GENERAL AGREEMENT ON TARIFFS AND TRADE

AGREEMENT CREATING AN ASSOCIATION BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND TURKEY
(L/2155/Add.1)

Questions Posed by Contracting Parties to GATT

Revision

Question 1: Do the contracting parties to the Agreement consider that the Agreement is consistent with the provisions of Article XXIV of GATT? Do they consider that Articles 1 to 8 of the Agreement and Article 1 of the Provisional Protocol meet the requirements of paragraph 5(c) of Article XXIV? - and, if so, how are these requirements met?

ARTICLE 3

Question 2: What positive measures, in addition to those provided for in the Agreement, do the member States of the Community propose to take, pursuant to Article 3, to assist the economy of Turkey to reach as quickly as possible a level of economic development which would enable Turkey to adopt a specific plan and schedule leading to a full customs union?

ARTICLE 4

Question 3: How will the customs union be brought about? Will there be any possibilities for GATT contracting parties to renegotiate earlier Turkish GATT concessions affected by the formation of a customs union? Who will act as negotiator?

ARTICLE 5

Question 4: Can any example be given of how the co-ordination of economic policies and the strengthening thereof will be brought about; is it possible to estimate when such co-ordination will be achieved?

ARTICLE 8

Question 5: In what fields could "safeguard clauses" be necessary, and on what bases would these be formulated?
ARTICLE 9

Question 6: In what cases can it be envisaged that "special provisions" according to Article 8 will be formulated to produce a restrictive effect on trade in a discriminatory way?

ARTICLE 10

Question 7: Does "trade in goods generally" mean the same thing as "substantially all the trade" according to GATT Article XXIV?

Question 8: Does the Agreement affect the intentions of the Government of Turkey regarding quantitative restrictions on imports from member States of the Community and from other contracting parties to GATT?

Question 9: Does the stipulation that Turkey shall adopt the common tariff of the Community mean that this common tariff will be modified having regard to the former level of tariffs in Turkey? If not, how are the requirements of GATT Article XXIV:5(a) to be met?

Question 10: What are the "other regulations applied by the Community" referred to in paragraph 2?

ARTICLE 11

Question 11: What is meant by "special modalities"?

ARTICLE 26

Question 12: How large a portion of the trade between Turkey and the EEC comprises goods covered by the agreement establishing the European Coal and Steel Community? Will there be a special agreement with the above-mentioned Community?

ARTICLE 28

Question 13: Does this mean that Turkey is to lodge a formal application for membership in EEC when the moment for such a step is considered to be suitable? Is it possible to estimate when full membership for Turkey in EEC will be obtained?
PROTOCOL NO. 1

Provisional Protocol

ARTICLE 1

Question 14: What criteria will be applicable in determining whether the economic situation of Turkey makes it possible to draw up the additional protocol?

Question 15: Would the provisions of Article 1 (or of any other relevant Article) permit prolongation of the preparatory stage beyond eleven years?

Question 16: Do the provisions of Article 1 and, more generally, the provisions of the Association Agreement exclude the invocation of paragraph 10 of Article XXIV of GATT?

ARTICLE 2

Question 17: Article 2 provides for annual tariff quotas for imports into the member States of certain products from Turkey. How do the contracting parties to the Agreement propose to reconcile this preferential treatment with the provisions of GATT?

ARTICLE 4

Question 18: Will the member States of the Community promptly inform the CONTRACTING PARTIES to GATT of any decision under Article 4 to increase the tariff quotas provided for in Article 2? May it be assumed that the member States, in deciding upon any such increase, will take into account the interests, existing and potential, of other contracting parties to GATT which export these products, and that they will take steps to mitigate the trade impact of tariff quotas on other suppliers? Are tariff quotas for any other products contemplated?

ARTICLE 6

Question 19: Do the "measures" envisaged include preferential tariff quotas or other treatment contrary to the most-favoured-nation principles of GATT? Would the CONTRACTING PARTIES to GATT be afforded an opportunity to examine any proposals to introduce such measures?
ARTICLE 7

Question 20: Can examples be given of the type of measures envisaged? Would the member States take steps to protect the interests of other suppliers of these products?

PROTOCOL NO. 2

Financial Protocol

ARTICLE 4

Question 21: Is it possible to foresee how large a portion of the 175 million dollars mentioned in Article 2 will be allocated to projects in accordance with paragraph 2 of Article 4?

ARTICLE 5

Question 22: Does this mean that physical and juridical persons outside EEC and Turkey will be excluded from participating in tenders?