

4. Each Party shall ensure transparency in the area of state aid. Upon request by one Party, the other Party shall provide information on particular individual cases of state aids.

Article 27

Balance Of Payments Difficulties

Where either Party is in a serious balance of payments difficulties or under threat thereof, the Party concerned may in accordance with the conditions laid down within the framework of WTO/GATT 1994 and with Articles VIII and XIV of the Articles of Agreement of International Monetary Fund, adopt restrictive measures, which shall be of limited duration and may not go beyond what is necessary to remedy the balance of payments situation. The Party concerned shall inform the other Party forthwith of their introduction and present to the other Party, as soon as possible, a time schedule of their removal.

Article 28

Intellectual, Industrial And Commercial Property Rights

1. The Parties shall provide suitable and effective protection of intellectual, industrial and commercial property rights in line with Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) and other international Agreements.
2. Implementation of this Article shall be regularly assessed by the Parties. If difficulties which affect trade arise in connection with intellectual, industrial and commercial property rights, either Party may request urgent consultations to find mutually satisfactory solutions.

Article 29

Public Procurement

1. The Parties consider the opening up of the award of public contracts on the basis of non-discrimination, transparency and reciprocity, to be a desirable objective.
2. As of the entry into force of this Agreement, both Parties shall grant each other's companies access to contract award procedures a treatment no less favourable than that accorded to companies of any other country.

TITLE II: ECONOMIC AND TECHNICAL CO-OPERATION

Article 30

Objective

1. The Parties will exert all necessary efforts to develop Economic, Scientific, Technical and Commercial Co-operation between the two sides.
2. The Parties will promote and facilitate continuously the enhancement and diversification of trade exchanges and economic and technical co-operation between their economic establishments, enterprises, organisations and institutions within the framework of their respective rules and regulations as well as their international obligations.

3. Turkey shall give priority for providing Tunisia with technical assistance in the primary fields of economic co-operation referred in Article 33.

4. The Parties will encourage operations designed to develop co-operation among the countries of the region and particularly the ones taking part within the Euro-Mediterranean Partnership.

Article 31

Scope

1. Co-operation and technical assistance shall:

- (a) focus primarily on infant industries, sectors suffering from internal difficulties or affected by the overall process of the liberalisation of trade between Turkey and Tunisia.
- (b) focus on areas likely to bring the economies of the Parties closer together.
- (c) focus on capacity building and training programs, which would assist in creating the necessary institutions and human resources for implementation of this Agreement with Tunisia.
- (d) encourage the implementation of measures designed to develop intra-regional co-operation.
- (e) support joint-ventures, twinning initiatives and joint investments amongst the private sector institutions.

2. The Parties agree to extend economic co-operation to other areas not covered by the provisions of this Chapter such as and not inclusive to irrigation, transportation, communication, higher education, tourism and other services, development and planning.

Article 32

Methods And Modalities

1. The Agreements concluded between the Parties in the fields of the economic, commercial, technical and scientific co-operation shall be implemented without prejudicing the provisions of this Agreement.

2. The Parties shall further determine the methods and modalities for economic co-operation and technical assistance; in particular within the work of the Association Council referred in Article 40. In this regard, the Association Council may decide to establish sub-committees.

3. Economic co-operation and technical assistance shall be implemented in particular by:

- (a) regular exchange of information and ideas in every sector of co-operation including meetings of officials and experts;

- (b) encouragement of reciprocal participation in fairs and exhibitions;
- (c) transfer of advice, expertise and training;
- (d) implementation of joint actions such as seminars and workshops;
- (e) technical, administrative and regulatory assistance;
- (f) encouragement and establishment of joint ventures;
- (g) dissemination of information on co-operation;
- (h) exchange of information in economic, scientific and technical field;
- (i) granting scholarships in various fields of technical and scientific co-operation.

4. Projects relating to economic, scientific and technical cooperation applications shall be arranged by individual programs, agreements and contracts which will be concluded between the participating companies and establishments of the Parties in accordance with their respective legislation in force.

5. The matters relating to the providing of expert, advisor and other technical persons by the Parties shall be arranged by individual protocols to be concluded between the competent authorities of the Parties.

Article 33

Primary Fields Of Economic Co-operation

The co-operation under the scope of this Agreement shall primarily involve the following fields referred in detail between Articles 34 to 39 of the Agreement:

- (a) Industry;
- (b) Agriculture;
- (c) Services;
- (d) Small and medium-sized enterprises;
- (e) Trade development;
- (f) Investment promotion.

Article 34

Industrial Co-operation

The main aim of industrial co-operation will be to support Tunisia, in its efforts to modernize and diversify industry and, in particular, to create an environment favourable to private sector and industrial development by enhancing co-operation between the two Parties' economic operators.

Article 35

Co-operation In Agriculture And Fisheries

Taking into account the importance of co-operation in agriculture and fisheries towards the enhancement of bilateral relations, the Parties determined the following as the desired fields of co-operation:

- (a) exchange of scientific and technical information and expertise relating to agriculture, forestry, water resources and rural development;
- (b) reciprocal exchange of experts;
- (c) organization of training, seminars, conferences and meetings, in either of both countries;
- (d) establishment of direct joint activities between the respective institutions;
- (e) encouragement of investment and trade on agricultural production, processing and marketing in both countries and in other markets.

Article 36

Co-operation In Services

1. The Parties to this Agreement recognize the growing importance of trade in services. In their efforts to gradually develop and broaden their co-operation, in particular in the context of the Euro-Mediterranean Partnership, they will cooperate with the aim of achieving a progressive liberalization and mutual opening of their markets for trade in services, taking into account relevant provisions of the WTO-General Agreement on Trade in Services (GATS) and multilateral trade negotiations with that respect.

2. The Parties will discuss the means of co-operation in the area of services at the Association Council.

Article 37

Co-operation Between Small And Medium-Sized Enterprises

1. With the view to further enhance trade and economic activities, the Parties shall give priority to promoting business and investment opportunities as well as joint ventures between small and medium sized enterprises (SMEs) of the two countries. Within this context, the Parties will:

- (a) exchange expertise on entrepreneurship, management, research and management centers, quality and production standards;
- (b) provide market information to create investment opportunities;
- (c) furnish published documents concerning SMEs.

2. Turkey shall support Tunisia's efforts towards capacity building for the related private sector institutions.

Article 38

Trade Development

Trade co-operation shall primarily focus on:

- (a) developing, diversifying and increasing trade between them and improving the Parties' competitiveness on domestic, regional and international markets;
- (b) the updating of Tunisian laboratories, leading eventually to the conclusion of mutual recognition agreements for conformity assessments;
- (c) enhancing co-operation in customs and origin matters including vocational training in the customs field;
- (d) ensuring technical support for intellectual, industrial and commercial property and for standardization and quality in Tunisia;
- (e) finding ways to bring about a significant improvement in education and training, including vocational training;
- (f) establishment of lasting links between specialist bodies on the Parties' territories in order to pool and exchange experience and methods;
- (g) drawing up appropriate trade development strategies and creation of a trade environment supportive of competitiveness;
- (h) capacity building and development of human resources and professional skills in the field of trade and support services in both the public and private sector;
- (i) exchanges of information on market requirements know-how and technology transfer through investment and joint-ventures;
- (j) development of private sector in particular small and medium-size enterprises engaged in trade;
- (k) establishment, adaptation and strengthening of organizations concerned with the development of trade and support services;
- (l) regional co-operation for the development of trade and trade-related infrastructure and services in third countries;
- (m) exchange of information and expertise for the reinforcement of national organizations involved in enforcement and protection against counterfeiting and piracy.

Article 39

Investment Promotion

The Parties recognize the importance of promoting investment and technology flows between them as a means for achieving economic growth and development. Co-operation in this respect shall include:

- (a) appropriate means of identifying investment opportunities and information channels on investment regulations;
- (b) the provision of information on the Parties' measures promoting investment abroad (technical assistance, financial support, investment insurance, etc.);
- (c) the planning and implementation of development projects, including for the participation of foreign investors.

TITLE III: INSTITUTIONAL AND FINAL PROVISIONS

Article 40

Establishment Of The Turkey-Tunisia Association Council

An Association Council is hereby established which as a rule shall be headed by Ministers in charge of foreign trade and meet at least once a year in accordance with the conditions laid down in its rules of procedure.

Article 41

Duties Of The Association Council

The Association Council shall review the progress made in the implementation of this Agreement. It shall also examine any major issues arising within the framework of this Agreement including its economic and social impact and any other bilateral or international issues of mutual interest.

Article 42

Procedures Of The Association Council

1. The Association Council shall consist of officials, public and private sector representatives of both Parties.
2. The Association Council shall establish its rules of procedure.
3. The Association Council shall, for the purpose of attaining the objectives of this Agreement, have the power to take decisions in the cases provided for therein.
4. The decisions taken shall be binding on the Parties that shall take the measures necessary to implement the decisions taken. The Association Council may also make appropriate recommendations.
5. The Association Council may upon necessity establish working groups or bodies for the implementation of the Agreement.
6. It shall draw up its decisions and recommendations by agreement between the two Parties.