

ORGANISATION MONDIALE DU COMMERCE

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Comité des marchés publics

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MODIFICATION DE L'APPENDICE I CONCERNANT LA NORVÈGE

Notification présentée par la Norvège au titre de l'article XXIV:6 a)¹ de l'Accord sur les marchés publics

Le Secrétariat a reçu le 6 décembre 2002 la communication ci-après de la Mission permanente de la Norvège qui lui a demandé de la distribuer aux Parties à l'Accord sur les marchés publics (1994).

Conformément à l'article XXIV:6 a) de l'Accord sur les marchés publics, la Norvège notifie par la présente une modification mineure à apporter aux Notes générales la concernant qui figurent à l'Appendice I de l'Accord sur les marchés publics.

Dans le cadre de la révision de la Convention instituant l'Association européenne de libre-échange, qui est entrée en vigueur le 1^{er} juin 2002, la Suisse est convenue de libéraliser les marchés passés par les autorités et organismes publics du niveau des districts et des communes avec l'Islande, le Liechtenstein et la Norvège. En conséquence, la réserve faite dans les Notes générales concernant la Norvège qui figurent à l'Appendice I de l'Accord pour ce qui est de la Suisse devrait être supprimée.

Comme nous en sommes convenus avec le gouvernement suisse, une communication parallèle sera présentée par la délégation de la Suisse auprès de l'OMC.

La pièce jointe A qui accompagne le présent document contient les modifications qu'il est proposé d'apporter aux Notes générales, sous forme d'un texte souligné/barré, et la pièce jointe B contient les Notes générales révisées après acceptation des modifications proposées.²

¹ L'article XXIV:6 a) dispose ce qui suit: "S'ils sont de pure forme ou mineurs, les rectifications, transferts ou autres modifications prendront effet à la condition qu'aucune objection n'y ait été faite dans un délai de 30 jours. Dans les autres cas, le Président du Comité convoquera le Comité dans les moindres délais. Le Comité examinera la proposition et toute demande d'ajustements compensatoires, afin de préserver l'équilibre des droits et des obligations et de maintenir le champ d'application mutuellement convenu du présent accord à un niveau comparable à son niveau antérieur à la notification. S'il n'est pas possible d'arriver à un accord, la question pourra être traitée ensuite selon les dispositions de l'article XXII."

² Les deux pièces jointes sont en langue originale seulement.

ANNEXE

**MODIFICATION DE L'APPENDICE I DE L'ACCORD SUR LES
MARCHÉS PUBLICS CONCERNANT LA NORVÈGE**

Conformément à l'article XXIV:6 a) de l'Accord sur les marchés publics, la Norvège soumet au Comité des marchés publics la modification mineure suivante à apporter aux Notes générales la concernant qui figurent à l'Appendice I de l'Accord:

Dans la Note générale 2, premier tiret, supprimer le terme "Suisse".

ATTACHMENT A

GENERAL NOTES AND DEROGATIONS FROM THE PROVISIONS OF ARTICLE III

1. Norway will not extend the benefits of this Agreement:

- as regards the award of contracts by entities listed in Annex 2 to the suppliers and service providers of Canada;
- as regards the award of contracts, other than for supplies, listed in Annex 2 to the suppliers and service providers of the USA;
- as regards the award of contracts by entities listed in Annex 3 paragraph
 - (1) (electricity), to the suppliers and service providers of Canada, Singapore and Japan;
 - (2) (urban transport), to the suppliers and service providers of Canada, Israel, Japan, Korea and the USA;
 - (3) (airports), to the suppliers and service providers of Canada, Korea and the USA;
 - (4) (ports), to the suppliers and service providers of Canada;
 - (5) (water), to the suppliers and service providers of Canada and the USA;

until such time as Norway has accepted that the Parties concerned give comparable and effective access for Norwegian undertakings to the relevant markets;

- to service providers of Parties which do not include the relevant service contracts for the relevant entities in Annexes 1 to 3 and the relevant service category under Annexes 4 and 5 in their own coverage.

2. The provisions of Article XX shall not apply to suppliers and service providers of:

- Israel, Japan, and Korea ~~and Switzerland~~ in contesting the award of contracts by entities listed under Annex 2, paragraph 2, until such time as Norway accepts that they have completed coverage of sub-central entities;
- Japan, Korea and the USA in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium-sized enterprises under the relevant provisions in Norway, until such time as Norway accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses;
- Israel, Japan and Korea in contesting the award of contracts by Norwegian entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.

ATTACHMENT B

GENERAL NOTES AND DEROGATIONS FROM THE PROVISIONS OF ARTICLE III

1. Norway will not extend the benefits of this Agreement:

- as regards the award of contracts by entities listed in Annex 2 to the suppliers and service providers of Canada;
- as regards the award of contracts, other than for supplies, listed in Annex 2 to the suppliers and service providers of the USA;
- as regards the award of contracts by entities listed in Annex 3 paragraph
 - (1) (electricity), to the suppliers and service providers of Canada, Singapore and Japan;
 - (2) (urban transport), to the suppliers and service providers of Canada, Israel, Japan, Korea and the USA;
 - (3) (airports), to the suppliers and service providers of Canada, Korea and the USA;
 - (4) (ports), to the suppliers and service providers of Canada;
 - (5) (water), to the suppliers and service providers of Canada and the USA;

until such time as Norway has accepted that the Parties concerned give comparable and effective access for Norwegian undertakings to the relevant markets;

- to service providers of Parties which do not include the relevant service contracts for the relevant entities in Annexes 1 to 3 and the relevant service category under Annexes 4 and 5 in their own coverage.

2. The provisions of Article XX shall not apply to suppliers and service providers of:

- Israel, Japan and Korea in contesting the award of contracts by entities listed under Annex 2, paragraph 2, until such time as Norway accepts that they have completed coverage of sub-central entities;
- Japan, Korea and the USA in contesting the award of contracts to a supplier or service provider of Parties other than those mentioned, which are small or medium-sized enterprises under the relevant provisions in Norway, until such time as Norway accepts that they no longer operate discriminatory measures in favour of certain domestic small and minority businesses;
- Israel, Japan and Korea in contesting the award of contracts by Norwegian entities, whose value is less than the threshold applied for the same category of contracts awarded by these Parties.