

CONFERENCE

THE INTERNATIONALISATION OF GOVERNMENT PROCUREMENT REGULATION

Scientific Coordinators: **Aris C. Georgopoulos** | Nottingham University
Bernard M. Hoekman | European University Institute
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Conference Room, Villa La Fonte
Via delle Fontanelle, 18 - San Domenico di Fiesole

15-16 December 2014

■ ABSTRACT

The aim of this project is twofold. Firstly to examine the process of internationalisation 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 internationalisation 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, the aim is 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. Secondly, to discuss issues that are important for the further development of internationalisation 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). A particular attention will be paid to enforcement. The GPA contains a much-celebrated novel enforcement mechanism, the 'challenge procedures'. Evidence on its efficacy has so far been scarce. The authors of case studies in particular will 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 internationalisation 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.

■ PROGRAMME

Monday 15 December

08.45-09.00 Welcome Opening
Brigid Laffan

Morning session Chair: **Bernard Hoekman**

09.00-09.25 The Evolving GPA: Lessons of Experience and Prospects for the Future
Arwel Davies

09.25-09.45 Discussant: **Petros C. Mavroidis**

09.45-10.10 PTAs & Procurement Rules: Facilitators, Hindrances or Irrelevant?
Robert Anderson

10.10-10.30 Discussant: **Arie Reich**

10.30-10.45 COFFEE BREAK

10.45-11.10 UNCITRAL and the Internationalisation of Procurement Regulation
Caroline Nicholas

11.10-11.30 Discussant: **Eliza Niewadowska**

Country Studies

11.30-11.55 India
Anirudh Shingal

11.55-12.15 Discussant: **Robert Anderson**

12.15-12.40 United States
Chris Yukins and Steven Schooner

12.40-13.00 Discussant: **Lucian Cernat**

13.00-14.30 LUNCH

Afternoon session Chair: **Aris Georgopoulos**

14.30-14.55 Turkey
Onur Taş and Sübidey Togan

14.55-15.15 Discussant: **Servet Alyanak**

15.15-15.40 Israel
Arie Reich

15.40-16.00 Discussant: **Petros C. Mavroidis**

16.00-16.30 COFFEE BREAK

16.30-16.55 Canada
Brenda Swick

16.55-17.15 Discussant: **Gary Hufbauer**

17.15-17.40	Mexico Eduardo Pérez Motta
17.40-18.00	Discussant: Chris Yukins
18.00-18.40	Panel Nicholas C. Niggl Lucian Cernat Eduardo Pérez-Motta
20.00	DINNER (SPEAKERS ONLY)

Tuesday 16 December

Morning session Chair: **Petros C. Mavroidis**

09.00-09.25	Brazil César Pereira and Rafael Schwind
09.25-09.45	Discussant: Steven Schooner
09.45-10.10	Armenia Eliza Niewadowska
10.10-10.30	Discussant: Patrick Messerlin
10.30-11.00	South Africa David Lewis and Memory Dube
11.00-11.20	Discussant: Bernard M. Hoekman
11.20-11.35	COFFEE BREAK
11.35-12.00	China Fuguo Cao and Zhou Fen
12.00-12.20	Discussant: Aris. C. Georgopoulos
12.20-12.45	European Union Patrick Messerlin
12.45-13.05	Discussant: Gary Hufbauer
13.05-14.30	LUNCH

Trade Agreements

Afternoon session Chair: **Bernard M. Hoekman**

14.30-14.55	PTAs Concluded by the EU and Ongoing Negotiations Aris C. Georgopoulos
14.55-15.15	Discussant: Marise Cremona
15.15-15.40	PTAs Concluded by the US and Ongoing Negotiations Gary Hufbauer
15.40-16.00	Discussant: Eduardo Pérez Motta
16.00-16.30	COFFEE BREAK
16.30-16.55	Australia-New Zealand PTAs Malcolm Bosworth (presented by Bernard M. Hoekman)
16.55-17.15	GPA+ provisions in PTAs and MFN obligations Kamala Dawar
17.15-17.35	Discussant: Luca Rubini

Transparency

17.35-17.55	Improving Procurement Transparency Zornitsa Kutlina-Dimitrova
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■ SPEAKERS

Servet Alyanak	Public Procurement Authority, Turkey
Robert Anderson	WTO, Switzerland
Malcolm Bosworth	World Trade Institute, Switzerland
Fuguo Cao	Central University of Finance and Economics, China
Lucian Cernat	European Commission, DG Trade, Belgium
Marise Cremona	European University Institute, Italy
Arwel Davies	University of Swansea, UK
Kamala Dawar	University of Sussex, UK
Zhou Fen	Central University of Finance and Economics, China
Aris C. Georgopoulos	Nottingham University, UK
Bernard M. Hoekman	European University Institute, Italy
Gary Hufbauer	PIIE, US
Zornitsa Kutlina-Dimitrova	European Commission, DG Trade, Belgium
Brigid Laffan	European University Institute, Italy
David Lewis	Corruption Watch, South Africa
Petros C. Mavroidis	European University Institute, Italy
Patrick Messerlin	ECIPE and EUI, Italy
Caroline Nicholas	UNCITRAL, Austria
Eliza Niewadomska	EBRD, UK
Nicholas C. Niggli	Swiss Embassy, UK
César Pereira	Justen, Pereira, Oliveira and Talamini, Brasil
Eduardo Pérez Motta	Partner, Agon. Economics, Law & Strategy, Mexico
Arie Reich	Bar Ilan University, Israel
Luca Rubini	European University Institute, Italy
Steven Schooner	The George Washington University, US
Rafael Schwind	Justen, Pereira, Oliveira and Talamini, Brasil
Anirudh Shingal	World Trade Institute, Switzerland
Brenda Swick	McCarty Tetrault, Canada
Onur Tas	Tobb University, Turkey
Subidey Togan	Bilkent University, Turkey
Chris Yukins	The George Washington University, US