

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/2257

26 August 1964

Limited Distribution

TURKEY - RENEGOTIATION OF SCHEDULE XXXVII

Decision of 22 August 1964¹

Considering that the Government of Turkey has carried out an extensive revision of its customs tariff to serve the objectives of its long-term Development Plan;

Considering that the Government of Turkey would be prevented by the obligations it has incurred in Schedule XXXVII from implementing this revision in respect of the products listed in that Schedule;

Considering that any prior negotiations of items bound in Schedule XXXVII would involve delays which, in the view of the Turkish Government, would seriously handicap the efforts being made under the Development Plan;

Considering further that the Turkish Government is prepared, at the same time as putting into effect any increase in duties bound in Schedule XXXVII, to apply, pending the outcome of the necessary negotiations under Article XXVIII, the concessions which it offers as compensation for the increases;

Noting that the Government of Turkey considers that for constitutional reasons the tariff changes must be put into effect before the negotiations can be opened;

Noting further the assurances of the Turkish Government that the tariff adjustments contemplated will not alter substantially the general level of reciprocal and mutually advantageous concessions contained in Schedule XXXVII;

The CONTRACTING PARTIES acting pursuant to the provisions of Article XXV:5 of the General Agreement and in accordance with the procedure adopted by them on 1 November 1956;

¹This Decision has been adopted by thirty-six votes in favour and none against.

Decide, in view of these exceptional circumstances, to suspend the application of the provisions of Article II of the General Agreement to the extent necessary to enable the Government of Turkey to modify concessions contained in Schedule XXXVII subject to the following conditions:

1. Concurrently with the application of the new rates of duty on items which are the subject of concessions in Schedule XXXVII, the Turkish Government will apply rates of duty offered in accordance with Article XXVIII as compensation for the concessions modified or withdrawn;
2. At the same time the Turkish Government will notify to the CONTRACTING PARTIES the list of the concessions it has modified or withdrawn and the list of the new duties it has applied and is provisionally offering as compensation for such modifications or withdrawals;
3. The Turkish Government will promptly thereafter enter into negotiations or consultations with interested contracting parties following the procedures contained in paragraphs 1 to 3 of Article XXVIII with a view to reaching a satisfactory adjustment consistent with the requirements of paragraph 2 of Article XXVIII;
4. Pending the entry into force of the results of such negotiations, 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 at that time provided by the Turkish Government (subject to the right of any third contracting party having a principal supplying interest or a substantial interest therein to withdraw substantially equivalent concessions initially negotiated with such other contracting parties);
5. Except as may be otherwise provided in this Decision, the negotiations and consultations shall be conducted in conformity with the relevant procedures of Article XXVIII;
6. No action by the Turkish Government to modify duties under the terms of this Decision shall be taken after 31 October 1964; the negotiations shall be terminated by 31 October 1965.