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WORLD TRADE ORGANIZATION

Dovetailing e-GP and international trade: The WTO Agreement on Government Procurement (GPA) 2012 as a global best (minimum) practices framework

Government Procurement and Competition Policy Group -
WTO Secretariat

BACKGROUND

The plurilateral WTO Agreement on Government Procurement (GPA) 2012



53%

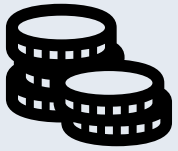
22 Parties covering
49 WTO Members
&
39 Observers

The GPA 2012:

As much a **Trade agreement** as a **Good governance agreement** :



The promotion of **reciprocal access to the GPA Parties' procurement markets** for the Parties' goods, services and suppliers.



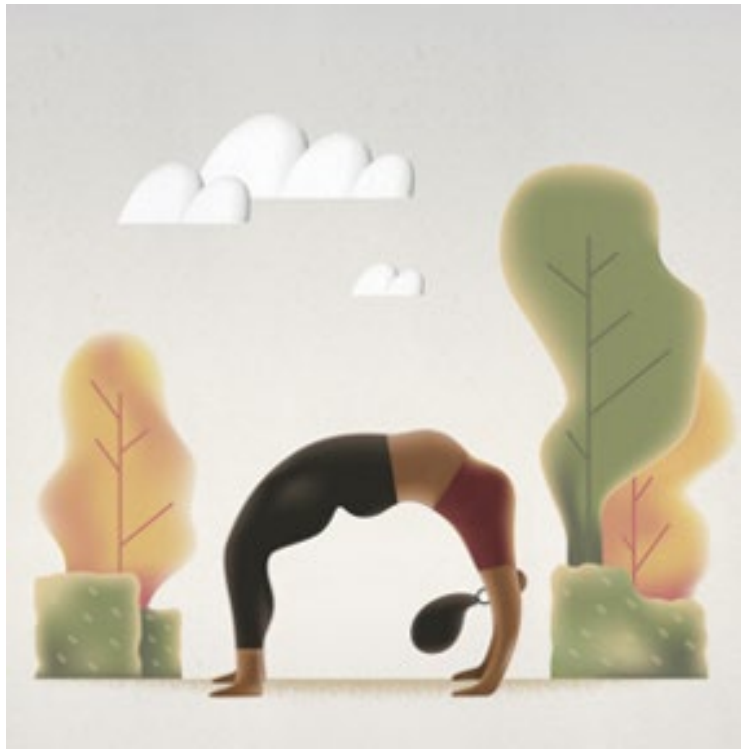
The "**efficient and effective management of public resources**" in the procurement markets of each participating WTO Member, by strengthening competition, transparency and accountability mechanisms.

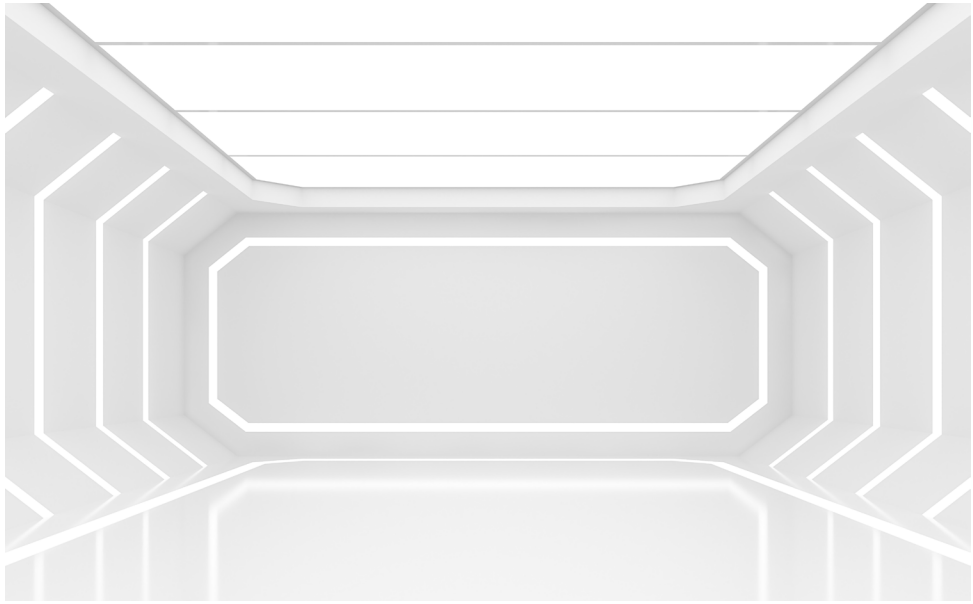


Promoting good governance, including the avoidance of conflicts of interest and corrupt practices.

The GPA 2012:

Flexible in allowing Parties to choose their own means to achieve agreed outcomes.





The floor, not the ceiling
(e.g. it requires publication of contract award notices within 72 days; in practice, many Parties publish much earlier).

The GPA 2012 and e-Procurement

Why e-GP and international trade make for a good combination

Trade facilitates *procurement* of reliable and affordable e-GP technologies

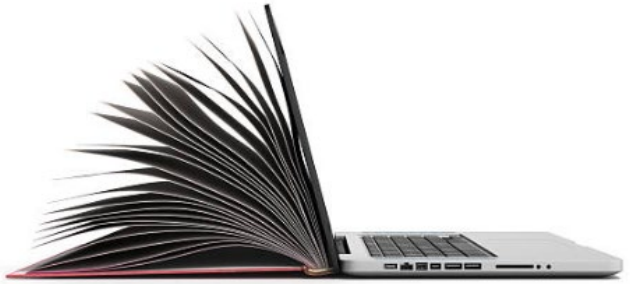
Easier participation through electronic means

Enhanced participation of (foreign) suppliers → **Competition**

Better value for money



Why and how the GPA 2012 establishes a pro-e-GP framework — the ‘sticks and carrots’ approach



Paper-based procurement vs. procurement by electronic means – **discretionary choice**

More expeditious conduct of covered procurement



Several obligations specific to procurement by electronic means designed to **ensure** that the **use of e-GP does not *itself* become an obstacle** to international participation in GPA-covered procurement procedures or that e-GP is **not used as an *instrument* to limit or discourage such participation**.

Standing on the shoulders of the GPA 2012: Free Trade Agreements as trailblazers for more ambitious e-GP approaches

WTO OMC

EU-Indonesia Comprehensive Economic Partnership Agreement

Article 11.4 (General Principles)

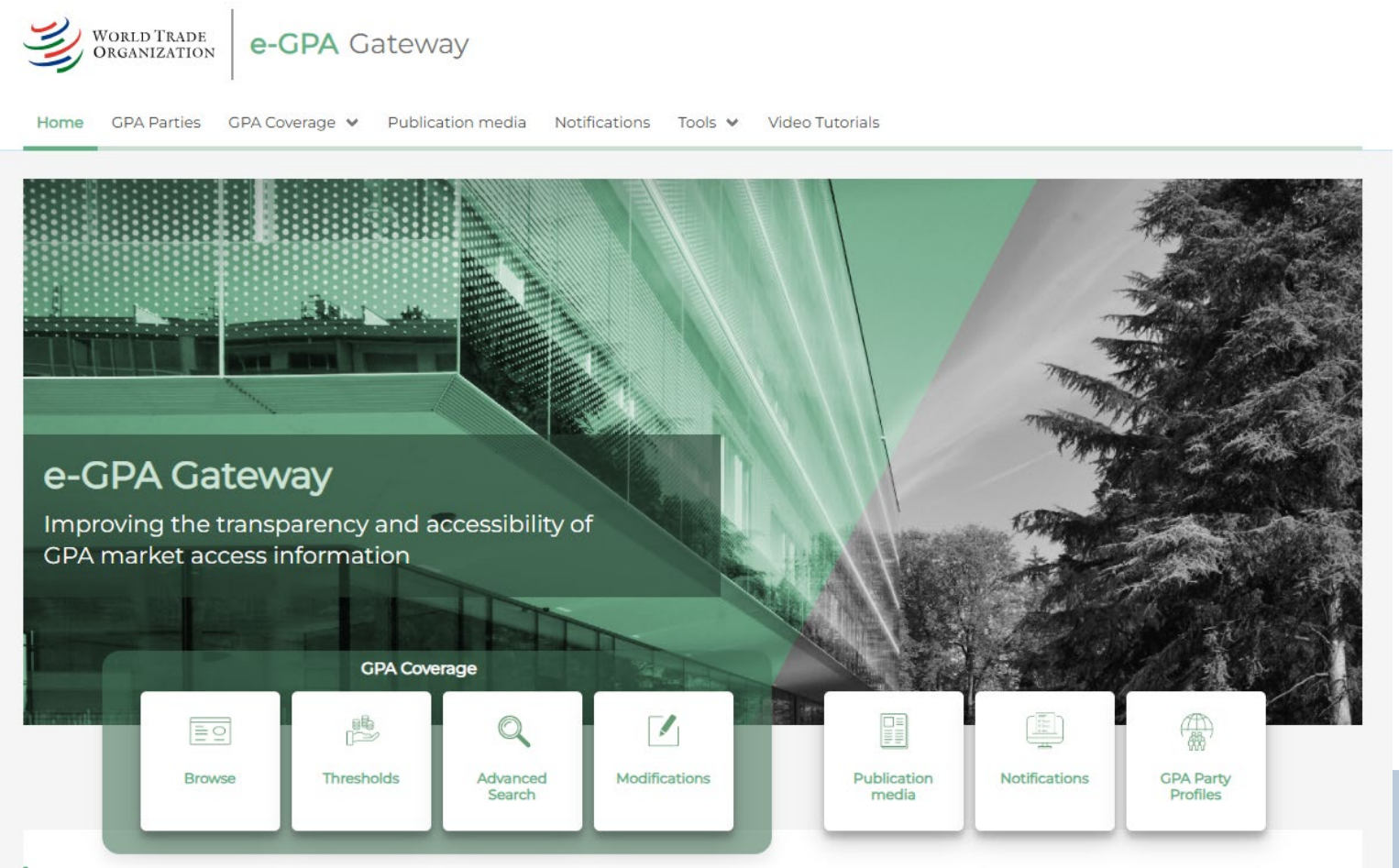
5. The Parties shall conduct covered procurement by electronic means to the widest extent possible and shall endeavour to cooperate in developing and expanding the use of electronic means in government procurement systems.
When conducting covered procurement by electronic means, a procuring entity shall use electronic means of information and communication for the publication of notices and tender documentation in procurement procedures and shall use electronic means for the submission of tenders to the widest extent practicable.

6. Each Party shall endeavour to establish a single electronic system to facilitate procurement process which covers procurement planning, procurement preparation, selection of suppliers, contract management, and awarding of contract

Promoting a trade-savvy GP community: How trade agreements have prompted e-tools that supplement e-GP

WTO OMC

Example: WTO



Example: European Union







WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

Thank you

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