

Ensuring strict reciprocal application of the Government Procurement Agreement and International Procurement Instrument



Manifesto for the EU institutions

Time to Act: for high-quality architecture and living environment for all



ACE key policy priorities for the EU institutions

Promoting high-quality architecture and living environment for all

- Recognising the value of architecture as a key lever for high-quality living spaces
- Embedding the values of the New European Bauhaus in EU legislation
- Developing a proposal for a Planning Services Directive

Advancing the highest standards in education and ensuring the upskilling of professionals

- Aligning with the International Standard of Training (5+2)
- Resolving the problem of mixed qualifications
- Ensuring the up-skilling of professionals

Establishing a SME-friendly regulatory framework

- Ensuring strict reciprocal application of the Government Procurement Agreement and International Procurement Instrument
- Revising the Public Procurement Directive

Favouring architectural and planning solutions in the built environment

- Tackling whole-life impact of the built environment and apply circular economy principles in the construction sector
- Promoting renovation, transformation and re-use of existing buildings over demolition and new builds
- Adapting living spaces to the effect of climate change through architectural and planning solutions

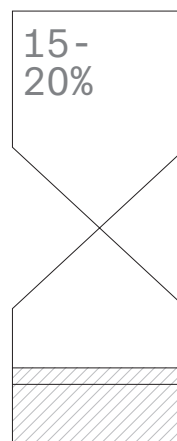
Challenge: How to support the export of architects' services?

Solution: Ensure strict reciprocal application of the Government Procurement Agreement and International Procurement Instrument.

Government Procurement Agreement - GPA

Public Procurement accounts for 15-20% of global GDP; GPA commitments represent around EUR 1.3 trillion in business opportunities worldwide. The EU advocates for open international PP markets and is committed to granting market access to its PP markets for certain goods and services. However, many EU companies experience difficulties accessing non-EU procurement markets. Some trading partners have maintained or introduced protectionist/discriminatory measures which hit EU companies. ACE welcomes action taken by the EU to ensure a level playing field and increase market opportunities for EU companies.

The main international agreement related to public procurement is the World Trade Organisation's (WTO) plurilateral **Agreement on Government Procurement**. The EU is represented in GPA negotiations by the European Commission (DG GROW). A **revised GPA agreement** signed on 30.03.12 provided for further opening up of the PP markets of the signatory parties. It has two elements: rules and obligations, and schedules of entities of each signatory. It indicates market access opportunities that must be open to international tendering and applies to contracts above specified **threshold values**. **22 Parties covering 49 WTO Member Countries are current signatories (EU27 counts as one Party) and a number of others are negotiating accession.**¹



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International Procurement Instrument (IPI)

Contrary to the EU's policy favouring greater openness, many non-EU countries are reluctant to open their PP markets to international competition. The IPI confirms the principle of openness of markets while simultaneously seeking to strengthen the EU's position when negotiating access for EU businesses to the markets of non-EU countries and clarifying the legal situation for foreign participants in the EU market. ACE welcomes the entry into force, on 29.08.22, of the Commission's IPI proposal which supports the aim for a level playing field and the application of GPA commitments on a strictly reciprocal basis. ACE welcomes the fact that the COM may impose measures to restrict access to companies from certain non-EU countries in a proportionate manner to avoid negative consequences for the EU, along with provisions to foster dialogue to remove discrimination and restore balance of opportunity.

¹ [Council Decision on the conclusion of the Protocol Amending the Agreement on Government Procurement Text of the Proposal for a Council Directive on the conclusion of the Protocol amending the GPA](#)

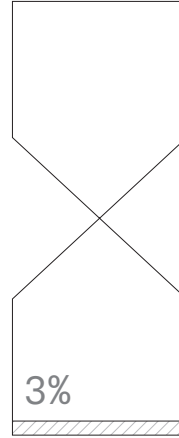
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Finally, ACE welcomes the on-going alignment of candidate countries' legislation to EU PP rules and cooperation with nearby countries as part of the Enlargement & European Neighbourhood Policy , It also welcomes work on bi-lateral trade agreements with third countries to promote PP regulation.



Architects export 3% of their work internationally.

Source: ACE Sector Study.

Notes - although the UK is no longer a EU Member State and therefore not covered by EU Public Procurement law or the EU's accession to the GPA, on 01.01.21 it acceded to the GPA in its own right.

