

1	ARTICLE XXIV OF THE AGREEMENT ON GOVERNMENT PROCUREMENT	1
1.1	Text of Article XXIV	1
1.2	Article XXIV: 2	4
1.3	Article XXIV: 3	4
1.4	Article XXIV: 5	5
1.5	Article XXIV: 6	5
1.5.1	General	5
1.6	Article XXIV: 7	6
1.6.1	Article XXIV: 7(a): annual review	6
1.6.2	Article XXIV: 7(b): further negotiations	6
1.6.3	Article XXIV: 7(c): elimination of discriminatory measures and practices	7

1 ARTICLE XXIV OF THE AGREEMENT ON GOVERNMENT PROCUREMENT

1.1 Text of Article XXIV

Article XXIV

1.

This Agreement shall enter into force on 1 January 1996 for those governments⁸ whose agreed coverage is contained in Annexes 1 through 5 of Appendix I of this Agreement and which have, by signature, accepted the Agreement on 15 April 1994 or have, by that date, signed the Agreement subject to ratification and subsequently ratified the Agreement before 1 January 1996.

()⁸ For the purpose of this Agreement, the term "government" is deemed to include the competent authorities of the European Communities.

2.

Any government which is a Member of the WTO, or prior to the date of entry into force of the WTO Agreement which is a contracting party to GATT 1947, and which is not a Party to this Agreement may accede to this Agreement on terms to be agreed between that government and the Parties. Accession shall

Agreement, including its Annexes as modified or rectified, which provisions are incorporated herein by reference for that purpose and shall remain in force until 31 December 1996.

()⁹ All provisions of the 1988 Agreement except the Preamble, Article VII and Article IX other than paragraphs 5(a) and (b) and paragraph 10.

- (c) Between Parties to this Agreement which are also Parties to the 1988 Agreement, the rights and obligations of this Agreement shall supersede those under the 1988 Agreement.
- (d) Article XXII shall not enter into force until the date of entry into force of the WTO Agreement. Until such time, the provisions of Article VII of the 1988 Agreement shall apply to consy3sy.6 (l)-6.7 (t)-6a6 (t)-6ituU ttuU2u

The Notes, Appendices and Annexes to this Agreement constitute an integral part thereof.

13.

This Agreement shall be serviced by the WTO Secretariat.

14.

This Agreement shall be deposited with the Director-General of the WTO, who shall promptly furnish to each Party a certified true copy of this Agreement, of each rectification or modification thereto pursuant to paragraph 6 and of each amendment thereto pursuant to paragraph 9, and a notification of each acceptance thereof or accession thereto pursuant to paragraphs 1 and 2 and of each withdrawal therefrom pursuant to paragraph 10 of this Article.

15.

This Agreement shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

at Marrakesh this fifteenth day of April one thousand nine hundred and ninety-four in a single copy, in the English, French and Spanish languages, each text being authentic, except as otherwise specified with respect to the Appendices hereto.

1.2

1.4 Article XXIV:5

5. At its meeting on 4 June 1996, the Committee on Government Procurement adopted the Procedures for the Notification of National Implementing Legislation.⁶

1.5 Article XXIV:6

1.5.1 General

6. In accordance with the procedures established by the Committee on Government Procurement at its meeting of 24 February 1997⁷, p

6.
aitinat es

fentivih(

GPA/MOD/EEC/2. This modification resulted in the extension of coverage under the Agreement on Government Procurement to Bulgaria and Romania. Following the adoption of that decision, the European Communities made a statement clarifying the content of its modifications made in view of its enlargement.¹⁵ The decision became effective on 1 January 2007, on the same date as the enlargement of the European Communities to the two countries listed above.

11. At its meeting of 27 June 2013, the Committee on Government Procurement adopted a Decision Pursuant to Article XXIV:6(a) of the Agreement on Government Procurement¹⁶, approving the modification to the Appendices of the European Union proposed in documents [GPA/MOD/EEC/25](#) and [GPA/MOD/EEC/25/Add.1](#). This modification resulted in the extension of coverage under the GPA to Croatia. The decision became effective on 1 July 2013, on the same date as the enlargement of the European Union to this country.

1.6 Article XXIV:7

1.6.1 Article XXIV:7(a): annual review

12. Pursuant to Article XXIV:7(a), the Committee has reviewed annually the implementation and operation of the Agreement on Government Procurement and has annually informed the WTO General Council of developments during the periods covered by such reviews.¹⁷

1.6.2 Article XXIV:7(b): further negotiations

13. Pursuant to Articles XXIV:7(b) and XXIV:7(c) of the GPA, the parties to the Agreement undertook further negotiations under that Agreement.

14.

Report to the General Council ([GPA/89](#) of 11 December 2006). In particular, it should be noted that the final adoption of the text is subject to a mutually satisfactory outcome to the related negotiations on the coverage of the Agreement.

Article XXII of the revised Agreement (Final Provisions) remains subject to discussion by the negotiators and will be made available at a later date."

16. On 15 December 2011, the Committee on Government Procurement adopted a decision at the Ministerial level on the Outcomes of the Negotiations under Article XXIV:7 of the GPA.²⁰

17. In line with this decision, on 30 March 2012 the Committee on Government Procurement adopted²¹ the Protocol Amending the Agreement on Government Procurement, as contained in document [GPA/W/316](#).²²

1.6.3 Article XXIV:7(c): elimination of discriminatory measures and practices

18. At its meeting of 16 July 2004, the Committee on Government Procurement adopted a Decision on Modalities for the Negotiations on Extension of Coverage and Elimination of Discriminatory Measures and Practices.²³ According to this decision, the Committee as a whole will address the provisions in the draft revised text of the GPA referred to as "market access issues", as well as issues relating to the presentation and structure of the appendices to the Agreement. At the same time, negotiations on the extension of coverage of each party's Appendix I and on the elimination of discriminatory measures and practices in such Appendices will be largely pursued bilaterally but subject to monitoring by the Committee as a whole. On 21 July 2005, the Committee on Government Procurement adopted a further Decision on the subject, extending the deadlines for submission of initial offers and the negotiations in light of the fact that the preparation of initial offers as called for by the Committee's previous Decision required extensive research and internal consultation and, therefore, was taking longer than initially foreseen.²⁴

Current as of: July 2024

²⁰ [GPA/112](#).

²¹ [GPA/M/46](#), para. 7.

²² A numbering error in the French version of the Protocol was rectified on 4 June 2012 ([WT/Let/854](#)). The certified and rectified true copy of the Protocol was circulated in [WT/Let/858](#) on 12 June 2012. The package adopted by the Committee on 30 March 2012 was also reproduced in three separate language versions in [GPA/113](#).

The Chair noted the following "understandings" before gaveling the decision:

"Following deposit of the required instruments of acceptance, the schedules of the Parties, circulated in document [GPA/W/316](#) of 27 March 2012, would need to be reformatted. At that stage, the titles that appeared over each Party's Appendix I offer or Appendix I future commitments in that document would be deleted in favour of a simple reference to the name of the relevant Party. Furthermore, the content of Appendices II-IV, which each Party was required to submit, at the latest, at the time of deposit of its instrument of acceptance, would be filled in. These changes would, in due course, need to be certified by the Director-General. Parties would be kept informed throughout the process." ([GPA/M/46](#), para. 4); and "With regard to the offer of Armenia, the text relating to Armenia's offer that could be found on page 38 of document [GPA/W/316](#) of 27 March 2012 under the heading "Final Appendix I Offer of the Republic of Armenia" would be replaced by the updated offer that had just been circulated, in document GPA/O/RFO/ARM/1 of 30 March 2012." ([GPA/M/46](#), para. 5).

²³ [GPA/M/23](#), paras.