



Accession to the GPA: procedural issues including flexibilities for developing countries

Jianning Chen

Legal Affairs Officer, WTO Secretariat

Advanced Regional Government Procurement

Workshop for Asian Economies

Bangkok

13-15 January 2015



Legal basis

Article XXII:2

“Any Member of the WTO may accede to this Agreement on terms to be agreed between that Member and the Parties, with such terms stated in a decision of the Committee. Accession shall take place by deposit with the Director-General of the WTO of an instrument of accession that states the terms so agreed. This Agreement shall enter into force for a Member acceding to it on the 30th day following the deposit of its instrument of accession. “

Who: Eligibility of any WTO Member to accede

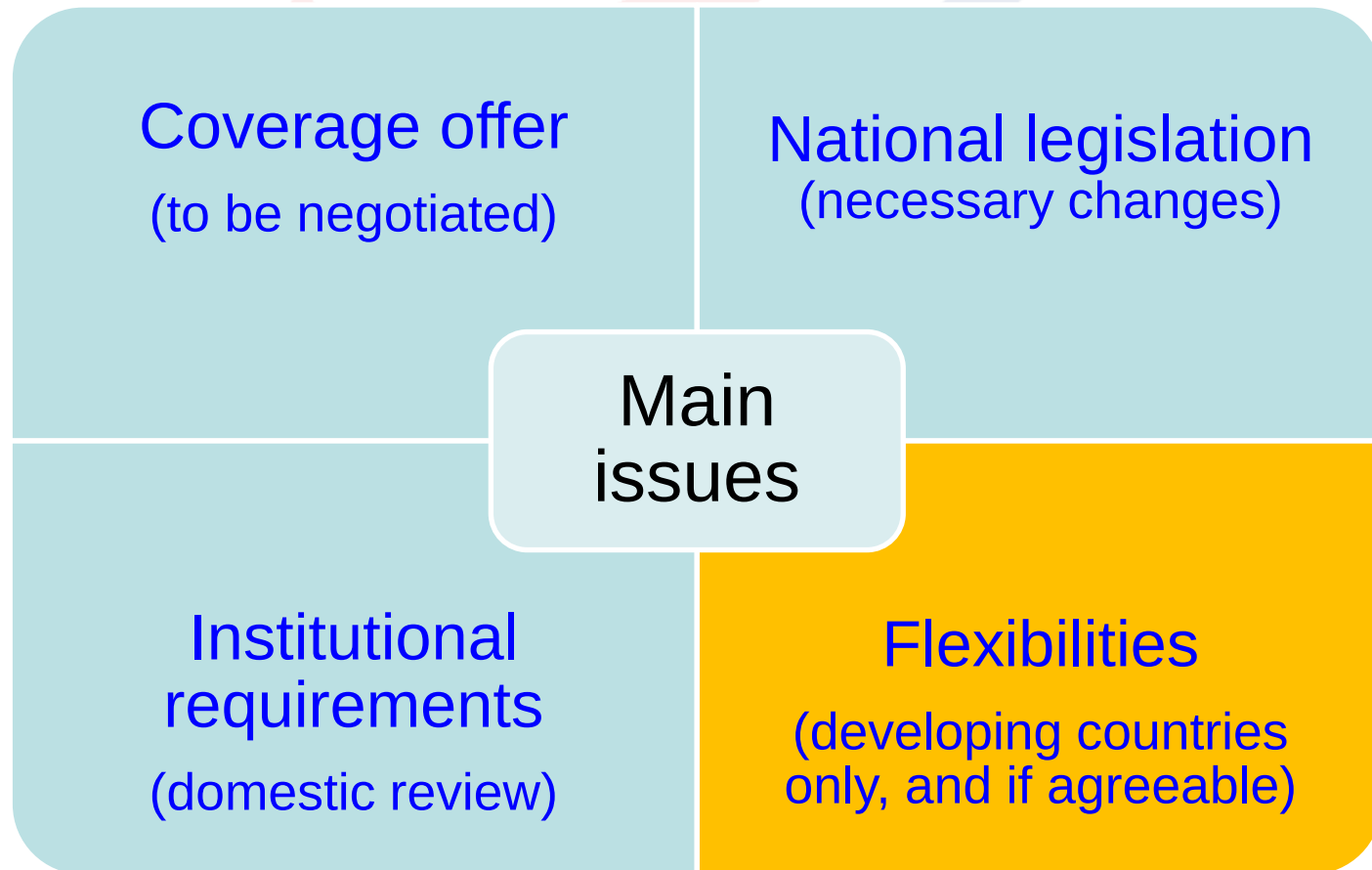
What: Terms to be agreed with existing Parties

How: Deposit with the Director-General of an instrument of accession, including agreed terms

When: Entry into force on 30th day afterwards



Issues to be addressed





Accession process

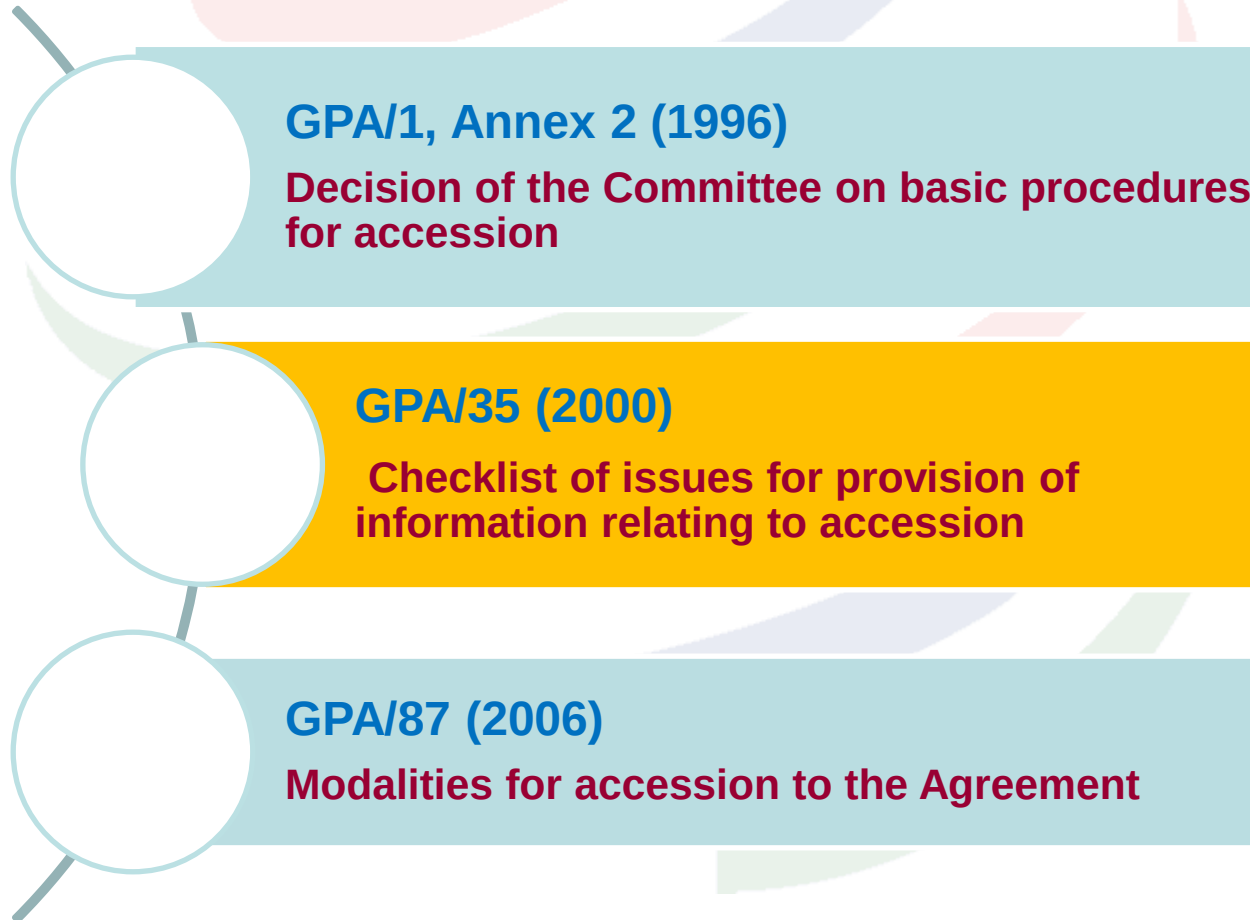
Some key procedural elements





Accession process

Key documents for reference





Accession process

Checklist of issues regarding provision of information

**Key items to
be addressed
(see GPA/35):**

Legal framework

Scope and coverage

National treatment and non-discrimination

Elements relating to procurement procedures

Publication of procurement information

Domestic review procedures

Flexibilities for developing countries: general aspects



- o Broad purpose: to take account of the developmental, financial and trade needs of developing countries, and to facilitate their participation in the Agreement.
- o Two main types of measures available (Article V)
 - o transitional measures (Para 3)
 - o deferred implementation of specific obligation (Para 4)
- o Key aspects: specific measures...
 - o arrived at by negotiation, based on developmental needs
 - o transparent and non-discriminatory application
- o ➔ In general, measures made more specific & concrete in the revised Agreement

Flexibilities for developing countries: transitional measures



Four possibilities

- o Price preferences
- o Use of offsets
- o Phased-in addition of specific entities or sectors

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_4612

