

**COMMUNICATION FROM TURKEY**

The following communication, dated 7 July 2006, is being circulated at the request of the Delegation of Turkey.

**PROPOSAL ON INTERNET PUBLICATION**

**I. INTRODUCTION**

1. The following textual proposal is submitted by Turkey for consideration by the Negotiating Group. It is based on the proposals on publication and availability of information presented in the communication TN/TF/W/45 of 8 June 2005 and takes account of the discussions and other submissions<sup>1</sup> on this issue in the Negotiating Group.

2. As Turkey stated in its communication, a possible agreement should cover headings inter alia; Enquiry Points, Information Available at Websites and Establishment of Working Group on Transparency.

3. Certainly such an agreement should also include provisions on Special and Differential (S&D) treatment. However as Turkey's proposal suggests a specific approach to developing country Members, this part should be concluded following the discussions to reach a consensus on how to specifically elaborate on the S&D treatment.

**II. EXPLANATION OF PROPOSAL**

4. Turkey suggests three main headings; Enquiry Points, Information Available at Websites, and Establishment of Working Group on Transparency to be included to a possible agreement.

5. Article X of GATT 1994 clearly states that all laws, regulations, judicial decisions and administrative rulings affecting imports and exports should be published. This is not a new provision and we believe that all countries had enough time to fulfill this obligation through either Official Gazettes or other means. However our aim in this proposal is to improve accessibility to this legislation. In other words, this proposal should not be seen as an alternative to the publication obligation but be accepted as a complementary tool.

6. Trade enquiry points have been discussed in the negotiations through the proposals of several countries. We define Trade Facilitation National Enquiry Point (enquiry point) as a coordinator governmental body responsible for providing information on trade legislation. We would prefer to have a single national enquiry point with the purpose of easy access for Members or traders. If we establish more than one enquiry points as suggested in different submissions<sup>2</sup> this might create confusion concerning the responsibilities of each of these and be counterproductive.

<sup>1</sup> TN/TF/W/6, 7, 8, 96, 114.

<sup>2</sup> TN/TF/W/6, 8, 10, 26, 96, 114.

7. Members shall notify the contact information of the enquiry point and website addresses in order to make such information available to governments and other interested parties. Such notification shall be submitted to the responsible body for the implementation of the new agreement.

8. An electronic communication system linking diverse regulatory and administrative bodies is essential for coordinating trade legislation and information. In addition, it is our understanding that to ensure timely, accurate and easily accessible information, the best manner is Internet. Thus, enquiry points should establish national websites.

9. Developed-country Members shall provide a version of their trade legislation on their websites in one of the official WTO languages. However, for most of the developing-country Members this may be unfeasible due to the availability of resources and technological facilities. Having this in mind, we suggest that developing country Members shall provide their trade legislation in their official language. In addition, all Members shall make available information on their legislation through a format to be decided by the Working Group on Transparency. This format may include, as we stated in our previous paper, the name of legislation, the responsible authority, a short summary if so wished and keywords. We believe that such a system would also be useful as a part of S&D treatment for developing-country Members.

10. In brief, any government or trader looking for information on a country's trade legislation may reach the relevant documents by accessing this country's national enquiry point's website and searching by keywords.

11. The establishment of such a system will necessitate a lot of technical work. Thus, it would be preferable to establish a Working Group on Transparency. This Group shall be formed by technical experts and its working period shall be limited with the possibility of extension. The responsibilities of this Group may be defined as; determining the content of national websites, deciding on a common national website format, generating the format through which Members will provide information and determining search keywords.

#### Textual Proposal

### **I. ENQUIRY POINTS**

#### **A. ESTABLISHMENT OF ENQUIRY POINTS**

1. Members shall ensure that an enquiry point be established.
2. This enquiry point will be responsible for;
  - (a) answering all reasonable enquiries from other Members and interested parties in other Members,
  - (b) providing the relevant information and documents related to trade procedures in a non-discriminatory and convenient manner,
  - (c) facilitating coordination among competent national authorities.
3. The enquiry point shall institute a national website on trade legislation.

**B. NOTIFICATION**

4. Members shall notify [Council for Trade in Goods] [Trade Facilitation Committee] the contact information of the enquiry points and the website addresses in order to make such information available to governments and traders.

**II. INFORMATION AVAILABLE AT WEBSITES**

5. In their website;

- (a) Developed-country Members shall make available a copy of their trade legislation in one of the official WTO languages.
- (b) Developing-country Members shall provide a copy of their trade legislation in their official language.
- (c) All Members shall supply information on their trade legislation in one of the official WTO languages through the format to be decided by the Working Group on Transparency (referred in paragraph 8).

6. Members shall, whenever practicable, provide documents regarding the outline of major trade-related procedures, and information on requirements for importation and exportation of goods in one of the official WTO languages.

**III. ESTABLISHMENT OF WORKING GROUP ON TRANSPARENCY**

7. Members agree to establish a Working Group on Transparency under [Council for Trade in Goods] [Trade Facilitation Committee] for a period of one year, with the possibility of extension in order to;

- (a) Determine the content of national websites.
  - (b) Decide on a common national website format.
  - (c) Generate the format through which Members will provide information.
  - (d) Determine search keywords.
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