



**Inter-operability and cross-border trade in
government procurement markets:
implications of the WTO GPA/eGPA
platform to e-GP development***

**ASIA PACIFIC PUBLIC ELECTRONIC
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 - Recent renegotiation and future work programmes
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What is the WTO Agreement on Government Procurement?



- **Government procurement in the WTO multilateral rules:**
 - **excluded** from the core disciplines on non-discrimination in the 1947 **GATT** and the 1994 **GATS**.
- A **gap that is gradually being filled**, over time:
 - 1979 **Tokyo Round GP Code**; **WTO GPA 1994**; **The GPA 2012**
 - A **plurilateral agreement within the WTO system (not all WTO Members participate)**
- **An internationally recognized tool to promote:**
 - **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).**



II. Factors currently enhancing the significance of the GPA for the global economy

Three Factors:

1. **increasing membership** of the Agreement worldwide;
2. the **policy context**; and
3. **synergies** with other international instruments, and national legislation.



Factors currently enhancing the significance of the GPA for the multilateral trading system (1): **increasing membership of the Agreement worldwide**

- Currently, the GPA covers 45 WTO Members including the EU and its 28 member States; most other traditional developed countries (the US, Canada, Japan, Liechtenstein, New Zealand, Norway and Switzerland); plus Hong Kong (China); Montenegro; Iceland; Israel; Korea; Singapore; Chinese Taipei; Aruba and Armenia.
- One more accession (Moldova) completed on 16 September and another expected to be gaveled in November (Ukraine).
- Eight more WTO Members in various stages of accession (Australia, Albania, China, Georgia, Jordan, the Kyrgyz Republic, Oman and Tajikistan).
- Five additional WTO Members have commitments to seek GPA accession (eventually), as part of their WTO accession protocols: the former Yugoslav Republic of Macedonia, Mongolia, the Russian Federation, Saudi Arabia and Seychelles.
- **29 observer Governments (10 new observers since 2012).**
 - **11 regional Members of the ADB:** Australia; China; Georgia; India; Indonesia; Kyrgyz Republic; Mongolia; Pakistan; Tajikistan; Thailand; Viet Nam



Factors currently enhancing the importance of the GPA for the global economy (2):

- **The policy context:**
 - Enhanced importance of the procurement sector worldwide.
 - Increased pressures for policies potentially limiting access to important procurement markets.
 - *Role of the GPA and/or bilateral/regional agreements*
- **Synergies with other international instruments, FTAs and national legislation**
 - GPA a distillation of best practices internationally.
 - An important benchmark for national procurement reforms.
 - Carefully harmonized with the UNCITRAL Model Law.
 - Recognised for use under Alternative Procurement Arrangements in the World Bank's New Procurement Framework
 - The model for procurement chapters in bilateral FTAs and regional trade agreements worldwide.



III. Core principles of the Agreement (basis for legal elements)

- Three core principles:
 - Non-discrimination (especially between foreign and domestic suppliers);
 - Transparency of the procurement system and of individual procurements;
 - Procedural fairness for suppliers/potential suppliers

NB: Above three principles underlie/explain all elements of the Agreement



IV. Significance of the entry into force of the revised Agreement: Overview

- ❑ Revised Agreement entered into force on 6 April 2014 !
Now in force for all Parties except three Parties.
- ❑ **Three main elements** of the deal:
 1. **GPA text** overhauled and modernized.
 2. **Market access** package valued at \$80-100 billion annually. Brings the overall coverage to an estimated **USD1.7 trillion market** – around 2.5% of World GDP (2008)
 3. Package of **New Work Programmes** on issues such as SMEs and sustainability.
- ❑ Now **in force** for all Parties except Korea and Switzerland



V. The WTO's e-GPA Project

Enhancing the Transparency and Accessibility of GPA Market Access Information

- <https://e-gpa.wto.org/>
- <https://e-gpa.wto.org/en/Help/QuickAccess>

Contents:

- Purpose, objective, features and functionalities;
- Current state of implementation;
- Anticipated future developments;
- Implications for cross-border trade in covered procurement markets.

e-GPA: Objectives



- Create an **integrated database** of GPA coverage data to serve as a market access information resource
 - for use by governments, businesses and other interested parties
- Create a seamless online digital tool for notifications, **statistical reports** and related data in support of an enhanced information provision service
- Better publicize the **commercial opportunities** available under the Agreement
 - thus foster interest in and accessions to the Agreement
- Synergise with an integrated database of trade measures across the WTO (via i-TIP)

e-GPA: Expected Benefits



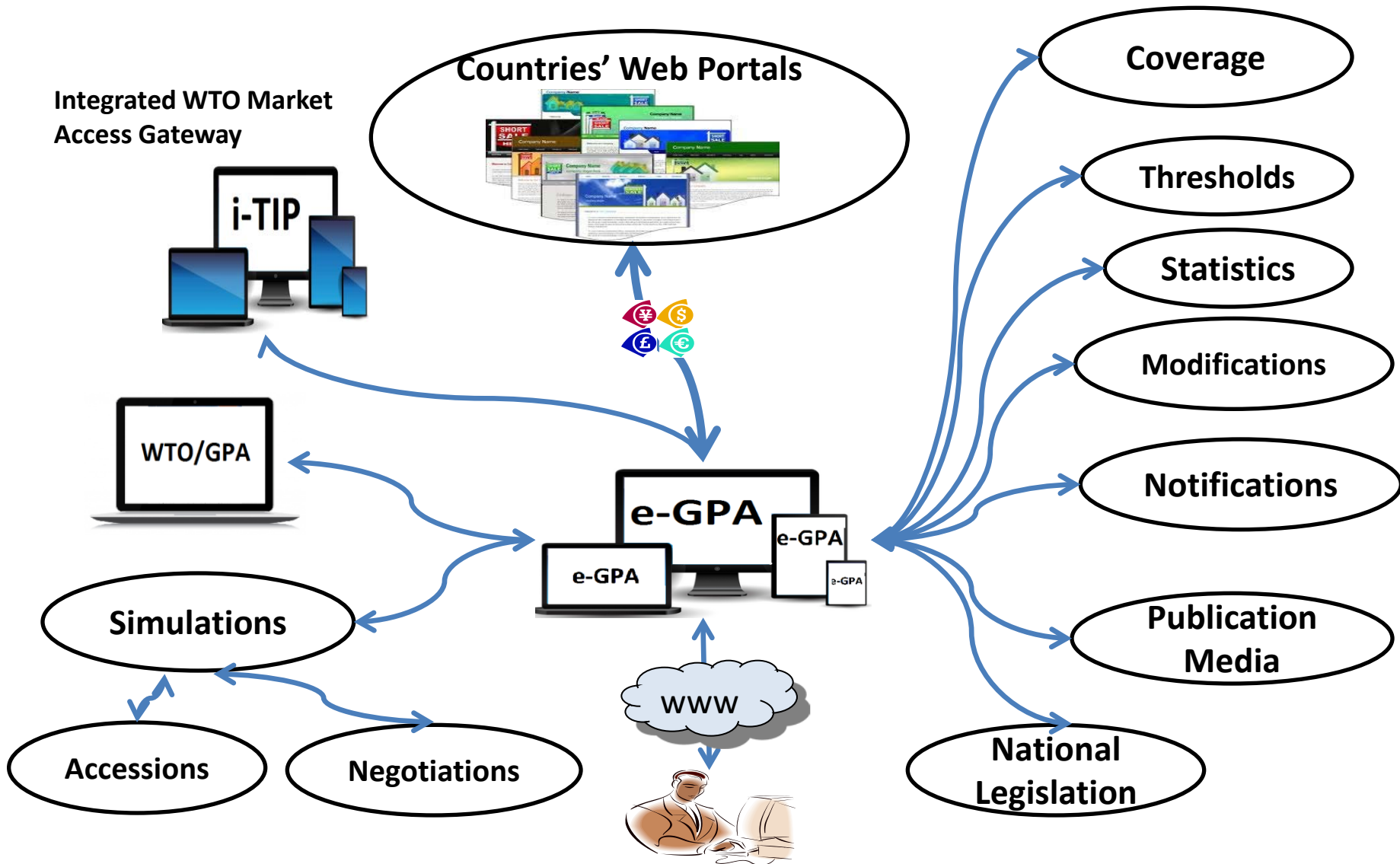
○ Improved service to Members

- enhanced **transparency and accessibility** of market access (MA) information
- enhanced **visibility** of the size and extent of MA opportunities
- efficient access to **information on commercial opportunities**
- provide a rich **resource for policy analysis**, e.g.
 - accessions to the Agreement; future negotiations; technical assistance

○ Improved productivity

- foster a more **efficient administration of the Agreement**
- **synergy/linkage with horizontal, integrated database of trade measures** across the WTO (via i-TIP)

WTO e-GPA portal: schematic illustration





Main Project Elements

- Multi-modular approach, phased implementation
- Phase I – development and implementation of
 - core web-based application; core modules encompassing:
 - coverage (market access), thresholds, nomenclatures
- Phase II – additional modules and enhancements
 - modifications, notifications, advanced search functions
- Future phases
 - further modules, more advanced functions
 - statistics, enhancements to notifications
 - digital submissions, more external linkages
 - advanced modules: simulations (for accessions/negotiations)
 - Web services, further enhanced reporting, analytics



It's time for a Quick Demo !

current site

- <https://e-gpa.wto.org/>
- <https://e-gpa.wto.org/en/Help/QuickAccess>

And a big THANK YOU!

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