

**GENERAL AGREEMENT  
ON TARIFFS AND TRADE**

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REPORT (1994) OF THE COMMITTEE ON GOVERNMENT PROCUREMENT

1. This report outlines developments in the work of the Committee between its report of 24 January 1994 (L/7369) and its meeting of 15 November 1994. It is submitted to the GATT CONTRACTING PARTIES in pursuance of Article IX:6(a) of the Agreement and represents the Fourteenth Annual Review of the implementation and operation of the Agreement.

A. Composition of the Committee

Members

2. The following are members of the Committee: Austria, Canada, the European Communities, Finland, Hong Kong, Israel, Japan, Norway, Singapore, Sweden, Switzerland and the United States.

Observers

3. The following thirty-four contracting parties have observer status: Argentina, Australia, Bangladesh, Brazil, Cameroon, Chile, Côte d'Ivoire, Cuba, Czech Republic, Dominican Republic, Egypt, Gabon, Hungary, India, Indonesia, Jamaica, Kenya, Republic of Korea (which will become a Party to the new Agreement on Government Procurement), Malaysia, Malta, New Zealand, Nicaragua, Nigeria, Peru, Philippines, Poland, Romania, Slovak Republic, South Africa, Thailand, Trinidad and Tobago, Turkey, Zaire and Zimbabwe. Three non-contracting parties, the People's Republic of China, Ecuador and Chinese Taipei, are also observers. The decision to accord observer status to Chinese Taipei was taken by the Committee at its meeting of 15 December 1993. The IMF and UNCTAD have attended the meetings of the Committee as observers.

Officers

4. Chairman: Mr. Harald Ernst (Switzerland)  
Vice-Chairman: Mr. Peter Young (United Kingdom)

B. Meetings of the Committee

5. During the review period, the Committee held two meetings: on 28 June and on 15 November 1994. The minutes are contained in GPR/M/52 and GPR/M/53 (to be issued). In the context of the Article IX:6(b) negotiations, the Informal Working Group on Negotiations held meetings on 10 March 1994 and on 13 April 1994.

C. Decisions taken by the Committee

6. The Committee adopted a decision on the accession to the Agreement of the Kingdom of the Netherlands with respect to Aruba (GPR/77 of 24 August 1994).

D. Article IX:6(b) negotiations

7. At its March meeting, the Informal Working Group on Negotiations finalized its work, including a legal drafting exercise, on the preparation of the Treaty Copy of the Agreement on Government Procurement for signature in Marrakesh on 15 April 1994. It furthermore established the Interim Committee on Government Procurement with a view to undertaking all necessary tasks to prepare for the entry into force of the Agreement on Government Procurement (1994). The Informal Working Group met briefly on 13 April 1994 in Marrakesh to allow delegations to be briefed on the bilateral agreement on government procurement, reached in Marrakesh between the negotiators of the European Communities and the United States, which, once formally concluded, they would wish to incorporate for the most part into the new Agreement on Government Procurement.

8. On 15 April 1994, in Marrakesh, Morocco, Austria, Canada, the twelve Member States of the European Communities and the European Commission, Finland, Israel, Republic of Korea, Japan, Norway, Sweden, Switzerland and the United States signed the new Agreement on Government Procurement which will come into force on 1 January 1996.

E. Review of statistics

9. The Committee pursued its review of the 1990 statistics. All Parties have submitted their statistics for 1991 and 1992, albeit some in provisional form, while most Parties have submitted them for 1993 or are in the process of doing so, for review by the Committee.

F. Article IX

10. Rectifications of a purely formal nature pursuant to Article IX:5(a) were notified to the Committee by Sweden, the European Communities, Austria and Norway (GPR/W/132 and GPR/W/134 (Sweden), GPR/W/135 (the EC), GPR/W/137 (Austria) and GPR/W/138 (Norway) respectively). They became effective on 21 March and 20 July for Sweden and on 20 July 1994 for the European Communities; those for Austria and Norway will become effective on 12 and 14 December 1994 respectively if no objection is made in the meantime.

11. The Committee, at its meetings of 28 June and 15 November, considered a notification from Sweden, based on Article IX:5(b), informing it of changes to its entity list (GPR/W/133). It agreed to revert to this item at its next meeting.

G. Accession of new members to the Agreement

12. During the review period, the Committee finalized accession negotiations with the Kingdom of the Netherlands with respect to Aruba, adopting a decision on the terms on which the Kingdom of the Netherlands with respect to Aruba might accede to the Agreement (GPR/77 of 24 August 1994). Consequently, the Agreement on Government Procurement will enter into force for the Kingdom of the Netherlands with respect to Aruba thirty days following the date on which its instrument of accession will have been received by the Director-General.

H. Consultations and dispute settlement

13. At its June 1994 meeting, the Committee considered the Report of the Panel on the Procurement of a Sonar Mapping System (GPR/DS1/R of 23 April 1992) but was not in a position to adopt it.

ANNEX 1

Notifications by Parties Relating to their own Implementation  
and Administration of the Agreement

AUSTRIA

- Rectification of its entity list (GPR/W/137)

EUROPEAN COMMUNITIES

- Rectification of its entity list (GPR/W/135)

FINLAND

- Notification of legislation (GPR/76)

NORWAY

- Rectification of its entity list (GPR/W/138)

SWEDEN

- Rectification of its entity list (GPR/W/132, GPR/W/134)
- Modification of its entity list (GPR/W/133)