

# 7 The EU's approach to Free Trade Agreements Government Procurement

This paper forms part of a series of eight briefings on the European Union's approach to Free Trade Agreements. It aims to explain EU policies, procedures and practices to those interested in supporting developing countries. It is not intended to endorse any particular policy or position, rather to inform decisions and provide the means to better defend them. The views expressed in the briefings do not necessarily reflect the views of the publishers.

## What's at stake?

### For developing countries

- In developing countries, government procurement is a very important component of the economy, constituting between 10 and 20 per cent of GDP. The government's ability to purchase goods and services can be an important developmental tool; for example, in directing expenditure at locally produced goods and at local or domestic companies.
- Free Trade Agreements (FTAs) typically entail developing countries making commitments on the rules and processes governing government procurement, and opening up their government procurement markets to foreign firms.
- Locally appropriate and sound rules and processes for government procurement that ensure transparency and accountability can be important in helping to overcome corruption and ensuring value for money for government spending. However, experience is mixed of the effectiveness of importing EU-style models.
- Implementation of procurement reforms can be expensive – especially if rules relate to regional as well as national levels of government. This should be borne in mind when weighing up the choice between making binding rules commitments or agreements on co-operation and assistance.
- Developing countries tend to be excluded from the European procurement market by stringent standards and other non-tariff barriers. The European Commission (EC) states that this access may be restricted further for countries that do not open up government procurement markets through free trade agreements: According to *Global Europe*: “where important trading partners have made clear that they do not want to move towards reciprocity, we should consider introducing carefully targeted restrictions on access to parts of the EU procurement market to encourage our partners to offer reciprocal market opening”<sup>2,3</sup>.

### Government procurement

(GP) is the term used to describe the purchasing activities of all levels of government and government-controlled entities<sup>1</sup>. Rules governing treatment of foreign providers of goods and services to public entities, and requirements relating to procedural standards in public tendering and contracts, are an increasingly common feature of EU FTAs.

<sup>1</sup> National defence and security are generally excluded from FTA coverage.

<sup>2</sup> European Commission, 2006. *Global Europe: Competing in the World*. [trade.ec.europa.eu/doclib/docs/2006/october/tradoc\\_130376.pdf](http://trade.ec.europa.eu/doclib/docs/2006/october/tradoc_130376.pdf)

<sup>3</sup> The Commission also states that ‘for the sake of consistency with EU development policy, this approach would not be considered for poorer countries’.

## For the European Union

- As set out in *Global Europe*: “Public procurement is an area of significant untapped potential for EU exporters. EU companies are world leaders in areas such as transport equipment, public works and utilities. But they face discriminatory practices in almost all our trading partners, which effectively close off exporting opportunities. This is probably the biggest trade sector remaining sheltered from multilateral disciplines.” Consequently, the European Union is looking for “a sharper focus on market opening and stronger rules in new trade areas of economic importance to us notably ... government procurement”<sup>4</sup>
- Because of the failure of a multilateral agreement at the World Trade Organization (WTO), government procurement has been an integral part of the new breed of European FTAs. The goal for Europe is clear: “FTAs, if approached with care, can build on WTO and other international rules by going further and faster in promoting openness and integration, by tackling issues which are not ready for multilateral discussion and by preparing the ground for the next level of multilateral liberalisation. Many key issues, including ... public procurement ..., which remain outside the WTO at this time can be addressed through FTAs.”<sup>5</sup>
- Sectorally, European interests are in the areas of construction work, services surrounding architectural, legal, accounting and construction business, medical and pharmaceutical devices and services and office and computing equipment (accounting for about 50 per cent of government procurement in the EU). Europe is a world leader in the export of services, as well as in sectors such as construction, pharmaceuticals, public utilities and transport equipment. The draft mandates for EU FTAs with the Andean Community and Central American nations confirm the priority sectors for Europe: in the former, the EU is targeting water, energy, transport, and the information and communication sectors; for Central America, the priorities are water, energy and transport. In relation to India, the EU's market access database complains about discrimination in the country's procurement practices, and particularly targets the energy and port maintenance contracts for favouring local companies (see ‘Important information and where to find it’ on page 8).

<sup>4</sup> European Commission, 2006. Op cit.

<sup>5</sup> European Commission, 2006. Op cit.

### **Understanding government procurement texts: Key terms and definitions**

**Government versus public procurement:** Often used interchangeably, but public procurement is technically the correct term as it covers not just purchases by government but also by public utilities and state-owned enterprises.

**Reciprocity:** In their FTAs, the EU expects the third party to reciprocate (i.e. give in return) any concessions granted by the EU. For example, if the EU agrees to open up its government procurement markets, it expects the other party to reciprocate.

**National treatment (NT) and non-discrimination:** Foreign (i.e. imported) and locally produced goods and services should be treated equally (i.e. trade should be conducted without discrimination).

**Offsets:** Measures used to encourage local development or improve the balance-of-payments accounts by means of domestic content, licensing of technology, investment requirements, counter-trade or similar requirements.

**Price preferences:** Foreign suppliers have their bids inflated by a certain percentage before being compared to bids from domestic suppliers as a means of favouring local and national companies.

## Government procurement at the WTO

The multilateral agreements on trade in goods and services explicitly exclude government procurement. Currently, the General Agreement on Tariffs and Trade (GATT) 1994 excludes “procurement by government agencies of goods for their own use and not intended for commercial sale” (Article 111.8a).<sup>6</sup> The General Agreement on Trade in Services (GATS) Article XIII excludes procurement of services.<sup>7</sup>

However, a plurilateral Agreement on Government Procurement (GPA) at the WTO was first negotiated during the Tokyo Round. It entered into force on 1 January 1981 and was revised in 1994. Currently there are 13 members (counting the EU as one). The majority of developing countries are not party to the GPA.

The GPA “establishes a framework of rights and obligations regarding national procurement laws, regulations, and procedures of parties. Governments are required to apply the principle of national treatment to the products, services, and suppliers of other parties to the GPA and to abide by the Most Favoured Nation (MFN) principle (i.e. not to discriminate among goods, services, and suppliers of other parties).”<sup>8</sup> The GPA covers a number of important components:

- **transparency** in procurement (i.e. general rules and obligations on procurement policies, tendering procedures, etc., are made available to all interested parties) to which the principle of non-discrimination applies;
- the **award of contracts** (i.e. expanding **market access**) on a non-discriminatory basis;
- the **schedules** of national entities in each member country whose procurement is subject to the agreement;
- **compliance** through bid challenges.

With regard to **scope and coverage**, the Agreement does not apply to all government procurement of the Parties. The obligations under the Agreement only apply to:

- procurement by the procuring entities that each Party has listed in its schedules, relating respectively to central government entities, sub-central government entities and other entities such as utilities;
- all goods purchases, unless a nation secured exemptions during the negotiation of the agreement;
- services that are specified in positive lists;
- only those transactions that exceed certain threshold levels.

The GPA does recognise limited special and differential treatment for developing countries (see Article V). But by the same token, the agreement prohibits the use of various development measures which are used to encourage the development of domestic industries and links into local economies. For example, by limiting the use of offsets and, through the principle of non-discrimination, prohibiting price preferences to domestic suppliers.<sup>9</sup>

Notwithstanding this, developing countries may negotiate, at the time of their accession to the GPA, conditions for the use of offsets, provided these are used only for the qualification to participate in the procurement process and *not* as criteria for awarding contracts (Article XVI).

6 Juris International, 2006. Transparency in Government Procurement Practices. [www.jurisint.org/pub/o6/en/doc/C24.pdf](http://www.jurisint.org/pub/o6/en/doc/C24.pdf)

7 WTO, 2007a. GATS Negotiations of Services Procurement. [www.wto.org/english/tratop\\_e/gproc\\_e/gpserv\\_e.htm](http://www.wto.org/english/tratop_e/gproc_e/gpserv_e.htm)

8 Evenett, S., 2003. *Can Developing Countries Benefit from Negotiations on Transparency in Government Procurement in the Doha Round?* [www.evenett.com/reports/evenettgpanddoharound.pdf](http://www.evenett.com/reports/evenettgpanddoharound.pdf)

9 Evenett, J. 2003. Is There a Case for new Multilateral Rules on Transparency in Government Procurement? In Evenett, J. (ed) *The Singapore Issues and the World trading System: The Road to Cancun and Beyond*. [www.evenett.com/chapters/wtguideprocurement.pdf](http://www.evenett.com/chapters/wtguideprocurement.pdf)

**Using social and development 'objectives' in government procurement:  
An example of the kind of initiatives which could be under threat from the EU's  
current proposals**

Perhaps the best example of using government procurement for achieving social objectives in developing countries comes from South Africa. Under current South African government policy, "previously disadvantaged individuals" are given preferences in the allocation of government contracts. This policy is known as "Black Economic Empowerment", and seeks to repair inequalities from the apartheid regime. BEE charters are now being applied across the country, and large companies now have quotas for procurement from black-owned, largely local companies. Eskom, the South African utility has established its own highly successful BEE scheme: "Eskom's policy is to maximise purchases from BEE firms of all sizes and a spread of industries. It also works to foster businesses owned by BEE women across all sectors of the economy. Beyond this, the company concentrates its developmental efforts on black suppliers in the manufacturing, construction and mining/extraction sectors and providers of professional consulting services. Eskom has set its own criteria reflecting different levels of black ownership in these companies to decide the procurement spend allocated to each category."<sup>10</sup>

10 Eskom, 2007. *BEE Case Study*.  
[www.eskom.co.za/live/  
content.php?Item\\_ID=2784](http://www.eskom.co.za/live/content.php?Item_ID=2784)

### **A possible multilateral deal at the WTO ?**

Since the WTO Ministerial in Singapore in 1996, some members have been trying to introduce a multilateral deal on government procurement at the WTO. Such was the level of disagreement at the WTO, members decided to look into the possibility of introducing an agreement covering only transparency. The EU confirmed that: "The transparency exercise is NOT about ... obtaining national treatment in the award of contracts or allowing governments to challenge individual contracts through the WTO dispute settlement mechanism [EU Emphasis]."<sup>11</sup> Nevertheless, the work programme on transparency was extensive, examining:

11 European Commission, 2007.  
*Government Procurement:  
Transparency in Government  
Procurement*.  
[http://ec.europa.eu/trade/issues/  
sectoral/gov\\_proc/wto\\_nego/  
index\\_en.htm](http://ec.europa.eu/trade/issues/sectoral/gov_proc/wto_nego/index_en.htm)

- Procurement methods; i.e. should tenders be open, selective or limited?
- Publication of information on national legislation and procedures
- Information on procurement opportunities, tendering and qualification procedures
- Time-periods for tendering and awarding contracts
- Transparency of decisions on qualification
- Transparency of decisions on contract awards
- Domestic review procedures
- Information to be provided to other governments (notification)
- Dispute settlement procedures
- Technical co-operation and special and differential treatment for developing countries.

Eventually, even the proposal for an agreement on transparency was thrown out at the WTO Ministerial in Cancun and formally removed from the negotiating agenda at a WTO meeting in August 2004.

An agreement on transparency in government procurement, whilst not ideal for the EU to say the least, would have established, albeit in a limited way, a multilateral agreement on 'government procurement' within the WTO. To the EU, this would have been a means of gently introducing policy changes to minimise resistance against the measure, and then to drive forward more and more offensive policy measures in the future. In 1996, the then Acting US Trade Representative, Charlene Barshefsky said: "The study on procurement is intended to be the first step toward an agreement on transparency practices in government procurement ... this initiative will, as we continue to push it, help create an environment where businesses can expect a fair shake in competing for contracts with foreign governments."<sup>12</sup> Similar sentiments have been expressed by the European Commission.

12 USTR, 1996. Press release at end of  
WTO ministerial meeting in Singapore.

For many developed nations at the WTO, who put the issue onto the agenda at the Ministerial in Singapore in 1996, there is deep frustration that a fully fledged multilateral deal on government procurement has simply floundered. Partly as a result of this failure, the EU and other developed nations have introduced procurement chapters that incorporate and build on the GPA into their FTAs.

## Government procurement: Key questions

### What is the relationship between the WTO, GPA and current EU FTAs?

There is currently a great deal of similarity between existing provisions of EU FTAs and the GPA.<sup>13</sup>

<sup>13</sup> Woolcock, S. 2006. Rule-Making in Public Procurement. In Woolcock, S. (ed) *Trade and Investment Rule-Making: The Role of Regional and Bilateral Agreements*. United Nations University Press.

	1994 GPA	EU–Chile	EU–Mexico <sup>14</sup>
<b>Transparency</b>	<ul style="list-style-type: none"> <li>Information on national procurement laws</li> <li>Contract to be advertised</li> </ul>	<ul style="list-style-type: none"> <li>Information to enable effective bid (Art 142)</li> <li>Information on why bid was unsuccessful</li> </ul>	<ul style="list-style-type: none"> <li>Information on tenders and decisions</li> </ul>
<b>Principle</b>	<ul style="list-style-type: none"> <li>Non-discrimination (National Treatment and Most Favoured Nation)</li> </ul>	<ul style="list-style-type: none"> <li>NT and non-discrimination</li> </ul>	<ul style="list-style-type: none"> <li>NT and non-discrimination</li> </ul>
<b>Award of contracts</b>	<ul style="list-style-type: none"> <li>Lowest price or most economically advantageous bid</li> </ul>	<ul style="list-style-type: none"> <li>Lowest price or most economically advantageous bid based on certain criteria</li> </ul>	<ul style="list-style-type: none"> <li>Lowest price or most economically advantageous bid based on certain criteria</li> </ul>
<b>Compliance</b>	<ul style="list-style-type: none"> <li>Bid challenge</li> </ul>	<ul style="list-style-type: none"> <li>Bid challenge</li> <li>Independent review</li> <li>Interim measures</li> </ul>	<ul style="list-style-type: none"> <li>Bid challenge</li> <li>Independent review</li> <li>Interim measures</li> </ul>
<b>Scope and coverage</b>	<ul style="list-style-type: none"> <li>Central government:               <ul style="list-style-type: none"> <li>&gt; 130,000 SDRs for services</li> <li>&gt; Five million SDRs for goods</li> </ul> </li> <li>Non-national government:               <ul style="list-style-type: none"> <li>&gt; 200,000 SDRs for services,</li> <li>&gt; Five million SDRs for goods</li> </ul> </li> <li>Utilities:               <ul style="list-style-type: none"> <li>&gt; 400,000 SDRs for services,</li> <li>&gt; Five million SDRs for goods</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Covers central and non-central government and utilities</li> <li>Goods, services and works</li> <li>Thresholds as per the GPA</li> </ul>	<ul style="list-style-type: none"> <li>Covers central, non-central government and utilities</li> <li>Goods, services and works</li> <li>Thresholds as per the GPA for EU, slightly lower for Mexico as per NAFTA</li> </ul>
<b>Offsets and price preferences</b>	<ul style="list-style-type: none"> <li>Offsets prohibited; preferences not explicitly mentioned but effectively banned through principle of non-discrimination</li> </ul>	<ul style="list-style-type: none"> <li>Prohibited</li> </ul>	<ul style="list-style-type: none"> <li>Offsets prohibited; preferences not explicitly mentioned but effectively banned through principle of non-discrimination</li> </ul>

### What is the relationship between Government Procurement and new EU Free Trade Agreements?

According to the EU, its new FTAs with Asian countries should be comprehensive and “should provide for enhanced provisions on trade in goods and services, and include binding provisions on regulatory transparency in areas relevant for mutual trade and investment, including... public procurement”.<sup>15</sup>

Specifically for India and the Association of South-East Asian Nations (ASEAN), provisions on public procurement within the FTAs “shall provide for a set of binding rules including adequate transparency provisions that support the setting up of effective procurement systems. They will also provide for challenge procedures and co-operation in the field of electronic procurement. To the extent appropriate, the procurement chapter should be consistent with the revised Government Procurement Agreement. The Agreement will envisage the progressive liberalisation of procurement markets at national, regional and, where appropriate, local levels, as well as in the field of public utilities, in particular in

<sup>14</sup> The negotiations in the EU–Mexico RTA have been concluded with the EU offering Mexico the higher thresholds of the GPA (and of the EC Directives) and Mexico offering the EU the lower thresholds of the NAFTA. This has been done to facilitate the tender procedure through a transparent and widely-known rule identical for all tenderers within each of the Members, and to avoid, for both procuring entities and suppliers, the need to handle different thresholds and verify which agreement applies for each call for tender.

<sup>15</sup> See draft negotiating mandates for both India and ASEAN countries at [www.bilaterals.org](http://www.bilaterals.org)

16 Ibid.

priority sectors. The objective is to achieve gradual market access on the basis of the principles of non-discrimination and national treatment.”<sup>16</sup> The wording in the South Korea draft mandate is slightly different, reflecting that fact that the country is party to the WTO GPA.

There is a thinly veiled attempt to provide some ASEAN countries with an element of special treatment: “Market access commitments will take into account the different levels of development of ASEAN countries”. This reflects the fact that three ASEAN countries are least developed countries. However, a number of ASEAN countries have already indicated that they do not want to negotiate the issue at all.

Similar provisions to those contained in the draft negotiating mandates for India and ASEAN are also included in the Latin American FTAs that the EU is planning.

Of the potentially new FTAs (with African, Caribbean and Pacific countries, Mercosur, India, South Korea, ASEAN countries, the Andean Community and Central American nations), only Korea is party to the GPA. Clearly, for all the rest, any agreement on government procurement in FTAs will be “WTO-plus” in that they have decided not to join the WTO agreement. Agreeing to government procurement in FTAs will lock in parties to binding provisions with important development implications.

### Is the EU making any developmental allowance for poorer developing countries on government procurement, for example in Economic Partnership Agreements?

The short answer is that the EU is making little if any allowance for African, Caribbean and Pacific (ACP) countries, some of the poorest nations in the world. Many ACP countries oppose the inclusion of government procurement; what they need above all is to establish national rules and build regional regulatory capacity. As of 2007, the EU has even refused to include binding obligations to provide technical and financial assistance to help ACP countries comply with any new government procurement rules.

Only relatively recently (i.e. late 2006 onwards) have the texts in the Economic Partnership Agreement negotiations started to cover government procurement. Some are less developed than others (for example, the procurement article of the EU–ESA (Eastern and Southern Africa) joint draft text of July 2007 is blank). In others, worryingly, with some of the world's poorest countries, the EU is pushing for strong provisions covering transparency, market access and the principle of national treatment.

In December 2007, the EU and the Caribbean (CARIFORUM) signed an Economic Partnership Agreement (EPA) which included government procurement. The authors have not seen the final text but the October 2007 draft proposal indicates possible language that might be included in future EPA deals on procurement. It includes (in square brackets) a proposal from the EU “for possible negotiations on market access”.<sup>17</sup> In perhaps an attempt to persuade CARIFORUM to negotiate such issues, the EU proposal allowed for a price preference programme (provided that the preference is only for the part of the tender incorporating goods or services originating in a Signatory CARIFORUM State) and for offsets (provided that any requirement for, or consideration of, the imposition of the offset is clearly stated in the notice of intended procurement and the notice inviting suppliers to apply for participation in procurement covered). But these would be phased out over an undefined period.

Government procurement in the EU–SADC (Southern African Development Community) Economic Partnership Agreement was another where, in June 2007, Europe proposed a text in terms of the EU's offensive interests: “The Parties shall set as their objective the effective, *reciprocal and gradual opening of the government procurement markets*. Each Party shall ensure that the procurement of its entities

17 EC\_CARIFORUM, 2007. Economic partnership agreement between the Cariforum states, of the one part, and the European Community and its member states, of the other part. 1st October 2007.

covered in Annex A takes place in a transparent, reasonable and *non-discriminatory manner, treating any supplier of either Party equally* and ensuring the principle of open and effective competition [Our emphasis].” Eventually, government procurement was not included in the EU–SADC interim deal of November 2007 but parties agreed to negotiate the issue when adequate capacity had been established.

## What are the implications of government procurement on development?

Rich nations have gone to some lengths to highlight what they believe are the potential benefits to developing countries from being a party to a multilateral government procurement agreement. They argue that more open and efficient public procurement practices could contribute towards the sound management of public expenditures. There are indirect links from greater efficiency in the use of public resources and poverty reduction through the delivery of public services in health, education and infrastructure. Transparent procurement practices could also act as a control on corruption and contribute to an improvement in the quality of governance within the public sector.

Yet many developing countries have consistently opposed the inclusion of government procurement in the WTO negotiation agenda (and in other trade talks). This opposition is on the grounds that:

- There are fundamental concerns about the potential damaging effects on the development process. Procurement policies may be part of an industrial policy or an instrument to attain social objectives (for example, support for small and medium-sized enterprises, minority-owned businesses, disadvantaged ethnic groups, or certain geographic regions) through set-asides and preference policies.<sup>18</sup> In addition, a government's ability to procure from firms of its own choice can be an instrument for macroeconomic management.<sup>19</sup> There is the concern that premature or over-rapid opening of government procurement markets will allow large foreign firms to drive out local firms before increasing prices, as happens with predatory dumping. Procurement can account for some ten per cent of GNP (with commensurate implications on local employment), and there are immense implications for national development, local business and job creation/losses.

This has been recognised by Joseph Stiglitz, former chief economist at the World Bank: “Government procurement policies have important economic and social roles in developing countries which would be curtailed if governments were mandated to observe national treatment principles. The level of expenditure and the attempt to direct the expenditure at locally-produced materials is a major macro-economic instrument, especially during recessionary periods, to counter economic downturn ... Additionally, procurement policy might be used to boost domestic industries or encourage development in specific sectors of national interest. Social objectives could also be advanced by preferences for specific groups or communities, especially those that are under-represented in economic standing.”<sup>20</sup>

- Most developing countries are unlikely to gain a significant share of the government procurement market in the developed-country partner's market. Developing countries' competitive advantage may lie in the provision of labour-intensive services, which would require liberalisation of labour flows from developing to developed countries. Where developing countries can compete in the supply of goods, the lack of information on tender invitations and of the expertise required in filing the tenders have so far prevented producers from developing countries from accessing this market.<sup>21</sup> To meet these conditions will often require a commercial presence in the developed country, which is a difficult obligation for firms from developing countries to meet.<sup>22</sup>

18 Stiglitz, J. and A. Charlton, 2005. *Fair Trade for All: How Trade can Promote Development*. Oxford University Press.

19 Stiglitz, J., 2004. *An Agenda for the Development Round of Trade Negotiations in the Aftermath of Cancun*, London: Commonwealth Secretariat, p18

20 In Stiglitz and Charlton, 2005. Op cit.

21 Rege, V., 2001. Transparency in Government Procurement: Issues of Concern and Interest to Developing Countries. *Journal of World Trade* 35(4): 489–515, 2001.

22 Hoekman B. and P. Mavroidis, 1997 (eds). *Policy in Public Purchasing: The WTO Agreement on Government Procurement*, Ann Arbor: University of Michigan Press.

- The scope of the issues is unclear (this is one of the issues 'under discussion' in the WTO's Working Group on Trade and Government Procurement).
- They lack the technical and institutional capacity to comply with international tendering procedures (many ACP countries have argued that, first and foremost, they need to establish national rules on GP and build regional regulatory capacity).
- Many poorer developing countries would simply not benefit. Many of the resources for procurement in these countries are given via international financial institutions, such as the World Bank, provisions for which are similar to the GPA. The GPA would also not apply to tied purchases from donor countries; tied aid is high in many of these countries.<sup>23</sup>
- Developing countries will have some scope to exclude sensitive sectors from coverage under a positive list approach. However, they will undoubtedly come under intense pressure from the EU to include many sectors that are of interest to European companies, as has happened in services negotiations at the WTO.
- There is simply a lack of evidence to support the imposition of government procurement policies within trade agreements. Very few studies have been conducted in this area. One that has been conducted is for the EU-India FTA by the United Nations Conference on Trade and Development (UNCTAD) in India. Their preliminary conclusions suggest that the inclusion of GP in the FTA would result in a "net welfare loss" to India.

### **If the EU agrees to an FTA that only covers transparency in government procurement, might this be more development-friendly?**

In their eagerness to get government procurement into FTAs and to placate any opposition from the third party, the EU might agree to an agreement that covers only transparency. However, this is likely to be viewed by the EU as a means of getting government procurement onto the agenda – and they would insist on negotiations on a fully fledged agreement at a later date. Agreeing to transparency commitments in a trade agreement can provide a strong and credible signal to the private sector and encourage more firms to bid for government contracts. However, countries have to be careful not to agree to commitments on international tendering procedures that they will struggle to implement and could be penalised for under the terms of the agreement.

### **Important information and where to find it**

Global Europe

[http://ec.europa.eu/trade/issues/sectoral/competitiveness/global\\_europe\\_en.htm](http://ec.europa.eu/trade/issues/sectoral/competitiveness/global_europe_en.htm)  
[http://trade.ec.europa.eu/doclib/docs/2007/april/tradoc\\_134507.pdf](http://trade.ec.europa.eu/doclib/docs/2007/april/tradoc_134507.pdf)

Key government procurement texts for EPAs, Mexico, South Africa and Chile

[www.bilaterals.org/rubrique.php3?id\\_rubrique=52](http://www.bilaterals.org/rubrique.php3?id_rubrique=52) (for latest EPA texts)

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/1999/l\\_311/l\\_31119991204en00030297.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/1999/l_311/l_31119991204en00030297.pdf) (South Africa)

[http://trade.ec.europa.eu/doclib/docs/2004/october/tradoc\\_111722.pdf](http://trade.ec.europa.eu/doclib/docs/2004/october/tradoc_111722.pdf) (Mexico)

[http://ec.europa.eu/trade/issues/bilateral/countries/chile/euchlagr\\_en.htm](http://ec.europa.eu/trade/issues/bilateral/countries/chile/euchlagr_en.htm) (Chile)

Draft negotiating mandates on the EU's new FTAs

[www.bilaterals.org/rubrique.php3?id\\_rubrique=52](http://www.bilaterals.org/rubrique.php3?id_rubrique=52)

EU's market access database (which includes government procurement)

[www.madb.europa.eu/madb\\_barriers/barriers\\_select.htm](http://www.madb.europa.eu/madb_barriers/barriers_select.htm)

The WTO's Agreement on Government Procurement

[www.wto.org/english/tratop\\_e/gproc\\_e/gproc\\_e.htm](http://www.wto.org/english/tratop_e/gproc_e/gproc_e.htm)



The EU FTA Manual is a series of eight briefings on the European Union's approach to Free Trade Agreements.

1. Introduction: Tackling EU Free Trade Agreements
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3. The EU's approach to Free Trade Agreements: Market Access for Goods
4. The EU's approach to Free Trade Agreements: Services
5. The EU's approach to Free Trade Agreements: Investment
6. The EU's approach to Free Trade Agreements: Competition
7. The EU's approach to Free Trade Agreements: Government Procurement
8. The EU's approach to Free Trade Agreements: Intellectual Property

We will be updating these briefings as negotiations and understanding progress, and would welcome your feedback.

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