

**Trade Policy Review Body**  
**17 and 19 December 2003**

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## **TRADE POLICY REVIEW**

Turkey

Minutes of Meeting

Addendum

*Chairperson: H.E. Ms Mary Whelan (Ireland)*

This document contains the advance written questions, and replies provided by Turkey.<sup>1</sup>

**Organe d'examen des politiques commerciales**  
**17 et 19 décembre 2003**

## **EXAMEN DES POLITIQUES COMMERCIALES**

Turquie

Compte-rendu de la réunion

Addendum

*Présidente: S.E. Mme Mary Whelan (Irlande)*

Le présent document contient les questions écrites communiquées à l'avance et les réponses fournies par la Turquie.<sup>1</sup>

**Órgano de Examen de las Políticas Comerciales**  
**17 y 19 de diciembre de 2003**

## **EXAMEN DE LAS POLÍTICAS COMERCIALES**

Turquía

Acta de la reunión

Addendum

*Presidente: Excma. Sra. Mary Whelan (Irlanda)*

En el presente documento figuran las preguntas presentadas anticipadamente por escrito, junto con las respuestas facilitadas por Turquía.<sup>1</sup>

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<sup>1</sup> In English only./En anglais seulement./En inglés solamente.



## **ANSWERS TO QUESTIONS FROM INDIA WITHIN THE CONTEXT OF THE TPR OF TURKEY**

### **Question No.1**

Turkey was expected to align itself with the EU GSP as of 1-1-2001 but this has now been postponed to November, 2004. Whether the Government of Turkey would kindly indicate the reason for this delay and an assessment as to whether the obligation would be complied with by November, 2004.

### **Answer:**

In accordance with Article 16 of the Association Council Decision No. 1/95 setting out the rules and procedures of the Customs Union between Turkey and the EC, Turkey commenced to introduce the EC GSP from 1 January 2002 onwards.

1. The preferences, granted in this regime are classified basing upon the sensitivity of the products as "sensitive" and "non-sensitive" similar to the EC's current regime and the same rate of duties are charged accordingly.

All the countries covered by the EC GSP are accorded preferential treatment. And, 2884 12-digit tariff lines are included within the scope of the current GSP scheme of Turkey.

Turkey is also endeavoring to align its tariff rates for the rest of the products under the EC GSP depending upon the improvements recorded in the prevailing economic situation.

Further alignment to the EC GSP will be continued depending upon the improvements recorded in the economic performance of Turkey, the effects of the GSP Regime on Turkey's foreign trade and the impact of the implementation over the industry.

In this regard, within the framework of the 2004 Import Regime, it is envisaged that the "Everything but Arms (EBA)" initiative will be adopted which means that EC GSP will be fully operational for the Least Developed Countries for the products under the Customs Union.

Meanwhile, further improvement will be done in favor of the developing countries where it is foreseen that approximately 51 % of all industrial products covered by the EC GSP regime will be included in Turkey's own regime for this country group by 1 January 2004. In other words, from 1 January 2004 onwards, we will be covering 5660 12-digit HS lines, which constitute 50.9 % of the current EC GSP.

Turkey's efforts towards adopting EC's GSP fully by 2006 are continuing.

### **Question No. 2**

It has been brought to the notice of the Government of India that market access for Indian exports of High Voltage Porcelain Insulators is being effectively denied in Turkey on account of the fact that the local Turkish electricity authority do not allow the use of insulators from Indian manufacturers. We would be grateful for a clarification on the rationale for this policy and an indication as to by when remedial action can be expected to remove this market access barrier.

**Answer:**

Under the current Import Regime of Turkey, there is no restriction or prohibition applied on the importation of High Voltage Porcelain Insulators from India.

Energy transmission lines and transformer substations are financed through the loans of World Bank and tendered according to the WB procurement procedures in Turkey.

The tenders are open to all companies, without any discrimination, who meet the tender specifications prepared by Turkish Electricity Transmission Company (TEIAS), which are in line with the international norms and standards.

**Question No. 3**

It has been brought to the notice of the Government of India that the Turkish regulation No. 2003/21 regarding import of food products has been replaced by a new regulation No. 2003/31 effective from September, 2003, under which even food packages have been included in the category of products that require health certificate from a competent authority in exporting country confirming that such containers/utensils are suitable to go in contact with food stuff for human consumption. India would like to know whether this new regulation has been notified to the WTO's Committee on Sanitary and Phytosanitary Measures or Committee on Technical Barriers to Trade? This is particularly important, as the Indian authorities, till now, have only been provided with a copy of this regulation in Turkish language. Kindly provide an English translation and a gist of this measure. Does it only apply to containers for packaged food items or also to cooking utensils? India would also like to know whether the standards now introduced are based on existing international standards as provided under Article 3(1) of the SPS Agreement or has been introduced under Article 3(3) of the SPS Agreement or under similar provisions under the TBT Agreement?

**Answer:**

Communiqué for Standardization in Foreign Trade No: 2004/5, which has replaced Communiqué for Standardization in Foreign Trade No:2003/21 covers the system necessary to protect human, animal or plant life or health and food safety analysis. WTO recognizes the necessity of human, animal or plant life or health protection, and this Communiqué is in full compliance with SPS requirements and other international rules (like Codex Alimentarius).

On the other hand, Communiqué no: 31, which has been published by Ministry of Agriculture and Rural Affairs (MARA), covers the system applied to imports of food and food packages to confirm that they are suitable to go in contact with food stuff for human consumption.

Communiqué no 2004/5 contains 6 Annexes (I, II/A-B, III, IV, V/A-B, VI/A) covering lists of products, which require a reference document (Control Certificate) from MARA, according to which laboratory analyses are realized. Turkey provided detailed information on this system on several SPS Committee meetings.

Depending on Communiqué no: 31 of MARA, products covered by list VI B (which include containers/utensils to go in contact with foodstuff etc.) have been excluded from reference document requirement.

The regulation of 2003/31 has been promulgated in the Turkish Official Gazette dated 01.09.2003 No. 25216, but this regulation has not been translated into English yet.

Both communiqués explain the necessary documents including health certificate and the system applied to imports of food and food packages. They do not contain any technical regulation or standards. Detailed information on their application may be received from the enquiry point of Turkey, MARA.

**Question No. 4**

It is gathered that the Turkish customs tariff is still not fully aligned with the EU Customs tariff. We would request the Turkish authorities to indicate the possible time frame by when the alignment exercise would be completed?

**Answer:**

In the context of the Customs Union, which entered into force on 1 January 1996, Turkey began to apply the Community's Common Customs Tariff (CCT) on the imports of industrial goods from the third countries. The only exception was a limited number of sensitive products, such as automobiles, footwear, some leather products and furniture. On 1 January 2001, at the end of the five-year transitional period, the customs duties applicable to those products were also lowered to the level of the EC's CCT.

Turkish customs tariff is fully aligned with the EC's customs tariff.

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