COMMITTEE ON GOVERNMENT PROCUREMENT

Meeting of 23 September 1991

Note by the Chairman

1. The Committee considered the United States recourse to Article VII:7 of the Agreement on Government Procurement with regard to procurement of electronic toll collection equipment by the Government of Norway for the city of Trondheim.

2. The delegate from the United States referred to earlier discussions on the same matter in the Committee meeting of 20 June 1991 (GPR/M/40), where he had set out the United States position and sought the good offices of the Committee to find a solution to the dispute. Since then, no conciliation had been possible during the three-month period as provided for in Article VII:7. He therefore requested that a panel be established at this meeting. The United States position had not changed since the 20 June meeting. A summary of the legal and factual basis of the United States complaint was reproduced in document GPR/W/110.

3. The delegate of Norway replied that his country's position, as set out in the meeting of 20 June 1991, remained that his Government's procurement of the toll collection equipment for the city of Trondheim was fully consistent with the provisions of the Agreement. He did however accept the establishment of a panel, pursuant to Article VII:7 of the Agreement.

4. The Committee established the panel and the Chairman proposed terms of reference for consideration by the two parties.

5. Separately, the Chairman informed the Committee that he had received a letter from the delegation of the Republic of Korea requesting accession to the Agreement on Government Procurement and to the negotiations. The text of this letter is reproduced in GPR/W/109. The Committee agreed with his proposal that in the absence of views to the contrary by 7 October 1991, the Republic of Korea would be deemed to have been invited to the next meeting of the Informal Group of Negotiations.

6. In the context of these negotiations, which are planned to be held from 16 through 18 October 1991, he also drew the attention of the members of the Committee to the three negotiating papers which he had distributed a few weeks previously to the participants of the Informal Group on Negotiations.

7. Referring to the Panel which was established during the Committee meeting of 12 July 1991 (GPR/M/41) to examine a complaint by the European Community regarding procurement by the United States National Science Foundation of a Sonar Mapping System, the Chairman informed the meeting that the composition and the terms of reference had been agreed upon and could be found in document GPR/61.

91-1358