

# WORLD TRADE ORGANIZATION

RESTRICTED

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**Negotiating Group on Maritime Transport Services**

Original: English

## COMMUNICATION FROM TURKEY

### Conditional Offer on Maritime Transport Services

The following communication is circulated at the request of Turkey to the Members of the Negotiating Group on Maritime Transport Services.

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Attached is an improved draft offer by Turkey for an aggregated package. This new draft offer, which fully covers all three pillars and multimodal transport services, is conditional upon a matching offer being tabled by the other major partners. Turkey reserves the right to withdraw, modify or reduce its offer, in whole or in part. Turkey further reserves the right to make technical amendments and corrections to the offer.



## TURKEY - CONDITIONAL OFFER ON MARITIME TRANSPORT SERVICES

| Modes of supply:                       |  | 1) Cross-border supply  | 2) Consumption abroad | 3) Commercial presence   | 4) Presence of natural persons   |
|--|--|---|-----------------------|--|--|
| Sector or sub-sector                   |  | Limitations on market access  |                       | Limitations on national treatment  | Additional commitments   |
| 11. TRANSPORT SERVICES                 |  |   |                       |  |  |
| A. <u>Maritime Transport services</u>  |  |   |                       |  |  |
| a) Passenger transportation (CPC 7211) |  | 1) None except cabotage<br>2) None<br>3) <sup>1</sup> In order to fly the Turkish flag, the shipping companies must have the majority of 51% Turkish shareholders<br>4) Up to 40% of officers of ships which are engaged in international seaborne transportation might be foreign officers |                       | (1) None<br>(2) None<br>(3) None<br>(4) Turkish nationality is required for the first mates and masters of ships | The following services are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:<br>1. pilotage;<br>2. towing and tug;<br>3. provisioning, fuelling<br>watering; |

1 All Turkish ships shall fly the Turkish flag. A ship shall be regarded as Turkish only if its owner (or owners) is/are Turkish. However, the following ships shall also be considered as Turkish: (i) Ships which belong to legal persons such as bodies, institutions, associations and foundations set up on accordance with Turkish Law, the majority of whose Board of Directors are of Turkish nationality. (ii) Ships which belong to the trading companies the majority of whose managerial staff and representatives are of Turkish nationality and are registered on the Turkish Trade Register

**TURKEY** (continued)

| Modes of supply:                 |  |                              |  |  |  |                             |  |
|----------------------------------|--|------------------------------|--|--|--|-----------------------------|--|
| 1)                               |  | 2)                           |  | 3)   |  | 4)                          |  |
| Cross-border supply              |  | Consumption abroad           |  | Commercial presence  |  | Presence of natural persons |  |
| Sector or sub-sector             |  | Limitations on market access |  | Limitations on national treatment  |  | Additional commitments      |  |
| b) Freight Transportation (7212) |  | (1) None except cabotage     |  | 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**TURKEY** (continued)

| Modes of supply:                      |  |  |   |  |
|---------------------------------------|--|--|---|--|
| 1) Cross-border supply                | 2) Consumption abroad  | 3) Commercial presence   | 4) Presence of natural persons  |  |
| Sector or sub-sector                  | Limitations on market access   | Limitations on national treatment  | Additional commitments  |  |
| c) Rental of vessels with crew (7213) | (2) None   | (2) None   | <u>Multimodal Transport:</u><br>Where road, coastal shipping and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent, hire or charter trucks and related equipment for the purposes of inland forwarding of international cargoes carried by sea, or have access to and use of such multimodal activities for the purpose of providing multimodal transport services. |  |
|                                       | 3)* In order to fly the Turkish flag, the shipping companies must have the majority of 51% Turkish shareholders        | (3) None   |   |  |
|                                       | 4) Up to 40% of officers of ships which are engaged in international seaborne transportation might be foreign officers | (4) Turkish nationality is required for the first mates and masters of ships                           |   |  |
|                                       | (1) None   | (1) Vessels rented by foreigners do not operate inside the Turkish coastal waters                      |   |  |
|                                       | (2) None   | (2) Vessels rented by Turkish nationals are considered as foreign vessels do not fly the Turkish flag. |   |  |
|                                       | (3) None   | (3) None   |   |  |
|                                       | (4) None   | (4) None   |   |  |

\* All Turkish ships shall fly the Turkish flag. A ship shall be regarded as Turkish only if its owner (or owners) is/are Turkish. However, the following ships shall also be considered as Turkish: i) Ships which belong to legal persons such as bodies, institutions, associations and foundations set up in accordance with Turkish Law, the majority of whose Board of Directors are of Turkish nationality. ii) Ships which belong to the trading companies the majority of whose managerial staff and representatives are of Turkish nationality and are registered on the Turkish Trade Register.

**TURKEY** (continued)

| Modes of supply:                            |  | 1) Cross-border supply   | 2) Consumption abroad | 3) Commercial presence            | 4) Presence of natural persons |
|---|--|--|-----------------------|-----------------------------------|--------------------------------|
| Sector or sub-sector                        |  | Limitations on market access   |                       | Limitations on national treatment | Additional commitments         |
| d) Maintenance and repair of vessels (8868) |  | (1) None   |                       | (1) None                          |                                |
|   |  | (2) None   |                       | (2) None                          |                                |
|   |  | (3) None   |                       | (3) None                          |                                |
|   |  | (4) None   |                       | (4) None                          |                                |
| <b>MARITIME AUXILIARY SERVICES</b>          |  |  |                       |                                   |                                |
| Maritime Agency Services                    |  | (1) Unbound  |                       | (1) None                          |                                |
|   |  | (2) None   |                       | (2) None                          |                                |
|   |  | (3) Only the agencies established in Turkey can provide these services |                       | (3) None                          |                                |
|   |  | (4) None   |                       | (4) None                          |                                |

**TURKEY** (continued)

| Modes of supply:                     |  |                                   |                                |  |
|--------------------------------------|--|-----------------------------------|--------------------------------|--|
| 1) Cross-border supply               | 2) Consumption abroad  | 3) Commercial presence            | 4) Presence of natural persons |  |
| Sector or sub-sector                 | Limitations on market access   | Limitations on national treatment | Additional commitments         |  |
| Maritime Freight Forwarding Services | (1) Unbound  | (1) None                          |                                |  |
|                                      | (2) None   | (2) None                          |                                |  |
|                                      | (3) Only the agencies established in Turkey can provide these services | (3) None                          |                                |  |
|                                      | (4) None   | (4) None                          |                                |  |
| Customs Clearance Services           | (1) Unbound*   | (1) Unbound*                      |                                |  |
|                                      | (2) None   | (2) None                          |                                |  |
|                                      | (3) Only the agencies established in Turkey can provide these services | (3) None                          |                                |  |
|                                      | (4) None   | (4) None                          |                                |  |

\* Unbound due to lack of technical feasibility.