

Energy Transit under GATT Article V



Geneva, 29 April 2013

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Article V:1 GATT

Freedom of Transit

1. Goods (including baggage), and also vessels and other means of transport, shall be deemed to be in transit across the territory of a contracting party **when the passage across such territory**, with or without trans-shipment, warehousing, breaking bulk, or change in the mode of transport, **is only a portion of a complete journey beginning and terminating beyond the frontier** of the contracting party across whose territory the traffic passes. Traffic of this nature is termed in this article "traffic in transit".

Transit



Article V:2 GATT

2. There shall be freedom of transit through the territory of each contracting party, via the routes most convenient for international transit, for traffic in transit to or from the territory of other contracting parties. (...)

Article V:3/V:4 GATT

3. (...) traffic [in transit] coming from or going to the territory of other contracting parties **shall not be subject to any unnecessary delays or restrictions** (...)

4. **All** (...) **regulations** imposed by contracting parties on traffic in transit to or from the territories of other contracting parties **shall be reasonable**, having regard to the conditions of the traffic.

Article V:3/V:4 GATT

3. (...) traffic [in transit] (...) shall be exempt from customs duties and from all transit duties or other charges imposed in respect of transit, except charges for transportation or those commensurate with administrative expenses entailed by transit or with the cost of services rendered.

4. All charges (...) imposed by contracting parties on traffic in transit to or from the territories of other contracting parties shall be reasonable, having regard to the conditions of the traffic.

Non-Discrimination

MFN, prior transit

2. (...) **No distinction** shall be made which is **based on** the flag of vessels, the place of origin, departure, entry, exit or destination, or on any circumstances relating to the ownership of goods, of vessels or of other means of transport.