

COMMUNICATION FROM TURKEY

Article 6.2 - Penalty Disciplines

The following communication dated 23 May 2012 is being circulated at the request of the Delegation of Turkey.

PROPOSED ADDITIONAL TEXT ON PENALTIES IMPOSED ON TRAFFIC IN TRANSIT

Explanation:

As widely recognized in the NGTF, it is essential to have appropriate disciplines on penalties imposed on traders in order to ensure that they are not misused as a hindrance to legitimate flow of trade. While 6.2 of the Consolidated Negotiating Text lays down these disciplines on the importation and exportation side, Turkey is of the view that an appropriate discipline on penalties imposed on traffic in transit is currently missing in the text. However, arbitrary and discriminatory penalties which are often excessively high in amount is a real phenomenon in transit operations and therefore a suitable discipline for penalties on transit is called for. With the proposed addition by Turkey below, it is aimed that the whole package of disciplines taking place in Article 6.2 applied to the penalties imposed on traffic in transit.

Proposed Text into Article 6.2 of the TN/TF/W/165/Rev.12:

"2.9 The provisions of this paragraph shall apply, *mutatis mutandis*, to the penalties imposed by Members on traffic in transit."
