

SUBMISSION ON REGIONAL TRADE AGREEMENTS

Paper by Turkey

The following submission, dated 8 December 2004, is being circulated at the request of the Delegation of Turkey.

**PROPOSAL FOR THE USE OF FACTUAL PRESENTATION FORMAT
IN EXAMINATION PROCESS**

1. Introduction

Turkey has already put forward its position towards raising the effectiveness of the CRTA in its submission TN/RL/W/32 and in its previous interventions during the course of the work carried out by the NGR.

Taking account of the commonly accepted underperformance of the CRTA to fulfil its mandate of examining the conformity of the RTAs with the WTO rules, Turkey has indicated its aspiration to give priority to the procedural issues within the work of the Group without excluding the possibility of handling the systemic issues simultaneously.

In this regard, attaching a great deal of importance to the improvement of the current RTA examination procedures, Turkey has always supported the efforts aiming at enhancing the level of information provided in the standard format from the very beginning. It was Turkey's firm presumption that amelioration of the standard format could yield promising results towards shortening the overall examination process while upgrading its effectiveness.

Therefore, for the sake of transparency and the overall success of the negotiations in this regard, Turkey now welcomes and encourages the idea of testing the new format of factual presentation being prepared within the CRTA.

Turkey agrees with the 4 parameters drawn by the NGR participants regarding the process which are briefly; remaining of all the elements in the RTAs' Transparency "package" under consideration within the NGR, replacement of current standard format with a factual presentation by the Secretariat, prerequisite of RTA parties assurances for the Secretariat's factual presentation, limitation of factual presentation to RTAs covering trade in goods.

Depending on these conditions and especially upon the preference of its RTA partners, Turkey is ready to get involved in the use of the said examination process.

2. Giving The Volunteering Countries The Right For A Faster Examination

Having put forward its clear standpoint regarding the issue, Turkey would suggest taking another step forward on the use of factual presentation.

According to the parameters set out so far, the only element to be replaced by the Secretariat's factual presentation appears to be the submission of initial information from the parties in accordance with the standard format from the current CRTA examination procedures.

As the factual presentation is to be prepared mainly through the additional information submitted by the RTA partners like it is in the TPR mechanism, Turkey proposes to give a permanent nature for this process.

In other words, two different examination processes (dual factual inquiry methodology) could be determined where the factual presentation varies according to the scope of initial information to be submitted by the RTA partners and the degree of their collaboration with the Secretariat.

In Turkey's perception, the level of information to be submitted in both cases should be far beyond the actual level to set out a common denominator for all members. However, choosing the second option of submitting more detailed data that would definitely ease the work carried out by the Secretariat, an incentive mechanism needs to be created.

Therefore, the volunteering countries choosing the second option could be given a right for a faster examination that is to be finalized in a shorter time frame than the first one.

3. A Complementary Initiative For Overcoming The Possible Difficulties Facing The Developing Members

In order to avoid any difficulties that could seem to arise from the demanding nature of the proposed factual presentation, a complementary initiative could also be considered.

Accordingly, the RTAs where the Least-Developed Countries are parties to and the RTAs concluded pursuant to the Enabling Clause should be subject to faster examination without having bound with the requirement of submitting additional data. The only prerequisite for having the faster examination would therefore be their obligation to notify the RTAs to the CRTA.

Turkey believes that this would be totally in conformity with the spirit of the DDA negotiations addressing the needs of the developing countries. At the same time, it will serve to the purpose of increasing the number of un-notified RTAs to become the part of the multilateral trading system.

Being aware of the fact that the proposed mechanism would be more burdensome for the Secretariat, Members should also discuss the ways and means to help the Secretariat in carrying out its new task properly.
