

ARTICLE 9

Exchange of Concessions

1. The Parties declare their readiness to foster, in so far as their agricultural policies allow, the harmonious development of trade in agricultural products and to discuss this issue periodically in the Joint Committee.
2. In pursuance of this objective **Protocol A** providing for measures to facilitate trade in agricultural, processed agricultural and fishery products has been concluded between Turkey and Israel.
3. Turkey and Israel shall progressively establish a greater liberalization of their trade in agricultural products of interest to both Parties. Turkey and Israel agree to examine the possibility of granting each other further concessions within the framework of the Joint Committee.

ARTICLE 10

Sanitary and Phytosanitary Measures

1. The Parties shall apply the sanitary and phytosanitary measures in accordance with the provisions of the relevant Agreement of GATT.
2. The Parties shall not apply their regulations in veterinary, plant health and health matters as an arbitrary or unjustifiable discrimination between the Parties or a disguised restriction in the trade between them.

CHAPTER III

COMMON PROVISIONS

ARTICLE 11

Rules of Origin and Co-operation in Customs Administration

1. **Protocol B** lays down the rules of origin and methods of administrative co-operation.
2. The Parties shall take all appropriate measures, including arrangements regarding administrative co-operation, to ensure that the provisions of Article 4 to 7, 9, 15 and 18 and Protocol B are effectively and harmoniously applied, taking into account the need to reduce as far as possible the formalities imposed on trade and the need to achieve mutually satisfactory solutions to any difficulties arising out of the operation of those provisions.

ARTICLE 12

General Exceptions

Nothing in this Agreement shall preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants and of the environment; the protection of national treasures possessing artistic, historic or archaeological value; or the

protection of intellectual, industrial and commercial property, or rules concerning gold or silver. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between Turkey and Israel.

ARTICLE 13

State Monopolies

1. The Parties shall progressively adjust any state monopolies of a commercial character, so as to ensure that, by the end of the second year following the entry into force of this Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of Turkey and Israel.
2. The Joint Committee shall be informed about the measures adopted to implement this objective.

ARTICLE 14

Internal Taxation

1. The Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products originating in Turkey and like products originating in Israel.
2. Products exported by one Party to the other Party may not benefit from repayment of indirect internal taxation in excess of the amount of indirect or direct taxes imposed on them.

ARTICLE 15

Dumping

If a Party to this Agreement finds that dumping is taking place in trade with the other Party, within the meaning of Article VI of the GATT, it may take appropriate measures against this practice in accordance with the Agreement on Implementation of Article VI of the GATT 1994 and with its relevant internal legislation, under the conditions and in accordance with the procedures laid down in Article 18.

ARTICLE 16

Emergency Action on Imports of Particular Products

Where any product is being imported in such increased quantities and under such conditions as to cause, or threaten to cause:

- a) serious injury to domestic producers of like or directly competitive products in the territory of one of the Parties, or

b) serious disturbances in any sector of the economy, or

c) difficulties which could bring about serious deterioration in the economic situation of a region, the Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 18.

ARTICLE 17

Re-export and Serious Shortage

Where compliance with the provisions of Articles 6 and 7 leads to:

a) Re-export towards a third country against which the exporting Party maintains, for the product concerned, quantitative export restrictions, export duties or measures or charges having equivalent effect; or

b) a serious shortage, or threat thereof, of a product essential to the exporting Party, and where the situations referred to above give rise, or are likely to give rise, to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 18. The measures shall be non-discriminatory and be eliminated when conditions no longer justify their maintenance.

ARTICLE 18

Procedure for the Application of Safeguard Measures

1. In the event, Turkey or Israel subjects imports of products liable to give rise to the difficulties referred to in Article 16, to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Party.
2. In the cases specified in Articles 15, 16 and 17, before taking the measures provided for therein or, as soon as possible in cases to which paragraph 3 (d) applies, the Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In the selection of appropriate measures, priority shall be given to those which least disturb the functioning of the Agreement.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

a) as regards Article 15, the Joint Committee shall be informed of the dumping case as soon as the authorities of the importing Party have initiated an investigation. If no end has been put to the dumping or no other satisfactory solution has been reached within thirty days of the notification being made, the importing Party may adopt the appropriate measures;

b) as regards Article 16, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Party has not taken a decision putting an end to the difficulties or no other satisfactory solution has been reached within thirty days of the matter being referred, the importing Party may adopt the appropriate measures to remedy the problem. These measures must not exceed the scope of what is necessary to remedy the difficulties which have arisen;

c) as regards Article 17, the difficulties arising from the situations referred to in that Article shall be referred for examination to the Joint Committee.

The Joint Committee may take any decision needed to put an end to the difficulties. If it has not taken such a decision within thirty days of the matter being referred to it, the exporting Party may apply appropriate measures on the exportation of the product concerned;

d) Where exceptional circumstances requiring immediate action make prior information or examination, as the case may be, impossible, the Party concerned may, in the situations specified in Articles 15, 16 and 17 apply forthwith such precautionary measures as are strictly necessary to remedy the situation, and shall inform the other Party immediately.

ARTICLE 19

Standards

1. The rights and obligations of the Parties relating to standards or technical regulations shall be governed by the WTO Agreement on Technical Barriers to Trade.
2. Each Party, upon the request of the other Party, shall provide information on particular cases of standard-related measures.
3. The Parties shall aim to reduce technical barriers to trade. To this end, the Parties shall conclude when appropriate agreements on mutual recognition in the field of conformity assessment.

CHAPTER IV

RIGHT OF ESTABLISHMENT AND SUPPLY OF SERVICES

ARTICLE 20

1. The Parties agree to widen the scope of the Agreement to cover the right of establishment of firms of one Party in the territory of the other Party and the liberalization of the provisions of services by one Party's firms to consumers of services in the other Party.

2. The Joint Committee shall make the necessary recommendations for the implementation of the objective described in paragraph 1.

In making such recommendations, the Joint Committee shall take account of past experience of implementation of the reciprocal most-favoured-nation treatment and of the obligations of