

IMPROVEMENT OF ACCESSION PROCEDURES

Communication from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu

The following communication, dated 13 November 2002, has been received from the Permanent Mission of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu with the request that it be circulated to the Committee on Government Procurement.

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1. GPA Parties shall treat the offers provided by acceding countries fairly and reasonably. Where an acceding country prepares its offer as that of any GPA Party, the GPA Parties shall not take advantage of the consultation procedures to object the offer or block the accession procedures.
 2. A GPA Party shall not request any acceding countries to make offers which exceed those of most of the existing GPA Parties.
 3. There shall be a time-limit for interested GPA Parties to follow with respect to submission of their written requests to an offer provided by an acceding country. The written requests should clearly indicate which part of the offer is requested to be improved. After the time-limit, any Party not having done so shall be deemed as waiver of its rights. Moreover, it shall not be permitted by merely indicating in the request that more time is needed for study in case of a lapse of a reasonable period of time.
 4. There shall be a time-limit for interested GPA Parties to follow with respect to conclusion of bilateral consultations. After the time-limit, pending issues of bilateral consultations shall be taken over by plurilateral consultations. GPA Parties shall not take advantage of the plurilateral consultations to raise new issues.
 5. Any pending issues that cannot be resolved during bilateral and plurilateral consultations shall be set aside for further consultations, provided that the issues are related to a specific Party only. The acceding country's offer may be adopted by setting such pending issues aside.
 6. Review of procurement regime and negotiation of appendices may be proceeded simultaneously.
 7. Bilateral consultations may be held either in Geneva or capitals of requesting Parties and acceding countries.
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