New Regulation on Construction Products adopted: first EU-level rules for green public procurement of building materials

Wednesday, April 10, 2024 | Brussels, Belgium - Today, the European Parliament approved the newly revised Construction Products regulation (CPR). The revised regulation’s goal is to make sustainable products the norm in the EU, boost circular business models and empower consumers for the green transition. In Bellona’s opinion, the regulation goes half-way – taking some positive steps but not delivering on the ruling’s full potential.

Bellona is pleased to see that manufacturers will now be obliged to submit the product’s environmental sustainability performance over its life-cycle. Access to such information is key to tracking progress and establishing embodied carbon thresholds for construction products, setting clear requirements and means for measuring the climate impact of construction products. It is important to note, however, that this is limited to greenhouse gas emissions, and not the full environmental impact.

Bellona also highly appreciates the inclusion of EU level requirements for green public procurement (GPP). These new rules will introduce mandatory minimum environmental sustainability requirements for public procurement of construction products, which will facilitate the emergence of lead markets for low-carbon products. Doing this at the EU level would also address the growing emergence of more mandatory GPP requirements at Member State level.

“The inclusion of green public procurement in the CPR is a much-needed step forward in leveraging the lead-market creation potential of public buyers, sending a strong signal for low-carbon products manufacturers.”

Irene Domínguez, Policy Advisor on Embodied Carbon

However, the revised act underdelivers when it comes to how the sustainability measures should be regulated, as the setting of those measures will continue to mostly be set out by industry-led standardisation processes, with limited oversight from EU institutions or participation from civil society. Hence, the level of ambition will likely remain low and slow to deliver on the necessary climate measures at the rate the sector needs to decarbonise.

Moreover, the legislators decided to leave cement under the regulation of CPR via the CPR Acquis, with a “backstop”: if the CPR is unable to deliver sufficient measures and information requirements on the environmental and carbon footprint for cement by 2029, cement will be included as a prioritised product category in the next work plan for the Ecodesign for Sustainable Products Regulation (ESPR), which is a more ambitious legislation that regulates other intermediate materials such as steel. While this “backstop” does guarantee that cement’s environmental impact will be addressed at some point, we cannot afford to wait: there is no time like the present for the industry to deliver on their decarbonisation goals, since the embodied carbon will be “locked in” the infrastructure we are building today.
"While it is encouraging that environmental performance is now to be disclosed, the CPR Acquis needs to deliver an ambitious framework for cement decarbonisation, in particular a transition towards performance-based standards." – Kirke Slimso, Policy Assistant on Green Buildings

Context:

According to the UN Environment Program, in 2023 the construction sector accounted for 37% of global emissions, an increasing share of which are ‘embodied emissions’. Thanks to measures tackling energy efficiency and the decarbonisation of the grid, ‘operational carbon’ emissions are reducing over the whole lifecycle of the building, while ‘embodied carbon’ emissions, which happen from the extraction of raw materials and manufacturing of the construction products, to end-of-life, have yet to be sufficiently addressed. Cement, a binder in concrete, which is one of the key construction materials, contributes to a staggering 7% of global emissions. Therefore, the need for the decarbonisation of building materials is urgent, and we need clear guidelines and legislation if we want to reduce the carbon emissions of buildings.

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