WTO STRUCTURED DISCUSSIONS ON

INVESTMENT FACILITATION FOR DEVELOPMENT

communication from TURKEY

The following communication dated -- March 2020 is being circulated at the request of the delegation of Turkey.

This document includes the official text proposals of Turkey regarding “Objective”, “Scope” and “Definitions” and aims to contribute to the existing discussions/negotiations within the IFD Framework.

SECTION I:

objectıve, SCOPE AND DEFINITIONS

**objectıve**

1. The purpose of this Framework is to ensure facilitation of procedures to increase the direct investment flows between the Members through creating a better environment for doing business in the territory of each Member.

**SCOPE**

2. This Framework applies to the administration of measures by a Member affecting the authorization of investment activities in its territory of an investor of another Member.

3. Nothing in this Framework shall be construed to confer any rights for market access and establishment.

4. This Framework is without prejudice to the terms, limitations, conditions and qualifications set out in each Party’s Schedule of Specific Commitments and List of MFN Exemptions under the GATS for investment activities in services sectors and the List of Reservations of each Member specified in Annex XX of this Framework for investment activities in non-services sectors.

**defınıtıons**

5. For the purposes of this Framework;

1. “*authorization*” means the permission to pursue investment activities, resulting from a procedure an investor must adhere to in order to demonstrate compliance with the necessary requirements
2. “*applicant*” means an investor of a Member who applied for an authorization in the territory of another Member,
3. “*enterprise*” means any juridical person or any other entity duly constituted or organised under the applicable laws and regulations, whether or not for profit, and whether private or government owned or controlled, including any corporation, trust, partnership, sole proprietorship, joint venture, association, organisation or company
4. “*enterprise of a Member*” means [**Placeholder**: Considering the ownership and control criteria, Turkey will propose the definition of enterprise of a Member after the internal consultation is concluded.]
5. “*investment*” means an enterprise, a branch of an enterprise or a representative office
6. “*investor of a Member*” means a natural person of a Member or an enterprise of a Member that seeks to make, is making or has made investments in the territory of another Member.
7. “*investment activities*” means establishment, acquisition, expansion, operation, management, maintenance, use, enjoyment and sale or other disposal of investments in services and non-services sectors;
8. “*natural person of a Member*” means a natural person who under the law of that Member is a national of that Member