de modification du prix ou des tarifs des contrats de la commande publique (Opinion of Council of State on the possibilities of modifying the price or tariffs in public procurement contracts)*

**Andrea Sundstrand**, Law Professor at the Stockholm University, *Crisis preparedness aspects to consider in public contract*

**Stéphane de La Rosa**, Full Professor of Public Law at the University Paris Est Créteil, Jean Monnet Chair, « *New tools for a better level playing field. Changes brought by the new Instrument on International Procurement (IMPI) and by the EU regulation on foreign subsidies* »

**18h20 – 18h30, Concluding remarks, Jean Bernard Auby**, Emeritus Law Professor, Sciences-Po Paris

### Localisation of the event / Lieu de l'évènement

**Maison de l'Île de France** – Cité internationale universitaire de Paris, **17 boulevard Jourdan, 75014 PARIS**

To reach : RER B (branche sud / southern section), sortie « Cité Universitaire » or Tram 3 B « Cité U »

