

IADB-INTAL Workshop on GPA accession for Brazilian
Sub-central Government Officials
18-21 May 2021

Some Key Take-aways from Day 2

(A very informal summary by the Workshop Chairman, Prof. Robert Anderson)

- 1) The morning began with a brief video on the implications of Brazil's accession to the WTO Agreement on Government (GPA) prepared by Mr Murilo Lubambo, Specialist in Public Policy and Government Management from the Foreign Trade Secretariat (SECEX), Ministry of Economy, Brazil. The video covered many important points in a short period, including the expected usefulness of GPA accession in deterring corrupt practices and supplier collusion -- and thereby in generating best value for money in Brazil's public procurements at both the central and sub-central government levels.
- 2) Mr Renato Fenili, Deputy Secretary of Management, then made a substantial presentation covering the expected benefits of Brazil's GPA accession, preparations under way and next steps in the process. The usefulness and relevance of investments that have already been made by Brazil in appropriate electronic tools (particularly Comprasnet) to Brazil's GPA accession was evident. Important efforts have also been made to ensure the consistency of Brazil's procurement legislation with the GPA. Mr Fenili separately made the important point that, even following Brazil's GPA accession, many procurements made by sub-central government entities will be below the thresholds applicable in Brazil's market access offer, and therefore, exempt from the GPA's rules and requirements.
- 3) Professor Steven Schooner then made his own presentation on the topic of "Participation of Subnational Entities in the GPA: Challenges and Opportunities." Among many other relevant points, he stressed that:
 - Electronic tools, while a key enabler of transparency and efficiency in procurement processes, also have their limitations and are not a substitute for human judgement; and
 - Even with the prospect of GPA accession, procurement officials in all countries are increasingly confronted with complex trade-offs relating to the balancing of social goals. This will gain importance with the increasing focus on sustainability issues.In this context, ongoing investments in human resources development and effective change management in procurement systems are of paramount importance.
- 4) In my own presentation, I first highlighted some of the GPA's key provisions with respect to transparency and procedural fairness. I then called attention to various ways in which the GPA – consciously and deliberately – imposes lesser burdens and constraints on sub-central government procuring authorities than on central government authorities. These include: (i) textual provisions; (ii) differing approaches to entity coverage in the GPA

schedules; and (iii) (probably most important and as also stressed by Mr Fenili) the applicable thresholds, which generally are significantly higher for sub-central authorities as compared to central governments. I showed the participants how they can easily search for relevant information themselves, using the WTO Secretariat's e-GPA tool.

- 5) As a last element of the morning's work, participants viewed a longer version of the above-noted video prepared by Mr Lubambo. Recounting various expected benefits, he invited mayors and other participating officials of Brazilian sub-central authorities to reach out to the Ministry of the Economy to show their interest in participation. Indeed, in my view, Brazil's central government negotiating authorities are doing an admirable job of reaching out to local authorities in regard to the accession process. They are warmly encouraged to take advantage of this opportunity.