Introductory bibliography on public procurement regulation within the WTO

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1. Introduction

The following is a short introductory bibliography listing key readings in the English language on public procurement regulation within the WTO, which has been produced by the Asia Inter University Network for Teaching and Research in Public Procurement Regulation. The bibliography is not intended to be comprehensive, but merely introductory. It is not intended to cover the law of individual Member States of the WTO.

Separate bibliographies have also been produced on: i) Regulating public procurement: general issues and regulation under the UNCITRAL Model Law on procurement; ii) EC public procurement law. The Network consortium is in the process of producing a more comprehensive bibliography on these and other subjects in public procurement (including the laws of certain individual countries), which it is hoped will be published later in 2009 and continuously updated.

The list has been compiled based on materials used for teaching modules on public procurement in some of the partner institutions of the Asia Link project. It should be emphasized that the selection of materials for inclusion is in part influenced by the focus of these particular modules and by the availability of materials at the partner institutions.

The bibliography was last updated in April 2009.

2. General books


Cameron May, Business Opportunities and the GPA: a handbook for EU Companies (London: Cameron May 1998)
S. Evenett and B. Hoekman (eds.), *The WTO and Government Procurement* (Northampton: Edward Elgar, 2006) (a collection of previously published papers, many of which are listed separately below)


### 3. Reasons for regulating public procurement in trade agreements/organisations

(Note that this section does not include detailed economic literature but merely literature explaining some of the economic theories that is accessible to “lay” readers)


4. Public procurement under the WTO’s multilateral agreements (including GATT and GATS)

4.1. General


4.2. Application to state enterprises


5. The Government Procurement Agreement

5.1. General articles


A. Brown and C. Pouncey, "Expanding the International Market for Public Procurement: the WTO's Agreement on Government Procurement" (1995) 1 International Trade Law and Regulation 69


P. Low, A. Mattoo and A. Subramaniam, "Government Procurement in Services" (1996) 20 World Competition 1


5.2. Review of the Government Procurement Agreement


S. Arrowsmith, Government Procurement in the WTO (London: Kluwer Law International 2003), ch. 15


5.3. Accession to the Government Procurement Agreement


I. Choi, Long and Winding Road to the Government Procurement Agreement: Korea’s Accession Experience (July 1999); available at www.worldbank.org


V. Srivastava, India’s Accession to the GPA: Identifying Costs and Benefits (1999), available at www.worldbank.org (also available as ch. 10 in A. Mattoo and R. Stern (ed), India and the WTO (Oxford: OUP 2003))


5.4. Coverage of the Government Procurement Agreement


M. Bronckers, “The Position of Privatized Utilities under WTO and EU Procurement Rules” 1996/1 *Legal Issues in European Integration* 145


P. Olivera, “Defining the Scope of Covered Entities under the WTO Agreement on Government Procurement” (1997) 6 *Public Procurement Law Review* 1


5.5. Principles and award procedures under the Government Procurement Agreement


5.6. Remedies and enforcement


A. Davies, “Remedies for Enforcing the WTO Agreement on Government Procurement from the Perspective of the European Community: a Critical Analysis” (1997) 20 *World Competition* 113


5.7. Social and environmental objectives (horizontal objectives) under the Government Procurement Agreement


P. Kunzlik (ed.), The Environmental Performance of Public Procurement (2003); (OECD publication)


5.8. Developing countries in the GPA


V. Srivastava, India’s Accession to the GPA: Identifying Costs and Benefits (1999), available at www.worldbank.org (also available as ch. 10 in A. Mattoo and R. Stern (ed), India and the WTO (Oxford: OUP 2003))

6. An Agreement on Transparency in Government Procurement?


CUTS (Centre for International Trade, Economic & Environment), Unpacking Transparency in Government Procurement (2004), ch. 3 and 4


V. Rege, “Transparency in Government Procurement – Issues of Concern and Interest to Developing Countries” (2001) 35 Journal of World Trade 489

**7. Procurement and competition law in the context of the WTO**
