

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 760 final

Brussels, 23 November 1982

Proposal for a

## COUNCIL DECISION

concerning the extension to the least-developed countries of the agreement on government procurement concluded by the community

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(submitted by the Commission to the Council)

COM(82) 760 final

EXTENSION OF THE BENEFITS OF THE AGREEMENT ON GOVERNMENT PROCUREMENT  
CONCLUDED BY THE COMMUNITY TO THE LEAST-DEVELOPED COUNTRIES

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(Communication of the Commission to the Council)

The European Economic Community concluded the GATT Agreement on Government Procurement by Council Decision of 10 December 1979 concerning the conclusion of the Multilateral Agreements resulting from the 1973 to 1979 trade negotiations.

Article III, paragraph 11 of this Agreement provides for the possibility of granting special treatment to the least-developed countries. This paragraph reads as follows :

" The Parties may also grant the benefits of this Agreement to suppliers  
" in the least-developed countries which are not Parties, with respect to  
" products originating in those countries.

It was the European Economic Community itself which was at the origin of this provision.

It is therefore generally expected that the Community will grant such special treatment to the least-developed countries.

In view of the Ministerial meeting of GATT of November 1982 it has now become urgent to extend in this way the benefit of the Agreement. Moreover the United States has already proceeded along these lines.

When the Advisory Committee for Public Contracts at its meeting on 1 and 2 June 1982 was consulted on the matter and particularly on the date as from when a decision to extend could be applied in the Member States of the Community it suggested September 1982.

The Commission proposes therefore that the Council adopts the attached decision (Annex A).

The political benefits flowing from such a decision would far exceed any inconveniences.

The Community would grant unilaterally and without any condition as to reciprocity the benefits of extending the Agreement which would allow, it need be, the withdrawal of the concessions granted.

The least-developed countries comprise the countries on the UNO concerning the least-developed countries. It would nevertheless appear inadvisable to state the origin of this list so as not to be found by amendments exclusively decided within UNO.

To ensure that the decision is implemented with the maximum of flexibility it will be published in the form of a simple communication in the Official Journal of the European Communities whose text is in Annex B.

Proposal for a  
COUNCIL DECISION

concerning the extension to the least-developed countries of the agreement on government procurement concluded by the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Council has concluded, by Decision 80/271/EEC of 10 December 1979 concerning the conclusion of the Multilateral Agreements resulting from the 1973 to 1979 trade negotiations (1), the GATT Agreement on Government Procurement; Whereas Article III point 11 of the said Agreement makes provision for granting the benefits of the Agreement to suppliers in the least-developed countries which are not contracting parties to the said Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

The benefits of the Agreement on Government Procurement are hereby extended to suppliers in the States listed in the Annex with respect to products originating in those countries.

Done at \*\*\*\*\*  
For the Council  
The President

(1) OJ L 71, 17.3.1980, p.1

AFGHANISTAN  
BANGLADESH  
BENIN  
BHUTAN  
BOTSWANA  
BURUNDI  
CAPE VERDE  
CENTRAL AFRICAN REPUBLIC  
CHAD  
COMORES  
DJIBOUTI  
ETHIOPIA  
GAMBIA  
GUINEA  
GUINEA-BISSAU  
EQUATORIAL GUINEA  
HAITI  
LAOS  
LESOTHO  
MALAWI  
MALDIVES  
MALI  
NEPAL  
NIGER  
RWANDA  
WESTERN SAMOA  
SÃO TOME AND PRINCE  
SEYCHELLES  
SOMALIA  
SUDAN  
TANZANIA  
TONGA  
UGANDA  
UPPER VOLTA  
YEMEN (R.P.D.)  
YEMEN, Arab Republic of

COMMUNICATION OF THE EUROPEAN ECONOMIC COMMUNITY  
CONCERNING THE AGREEMENT ON GOVERNMENT PROCUREMENT  
CONCLUDED IN THE FRAMEWORK OF THE MULTILATERAL  
AGREEMENTS RESULTING FROM THE 1973-1979 TRADE  
NEGOTIATIONS

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By Council Decision 80/271/EEC of 10 December 1979  
the European Economic Community concluded the Agreement on Government  
Procurement. In accordance with its terms of acceptance the Community  
applies the Agreement to the countries listed in Annex I to this communi-  
cation.

The Community extended by decision of ....., the benefits of the  
Agreement on Government Procurement pursuant to Article III, paragraph 11,  
to suppliers in the least-developed countries which are not parties to  
the Agreement and which are listed in Annex II to this communication with  
respect to products originating in those countries.

AUSTRIA  
CANADA  
FINLAND  
HONG-KONG  
JAPAN  
NORWAY  
SINGAPORE  
SWEDEN  
SWITZERLAND  
UNITED STATES

-6-

AFGHANISTAN  
BANGLADESH  
BENIN  
BHUTAN  
BOTSWANA  
BURUNDI  
CAPE VERDE  
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