



**TRADE & INDUSTRIAL POLICY STRATEGIES**

TIPS supports policy development through research and dialogue. Its two areas of focus are trade and inclusive industrial policy; and sustainable growth.

[info@tips.org.za](mailto:info@tips.org.za)  
+27 12 433 9340  
[www.tips.org.za](http://www.tips.org.za)

**Author**  
**Faizel Ismail**  
**TIPS**  
**Research Fellow**

**WTO REFORM AND TRUMP 2.0**

**WILL PLURILATERALS REBUILD OR  
FRAGMENT THE GLOBAL TRADE REGIME?  
THE ROAD TO YAOUNDÉ AND BEYOND MC14**

**March 2026**

## CONTENTS

1. Introduction .....	4
2. WTO Facilitators Report on WTO Reform .....	6
3. Submissions by Members to the WTO General Council on WTO Reform.....	7
3.1. The US Position on WTO Reform.....	7
3.2. The EU Position on WTO Reform and MC14 .....	8
3.3. China’s Position on WTO Reform on the Road to MC14 .....	9
3.4. The African Group Position on WTO Reform on the Road to MC14.....	10
3.5. Other Developing Country Views on WTO Reform .....	11
3.6. The South Centre Expert View of Consensus Decision-Making and Plurilaterals .....	11
4. A Critical Analysis of WTO Reform: the MFN Principle, Decision-Making and Plurilaterals	12
4.1. A Historical Context to the Debate of Reciprocity and MFN and Decision-Making.....	12
4.2. The Case For Open Plurilaterals .....	13
4.3. The Case Against Plurilaterals .....	14
4.4. A Critical Assessment of the US and EU Position on WTO Reform on the Road to Yaounde .....	16
5. Conclusion .....	18
References.....	20

### Disclaimer

To the fullest extent permitted by law, TIPS and its employees, directors, contractors and consultants shall not be liable or responsible for any error or omission in any of its research, publications, articles and reports (collectively referred to as reports). We make no representation or warranty of any kind, express or implied, regarding the accuracy or completeness of any information in our reports.

Our reports are made available free of charge and are prepared in good faith. Users are requested to acknowledge and correctly reference the source should they decide to use or make reference to any of our reports or any information in our reports.

TIPS and its employees, directors, contractors and consultants shall not be liable or responsible for any use, collection, processing or transfer of any of our reports or any information in our reports.

TIPS and its employees, directors, contractors and consultants shall not be liable for any damages, losses or costs suffered arising out of its reports or any information in its reports

## ABBREVIATIONS

CMA	Critical Mass Agreements
COP	Conference of the Parties
DSU	Dispute Settlement System
EGA	Environmental Goods Agreement
EU	European Union
FTA	Free Trade Agreement
GATT	General Agreement on Tariffs and Trade
GC	WTO General Council
IMF	International Monetary Fund
ITA	Information Technology Agreement
ITO	International Trade Organization
JSI	Joint Statement Initiative
LDCs	Least Developed Countries
MTS	Multilateral Trading System
MC14	WTO's 14th Ministerial Conference
MFN	Most Favoured Nation
MSMEs	Micro, Small, and Medium Enterprises
OECD	Organisation for Economic Co-operation and Development
PAs	Plurilateral Agreements
S&DT	Special and Differential Treatment
UK	United Kingdom
UN	United Nations
US	United States
WTO	World Trade Organization

## 1. INTRODUCTION

Alexander Stubb, the President of Finland, has provided a robust critique of the crisis of multilateralism and global governance in several speeches he delivered to the United Nations General Assembly and COP 29, and in an article in *Foreign Affairs* (Stubb, 2026; 2025; 2024). Stubb argues that “the liberal rules-based order that arose after the end of World War II is dying” and “multilateral cooperation is giving way to multipolar competition”. Stubb argues that while “the rivalry between the US and China is setting the frame of geopolitics”, this is not the only force as “middle powers such as Brazil, India, Mexico, Nigeria, Saudi Arabia, South Africa and Turkey have become game changers”. He refers to these middle powers as the Global South and states that it is these middle powers which will decide if the world moves towards greater “multipolarity or multilateralism or towards cooperation, fragmentation or domination” (Stubb, 2026).

In a remarkably similar vein, the Mark Carney, the Prime Minister of Canada, made a groundbreaking speech at the January 2026 World Economic Forum Davos Summit (Carney, 2026). He made it clear that the policies and actions of the Trump Administration were dismantling the multilateral trading system and the liberal international order that was carefully constructed by the United States (US) and United Kingdom (UK), together with its allies, the EU and Canada and then Japan, after WWII. Carney stated, the multilateral institutions “on which middle powers relied – the World Trade Organization (WTO), the United Nations (UN), the Conference of the Parties (COP) – the architecture of collective problem solving – are greatly diminished”. Carney was also the first leader of an Organisation for Economic Co-operation and Development (OECD) country to admit that, while the WTO had served the world well in maintaining a stable rules-based system, it maintained an inequitable and imbalanced system against the interests of developing countries. “We knew the story of the international rules-based order was partially false. That the strongest would exempt themselves when convenient. That trade rules were enforced asymmetrically. And that international law applied with varying rigour depending on the identity of the accused or the victim.” (Carney, 2026).

This argument about the asymmetry of the multilateral trading system (and international order) was made by developing countries since the beginning of the General Agreement on Tariffs and Trade (GATT) and particularly strongly by coalitions of developing countries since the launch of the Doha Round of negotiations (Ismail, 2008; 2020). Developing countries were thus making a case for reform of the multilateral trading system (MTS) over several decades but their pleas were mostly ignored. As Carney argues, the MTS and the liberal international order were both created by the US/UK and the EU and other OECD countries such as Canada and Japan and served them well for over 50 years.

The current demand for reform of the WTO that has been led by the US and the EU has its origins in the changing global competitiveness of the US/EU and China (together with several other large emerging economies) that began in the first decade of the 21st Century (Ismail, 2020). The current rules-based system became more amenable to the rise of China and other emerging countries, creating the political demand in the US for the rules to be changed to both discipline China’s trade and industrial policy and to allow for the US and EU to pursue more aggressive trade and industrial policies to compete successfully with China. This is what the US refers to as “leveling the playing field”. (WTO doc, 2025a). The more recent attack on the WTO due to its “unfairness” or “lack of a level playing field” is due to the rise of developing countries, especially China, and their use of industrial policies that were also used

liberally by the developed countries themselves (Chang, 2002; Mazzucato, 2014). Thus the current WTO Reform discussions should be understood in the context of the current geo-economic and geo-political tensions (Ismail, 2024).

This paper situates the current debate on Reform of the WTO in the context of the history of the Reform agenda led by the US and the EU in the WTO since the collapse of the Doha Round of negotiations in 2008 (Ismail, 2020). The first phase of this Reform process was led by the Obama Administration and supported by the EU, and called for “New Pathways” out of the traditional decision-making methods and negotiating approaches of the GATT/WTO, and for a significant change to the principle of Special and Differential Treatment (S&DT) for developing countries as the rise of China and other emerging developing countries became a threat to the competitiveness of the US/EU and other OECD countries.

Early in this process the US, during the Obama Administration (2016) began to veto the appointment of Appellate Body Members until this “jewel in the crown” of the multilateral trading system became dysfunctional with no Appellate Body member remaining in the system by May 2019. The second phase of the Reform process took on a much more aggressive turn with the incoming Trump Administration proclaiming its support for “America First” policies, initiating a trade war with China, and turning its trade policies decisively towards bilateralism as its preferred trade negotiating approach (Ismail, 2020). The third phase of Reform led by the US Biden Administration was remarkable for its continuity with Trump’s trade policy, both towards China and the WTO. Biden did not withdraw the Trump bilateral tariffs against China, nor did his Administration restore the WTO Appellate Body to becoming functional. Instead, Biden led a process of implementing one of the most ambitious US Industrial Policies, with the Inflation Reduction Act, the CHIPS and Science Act and Defense Production Act, to rebuild America’s competitiveness, creating distortions in international trade (Ismail, 2024). The second Trump Administration (2.0) has maintained the same trajectory of the Reform agenda of the past few administrations. This fourth phase of Reform of the Trump Administration has been more aggressive leading to what Carney calls a “rupture” in the liberal international order and the rules-based trading system put in place by the US and UK since the end of World War II (Carney, 2026).

This paper is structured as follows:

In section two, the work of the Facilitator of the WTO, the Norwegian Ambassador Petter Ølberg, will be critically reviewed. His report was the basis for the WTO General Council decisions in December 2025 on the agenda and programme of the 14th WTO Ministerial Conference (MC14) scheduled for March 2026, in Yaoundé Cameroon.

In section three, the paper will set out the key issues that are dividing developed and developing countries in the WTO and focus on two key themes in the reform debate; a) Decision Making – Consensus and Plurilaterals; b) Most Favoured Nation (MFN) and S&DT – the level playing field. The US position on the key issues above to be discussed at MC14 will then be outlined. The EU position will be summarised thereafter. China’s position on these themes will then be highlighted. The African Group position and perspective will then be discussed. The views of other developing countries will be outlined and then the South Centre’s insights on the above issues will also be briefly set out. (see Section 2.6.)

In section four, the paper focusses on the issue of Decision-Making and Plurilaterals within the WTO. The section begins with a brief historical overview of the debate on the MFN principle and the consensus principle. The case for plurilaterals and the case against plurilaterals will be critically discussed by drawing on the work of academic experts. The paper

then draws on experienced WTO experts to provide a perspective on the WTO Reform agenda of MC14.

In section five, the paper concludes the discussion by making some recommendations on the Road to Yaounde and beyond MC14. The paper calls for developing countries to take the lead in developing an alternative perspective and narrative to that of the US and the EU on WTO Reform, articulating the need for a reimagined, revitalised global governance rules-based regime, that is based on the values of solidarity, equity and sustainability.

## **2. WTO FACILITATORS REPORT ON WTO REFORM**

The Facilitator on WTO Reform, Ambassador Petter Ølberg of Norway, delivered his first report on the 10th of July 2025 (WTO doc, 2025b) in which he proposed to conduct the new phase of consultations and discussions on WTO Reform around three thematic tracks: a) Governance, b) Fairness, and c) Future. Based on this second phase of consultations, member states made submissions to the WTO to record their views. These views were also debated at the WTO General Council (GC) meeting held in December 2025. Prior to the GC meeting on 16-17 December, the facilitator issued his final report on 12 December 2025. The report (WTO doc, 2025c) contains his assessment of the consultations he conducted in small groups on three thematic tracks: a) Decision-making; b) Development and S&DT and c) Level Playing Field issues (Kanth, 2025).

While the Facilitator acknowledged that, on the issue of decision-making, there were widely differing views “on the reasons for gridlock”, he supports the turn to plurilaterals in the WTO by stating that, “against this backdrop, Plurilateral Agreements (PAs) are essential to maintaining a functioning negotiating arm”. On special and differential treatment, the facilitator said his “consultations reaffirmed that development is a central and cross-cutting theme of the WTO’s work and for some Members, “it encompasses policy space for industrialization, structural transformation and economic diversification”. On “level playing field” issues, the Facilitator recognised that while “there is broad recognition that a level playing field is essential and central to WTO reform, at the same time, nearly all Members acknowledge that this is the most complex reform workstream, given the depth of the issues and the diversity of views”. (Kanth, 2025).

Ambassador Ølberg has delinked the reform of the dispute settlement system (DSU), from the WTO reform discussions at MC14, as in his view, “there is broad recognition of the difficult context surrounding DS reform, many Members support the resumption of this work after MC14 when the time is right, and all Members are ready” (Kanth, 2025). He also acknowledged that the above three issues may not cover issues of importance to Members, such as (i) fulfilling past mandates; (ii) implementing development; and (iii) that “advancing agriculture is central to levelling the playing field”.

Thus, most Members see the objectives of MC14 as a non-negotiating Ministerial focussed on reform, reflection and political guidance (Naidu, 2026). For the EU, MC14 is understood to be “a stepping stone towards substantive work on deep and comprehensive reform between MC14 and MC15” (WTO doc, 2026a). The EU seeks to shape the post-MC14 work programme with a concrete proposal for a ministerial decision and suggestions for a work plan for post-MC14 work in the Annex to the Ministerial Outcomes document (WTO doc, 2026a).

### **3. SUBMISSIONS BY MEMBERS TO THE WTO GENERAL COUNCIL ON WTO REFORM**

#### **3.1. The US Position on WTO Reform and MC14**

##### **a) MFN Principle and Decision-Making**

In a devastating attack on the foundational principle of the GATT (Article 1), the MFN or non-discrimination principle, the US submission to the WTO General Council (WTO doc, 2025a) argues that this principle is now obsolete! The US submission argues that the MFN principle was “designed for an era of deepening convergence among trading partners”, when “countries were expected to adopt open, market-oriented trade policies, as stated by the founding Members of the WTO in the preamble to the Marrakesh Declaration” (WTO doc, 2025a). The US believes that that “era has passed” and has been replaced by an era of deepening divergence, rooted in some countries’ unwillingness to pursue and uphold fair, market-oriented competition, some countries’ insistence on maintaining economic systems that are fundamentally incompatible with WTO principles”. Thus, in the US view “to face these challenges, trading nations must be able to treat different trading partners differently” and not be restricted to one venue – the WTO. The US submission thus favours discriminatory trade agreements between Members and trade negotiations in bilateral and plurilateral formats (WTO doc, 2025a). The statement thus argues that if “the WTO is to have a future as a negotiating forum, it is likely to be for plurilateral negotiations”. The US is in favour of “plurilateral agreements whose benefits and responsibilities are limited to the consenting parties” (or on a *non-MFN* basis or closed MFN) and urges WTO Members to find a path for this in the WTO (WTO doc, 2025a).

##### **b) Level Playing Field**

The US has argued that some Members whose economic systems are incompatible with the principles of the WTO have tilted the playing field away from free market economies, thus moving the system away from “fair trade”. The US also reiterates its long-standing view that S&DT “eligibility must be reformed” so that “significant players” do not benefit from preferential treatment. This is a clear reference to China and other emerging countries. The US has argued since US Trade Representative Susan Schwab in the Bush Administration made the case at the 2008 failed WTO Ministerial in Geneva (Ismail, 2009; Schwab, 2011)

##### **c) Additional Issues**

The US has also made clear the one of its main concerns is to ensure that the “WTO Agreement reflects the understanding among trading partners that judgments on matters of essential security are to be left to governments and not adjudicators”. The US argues that several WTO Panels have interpreted WTO rules to allow the WTO to pass judgement on “actions determined by Members to be in their essential security interests”. The US is vehemently against this interpretation and argues that “each country has the sovereign right to take action necessary to protect its essential security interests” (WTO doc, 2025a).

There are three other systemic trade issues that the US is concerned about that, in the US view, cannot be addressed by the WTO. These include: “Trade Imbalance”; “Overcapacity”; and “Economic Security”. On the first issue, the US states that due to the artificial trade advantages caused by other countries, trade and economic policies the US had accumulated

a massive trade deficit in goods amounting to US\$1.2 trillion. In addition, the US submission to the WTO General Council, argues that these policies are responsible for “overcapacity and overconcentration of production in numerous industrial sectors” that is causing injury to US producers and the WTO is unable to take any effective action in these areas. Finally, the US submission argues that on matter of “economic security”, such as supply chains or global value chains where the US has adopted an approach of “friend-shoring and near-shoring”, the WTO is “out of its depth” and “is not suited for work on economic security” (WTO doc, 2025a).

### **3.2. The EU Position on WTO Reform and MC14**

#### **a) MFN and Decision-Making**

Surprisingly, the EU submission to the WTO General Council on WTO Reform calls for a review of the foundational principle of MFN! (WTO doc, 2026a). The EU submission states that there needs to be a discussion that “reflects on the role of the MFN Principle in today’s context...” (WTO doc, 2026a). The EU argues that while there has been a dramatic increase in the share of some Members in global trade, there has been no corresponding reciprocal liberalisation on their part. This is an obvious reference to China and other emerging developing countries. Thus, the EU calls for a discussion on the MFN principle, noting that the US has explicitly rejected the MFN principle in its submission! This is alarming as the EU should not be making a clear statement affirming the foundational principles of the WTO!

On the decision-making approaches and methods, the EU has more detailed suggestions, based on its own experience within the EU (discussed further below). The EU submission also supports the US, previously stated, rejection of the “single undertaking” approach to negotiations (Ismail, 2020). On the methods of decision-making, in the WTO, the EU calls for more discussion on several concepts to allow for more flexibility than the “consensus principle”. These flexible approaches include: “responsible consensus”, “constructive abstention”, “opt-outs”, and “the possibility of making reservations”.

The EU reaffirms its view on the need for a “variable geometry” approach as was practiced “in the old GATT” and “different types of plurilateral approaches”. the EU calls for plurilateral approaches that cannot be blocked by a small group of non-participating Members. The EU goes further than its previous position of calling for MFN-based open plurilateral (see Ismail, 2020) and states that WTO Reform “should also consider the paths for plurilaterals and club approaches among likeminded Members, where benefits are only available to participants, on a reciprocal basis”. In considering the adoption of non-MFN plurilateral decision-making and approaches, the EU has for the first time adopted a position that aligns with the current US insistence on closed plurilaterals in the WTO (WTO doc, 2026a)

#### **b) S&DT and Development and Level Playing Field**

The EU submission has called for a review of the S&DT principle in the WTO stating that “more granular, targeted and differentiated approaches are needed going forward” and that “the most vulnerable developing countries can unlock the benefits of global trade”. The EU makes a clear statement about its preference for S&DT, where it is granted to developing countries to be “targeted, and when possible, time-bound and aim at providing an appropriate path to all Members to be able to ultimately comply with the same rules”. The EU indicates that the example of the use of S&DT in the Trade Facilitation Agreement, where the developed country WTO Members are required to provide development assistance to poorer countries to

support the implementation of the agreement, is a useful precedent for members to follow (WTO doc, 2026a).

### **3.3 China's Position on WTO Reform on the Road to MC14**

#### **a) MFN Principle and Decision-Making**

China's submission to the WTO General Council on WTO Reform, titled, "China's Position Paper on WTO Reform Under the Current Circumstances" reaffirms its commitment and support for "an open, inclusive, transparent and non-discriminatory multilateral trading system". China affirms its commitment to the MFN principle by referring to it as, "the bedrock of the WTO" (WTO doc, 2026b)

China adopts a nuanced approach to decision-making. While it respects "the consensus principle", "including through enabling flexible plurilateral initiatives" it calls for "balanced and inclusive guardrails". China clearly does not want to be accused of blocking further progress on negotiations in the WTO and wants to adopt a flexible approach (WTO doc, 2026b).

However, China is clear that it wants to be involved in any negotiation – including plurilaterals – on issues such as investment facilitation and e-commerce (See Li Qiang, Statement to the UN, 23 Sept 2025). Thus, China is stating that while it wants to adopt a multilateral approach to negotiations in the WTO, it does not want to be excluded from plurilateral negotiations initiated in the WTO.

#### **b) S&DT – DEVELOPMENT and Leveling the Playing Field**

China has reaffirmed its strong support for special and differential treatment in the WTO and argues that, "policy space, capacity building and aid for trade are important tools for developing Members to achieve development goals" (WTO doc, 2026b).

China has always insisted that it was a developing country and was thus deserving of the rights granted to developing countries by the S&DT principle (Ismail, 2020). In a departure from its previous position China made a bold move to relinquish the use of S&DT in future WTO negotiations, in a statement to the United Nations in September 2025. At a United Nations General Assembly event on 23 September 2025, Chinese Premier Li Qiang announced that China will not seek new S&DT in the current and future WTO negotiations (Li Qiang, 2025). However, China reiterated its view that it remains a developing country and will not withdraw from its status as a developing country.

In response to the criticisms about China's industrial policies and non-market economy status, China concedes that "fairness discussions" could include government measures that distort international trade. China was thus willing to negotiate a potential update to the Agreement on Subsidies and Countervailing Measures and participate in dialogues on industrial policies. China cautioned that these discussions should maintain flexibility for development policy objectives and industrial development (WTO doc, 2026b). However, China's submission to the WTO underlines its view that "such discussions must respect Members' distinct economic systems and development stages" (WTO doc, 2026b).

### **c) Additional Issues**

China reiterated its view that the Dispute Settlement Body is a vital part of the WTO rules-based system and a “fully and well-functioning WTO dispute settlement system” should be restored (WTO doc, 2026a).

## **3.4. The African Group Position on WTO Reform on the Road to MC14**

### **a) MFN and Decision-making**

The African Group made a robust argument in affirming the Consensus principle of the WTO “as a foundational feature of the WTO's legitimacy”. The African Group argued that “in a system marked by differentials in voice, power and economic weight” consensus; a) ensures that all Members, regardless of economic weight, have an equal formal voice in shaping outcomes; b) it is the only safeguard against further fragmentation of the system; c) it is an insurance that issues of importance to developing countries and African countries are addressed in the system (WTO doc, 2026c).

The African Group recognises that ways must be found to avoid paralysis of the system. However, the Group opposes the proposals by some to introduce a “consensus minus one” or weighting criteria based on market share. The African Group urges Members to intensify efforts to, “build trust, shape convergence” and “show flexibilities in making trade-offs that reflect balanced outcomes”. Thus, for the African Group the issue is not so much about the decision-making procedure as the need to find a substantively fair and balanced outcome that will engender convergence. The African Group makes suggestions for the WTO to consider several options to break deadlocks, including mediated processes and facilitated discussions to enable convergence between members (WTO doc, 2026c).

At a Ministerial Conference held in Maputo, Mozambique on the 26th of February, in preparation for MC14, Ministers of the African Union reaffirmed a) the centrality of the MFN principle as a foundational pillar of multilateralism, and CAUTION against practices that fragment the system, weaken multilateral disciplines or marginalise non-participating Members; b) that consensus based decision-making remains a cornerstone of the WTO and a critical safeguard for the interests of developing countries; and c) the need to strengthen inclusivity, transparency and effective participation of all Members, particularly African countries and Least Developed Countries (LDCs), in agenda-setting, negotiations and outcomes (WTO doc, 2026d).

### **b) S&DT Development and Level Playing Field**

The African Group reminds us that more than since the launch of the Doha Development Agenda 25 years ago, the promises made to deliver on the development issues remain largely unfulfilled, thus creating a historical deficit of trust and confidence (WTO doc, 2026c). The submission points to agriculture where developed countries continue to provide substantial support to their farmers and high tariffs, and tariff escalation continues to trap the continent “in a role as a supplier of low-value-added raw materials”. The Group calls for the strengthening of S&DT and policy space for “structural transformation” and the precise and effective implementation of S&DT.

The African Group states that the call for a “level playing field” by developed countries “cannot mean tightening disciplines primarily on those who already have limited fiscal and technological capabilities, while leaving intact the instruments and exceptions through which other Members act with limited constraint”. The Group is pointing to the continuing distortions in international trade by developed country subsidies and trade protectionism.

### c) Additional Issues

The African Group has reiterated its call to re-establish a two-tier dispute settlement system, with a functioning Appellate Body, ensuring that negotiated rights are respected.

### 3.5. Other Developing Country Views on WTO Reform

A number of developing countries, led by India and South Africa, have challenged the legitimacy of the Joint Statement Initiative (JSI) negotiations (and Plurilateral Approaches) in the WTO (Kanth, 2023). According to a joint proposal (WT/GC/W/819/Rev.1) issued on 28 April 2021, India, South Africa, and Namibia argued that the JSIs (and Plurilaterals) on domestic regulation in services, electronic commerce, investment facilitation, disciplines for MSMEs (micro, small, and medium enterprises), and trade and gender among others, violated the following “fundamental principles and objectives of the multilateral system, enshrined in the Marrakesh Agreement”. These legal principles include: i) Art. II.1: “The WTO shall provide the common institutional framework for the conduct of trade relations among its Members ...”; ii) Art. III.2: “The WTO shall provide the forum for negotiations among its Members concerning their multilateral trade relations”; iii) Consensus-based decision-making, as enshrined in Arts. III.2, IX, X, and also X.9 of the Marrakesh Agreement; and iv) The procedures for Amendments of rules as articulated in Art. X.

The three developing countries argued that the plurilateral approaches proposed will: a) erode the integrity of the rule-based multilateral trading system by subverting established rules and foundational principles of the Marrakesh Agreement; b) create a precedent for any group of Members to bring any issue into the WTO without the required consensus; c) bypass the collective oversight of Members for bringing in any new rules or amendments to existing rules in the WTO; d) usurp limited WTO resources available for multilateral negotiations; e) result in Members disregarding existing multilateral mandates arrived at through consensus in favour of matters without multilateral mandates; f) lead to the marginalisation or exclusion of issues that are difficult but which remain critical for the multilateral trading system, such as agriculture, and development, thereby undermining balance in agenda setting, negotiating processes, and outcomes; g) leave Members with no option other than to choose between remaining outside the discussions or participating on matters that are inconsistent with their economic development priorities, needs, concerns, and levels of economic development: and h) fragment the multilateral trading system and undermine the multilateral character of the WTO.”

Thus India, South Africa and Namibia argued that the new form of “plurilaterals” or “Open Agreements” are inconsistent with the WTO’s core principles as set out in the Marrakesh Agreement. According to the three countries, “the JSI proponents intend to create a new set of Agreements, which are neither multilateral agreements nor Plurilateral Agreements [as defined in Article II.3 of the Marrakesh Agreement]” (Kanth, 2023).

### 3.6. The South Centre Expert View of Consensus Decision-Making and Plurilaterals

The South Centre, a Think Tank that supports developing countries in Geneva, has argued that the practice of consensus was codified with the establishment of the WTO in 1995. Article IX:1 of the WTO Agreement formally recognises consensus as the primary method of decision-making, with recourse to voting only where consensus cannot be achieved (Naidu, 2025). This legal interpretation is aligned with the views of Jane Kelsey (discussed below) who states that Article IX.1 of the Marrakesh Agreement requires WTO Members to

apply the practice of consensus when making decisions, with a fall-back position of voting according to specified modalities when consensus has been sought but cannot be arrived at. Kelsey affirms that certain decisions, such as the adoption of a Plurilateral Agreement, can only be made by consensus (Kelsey, 2022).

The South Centre provides a legal view on the adoption by WTO Members of plurilateral initiatives such as the current JSIs on E-Commerce and Investment Facilitation for Development. The South Centre posits that there is no Ministerial mandate to treat these initiatives as multilateral negotiations. In addition, their integration into WTO law must occur through the legal pathways under the Marrakesh Agreement as Annex 4 Agreements requiring consensus based on Article X. 9 of the Marrakesh Agreement (Naidu, 2025).

The South Centre thus proposes that Members should agree that new plurilateral negotiations should proceed with a prior multilateral mandate to prevent undermining the single undertaking and weakening of the integrity of the multilateral system. This process should not pre-empt negotiations on new and emerging issues and must be conducted within a transparent and inclusive framework, in line with Article III.2 of the Marrakesh Agreement (Naidu, 2025).

## **4. A CRITICAL ANALYSIS OF WTO REFORM: THE MFN PRINCIPLE, DECISION-MAKING AND PLURILATERALS**

### **4.1. A Historical Context to the Debate on Reciprocity and MFN and Decision-Making**

The debates about the nature and underlying principles that governed the trading system took place in the International Trade Organization (ITO) negotiations, rather than the GATT. The first draft of the ITO charter proposed by the US in December 1945 had “no provisions on economic development, nor were there any special rules or exceptions for developing countries”. The principle of reciprocity was debated in the ITO negotiations, with developing countries arguing that they were unable to negotiate with developed countries on a reciprocal basis due to their lack of bargaining power. Notwithstanding these objections this principle was adopted as a core principle in the GATT. The Brazilian Charter critiqued the US proposal on the most favoured nation principle and argued that this arrangement was only appropriate for countries that were at a more advanced stage of development. In addition, the efforts of developing countries to insert an amendment in the ITO charter that recognised the special situation of developing countries, were rejected by the US (Ismail, 2020).

At the launch of the Doha Round it was widely accepted that the results of the Uruguay Round were imbalanced. There was also recognition that the products of interest to developing countries, especially in agriculture, were not adequately addressed in the previous rounds. Even in the area of special and differential provisions for developing countries the complaint of developing countries that these provisions did not adequately address their purpose was acknowledged and thus the Doha Round mandate agreed to review these provisions with a view to making these special and differential treatment provisions, “precise, effective, and operational” (Ismail, 2020).

During the early period of the GATT there were at least three major obstacles to developing country participation in the process of tariff bargaining or exchange of concessions. These include the principle of reciprocity, the principal supplier rule and the focus on tariffs only in the negotiations. During the debate on the ITO negotiations, the US made it clear that it

required the principle of reciprocity to be the foundational principle of the GATT. This required that any tariff cuts that were made by the US would have to be paid for by reciprocal concessions made for US manufactured goods. Developing countries such as India argued that, due to the limited size of their domestic market, their bargaining power was inadequate to induce concessions from developed countries and moreover they wanted to protect their infant industries, which were at the early stage of industrialisation (Ismail, 2020).

Rorden Wilkinson, in his book *What's wrong with the WTO and how to fix it*, observed that by the mid-1960s the evolution of the GATT led to two different experiences. For the industrialised countries, “liberalisation under the GATT had seen the volume and value of trade in manufactured, semi-manufactured and industrial goods increase significantly”. In addition, “they had also managed to protect their agricultural and textile and clothing sectors through a blend of formal and informal restrictions” (Wilkinson, 2014). To give effect to this, there were a number of GATT waivers to protect developed country agricultural markets and the exclusion of textiles and clothing from liberalisation in developed countries. For developing countries this meant that the products of interest to them were excluded from liberalisation (Wilkinson, 2014)

However, on the issue of the voting method, the developing countries were more successful. For decision-making in the ITO, the US delegation proposed the same method of weighted voting that was used in the recently created International Monetary Fund (IMF). A similar proposal was made by the UK, to take into account the economic size of the country in its share of the vote. Developing countries voiced their opposition to such a system of voting as they feared that this would institutionalise their secondary status. A number of developing countries voiced strong opposition to weighted voting and came out in favour of consensus. As a consequence the ITO did not adopt a system of weighted voting. Thus, on this issue developing countries did succeed in shaping the voting procedures of the ITO and the GATT (Ismail, 2009).

During the negotiations on the ITO many Members had preferred a system of bargaining that was formula based – across the board tariff negotiations – but the US Congress indicated that this would be unacceptable to them. The UK supported this method as it would have led to the levelling of high US tariffs. The US delegation, however, argued for a system of reciprocal bargaining over specific tariff lines that required a product-by-product, principal supplier method of tariff negotiations by which a country could only be requested to make tariff cuts on a particular product by the principal supplier of that product to that country. This meant that for any particular product the importing country would negotiate its tariff rate with its principal supplier, as opposed to all suppliers of the same product. Developing countries at the time were seldom principal suppliers of any product, except raw materials that entered industrialised countries duty free. Only at the 4th Geneva Round of GATT in 1956 was this rule modified to allow developing countries to negotiate collectively in requesting concessions. However, they were still effectively prevented from requesting concessions for any products that they did not produce in large quantities. Thus, the principal supplier rule had the effect of locking out developing countries from the tariff cutting negotiations (Wilkinson, 2014).

## 4.2. The Case For Open Plurilaterals

Bernard Hoekman has been a prolific writer on WTO Reform and a major advocate of variable geometry and open plurilaterals in the WTO (Hoekman, 2019; Hoekman, 2025). While Hoekman recognises that there is strong support for consensus-based decision-making in the WTO, he argues that, “there is an increasing perception by many WTO Members that

consensus has been used beyond its intended remit and has been used to block the negotiation of new rules”. He argues thus that the consensus principle “should not preclude subsets of WTO Members from pursuing discussions on a matter or potentially cooperating with each other” (Hoekman, 2019). Hoekman points out that three types of mechanisms can be used by subsets of WTO Members to collaborate on a policy area: Preferential Trade Agreements, in which substantially all trade in goods is liberalised on a discriminatory basis; so-called Critical Mass Agreements (CMAs); and “closed” Plurilateral Agreements under Article II.3 WTO, where benefits may be restricted to signatories (Hoekman, 2019).

CMAs, he points out, are open plurilateral initiatives under which a group of countries agree to specific trade policy commitments they inscribe into their WTO schedules and apply on a non-discriminatory basis to all WTO Members. A major example is the Information Technology Agreement (ITA), which abolishes tariffs on information technology products. The benefits of the agreement apply to all WTO Members, including those that did not sign it. Hoekman states that Art. II.3 Plurilateral Agreements differ from CMAs in that they may be applied on a discriminatory basis – that is, benefits need not be extended to non-signatories. Because of this, Plurilateral Agreements require consensus to be incorporated into the WTO. Two such agreements currently exist – the Agreement on Civil Aircraft and the Government Procurement Agreement. Because Article II.3 WTO Plurilateral Agreements may be applied in a discriminatory manner, they are subject to the approval of all WTO Members, including those that have no intention of joining (Hoekman, 2019). Hoekman cautions that the scope for open plurilateral initiatives, such as Critical Mass Agreements, will be limited if an issue is characterised by strong free riding concerns, requiring many WTO Members to participate so that benefits are mostly internalised by signatories (as was the case for the ITA) (Hoekman, 2019).

In a more recent paper Hoekman appears perturbed by the trend towards the “weaponisation of trade and investment” by the major players, the US, the EU and China. He argues that while the US has been using unilateral trade measures to pursue a wide variety of goals, including trade goals and trying to reduce bilateral trade deficits, the EU has been very active in using trade policy as a unilaterally defined policy mechanism to pursue non-trade goals “by conditioning access to the EU market ... to protect workers, enforce labor standards or fight climate change” (Hoekman, 2025). Hoekman argues that China has also not been hesitant to use trade policy for non-trade policy objectives and to weaponise trade and foreign policy. He argues that China is partly responding and emulating US weaponisation of trade, but more broadly is seen by many countries to rely on a set of policy instruments that are not subject to effective multilateral discipline under existing WTO agreements (Hoekman, 2025). Thus, Hoekman states that, more generally, there is a trend away from open markets towards geopolitical and geo-economic framing of trade and foreign policy, with countries using trade policy to achieve a range of non-trade objectives, including foreign policy objectives. In this context Hoekman (2025) argues for the use of Open Plurilateral Agreements in the WTO (and regional free trade agreements (FTAs) that are deep) as a way out of the challenge of Unilateralism (Hoekman, 2025).

### **4.3. The Case Against Plurilaterals**

Robert Basedow, in an article titled: *The WTO and the Rise of Plurilateralism— What Lessons can we Learn from the European Union’s Experience with Differentiated Integration?* argues that the EU has experimented with various forms of “differentiated integration” for several decades. Basedow (2018) reviews the academic literature on the costs and benefits of

“differentiated integration” to identify key lessons from the EU experience of relevance to the WTO. He argues that WTO law emphasised that PAs are generally open to all WTO Members and that PAs require consensus among all WTO Members to be appended to WTO law and to become legally binding. If non-signatories come to the conclusion that a planned agreement goes against their national preferences, they may veto the PA. He distinguishes between “Critical Mass Agreements” and “Plurilateral Agreements”. Like PAs, CMAs are seen as legal instruments to deal with specific sectors and issues rather than horizontal matters, and they apply on an MFN basis.

Basedow recalls that in the 1960s and 1970s, a number of like-minded WTO Members negotiated “codes” for specific trade issues. Most codes were applied on an MFN basis and qualified as CMAs. He states that most of these codes were incorporated into the WTO Agreement as part of the Uruguay Round (1986-1994) and thereby become multilateral commitments. Of these codes three PAs are in force: a) the Agreement on Government Procurement; b) the Agreement on Trade in Civil Aircraft; and c) the Information Technology Agreement. Basedow reminds us of the attempt by some Members to create the plurilateral Environmental Goods Agreement (EGA). While about 50 WTO Members negotiated the EGA in the WTO between 2014 and 2016, after two years of negotiations, the major negotiating parties tabled new demands, that led to the collapse of the negotiations (Basedow, 2018).

Plurilateralism, Basedow argues, could be seen as a promising new approach to trade governance by overcoming the difficulties of multilateral trade negotiations. However, he states that as countries resort to bilateral and plurilateral agreements to attain their trade policy objectives, the relative costs for working towards a multilateral agreement rise. Basedow offers at least five disadvantages of plurilateral approaches to WTO negotiations: First, he states there is the risk of sidelining and marginalisation of developing countries. Developing and least developed countries may struggle to make their voices heard in negotiations and to participate and to commit to ambitious PAs and CMAs, thus furthering their marginalisation in the system. Second, there is the risk that PAs and CMAs could enable rich developed countries to agree among themselves on issues that respond to their own national interests. Third, while developing and least developed countries may legally not be bound by these rules, they may have to accept and follow these rules by being pressured by developed countries in future. Fourth, Basedow (2018) argues that multiple PAs and CMAs with varying membership will create diverging commitments and norms, transitioning the WTO towards a “club of clubs” of differentiated trade integration, which may undermine the coherence of international trade law and make the trade regime more difficult to navigate for stakeholders. Fifth, he argues that Plurilateralism is thus seen to potentially undermine the legitimacy and accountability of the WTO.

Jane Kelsey, in a robust critique of the position of advocates of JSIs and Plurilaterals in the WTO argues that the rationale for JSIs or departure from the Consensus Principle, provided by the developed countries, and some academics such as Hoekman (2019), are spurious. Hoekman (2019) argued that JSIs and Open Plurilaterals are needed to circumvent the failure of the multilateral consensus approach to advance negotiations and this is attributed to the lack of political will by the developing countries to negotiate. Kelsey argues that the real reason for the turn to Plurilaterals was that by 2017 developing countries comprised two-thirds of WTO membership, and the practice of consensus meant developed countries, the traditional rule-makers, could no longer dictate trade policy in their direct self-interest (Kelsey, 2022).

Kelsey argues that the objective of the proponents of JSIs is “to restore the absolute dominance of powerful states over the making of global trade rules, as prevailed in the GATT 1947” (Kelsey, 2022). Kelsey argues that the failure of the negotiating function of the WTO is mainly due to “the failure of its more powerful Members to transfer even a modicum of power to developing countries, as the majority of Members, so they can advance their priorities” (Kelsey, 2022).

Kelsey offers at least five reasons for developing countries to oppose the introduction of Plurilateral approaches in the WTO. First, Kelsey argues that the JSIs would allow the WTO’s more powerful Members to advance their offensive interests to extend the global rule-book to new rules they have incubated in the OECD and FTAs, while avoiding pressure for market access concessions in sensitive areas. Second, she observes that even the larger developing countries that have some capacity to bargain would lose the ability to seek cross-sectoral trade-offs in a comprehensive round where “nothing is agreed until everything is agreed”. Third, the resort to Plurilaterals would weaken developing countries negotiating capacity as “developing countries that rely on issue linkage to secure some concessions from economically and geopolitically more powerful states will be disenfranchised”, and become marginalised in the system. Fourth, she states that while consensus gives more powerful Members an effective veto, it also enables all WTO Members, at least in theory, to promote and protect their interests through jointly creating global trade rules and insisting on cross-linkages to their own priorities. Fifth, Kelsey points out that the object of the WTO, articulated in its preamble, is to create “an integrated, more viable multilateral trading system” among its Members, one that embodies the principles of multilateralism, reciprocity, liberalisation of market access, non-discrimination, and the development acquis. She argues that WTO is fundamentally multilateral. Thus, she states the requirement in Article X.9 that Plurilateral Agreements must be adopted by consensus before they can operate under the institutional framework of the WTO, pursuant to Article IV.8, confirms the anomalous and exceptional status of Plurilateralism in a WTO founded on multilateralism (Kelsey, 2022). This interpretation of the role of plurilaterals in the GATT/WTO is consistent with the decisions of the WTO Appellate Body and was confirmed in the WTO case of “The Appellate Body Report in Brazil—Desiccated Coconut”. Kelsey states that the report of the Appellate Body highlighted the objective in the Preamble of the WTO of developing “an integrated, more viable and durable multilateral trading system”. The report went on to state that “[t]he authors of the new WTO regime intended to put an end to the fragmentation that had characterized the previous system”. The “previous system” to which they refer, she states, was the system of Plurilateral Codes that came into existence after the Tokyo Round of the GATT and which advocates of the JSIs often cite favourably (Kelsey, 2022).

#### **4.4. A Critical Assessment of the US and EU Position on WTO Reform on the Road to Yaounde**

Stuart Harbinson is one of the most experienced and respected WTO experts. He is a former Permanent Representative of Hong Kong to the WTO, and Chair of several WTO negotiation groups, including the Chair of the WTO General Council in the process leading up to the Doha Ministerial Conference, in November 2001 that launched the Doha Round of negotiations. In a critical assessment of the US Submission on WTO Reform, Harbinson cautions against launching a process of reform at a time when the US has little interest in maintaining a rules-based trading system (Harbinson, 2025). He argues that while the US is very much present in the WTO, with a newly appointed Ambassador and a US Deputy Director-General (DDG)

appointed to serve as one of four DDGs to the Director-General of the WTO, all its proposals and actions point to its unwillingness to support or be disciplined by the rules-based trading system. He states that the US is clearly not intending to comply with the first and most important principle of the WTO – the MFN or non-discrimination principle – nor does it consider itself bound to explain any unilateral trade actions that it takes on security grounds.

On Plurilaterals, he recognises the case for more flexibility from the membership for sub-sets of Members to forge agreements among themselves, even though the US wants to restrict these plurilateral agreements to situations where the “benefits and responsibilities are limited to consenting parties” (i.e. non-MFN). Since this is fundamentally inconsistent with the MFN principle, the WTO requires that there should be “consensus” among the whole membership to add a Plurilateral Agreement to the WTO legal framework. Harbinson argues that a “blank cheque for blatantly discriminatory plurilaterals could result in the system dissolving into a network of competing clubs, with individual major trading powers acting as gatekeepers for their own grids of agreements. To many, this will look like a recipe for fragmentation and subordination.” However, the US is not concerned about this negative impact on the rules-based system as its submission argues that “trading nations must be able to treat different trading partners differently” and that “it is time to recognise the necessity of allowing all Members to enter into mutually beneficial arrangements that may not extend to every Member” (Harbinson, 2025).

Moreover, the US Submission, Harbinson notes, does not address or is silent on the most important issue for the WTO reform process (the elephant in the room) which is the need to restore the functioning of the WTO Appellate Body. Thus, Harbinson argues that it would be sensible to infer that the US “is happy with the demise of the Appellate Body”. There is another reason why the US is not happy with a functioning Appellate Body. The US is concerned that panels have interpreted WTO rules to find that the WTO has authority to judge actions taken by Members on grounds of “essential security” (primarily under the security exceptions in Article XXI of the GATT). The US Administration, especially, Trump 2.0 believes that it has a sovereign right to invoke this provision, and has done so many times, without having to defend its actions to the WTO Appellate Body. The national security exception contained in WTO GATT Article XXI(b), states that “Nothing in this Agreement shall be construed (b) to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interest” (Murayama and Wolff, 2023). While the US is of the view that the entirety of Article XXI is “self-judging”, in a series of recent cases, WTO panels have found that security measures are subject to limited dispute settlement review (Murayama and Wolff, 2023). In an article in the *American University International Law Review*, several academics have argued that “as with the Appellate Body impasse, the United States stands largely alone in taking a hardline position that Article XXI(b) must be wholly self-judging and thus nonjusticiable under the WTO” (Kho et al., 2024).

Some academic writers on the WTO have been observing that the multilateral trading system is facing a crisis due to the process of “unmaking” international trade law. The decisive shift towards unilateralism by the US, on the pretext that some issues such as “Trade Imbalance”; “Overcapacity”; and “Economic Security” cannot be addressed by the WTO, has been criticised by academic writers such as Yong-Shik Lee (Lee, 2024). Lee, a leading trade law expert, has warned that the repeated resort to unilateral trade measures such as section 301 of the US Trade Act by the US government will create the risk of a “downward sprawl of retaliations that the rule-based multilateral trading system is set out to prevent” (Lee, 2024). He recognises that there currently is a proliferation of “actionable or prohibited subsidies,

such as the semiconductor and EV [electric vehicle] subsidies adopted by leading trade nations such as the United States, China, and the EU”, leading to a “costly subsidy race”. He argues that the incapacitation of the Appellate Body by the US by its blocking of all appointments of WTO Appellate Body Members undermines the effectiveness of the WTO dispute settlement procedure, which, in turn, reduces the enforceability of international trade law. Lee (2024) argues that the US and other Members could use WTO law such as safeguard measures instead of WTO-inconsistent unilateral measures (such as section 301 measures). Lee is an expert on the WTO Safeguards and the Subsidy Agreements and states that any deficiencies with safeguards and subsidies can be remedied by reforming these rules instead of resorting to unilateral measures (Lee, 2024).

Some writers, such as Hoekman (2019; 2025) have justified the use of Plurilaterals on the grounds that developing countries have made the application of the consensus method of decision-making unwieldy, and some Members have blocked consensus through the use of their right to a veto. Vahini Naidu argues that selective obstruction by one Member should not serve as a pretext to alter a systemic safeguard that benefits the entire membership, especially the weakest among them. Naidu points out that the US has vetoed the appointment of Appellate Body Members 88 times, thus far, despite overwhelming Member support in the WTO Dispute Settlement Body. Naidu states that this situation does not, however, invalidate the principle of consensus (Naidu, 2025).

## **5. CONCLUSION: THE WAY FORWARD**

President Stubbs argues that in the current global conjuncture many states are adopting “a multivectoral foreign policy” that is dominated by interests. He argues that while this can be legitimate as states seek to advance their interests and not be dominated by any one country, the foreign policy of states should rest on “a core of fundamental values” (Stubb, 2026). Power defines the limits of what is possible for each state. However, values should underpin everything we do. Even a transactional or multivectoral foreign policy should rest on a core of fundamental values. Without them, foreign policy will ultimately run into a wall. If you set aside values for unhindered pursuit of power and interests, you will eventually find before you the very same problems you wanted to overlook (Stubb, 2025). Stubbs reminds us that the world needs multilateralism more than ever to solve common challenges, such as climate change, development shortfalls, and the regulation of advanced technologies. He states that without a strong multilateral system, all diplomacy becomes transactional and that a multilateral world makes the common good a self-interest. In sharp contrast, a multipolar world runs simply on self-interest (Stubb, 2026).

At Davos, in January 2025, Canadian Prime Minister Mark Carney called for a new architecture for the global order. He argued, in a similar tone as Stubb that other countries, particularly “middle powers” like Canada, should exercise their agency, as they are not powerless. They have the capacity to build a new order that embodies our values, like respect for human rights, sustainable development, solidarity, sovereignty, and territorial integrity of states (Carney, 2026). Stubb and Carney are making a case that has long been argued by developing countries or the Global South for many decades. Thus, Nelson Mandela was drawing on a long line of African leaders when he argued at the beginning of his Presidency that ...the new Democratic South Africa’s foreign policy will be based on human rights. In the first few years of his presidency of the new South Africa Mandela expressed his commitment to the multilateral system reminding the audience that although South Africa had been a member of the GATT since its inception when “the vast majority of South Africans had no vote” South Africa was

committed to “vastly improve on the management of the world trading system to the mutual benefit of all nations and people” (WTO, 1998) and he committed South Africa to work for a rules-based multilateral trading system that was “just”

Mandela’s statement to the WTO expressed the need for a strengthened multilateral trading system that was fair, balanced, inclusive, and addressed the needs of the developing countries.

### **How should developing countries and African countries respond to this “rupture” in Global Governance and the Multilateral Trading System?**

Developing countries should resist being drawn into a negotiation or work programme that is explicitly centred on dismantling the WTO and the rules-based system in favour of a fragmented power based system, based on closed plurilaterals differentiation and “club of clubs” system proposed by the EU where the WTO becomes the secondary organisation and the primary approach of the US is that of power-based bilateral negotiations based on reciprocity and mercantilism. China stands apart from the rest of the developing countries as it is both the main target of the US and EU in the WTO and in the bilateral trade war that Trump initiated during his first Presidency (2017-2021). Moreover, China is the only country that could withstand the bilateral tariff offensive Trump initiated during his first Presidency (2017-2021). China was again able to successfully engage with Trump’s so-called Liberation Day April 2nd 2025 Trump Tariff war, during his second Presidency (Huld and Zhou, 2025). While China is committed to the principles of multilateralism it has the capacity to engage the US and the EU in both bilateral and plurilateral formats, within and outside the WTO. This is not the case for most developing countries and even larger players such as the EU. Unlike China the EU was not able to withstand the pressure of Trumps’ Liberation Day (April 2nd 2025) Tariffs, and had to succumb and make significant bilateral concessions that are likely to undermine the WTO multilateral framework of MFN tariffs and bindings (Dreyer, 2026). China’s commitment to Multilateralism should be tested in engagements on guardrails for those JSIs, such as E-Commerce and the Investment Facilitation for Development that it is participating in. Developing countries should be engaging China in a South-South framework on how to ensure that their interests are not undermined by China’s participation in JSIs or Plurilaterals.

Africa should be working with other developing countries in the South and with Middle Powers, such as Canada, Finland and other countries that are committed to build a new multilateralism based on the values of social justice, solidarity, equity, inclusivity and sustainability. Mark Carney has implored that Africa should exercise its agency and leadership and be “building the coalitions that work, issue by issue, with partners who share enough common ground to act together” (Carney, 2026).

Africa countries are taking a principled approach while being willing to fully engage in the multilateral trading system with their negotiating partners. Thus, Ministers meeting in Maputo ahead of MC14 committed the Group to multilateralism that is “member-driven, consensus-based decision-making that prevents domination by few and ensures Africa’s voice as the WTO’s largest constituency shapes outcomes”. Inspired by Nelson Mandela’s statement to WTO on the occasion of the 50th Anniversary of the GATT, the African Ministers stated in a poignant manner that “a system that fails to address the interests of its largest constituency – developing countries – cannot endure” (WTO doc, 2026d).

## REFERENCES

- Basedow, R. 2018. "The WTO and the Rise of Plurilateralism – What Lessons can we Learn from the European Union's Experience with Differentiated Integration?" *Journal of International Economic Law*, 2018, 21, 411–431.
- Carney, M. 2026. Davos 2026: Special address by Mark Carney, Prime Minister of Canada. January 20, 2026. World Economic Forum. Available at: <https://www.weforum.org/stories/2026/01/davos-2026-special-address-by-mark-carney-prime-minister-of-canada>.
- Chang, H.-J. 2002). *Kicking Away the Ladder: Development Strategy in Historical Perspective*. Anthem Press.
- Dreyer, I. 2026. From Turnberry to Mercosur: the European Union at a critical juncture. Robert Schuman Foundation. 20 January 2026. Available at: <https://www.robert-schuman.eu/en/european-issues/818-from-turnberry-to-mercosur-the-european-union-at-a-critical-juncture>.
- Kanth, R. 2023. *WTO: India, South Africa sharply object to JSI on services domestic regulation*. Published in SUNS #9740. 8 February 2023. Available at: <https://www.twn.my/title2/wto.info/2023/ti230205.htm>.
- Harbinson, S. 2025. *The WTO in the Age of Trump's Trade Bullying – Should There Be WTO Reform?* European Centre for International Political Economy. June 2025. Available at: <https://ecipe.org/insights/wto-in-the-age-of-trump/>
- Hoekman, B. 2025. Plurilateral cooperation in response to aggressive unilateralism? *Asia and the Global Economy* 5 (2025) 100114.
- Hoekman, B. 2019. "Urgent and Important: Improving WTO Performance by Revisiting Working Practices". *Journal of World Trade* vol. 53:3, 2019, pp. 373-94.
- Huld, A. and Zhou, Q. 2025. *US and China Reach Trade Concessions Following Trump-Xi Meeting: Outcomes and Implications*. China Briefing. 10 November 2025. Available at: <https://www.china-briefing.com/news/trump-xi-meeting-outcomes-and-implications/>
- Ismail, F. 2024. *Geoeconomics of decarbonization, climate resilient developmental regionalism and the AfCFTA*. African Policy Research Institute (APRI), Policy Brief, July 2024. Available at: <https://afripoli.org/projects/green-minerals/geoeconomics-of-decarbonization-climate-resilient-developmental-regionalism-and-the-afcfta>.
- Ismail, F. 2020. *WTO Reform and the Crisis of Multilateralism. A Developing Country Perspective*. South Centre, Geneva, TIPS, Pretoria. Available at: <https://www.southcentre.int/book-by-the-south-centre-2020-3/>
- Ismail, F. 2009. "An assessment of the WTO Doha Round July-December 2008 collapse". *World Trade Review* (2009), 8:4, 579-605
- Ismail, F. 2008. "Rediscovering the Role of Developing Countries in GATT before the Doha Round". *The Law and Development Review*. Inaugural Issue: Volume 1, Issue 1, 2008.
- Kanth, R. 2025. *WTO: Reform facilitator's report sparks alarm as key issues left off the table*. Published in SUNS #10354.d 16 December 2025. Available at: <https://twn.my/title2/wto.info/2025/ti251219.htm>
- Kanth, R. 2023. *WTO: India, South Africa sharply object to JSI on services domestic regulation*, Published in SUNS #9740. 8 February 2023. Available at: <https://www.twn.my/title2/wto.info/2023/ti230205.htm>

- Kelsey, J. 2022. “The Illegitimacy of Joint Statement Initiatives and Their Systemic Implications”. *WTO Journal of International Economic Law*, 2022, 25, 2–24.
- Kho, S., McNamara, Y., Kirwin, S, and Davies, B. 2024. “The Conundrum of the Essential Security Exception: Can the WTO Resolve the GATT Article XXI Crisis and Save the Dispute Settlement Mechanism?” *American University International Law Review*: Vol. 40: Iss. 1, Article 5. Available at: <https://digitalcommons.wcl.american.edu/auilr/vol40/iss1/5>
- Li Qiang. 2025. China’s Decision Not to Seek New SDT at WTO Shows Solemn Commitment to Upholding Multilateral Trading System. Statement by Chinese Premier Li Qiang at the United Nations General Assembly event. 23 September 2025. Available at: [https://za.china-embassy.gov.cn/eng/mtjj/202510/t20251007\\_11723491.htm](https://za.china-embassy.gov.cn/eng/mtjj/202510/t20251007_11723491.htm)
- Lee, Y.-Sh. “Unmaking of International Trade Law?: A Crisis of the Rule-Based International Trading System”. *Journal of World Trade* 59, no. 1 (2024): 1–22.
- Mazzucato, M. 2014. *The Entrepreneurial State: Debunking Public vs. Private Sector Myths* Anthem Press.
- Maruyama, W. and Wolff, A. 2023. *Saving the WTO from the national security exception*. Pieterse Institute for National Economics. Working Paper, 23-2
- Naidu, V. 2026. WTO Reform: Institutional Authority and the Boundaries of the Facilitator-led Process. *An Analytical Note on the WTO Reform Facilitator-led Process and Work Plan, 8 February 2026*.
- Naidu, V. 2025. *WTO Reform: Structuring a Positive Agenda for Developing Countries*. Trade for Development Programme. South Centre. A Working Document on Structuring Reform Around Legal Principles and Development Priorities. 15 July 2025.
- Schwab, S. 2011. “After Doha: Why the negotiations are doomed and what we should do about it”. *Foreign Affairs*. May-June, pp. 104-117.
- Stubb, A. 2024. Statement of H.E. Mr. Alexander Stubb, President of Finland at COP29, Baku, Azerbaijan. 12.11.2024
- Stubb, A. 2025. Statement by President of the Republic of Finland, Alexander Stubb, at the General Debate of the 80th Session of the UN General Assembly in New York on 24 September 2025.
- Stubb, A. 2026. “The West’s Last Chance. How to Build a New Global Order Before It’s Too Late”. *Foreign Affairs*. January/February 2026 Published on December 2, 2025.
- Wilkinson, R. 2014. *What’s wrong with the WTO and how to fix it*. Polity Press: UK.
- WTO doc. 2026a. EU Submission on WTO Reform. Coommunication from the European Union. General Council WT/GC/W/986. 21 January 2026.
- WTO doc. 2026b. China’s Position Paper on WTO Reform Under the Current Circumstances. Communication from China. General Council WT/GC/W/989 18 February 2026
- WTO doc. 2026c. WTO Reform: Development-Centred Priorities for a Balanced WTO. Communication from the African Group. General Council WT/GC/W/992. 5 March 2026.
- WTO doc. 2026. Maputo Ministerial Declaration on the Fourteenth WTO Ministerial Conference. 26 February 2026. Ministerial Conference Fourteenth Session Yaoundé, 26-29 March 2026 WT/MIN(26)/11 13 March 2026

WTO Doc. 2025a. Communication from the United States on WTO Reform. General Council WT/GC/W/984. 15 December 2025.

WTO doc. 2025b. Report on Initial Consultations on WTO Reform. JOB/GC/445, 4 July 2025, prepared by H.E. Mr. Petter Ølberg (Facilitator on WTO Reform).

WTO doc. 2025c. Written Report by Facilitator to the General Council. H.E. Mr Petter Ølberg (Norway) (Facilitator on WTO Reform). 12 December 2025.

WTO. 1998. South Africa. Statement by H.E. Nelson Mandela, President of South Africa. 50th Anniversary, Geneva. 19 May 1998, WT/FIFTY/H/ST/13, 19 May 1998.