

Hong Kong objects to US' proposed modification to its commitments under WTO GPA

As one of the 21 Parties to the revised Agreement on Government Procurement of the World Trade Organization (WTO GPA), Hong Kong notified the WTO Committee on Government Procurement (GP Committee) today (January 11) of its objection to the modification proposed by the United States (US) to its commitments under the Agreement.

On November 27, 2020, the US circulated a communication to the GP Committee notifying the Parties the proposed modification to its commitments under the WTO GPA, viz. removing its committed coverage from all central government entities of any goods that the US deemed necessary for responding to threats arising from chemical, biological, radiological, and nuclear threats and public health emergencies, such as medicines and medical devices.

"Hong Kong considers that the US' proposed modification amounts to a withdrawal of its coverage commitment from the WTO GPA and will result in a reduced list of products being subject to the WTO GPA rules, thereby affecting the business opportunities of Hong Kong suppliers to the US government procurement market. Hong Kong is also concerned that it may affect the balance of rights and obligations among Parties under the WTO GPA," a Government spokesman said.

In this regard, a communication from Hong Kong is circulated in accordance with the provisions of the WTO GPA today. The communication raises objection to the US' withdrawal of its coverage commitment, and requests the US to provide more comprehensive information to facilitate assessment by Parties to the WTO GPA of the likely consequences of the modification. Hong Kong further reserves its right to take necessary steps to ensure that the balance of rights and obligations under the WTO GPA is maintained.