

Steering Committee, November 16, 2015

Activity reports by co-leaders

NAME OF TWG or CoP	Compensatory measures in international public procurements contracts
<p><b>MEMBER ORGANIZATIONS</b></p>	<ul style="list-style-type: none"> <li>• BOHLI Lotfi- ECCO, Sorbonne University (FRANCE)</li> <li>• CHARVERIAT Gilles – ECCO, Sorbonne University (FRANCE)</li> <li>• DAGNAUD Chantal – ECCO, INSTITUTIONS &amp; STRATEGIES FIRM ( France)</li> <li>• EL HARRACK Mehdi– ECCO, AREVA (France)</li> <li>• FRANK Melanie – The Global trade Group (USA)</li> <li>• GARCZYNSKI John– ECCO, AREVA ( FRANCE)</li> <li>• METZGER Robert S – Rogers Joseph O’Donnell (USA)</li> <li>• NOUBISSI Hilaire, Phd – ECCO, PAIVA LAW FIRM (FRANCE &amp; BRESIL)</li> <li>• PAIVA Domingos, Phd- ECCO, PAIVA LAW FIRM (FRANCE &amp; BRESIL)</li> <li>• PLATZGUMMER Peter – IPW-HSG/ Centre for Security Economics and Technology (SWITZERLAND)</li> <li>• SIGAL Philippe – OECD (FRANCE)</li> <li>• SYLVAIN Christian - ECCO, AREVA (FRANCE)</li> <li>• TAGUCHI Jean Isamu – NAGOYA UNIVERSITY (JAPAN)</li> </ul>

### **Outputs for 2015**

A stand alone community of practice dedicated to the compensatory measures in international government procurement contracts has been created on the 29<sup>th</sup> October 2013 in the framework of the GFLJD (Global forum on Law, Justice and Development).

The purpose of the Community of Practice on offsets issues is to develop fruitful and constructive dialogue between the different methodological trends.

The project analysis was based on a pluralistic methodology, allowing for several different research approaches in the following countries, which have an offset program:

- Australia
- Brazil
- Canada
- India
- Kuwait
- Peru
- Russia
- South Africa
- Turkey
- United Arab Emirates

And on different levels of information as following:

- Level 0: Economical data
- Level 1: international institutions & public procurement measures
- Level 2: regional/multi/bilateral agreements on government procurement signed with other countries
- Level 3: national legislation on government procurement: no leader.
- Level 4: offsets rules at national level
- Level 5: comparative offsets requirements
- Level 6: offsets and corruption
- Level 7: cultural, regional and political organization
- Level 8: Uncitral comparison

### **Progress report on 2015**

The Cop has held three (3) working sessions:

- Meeting #6 (January 29, 2015): follow up on added research into international government procurement and offset practices (economical data, offsets requirement details, offsets and corruption, cultural, regional and political organization, UNICTRAL comparison for each country – Australia, Brazil, Canada, Kuwait, India, Peru, Russia, Turkey, South Africa, UAE

- Meeting #7 (May 19, 2015): finalization of cross analysis on research into international government procurement and offset practices (economical data, offsets requirement details, offsets and corruption, cultural, regional and political organization UNICTRAL comparison for each country – Australia, Brazil, Canada, Kuwait, India, Peru, Russia, Turkey, South Africa, UAE
- Meeting #8 (September 23, 2015): presentation of the Book on the cross analysis research. Discussion on the elaboration of an UNICTRAL law table of content

**Next Steps**

Based on the result of the first stage, the CoP will prepare a word document to summary all the researches. Then we will draft a proposal of model law dedicated to the offset.

Next working session is scheduled on 10<sup>th</sup> December 2015.