

## **The Internationalization of Government Procurement Regulation**

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The aim of this project is twofold.

First, we want to examine the process of internationalization of procurement regulation, by looking at the main instruments/processes that carry it forward. The aim here is not to undertake a historical analysis of the process of internationalization of procurement policy regimes that has occurred over the last 20 years, but to better understand the drivers of this process. This includes international cooperation in UNCITRAL (where model laws regarding government procurement are being elaborated), the WTO (with its own agreement), as well as preferential trade agreements (PTAs), which on occasion include chapters on this score. The WTO is often the center of attention of international relations and legal research, indeed it occupies an almost monopolistic position in this area, and one innovation of our work is to enlarge the scope of research. When examining UNCITRAL, the WTO and PTAs, we want to delve into the effects of changes in technology and approaches towards public sector governance and accountability, and the role of learning and non-treaty-based forms of international cooperation.

Second, discuss issues that are important for the further development of internationalization of public procurement policies and improving the efficacy and efficiency of procurement processes, in particular collection and reporting of statistics on procurement; sustainable procurement; instruments for the support of SMEs and more generally the pursuit of industrial policy objectives; and enforcement and accountability mechanisms (including alternative dispute resolution instruments). We will pay particular attention to enforcement. The GPA contains a much-celebrated novel enforcement mechanism, the 'challenge procedures'. Evidence on its efficacy has so far been scarce. We would like our authors of case studies in particular, to explore the interplay between the WTO-mandated and national legislation enforcement mechanisms, and provide a comprehensive statement on the state of art in this context.

The examination of these issues/areas will have as a point of reference specific national and regional or bilateral experiences/regulatory frameworks. The country/region focus will introduce a comparative angle, which is important in order to assess the extent of internationalization of government procurement policy. The country- and region (PTA)-specific papers will briefly describe the state of play in terms of procurement policy, the influence/relevance of international norms and frameworks, approaches towards transparency and reporting of statistics, and extant research on the impacts of national/regional procurement policies. A particular focus of the papers will be an assessment of the use of dispute settlement mechanisms and e-procurement systems.

The project will include a conference that will take place at the EUI on December 15-16, 2014. Revised papers will be published in an edited volume by a leading academic press.

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**Note: all authors and discussants to be confirmed**

### The Internationalization of Public Procurement Regulation

- 1.** The Evolving GPA: Lessons of Experience and Prospects for the Future  
Author: Arwel Davies, University of Swansea  
Discussant: Petros C. Mavroidis, EUI
- 2.** PTAs & Procurement Rules: Facilitators, Hindrances or Irrelevant?  
Author: Robert Anderson, WTO  
Discussant: Joseph Francois, WTI/U. Bern
- 3.** UNCITRAL and the Internationalization of Procurement Regulation  
Author: Caroline Nicholas, UNCITRAL  
Discussant: Christiaan Poortman, Chair, CoST & Transparency International

### Country Studies

- 4.** European Union  
Author: Patrick Messerlin, EUI and ECIPE  
Discussant: Damien J. Neven (HEI)
- 5.** United States  
Author: Daniel Gordon, GWU  
Discussant: Lucian Cernat, DG Trade
- 6.** Turkey  
Author: Subidey Togan, Bilkent University  
Discussant: Kadir Akin Gözel, Public Procurement Authority Turkey
- 7.** Israel  
Author: Arie Reich Bar Ilan University  
Discussant: Petros C. Mavroidis, EUI
- 8.** Canada  
Author: Brenda Swick (McCarty Tetrault)  
Discussant: Gary Hufbauer, PIIE
- 9.** Mexico  
Author: Eduardo Perez Motta (Partner, Agon. Economics, Law & Strategy)  
Discussant: Damien J. Neven
- 10.** Brazil  
Authors: Cesar Pereira & Rafael Schwind (Justen, Pereira, Oliveira & Talamini)  
Discussant: Malcolm Bosworth

**11.** Armenia  
Author: Eliza Niewadowska, Principal Counsel Legal Transition Team, EBRD  
Discussant: Patrick Messerlin

**12.** South Africa  
Author: David Lewis (Executive Director, Corruption Watch, South Africa)  
Discussant: Bernard Hoekman

**13.** China  
Author: Fuguo Cao, Central University of Finance and Economics, Beijing  
Discussant: Aris. C. Georgopoulos

**14.** India  
Author: Anirudh Shingal, WTI (Bern)  
Discussant: Lucian Cernat, DG Trade

### **Trade Agreements**

**15.** PTAs concluded by the EU and ongoing negotiations  
Author: Aris C. Georgopoulos, EUI  
Discussant: Marise Cremona (EUI)

**16.** PTAs concluded by the US and ongoing negotiations  
Author: Gary Hufbauer, PIIE  
Discussant: Joseph Francois

**17.** Australia-New Zealand PTAs  
Author: Malcolm Bosworth, WTI  
Discussant: Eduardo Perez Motta

### **Transparency**

**18.** Improving Procurement Transparency  
Author: Bernard Hoekman  
Discussant: Anirudh Shingal