CONTENTS

List of contributors page ix
Foreword by Pascal Lamy xxv
Perspective of the Chairman of the WTO Committee on Government Procurement, Nicholas Niggli (Switzerland) xxix
Preface xxxiii
Disclaimer xxxvi

PART I The WTO regime on government procurement 1

1 The WTO regime on government procurement: past, present and future 3
ROBERT D. ANDERSON AND SUE ARROWSMITH

PART II Expanding the scope of the Agreement on Government Procurement: accession and coverage 59

2 Forging a more global procurement market: issues concerning accessions to the Agreement on Government Procurement 61
ROBERT D. ANDERSON AND KODJO OSEI-LAH

3 Accession to the Agreement on Government Procurement: the case of China 92
PING WANG

4 India's possible accession to the Agreement on Government Procurement: what are the pros and cons? 117
S. CHAKRAVARTHY AND KAMALA DAWAR
5 The benefits for developing countries of accession to the Agreement on Government Procurement: the case of Chinese Taipei 140
CHANG-FA LO

6 The coverage negotiations under the Agreement on Government Procurement: context, mandate, process and prospects 149
ROBERT D. ANDERSON AND KODJO OSEI-LAH

7 Canada's sub-central government entities and the Agreement on Government Procurement: past and present 175
DAVID COLLINS

8 The procurement of state trading enterprises under the WTO Agreements: a proposal for a way forward 197
PING WANG

9 Addressing purchasing arrangements between public sector entities: what can the WTO learn from the EU's experience? 252
PING WANG, ROBERTO CAVALLO PERIN AND DARIO CASALINI

PART in Revision of the procedural rules and other transparency provisions of the Agreement on Government Procurement 283

10 The Revised Agreement on Government Procurement: changes to the procedural rules and other transparency provisions 285
SUE ARROWSMITH

PART IV Developing countries in the WTO procurement regime 337

11 Special and differential treatment and other special measures for developing countries under the Agreement on Government Procurement: the current text and new provisions 339
ANNA CAROLINE MÜLLER

12 Building sustainable capacity in public procurement 377
PETER TREPTE
13 Untying aid through the Agreement on Government Procurement: a means to encourage developing countries' accession to the Agreement and to improve aid effectiveness? 390

ANNAMARIA LA CHIMIA

PART V Economic and social development (horizontal policies) in government procurement 427

14 The national treatment and exceptions provisions of the Agreement on Government Procurement and the pursuit of horizontal policies 429

ARWEL DAVIES

15 The limited case for permitting SME procurement preferences in the Agreement on Government Procurement 444

JOHN LINARELLI

16 Social policies in procurement and the Agreement on Government Procurement: a perspective from South Africa 459

PHOEBE BOLTON AND GEO QUINOT

PART VI Enforcement and remedies 481

17 Constructing a system of challenge procedures to comply with the Agreement on Government Procurement 483

XINGLIN ZHANG

18 Designing effective challenge procedures: the EU’s experience with remedies 511

HANS-JOACHIM PRIESS AND PASCAL FRITON

19 The design and operation of a bid challenge mechanism: the experience of Hong Kong, China 532

HENRY GAO
PART VII  Multilateralism and regionalism 559

20 Government procurement provisions in regional trade agreements: a stepping stone to GPA accession? 561
ROBERT D. ANDERSON, ANNA CAROLINE MÜLLER, KODJO OSEI-LAH, JOSEFITA PARDO DE LEON AND PHILIPPE PELLETIER

21 A case study of regionalism: the EC-CARIFORUM Economic Partnership 657
KAMALA DAWAR AND SIMON EVENETT

PART VIII  Challenges and new directions 679

22 Ensuring integrity and competition in public procurement markets: a dual challenge for good governance 681
ROBERT D. ANDERSON, WILLIAM E. KOVACIC AND ANNA CAROLINE MÜLLER

23 Developing multilateral rules on government procurement: the value of soft law 719
LILI JIANG

24 Work of UNCITRAL on government procurement: purpose, objectives and complementarity with the work of the WTO 746
CAROLINE NICHOLAS

25 Global procurement law in times of crisis: new Buy American policies and options in the WTO legal system 773
JOHN LINARELLI

26 Procurement in times of crisis: lessons from US government procurement in three episodes of 'crisis' in the twenty-first century 803
JOSHUA I. SCHWARTZ

Index 830