Transcription - GENERAL INTERACTIVE COMMENT ON ARTICLE 14

The Convention is clearly under-cooked. Paragraphs 1 Recognises and "ensures" the right to liberty and security of person. Paragraph 2 Ensures that if a person is deprived of liberty through any process, he is treated fairly and with respect for his human rights. Paragraph 3 Ensures that persons who are deprived of their liberty are treated humanely and with respect for the inherent dignity of the human person. Article 14 is a very important Article. It is the Article that ensures that persons who are deprived of their liberty are treated fairly and with respect for their human rights. It is the Article that ensures that persons who are deprived of their liberty are treated humanely and with respect for the inherent dignity of the human person

a request in cases where the developing country Member in question can show good cause.

2. Developing countries which currently value goods on the basis of officially established minimum values may wish to make a reservation to enable them to retain such values on a limited and transitional basis under such terms and conditions as may be agreed to by the Members.

3. Developing countries which consider that the reversal of the sequential order at the request of the importer provided for in Article 4 of the Agreement may give rise to real difficulties for them may wish to make a reservation to Article 4 in the following terms:

"The Government of ..... reserves the right to provide that the relevant provision of Article 4 of the Agreement shall apply only when the customs authorities agree to the request to reverse the order of Articles 5 and 6."

If developing countries make such a reservation, the Members shall consent to it under Article 21 of the Agreement.

4. Developing countries may wish to make a reservation with respect to paragraph 2 of Article 5 of the Agreement in the following terms:

"The Government of ..... reserves the right to provide that paragraph 2 of Article 5 of the Agreement shall be applied in accordance with the provisions of the relevant note thereto whether or not the importer so requests."

If developing countries make such a reservation, the Members shall consent to it under Article 21 of the Agreement.

5. Certain developing countries may have problems in the implementation of Article 1 of the Agreement insofar as it relates to importations into their countries by sole agents, sole distributors and sole concessionaires. If such problems arise in practice in developing country Members applying the Agreement, a study of this question shall be made, at the request of such Members, with a view to finding appropriate solutions.

6. Article 17 recognizes that in applying the Agreement, customs administrations may need to make enquiries concerning the truth or accuracy of any statement, document or declaration presented to them for customs valuation purposes. The Article thus acknowledges that enquiries may be made which are, for example, aimed at verifying that the elements of value declared or presented to customs in connection with a determination of customs value are complete and correct. Members, subject to their national laws and procedures, have the right to expect the full cooperation of importers in these enquiries.

7. The price actually paid or payable includes all payments actually made or to be made as a condition of sale of the imported goods, by the buyer to the seller, or by the buyer to a third party to satisfy an obligation of the seller.

GENERAL AGREEMENT ON TARIFFS AND TRADE 1994

UNDERSTANDING ON THE INTERPRETATION OF ARTICLE II:1(b)

UNDERSTANDING ON THE INTERPRETATION OF ARTICLE XVII

UNDERSTANDING ON THE BALANCE-OF-PAYMENTS PROVISIONS

UNDERSTANDING ON THE INTERPRETATION OF ARTICLE XXIV

UNDERSTANDING IN RESPECT OF WAIVERS OF OBLIGATIONS

UNDERSTANDING ON THE INTERPRETATION OF ARTICLE XXVIII

MARRAKESH PROTOCOL

AGREEMENT ON IMPLEMENTATION OF ARTICLE VI

AGREEMENT ON IMPLEMENTATION OF ARTICLE VII