



Review of national implementing legislation in the GPA accession process and post- accession monitoring: current practice and future developments

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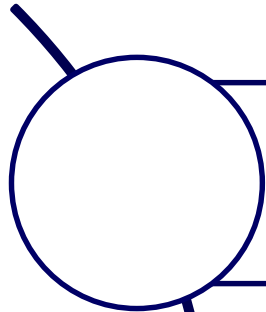
**11TH PUBLIC PROCUREMENT KNOWLEDGE EXCHANGE
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Batumi, Georgia

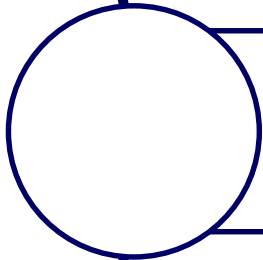
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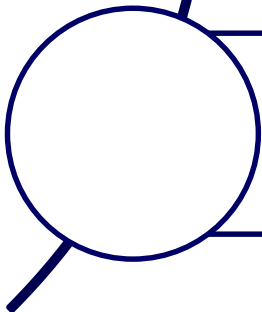
Contents of presentation



The GPA and accessions to it: current developments



Reviewing national implementing legislation in the GPA accession process: the Checklist of Issues



Post-accession monitoring:

- In the Committee
- WTO Dispute Settlement



What is the GPA?: Basic nature of the Agreement

A binding international Agreement that promotes:

- Access to other GPA Parties' procurement markets;
- Improved value for money in each participating Member's procurements;
- Good governance (transparency, fair competition and an absence of corruption in covered procurement markets).

A plurilateral agreement

- Part of the WTO system (and enforceable under the DSU!) via Annex 4 of the Marrakesh Agreement.
- Recently re-negotiated.
- Membership increasing over time.

The entry into force of the revised GPA: overview & latest developments

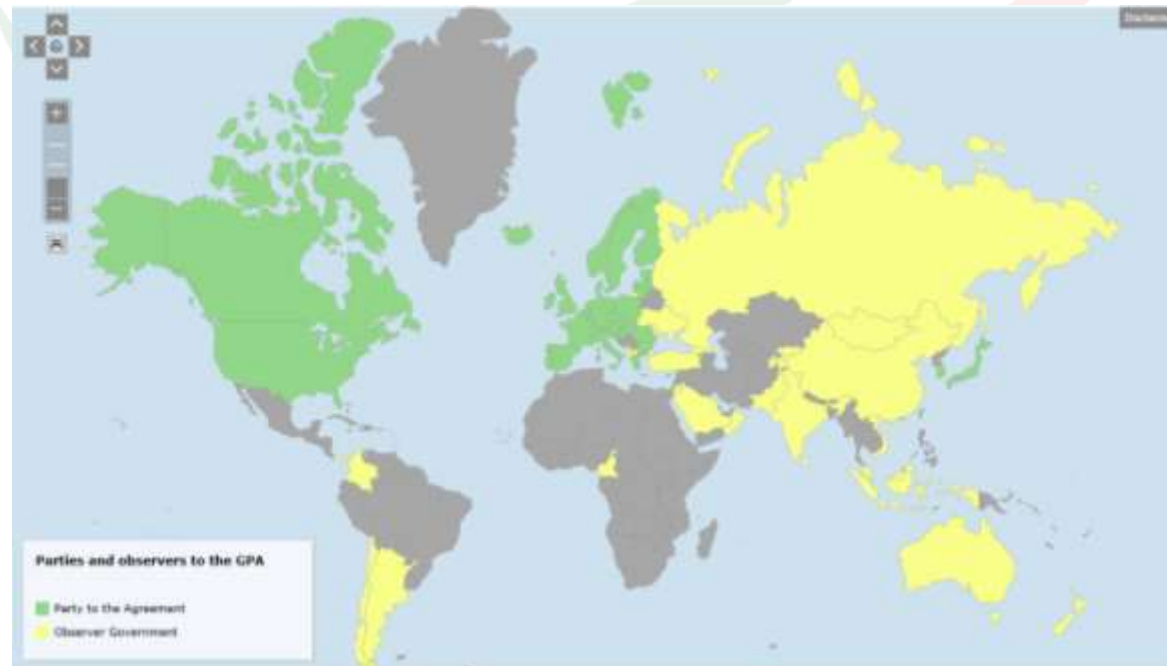


- The revised GPA is now in force for 12 out of 15 Parties
 - Latest country to submit its instrument of acceptance: Armenia.
 - Only two countries missing: Switzerland and Korea.
- Elements of the renegotiation:
 - Revised text – greater flexibility/improved S&D provisions.
 - Market access enhancement package valued at \$80-100 billion annually.
 - Package of Future Work Programmes on issues such as SMEs and sustainability – now being worked on.

Which WTO Members are in the GPA, anyway? And who is coming in?



- Currently, covers 43 WTO Members (15 Parties) including the EU and its 28 member States; most other developed countries (e.g. US, Canada, Japan; Liechtenstein, Norway and Switzerland); plus Hong Kong, China; Iceland; Israel; Korea; Singapore; Chinese Taipei; Aruba and Armenia.



Accessions to the Agreement: Current Status and latest developments



- **12 observers are in the process of acceding**
Australia
Albania;
Jordan;
Moldova;
New Zealand;
Tajikistan;
China;
Georgia;
Kyrgyz Republic;
Montenegro
Oman;
Ukraine.
- **5 WTO Members have commitments to accede to the GPA**
the former Yugoslav Republic of Macedonia; Mongolia; the
Russian Federation; Saudi Arabia; and Seychelles.



The GPA: Why accede?

Legally ensured
market access to
other Parties
procurement markets

Benefits of internal reform
according to principles of
integrity, transparency,
and non-discrimination

Double benefit: external and internal!

The accession process: Issues to be addressed

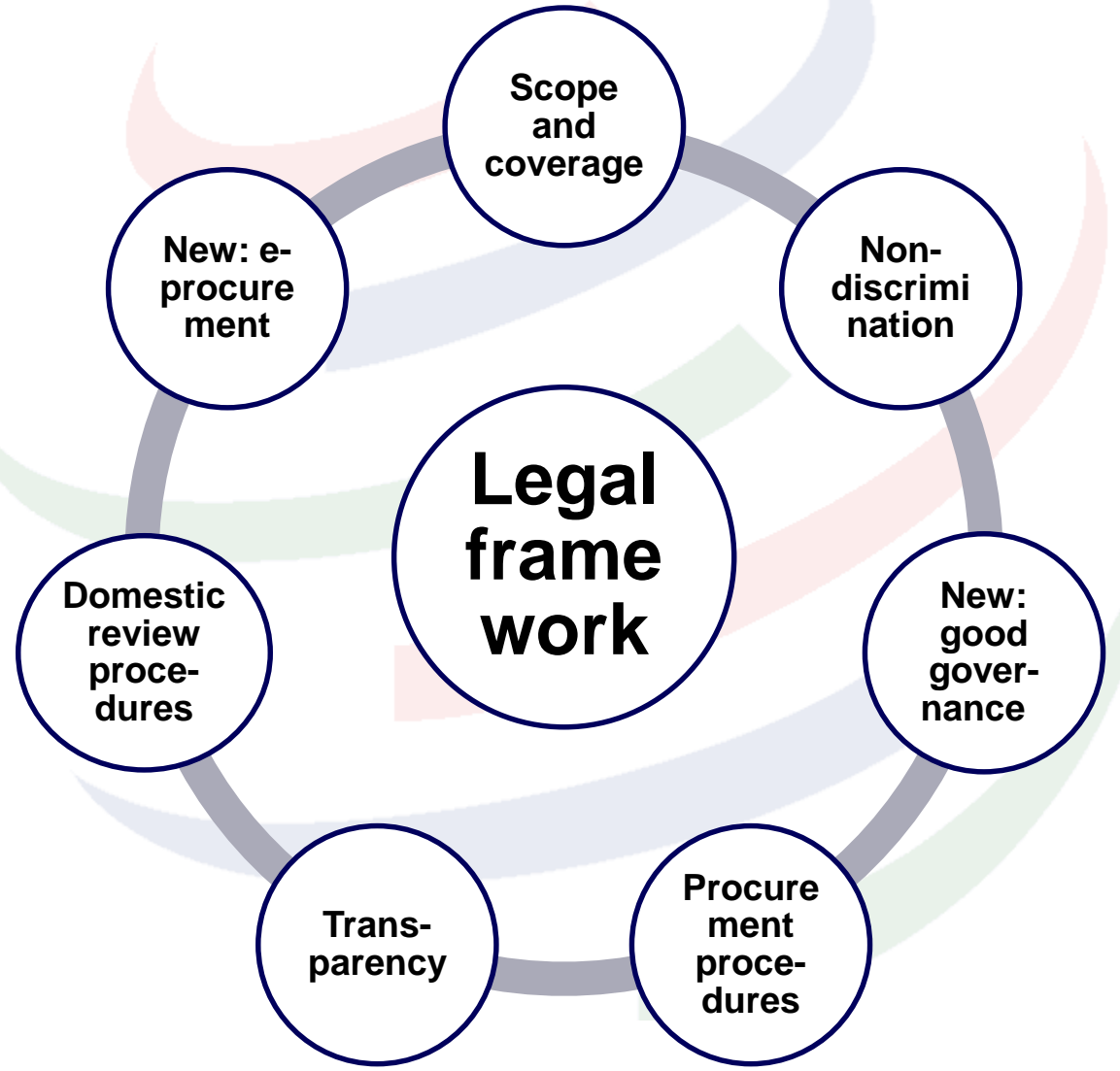


Legislative compliance check



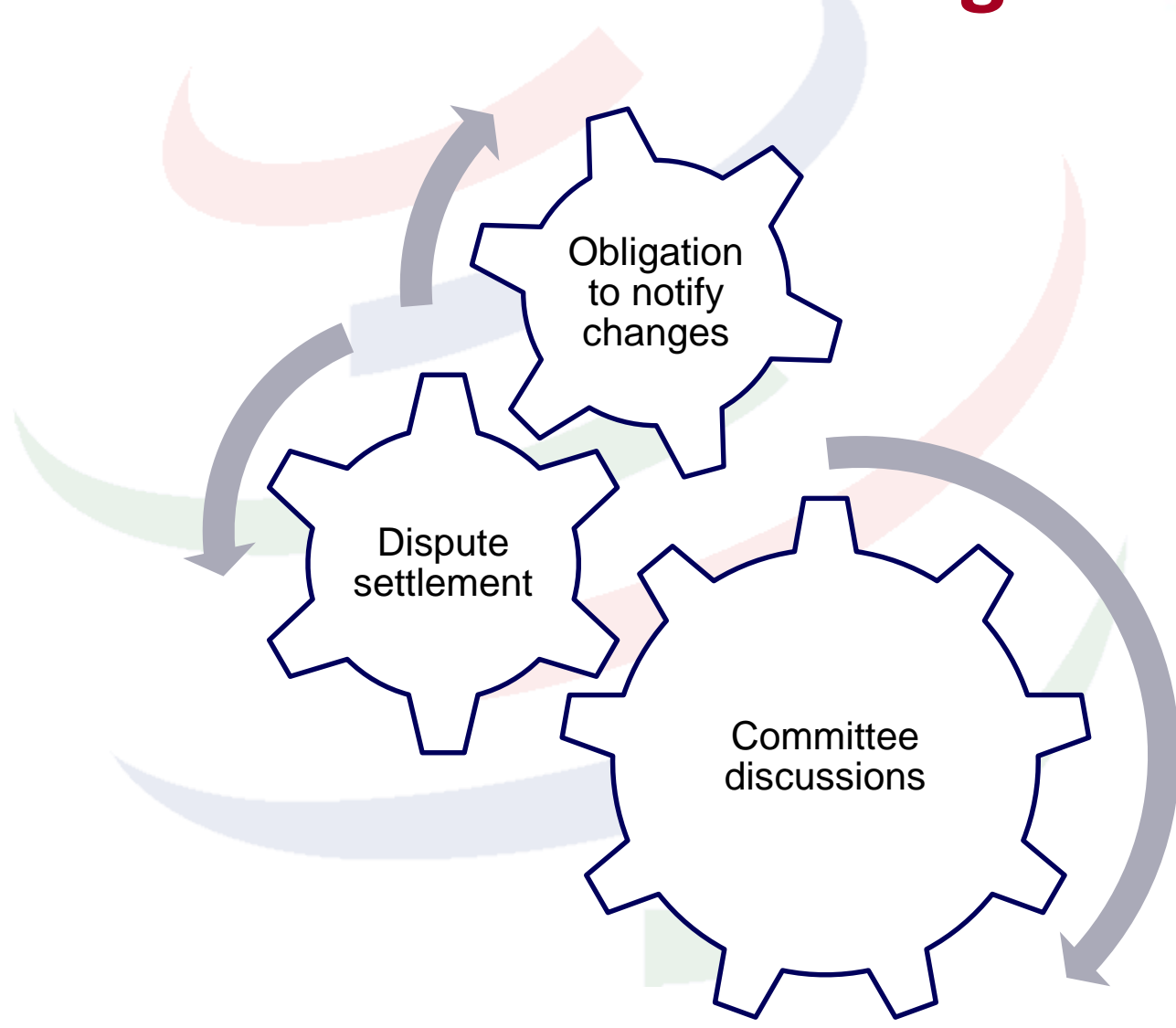


Issues addressed in the Checklist





Post accession monitoring





Summary

- New developments regarding revised GPA, accessions:
 - The GPA Committee is very active! Positive results are being achieved! New accessions!
- Legal compliance check as part of the accession process:
 - GPA “locks in” positive reform efforts
- Continued monitoring post accession:
 - Obligation to notify changes to the legislation
 - Committee discussions
 - WTO dispute settlement