Turkey - Establishment of a New Schedule XXXVII

Communication from Turkey

The following communication dated 20 October 1988 has been received from the Permanent Mission of Turkey with the request that it be circulated to the contracting parties and considered by the CONTRACTING PARTIES at their forty-fourth session.

The Government of Turkey has decided to implement the Harmonized System on 1 January 1989 by taking into account the decision of the Customs Co-operation Council that the CCCN be replaced by the Harmonized Commodity Description and Coding System (Harmonized System).

The Government of Turkey is engaged in a major exercise for the conversion of its tariff; it might therefore be necessary to enter into consultations and negotiations with any interested contracting parties under Article XXVIII of the General Agreement. The Government of Turkey is in the final stage of completing the documentation for the transposition of the Customs Tariff from the CCCN to the Harmonized System. As soon as the documentation is completed, it will be circulated to the contracting parties. In view of the time constraint, it will not be possible for Turkey to complete consultations with the interested parties before the scheduled date of implementation.

In order to enable Turkey to implement the Harmonized System on 1 January 1989, Turkey therefore requests a temporary exemption from its obligations under Article II of the General Agreement until 31 December 1989.

To facilitate consideration of this matter, the text of a draft decision is annexed.
ANNEX

TURKEY - ESTABLISHMENT OF A NEW SCHEDULE XXXVII

Draft Decision

Considering that the Government of Turkey has notified the CONTRACTING PARTIES that it was in the final stage of completing the documentation for the transposition of the Customs Tariff from the CCCN to the Harmonized Commodity Description and Coding System (Harmonized System) and that the Government of Turkey has decided to implement the Harmonized System on 1 January 1989;

Noting that the relevant Harmonized System documentation required for the negotiations and consultations under Article XXVIII will be submitted to the secretariat for distribution to contracting parties as soon as possible;

Recognizing that in view of the time constraint, it will not be possible for the Government of Turkey to complete the negotiations and consultations under the procedures of Article XXVIII of the General Agreement before the scheduled date of implementation;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 of the General Agreement,

Decide, in view of the exceptional circumstances, to suspend the application of the provisions of Article II of the General Agreement to enable the Government of Turkey to implement on 1 January 1989, the Harmonized Commodity Description and Coding System, subject to the following conditions:

1. The Government of Turkey will promptly enter into negotiations and consultations with interested contracting parties pursuant to paragraphs 1-3 of Article XXVIII;

2. The negotiations and consultations mentioned above shall be completed not later than 31 December 1989;

3. Pending the entry into force of the results of the negotiations or consultations mentioned above, the other contracting parties will be free to suspend concessions initially negotiated with Turkey to the extent that they consider that adequate compensation is not offered by the Government of Turkey.