

EN
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Answer given by Ms Malmström
on behalf of the European Commission
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The European Union and the United States (US) are parties to the Government Procurement Agreement (GPA) within the framework of the World Trade Organization (WTO). While the EU's coverage under the GPA is wide, access to public procurement markets is generally granted under the principle of reciprocity. For this reason, the EU's commitments under the GPA contain numerous targeted reservations that withhold market access with regard to certain countries, unless it is established that reciprocal market access is granted. Many of these reservations concern the US, for instance the exclusions for certain authorities at central level set out in paragraph 2(3) of Annex 1; the broad reservations taken vis-à-vis the US in notes 1 and 2 to Annex 2 for services at sub-central level; as well as in note 6 to Annex 3 of the EU's Appendix I of the GPA (which refers to procurement conducted by utilities in several sectors, e.g. ports, airports, railways, urban transport).

In the context of the Transatlantic Trade and Investment Partnership negotiations, the Commission aimed at improving access to the US procurement market. However, no satisfactory outcome was reached by the time the negotiations were put on hold at the end of 2016.

In order to create a level playing field in international procurement markets, the Commission has called for a swift adoption of its proposal for an international procurement instrument (IPI). A revised proposal was submitted to the European Parliament and the Council in January 2016. The IPI should help increase the EU's leverage in bilateral and multilateral negotiations and ensure better access for EU companies to third countries' markets and to address unfair practices of foreign companies in the EU public procurement market.