

No. 48216

**Turkey
and
South Africa**

Trade and Economic Cooperation Agreement between the Government of the Republic of Turkey and the Government of the Republic of South Africa. Pretoria, 3 March 2005

Entry into force: *4 January 2009 by notification, in accordance with article 15*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Turkey, 3 January 2011*

**Turquie
et
Afrique du Sud**

Accord de coopération commerciale et économique entre le Gouvernement de la République turque et le Gouvernement de la République sud-africaine. Pretoria, 3 mars 2005

Entrée en vigueur : *4 janvier 2009 par notification, conformément à l'article 15*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**TRADE AND ECONOMIC COOPERATION AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
AND
THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA**

PREAMBLE

The Government of the Republic of Turkey (hereinafter referred to as “Turkey”) and the Government of the Republic South Africa (hereinafter referred as “South Africa”) (jointly referred to as the “Parties” and in the singular as a “Party”);

HAVING regard to the new bonds of friendship between their countries;

HAVING RESOLVED to consolidate, strengthen and diversify the trade relations between their countries to the full extent of their growing capacity to meet each other’s requirements on the basis of mutual benefit founded on most-favoured nation (“MFN”) treatment in accordance with the principles contained in the World Trade Organisation (“WTO”) Agreement;

CONSCIOUS of the flow of trade between the Republic of Turkey and the Republic of South Africa;

MINDFUL that the more dynamic trade and economic relationship desired by Turkey and South Africa calls for close co-operation across the whole range of trade and economic activities;

CONVINCED that such co-operation should be realized in evolutionary pragmatic fashion, as their policies develop;

DESIRING, FURTHERMORE, to strengthen their relations and to contribute jointly to international trade co-operation;

HAVING DECIDED to enter into an agreement with one another in regard to trade and economic co-operation;

HEREBY AGREE as follows:

ARTICLE 1

Umbrella provision

The Parties shall take all necessary measures to facilitate and promote trade and economic relations between their countries in accordance with the respective domestic law in force in their countries and subject to obligations under international treaties, conventions and agreements to which they may be party.

ARTICLE 2

Most – Favoured-Nation (“MFN”) Treatment

The Parties shall grant each other MFN treatment in accordance with the principles contained in the WTO Agreement and its annexures.

ARTICLE 3

Exemptions from MFN

The provisions of Article 2 shall not apply to the grant or continuance, in the case of –

- (a) advantages which either Party has granted or may grant to contiguous countries to facilitate frontier traffic;
- (b) advantages or preferences granted by either Party to any third country in accordance with a plurilateral preferential trade agreement;
- (c) advantages or preferences which either Party has granted or may grant under any scheme for the expansion of trade and economic co-operation among developing countries, which is open for participation by developing countries and to which either Party is or may become a party; or
- (d) advantages or preferences which have been or shall be accorded by either Party as a consequence of its participation in a Customs Union, Free Trade Area or any other regional or subregional integration agreement, or on the basis of the Generalised System of Preferences of the United Nations Conferences on Trade and Development (“UNCTAD”).

ARTICLE 4

Participation in Trade Fairs

The Parties shall encourage their respective enterprises and organizations to participate in exhibitions, fairs and other promotional activities as well as to promote the exchange of trade delegations and business representatives. Each Party shall facilitate the organization of the national exhibitions of the other Party in its territory.

ARTICLE 5

Promotion of Conduct of Trade and Economic Activities

Each Party shall endeavour to promote the conduct of trade and economic activities of natural and juristic persons of the other Party within its territory in accordance with generally accepted international trade practices.

ARTICLE 6

Importation of Goods

Subject to the domestic law in force in its country, a Party shall allow the importation from the country of the other Party, free from import duties, taxes and levies of-

- (a) goods destined for any fair, exhibition, demonstration, seminar, congress or conference in the country of the other Party and not intended for sale;
- (b) articles which, after having been exported, are returned for repair, provided such articles are re-exported after such repair.

ARTICLE 7

Facilitation of Transit of Goods

Subject to the domestic law in force in its country, a Party shall provide freedom of transit of goods of the country of the other Party through its territory.