International Aspects of Public Procurement

DG GROW G2

These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union

European Commission

International Aspects of Public Procurement

International dimension of Public Procurement

1. Impact on Procurement Directives

2. The EU as an international actor

Common Commercial Policy (Article 207 TFEU)

International Agreements concluded by EU

1. Agreement on Government procurement (GPA)

- WTO Plurilateral agreement

2. Agreement on the European Economic Area (EEA)

- Norway, Iceland, Liechtenstein

3. Stabilisation and Association Agreements (SAA)

- All Western Balkans

4. Deep and Comprehensive Free Trade Areas (DCFTA)

As part of wider Association Agreements with Georgia, Moldova, Ukraine

5. Other Free Trade Agreements (FTA)

- Mexico, Switzerland, South Korea, Canada, Japan

Government Procurement Agreement (GPA)

The WTO GPA (introduction)

*A **plurilateral agreement** (not all WTO Members)*

- ***EU (28 Member States)***
- *Iceland, Liechtenstein, Switzerland, Norway*
- *Armenia, Israel*
- *U.S., Canada*
- *"Hong Kong, China", Korea, Singapore, Chinese Taipei, Japan*
- *Montenegro, Ukraine, Moldova*

GPA developments

Agreement of the accession this year of Australia.

Countries in accession process:

- *China, the Russian Federation, Kyrgyz Republic, Tajikistan, North Macedonia*

- *the United Kingdom in its own right following its withdrawal from the European Union*

Government Procurement Agreement

Structure

- *Text: General principles*

- *Appendices & Annexes: coverage (schedules by parties)*

Procurement rules in the text

- *Tendering procedures*
- *Publication/invitations to participate*
- *Qualification of suppliers*
- *Time limits*
- *Necessary documentation*
- *Award criteria*
- *Review procedures*

- *'Gold standard' for international procurement*

Structure of Appendix I

Entity coverage specified in three Annexes

- ***Annex 1 – Central level entities***
- ***Annex 2 – Sub-central level entities***
- ***Annex 3 – Other entities***
- ***Annex 4 - Goods***
- ***Annex 5 – Services***
- ***Annex 6– Construction services (works)***

Individual Notes by Annex

General Notes – to be specified in a different Annex

Thresholds- General levels

Entities	Goods (SDR)	Services (SDR)	Construction Services (SDR)
Annex 1	130,000	130,000	5,000,000
Annex 2	200,000	200,000	5,000,000
Annex 3	400,000	400,000	5,000,000

Free Trade Agreements (FTAs)

International Free Trade Agreements under negotiations

Agreement this year: the modernisation of the EU – Mexico Free Trade Agreement – ambitious agreement with comprehensive central and SOE coverage, commitment on sub-central coverage, chapter on concessions/Public-Private Partnerships

Ongoing negotiations

- MERCOSUR (Brazil, Argentina, Paraguay, Uruguay)
- Australia
- New Zealand
- Indonesia
- Tunisia
- Kyrgyz Republic

Deep & Comprehensive Free Trade Areas - DCFTA

(1) Mutual access to public procurement markets
(2) Gradual approximation of legislation with EU

To be accompanied by:

- Enhanced institutional framework
- Roadmap/Strategy
- Cooperation and technical assistance

http://ec.europa.eu/trade/

https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm