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**General Council
WTO Reform**

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GUIDING PRINCIPLES FOR PLURILATERAL INITIATIVES AND AGREEMENTS AT THE WTO

COMMUNICATION FROM INDIA

The following communication, dated 15 September 2026, is being circulated at the request of the delegation of India.

1 CONTEXT

1.1. In the context of WTO reform discussions on decision-making, Members have been considering issues relating to plurilateral initiatives and agreements and their relationship with the WTO framework.

1.2. In these discussions, we heard Members underline that efforts to advance plurilateral initiatives within the WTO framework should ensure upholding the credibility of the multilateral trading system. Members have also pointed out that plurilateral initiatives are complementary to, and not substitutes for, the multilateral trading system.

1.3. With reference to the challenges affecting multilateral outcomes, the reform discussions have pointed to weakened trust, unfulfilled mandates, lack of progress on substantive issues of interest to developing Members, lack of inclusivity and non-implementation of Ministerial mandates prescribing making special and differential treatment precise, effective and operational. Plurilateral cooperation may serve particular purposes, but does not, by itself, address these substantive and institutional sources of difficulty.

1.4. Further, most importantly, in these discussions, Members have highlighted the importance of examining the legal and institutional implications of the plurilateral initiatives and agreements within the WTO, and developing a common understanding of appropriate safeguards, with a view to preserving the integrity of the WTO framework.

2 CONSIDERATIONS FOR A COMMON UNDERSTANDING

2.1. The Marrakesh Agreement recognizes Plurilateral Trade Agreements in Annex 4. Agreement among participating Members establishes the terms of their cooperation; it does not, by itself, determine the legal or institutional consequences of that cooperation for the WTO and its Membership as a whole.

2.2. A common understanding on safeguards for plurilateral initiatives can serve all Members. It can provide greater predictability to proponents; enable non-participants to understand and protect their rights and interests; preserve attention to existing mandates; and support confidence in the WTO as a Member-driven, inclusive and development-oriented multilateral institution. Such safeguards can contribute to confidence building by ensuring that plurilateral cooperation complements the broader effort to strengthen the multilateral trading system.

3 PRINCIPLES TO GUIDE THE DEVELOPMENT OF SAFEGUARDS

3.1. The discussions on plurilateral initiatives and agreements within the WTO framework should be guided by the Marrakesh Agreement and be consistent with the foundational principles, objectives and rules of the WTO. In this regard, some guiding principles that assume particular importance include:

- a. **Preserving consensus-based decision-making** - The letter and spirit of consensus-based decision making are enshrined in several provisions of the Marrakesh Agreement. It gives practical effect to the sovereign equality of Members. In the reform discussions, Members have identified consensus-based decision-making among the foundational principles underpinning the functioning of the WTO, ensuring that all Member voices are respected in the decision-making process.
- b. **Preserving multilateral character of the WTO** - The Marrakesh Agreement established an integrated multilateral trading system. During the Uruguay Round negotiations, Members made a deliberate commitment to reject the GATT à la carte approach. The GATT era witnessed a proliferation of the Tokyo 'codes' which were optional in nature and led to a fragmentation of the trading regime with different rules applying to different countries. The principle of multilateralism is enshrined in the Marrakesh Agreement including in its preamble. Plurilateral cooperation should complement rather than substitute for multilateral rulemaking.
- c. **Preserving the rights, interests and agency of non-participants** - Depending on their subject matter, design and intended institutional relationship with the WTO, plurilateral initiatives may have implications for existing rights and obligations of the members, the conduct of WTO work, the negotiating interests of Members, or the operation of the multilateral trading system. While non-participation should remain a legitimate exercise of a Member's rights, it should not prejudice the rights or interests of non-participating Members in matters concerning the WTO framework.
- d. **Maintaining development including special and differential treatment at the centre** – The Marrakesh Agreement including its preamble envisages positive efforts to ensure that developing countries including least developed countries, secure a share in the growth in international trade commensurate with the needs of their economic development. The development dimension of the WTO, including special and differential treatment, should remain central to WTO rule-making. The pursuit of plurilateral initiatives should not result in the marginalization of development priorities or divert attention and negotiating resources from issues of particular interest to developing and least-developed Members.
- e. **Ensuring transparency, meaningful engagement and Member-driven processes** – Transparency, openness and inclusiveness are critical. Information-sharing and formal openness can assist participation, but may not in every circumstance provide a sufficient opportunity for Members to understand an initiative's scope, its relationship with existing WTO rules and mandates, or its possible implications. Meaningful engagement by the Membership, taking into account the capacity constraints of smaller and resource-constrained delegations, is therefore important.
- f. **Preserving mandates and the multilateral agenda** – The relationship of plurilateral initiatives with the existing WTO agreements, multilateral mandates, in-built agendas and the work of relevant WTO bodies should be considered carefully. This is particularly important where an initiative concerns matters already covered by WTO rules or overlaps with the work mandated by the Membership.
- g. **Respecting institutional competence and scope of the WTO** - Plurilateral initiatives should remain anchored in the mandate and institutional competence of the WTO. Initiatives concerning matters principally addressed in other international organizations, as well as initiatives that may extend beyond trade matters as covered by the Marrakesh Agreement, should be approached with due regard to institutional competence, coherence and the avoidance of duplication. Such initiatives should

complement, rather than duplicate or displace, work undertaken in other relevant international fora, and should preserve the coherence of the multilateral trading system and the distinct mandate of the WTO.

- h. **Appropriate use of WTO resources including WTO secretariat services** - Without procedural safeguards, proliferation of plurilateral initiatives and agreements could put a strain on WTO resources and limited budget. Members may face challenges in authorizing the allocation of WTO budget and other resources to service these initiatives and any resulting agreements. Scarce resources would be diverted from required mandated uses, including technical assistance and capacity building.

4 CONTOURS OF THE SAFEGUARDS

4.1. WTO Members will find value in discussing and agreeing to a set of safeguards applicable to the plurilateral initiatives and agreements pursued under the umbrella of the WTO. Such safeguards should cover the various stages of initiation, negotiation, conclusion and incorporation of plurilateral agreements and their potential amendment. Members may also want to consider the legal form these safeguards may take in terms of their applicability to the WTO membership.

5 CONCLUSION

5.1. Member-driven and structured discussions in the decision-making pillar under WTO reform would be useful to develop a common understanding of the guiding principles and safeguards for plurilateral initiatives and agreements within the WTO framework.
