Basic information

1998/2089(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Third-country public procurement markets : access to special fields, Utilities direct. 93/38/EEC. 1997 3rd report **Subject** 2.10.02 Public procurement	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	LANGEN Werner (PPE)	13/07/1998

Committee for opinion	Rapporteur for opinion	Appointed
ENER Research, Technological Development and Energy	The committee decided not to give an opinion.	
JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	
TRAN Transport and Tourism	The committee decided not to give an opinion.	

Council of the European Union

Key events

Date	Event	Reference	Summary
23/04/1998	Non-legislative basic document published	COM(1998)0203	Summary
05/10/1998	Committee referral announced in Parliament		
18/03/1999	Vote in committee		Summary
18/03/1999	Committee report tabled for plenary	A4-0144/1999	
13/04/1999	End of procedure in Parliament		
30/07/1999	Final act published in Official Journal		

Technical information	
Procedure reference	1998/2089(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/10025

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0144/1999 OJ C 219 30.07.1999, p. 0006	18/03/1999	
Text adopted by Parliament, single reading		T4-0237/1999 OJ C 219 30.07.1999, p. 0022-0050	13/04/1999	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1998)0203	23/04/1998	Summary

Third-country public procurement markets : access to special fields, Utilities direct. 93/38/EEC. 1997 3rd report

1998/2089(COS) - 13/04/1999 - Text adopted by Parliament, single reading

Withoput debate, the European Parliament adopted the report by Werner Langen (PPE,DE), which welcomes the third Commission report concerning negotiations regarding access to third country public procurement markets in the fields covered by the Utilities directive (93/38/EC). The Parliament proposes that WTO members with observer status such as Argentina, Australia, Bulgaria, Chile, Colombia, Iceland, Panama, Poland and Turkey be involved in the negotiations to a greater extent. It is unhappy that, with respect to individual contracting parties, application of the GPA to date has been very varied, and calls for the harmonisation of threshold levels throughout the GPA area as soon as possible, with a corresponding adjustment of those applied in the EU. The Parliament calls on the Commission to submit in 1999, in addition to the report on the state of negotiations on access to public procurement markets in third countries, reports on actual access by European firms to both third-country and European procurement markets.

Third-country public procurement markets : access to special fields, Utilities direct. 93/38/EEC. 1997 3rd report

1998/2089(COS) - 23/04/1998 - Non-legislative basic document

PURPOSE : presentation of the third report from the Commission concerning negotiations regarding access to third country public procurement markets in the fields covered by Directive 93/38/EEC. CONTENT : this report describes the state of play as of 31.12.1997 regarding access for Community suppliers and service providers to third country markets in the fields covered by Directive 93/38/EEC (water, energy, transport and telecommunications). It focuses on the progress made since 1996 and more particularly since the conclusion of the Agreement on Government Procurement (GPA) concluded within the framework of the WTO. At present, the GPA sets up a major agreement signed during the period under consideration. It aims to regulate, on a world level, the procedures applicable to the signing of public procurement contracts and specifies the national awarding entities who must conform with the rules established in the Agreement. In addition to the description of the implications of the GPA (including

those for the Community) and its implementation, the report concentrates on the following points : - the other agreements concluded : besides the GPA, the Community concluded bilateral agreements in the field of public procurement with Israel, Korea and Switzerland. Other negotiations are still continuing with a view to revising the GPA, to regulate more efficiently the procedures applicable to the award of public contracts and to improve the transparency in public procurement; - the agreements in force as of the 31.12.1997 : in addition to the GPA, other distinct agreements have entered into force, such as the Agreement on the European Economic Area (EEA), bilateral agreements with the Central and Eastern European Countries and sectorial agreements with several third countries in the telecommunications sector (Israel, Korea...). The report also provides information regarding the results of various negotiations started by the Community by sector and by country (or region of the world). In addition, it mentions negotiations concluded by 31.12.1997 but where the agreements have not yet come into force; - information on barriers in the field of public procurement and proposed lines of action: on this point, the Commission signalled that it launched an important initiative in 1996: the Market Access Strategy, which has the objective to identify ostacles and to select priorities for appropriate action . In order to implement this Strategy, the Commission, with the help of the Member States and European trade associations and businesses, began the laborious process of assembling all the information available on barriers affecting European exports. The objective was to establish a comprehensive data base which is constantly up-dated and which should help to identify priorities in market access. The Market Access Database is accessible on-line via the INTERNET at the EUROPA web-site. The report believes that most of the obstacles identified are linked to the discrimination legislation in the third countries (e.g. "Buy American Act") or the lack of appropriate information on procurement (e.g. multiplicity of publications, absence of contact or information points, etc.) or the absenceof appropriate enforcement mechanisms. As regards the dismantling of barriers, the Commission proposes some lines of action. Further negotiations at the multilateral and bilateral levels are envisaged in order to eliminate discriminatory legislation in third countries.