



Joint Minutes of the Sixth Meeting of the Committee on Government Procurement under the Agreement between the European Union and Japan for an Economic Partnership

Brussels and Tokyo (by videoconference), 12 March 2025

The sixth meeting of the Committee on Government Procurement under the Agreement between the European Union (EU) and Japan for an Economic Partnership (EPA) took place on 12 March 2025, by videoconference.

From the Japanese side participants from the Ministry of Foreign Affairs (MOFA), the Ministry of Economy, Trade and Industry (METI), the Ministry of Finance, the Ministry of Land, Infrastructure, Transport and Tourism (MLIT), and the Mission of Japan to the EU were present, whereas from the EU side participants from the Directorate-General for Trade (DG TRADE) and the EU Delegation to Japan were present.

The attached meeting agenda was adopted.

As a follow-up to the fifth meeting of the Committee on Government Procurement, the EU side reiterated its request to improve the JETRO website, to publish tenders covered by the EPA and their English summaries at the same time as their original publication. The Japanese side explained its efforts to address the concerns of the EU side, including further promoting the understanding of procuring entities and improving actual operational process, while pointing to restraints due to the legal framework regarding the relations between the national and local entities. Both sides concurred working at technical level, also to explore best practice of UN agencies in automated global procurement data collection including different administrative levels of procuring entities.

Both sides exchanged on recent developments in the field of government procurement. The EU side presented (1) the ‘Kolin’ CJEU case-law ¹, (2) the new “Procurement for Buyers” tool ² and (3) the recent report on the procurement of

¹ Judgment - 22/10/2024 - Kolin İnşaat Turizm Sanayi ve Ticaret, Case C-652/22
<https://curia.europa.eu/juris/document/document.jsf?jsessionid=619B5E0D93D83C14BC3CFDF1B225B52E?text=&docid=291384&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=15511667>

² <https://webgate.ec.europa.eu/procurementbuyers/#/procurementlocation>

medical devices in China under the International Public Procurement Instrument (IPI) ³.

In response to the request from the EU side, the Japanese side explained a new Cabinet Order ⁴ shortening the publication time of public tenders to bring the Japanese rules in line with the rules under the GPA. The EU side recalled that, in order to avoid discriminatory effects on EU bidders, it would be important to calculate the shortened deadlines from the moment of publication on the JETRO website rather than on Japanese local media. The Japanese side responded that it would consider incorporating elements reflecting the concern pointed out by the EU side in its communication with the relevant entities.

Regarding railway procurement, both sides discussed whether certain services in a particular case should be defined as maintenance or as repair. They also discussed whether services in question in another case should be covered under CPC 886 ('Repair services incidental to metal products, machinery and equipment'), or under CPC 51310 (construction works). Both sides concurred to further discuss at technical level.

Both sides presented their recent statistical data on government procurement. In the EU, the participation of foreign, including Japanese bidders, remains low, especially for partial contracts/individual lots. In Japan, the participation of EU bidders in public tenders is rising. While the EU's data covers only cross-border procurement, Japan's data do not distinguish cross-border procurement and contracts won by local subsidiaries. Both sides reaffirmed to continue the exchange of available and comparable statistical data to enhance comparability.

³ Report from the Commission pursuant to Article 5(4) of Regulation (EU) 2022/1031 on the investigation under the International Procurement Instrument concerning measures and practices of the People's Republic of China in the public procurement market for medical devices, COM (2025) 5 and Commission Staff Working Document Factual findings of the IPI investigation on the procurement market for medical devices in the People's Republic of China accompanying the document Report from the Commission pursuant to Article 5(4) of Regulation (EU) 2022/1031 on the investigation under the International Procurement Instrument concerning measures and practices of the People's Republic of China in the public procurement market for medical devices, SWD (2025) 2.

⁴ The Cabinet Order Stipulating Special Procedure for Government Procurement of Products or Specified Services (Cabinet Order No.300, 1980): <https://laws.e-gov.go.jp/law/355CO0000000300>



EU-Japan EPA

Sixth Meeting of the Committee on Government Procurement under the Agreement between the European Union and Japan for an Economic Partnership

12th March 2025, 9:00h Brussels time/17:00 Tokyo time

(Video Conference)

Agenda

- 1. Opening Statements**
- 2. Adoption of the Agenda**
- 3. Single Point of Access**
- 4. Recent developments in the EU**
- 5. Recent developments in Japan**
- 6. Railway Procurement**
- 7. Exchange of statistics**
- 8. Any Other Business**
- 9. Closing Remarks**