What next for plurilateral trade agreements?

Expanding and strengthening plurilateral agreements in the multilateral trading system

Policy paper

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List of acronyms

AI	Artificial intelligence
APEC	Asia-Pacific Economic Cooperation
ACCTS	Agreement on Climate Change, Trade and Sustainability
CBAM	Carbon Border Adjustment Mechanism
CPTPP	Comprehensive and Progressive Agreement on Trans-Pacific Partnership
CTHA	Chemical Tariff Harmonisation Agreement
DSU	Dispute Settlement Understanding
ECA	Electronic Commerce Agreement
EGA	Environmental Goods Agreement
EU	European Union
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GPA	Agreement on Government Procurement
HS	Harmonized System
ICC	International Chamber of Commerce
IFD	Investment Facilitation for Development
IFPMA	International Federation of Pharmaceutical Manufacturers and Associations
ISDS	Investor-State Dispute Settlement
ITA	Information Technology Agreement
JSI	Joint Statement Initiative
MC	Ministerial Conference (MC11, MC14, etc.)
MFN	Most-favoured-nation
MPIA	Multi-Party Interim Appeal Arbitration Arrangement
MSME	Micro-, small- and medium-sized enterprise
OECD	Organisation for Economic Co-operation and Development
SDR	Services Domestic Regulation
SPS	Sanitary and phytosanitary (measures)
TESSD	Trade and Environmental Sustainability Structured Discussions
TFA	Trade Facilitation Agreement
TRIPS	Agreement on Trade-Related Aspects of Intellectual Property Rights
UK	United Kingdom
US	United States
WTO	World Trade Organization

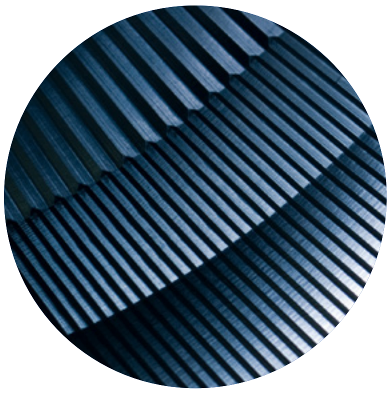
Executive summary

For the global business community, the priority is clear: commercially meaningful trade rules that are enforceable, predictable and capable of keeping pace with economic change. Increasingly, the answer is plurilaterals. Plurilateral rulemaking is nothing new. It has always been part of the World Trade Organization (WTO) system, working alongside the comprehensive multilateral rounds that once drove trade liberalisation. What has changed is that the round-based model has stalled. Today, plurilaterals are, in practice, the primary route through which new trade rules are being made.

This policy paper examines plurilateral approaches both within the WTO and outside it. Its primary focus is the WTO context, where the central challenge is not whether WTO Members can negotiate new agreements – they can, and do – but how those agreements are anchored in the WTO's legal architecture. It also examines arrangements outside the WTO, such as digital economy and sustainability agreements, which can serve as pathfinders, testing approaches, building confidence and developing models that may later be brought back into the WTO.

The WTO's 14th Ministerial Conference (MC14), which took place in March 2026 in Yaoundé, Cameroon, provided the clearest recent example of this integration challenge. Despite broad support among participating Members, two completed plurilateral agreements (the Electronic Commerce Agreement and the Investment Facilitation for Development Agreement) remained blocked from incorporation into WTO architecture through the Annex 4 consensus-route.

Drawing on that experience, this policy paper sets out the next-generation initiatives with the greatest commercial significance for business. The agenda is necessarily ambitious, reflecting the commercial stakes involved. From the range of options that WTO Members could take forward, this policy paper identifies those with the greatest commercial significance for business.



What's at stake

The rules governing international trade have fallen behind commercial reality. When the WTO cannot update its rulebook, governments resort to unilateral measures, restrictive regional arrangements and ad hoc workarounds that fragment global trade and raise costs for businesses of all sizes.

The stakes are concrete. In agri-food trade, exporters face divergent sanitary and phytosanitary (SPS) requirements, delays in the setting of international standards, and fragmented electronic certification and customs processes that disrupt perishable trade. In chemicals, low tariffs are overshadowed by divergent testing, labelling, packaging and customs-classification requirements that compound costs across integrated supply chains.

The same challenge is emerging across the next generation of trade issues. Without new disciplines on digital trade, environmental goods, services regulation and investment facilitation, exporters face a patchwork of divergent national requirements with no common baseline. Regulatory fragmentation can be as trade-distorting as tariffs themselves. Micro-, small- and medium-sized enterprises (MSMEs) and developing-country exporters, which lack the resources to navigate regulatory complexity across multiple jurisdictions, bear that burden disproportionately.

At the same time, the WTO's credibility as an institution capable of delivering results is itself at risk. If WTO Members cannot show that the WTO can produce meaningful new agreements, political support for the multilateral trading system will continue to erode, accelerating the shift towards alternatives that exclude the majority of developing countries.

Plurilateral agreements offer a practical means of maintaining forward momentum: delivering commercially significant outcomes among willing WTO Members, often also benefitting WTO Members that are not parties to the agreement, while keeping the door open for broader participation over time.

Key insights

- Plurilateral agreements are a longstanding and legitimate feature of the multilateral trading system. They have delivered some of the WTO's most commercially significant outcomes and will remain an important mechanism for developing new trade rules.
- WTO Members are free to initiate plurilateral trade negotiations at will. A decision by all WTO Members is not legally required to start a plurilateral negotiation. Thus, the central question is not whether they may do so, but how negotiated outcomes are given legal effect within the WTO framework.
- WTO Members have multiple pathways available for integrating plurilateral outcomes. Annex 4 is one route, particularly where commitments are applied on a non-MFN (most-favoured-nation) basis and may affect the rights of non-participants.
- Consensus requirements serve a legitimate accountability function where non-participants' rights may be affected. But where a plurilateral outcome does not alter the rights or obligations of non-participants, assessed against objective criteria rather than assertion, consensus should not be used to block willing WTO Members from moving forward.

- The recent plurilateral initiatives referred to as Joint Statement Initiatives (JSIs) on e-commerce, investment facilitation and services domestic regulation have demonstrated that WTO Members can still negotiate new agreements. The challenge now is ensuring that these outcomes are implemented, enforceable and integrated into the WTO framework.
- Future initiatives should agree on a working assumption regarding their preferred legal route from the outset: whether through Annex 4, goods or services schedules, interim or another implementation arrangement outside the WTO. It is possible that a final decision can only be taken at the end of the process due to negotiating and political realities. However, the legal pathway to implementation is not a technical afterthought; it is central to whether negotiations may be successfully concluded and to how outcomes can move to implementation. Until WTO reform resolves the structural challenges of consensus decision-making and Annex 4 incorporation, future initiatives must be designed to work around these constraints rather than depend on their resolution.
- Successful plurilateral agreements require more than a route into the WTO. They also need credible enforcement, drawing on the full toolkit from mediation to binding dispute settlement, regular review, openness to wider participation and meaningful private-sector engagement.
- The next generation agenda already exists, but not every initiative is equally ready. The ready-to-go items (i.e., those with Member support, a clear route and enforceability already in place) are a second-phase E-Commerce Agreement (AI in commerce, data flows), an Information Technology Agreement (ITA-3) covering post-2015 technology products, Trade Facilitation 2.0 for digital trade documents and reactivation of the dormant pharmaceutical review. A second tier, which comprises initiatives that are commercially significant but still building support among WTO Members, includes a chemicals review, an environmental services reference paper, professional-services reference papers, Mode 4 commitments on business mobility and an agri-food trade facilitation and SPS work programme. All require the same discipline: an identifiable integration pathway, built-in review, open accession and transparent private sector engagement from day one.
- Concerns that plurilateralism may marginalise non-participating WTO Members or fragment the trading system are real but addressable. Marginalisation is addressed through open accession, transparency, application of the MFN principle where appropriate, and meaningful technical assistance for developing countries. Fragmentation is answered by design and coordination: plurilaterals that extend benefits on an MFN basis and admit new participants are built to multilateralise over time, while stronger information sharing across initiatives and greater use of the WTO Secretariat's monitoring functions keep parallel efforts coherent.

I. Introduction

In the three decades since it was launched, the World Trade Organization (WTO) has concluded just two new multilateral agreements: the Trade Facilitation Agreement (TFA), in force since 2017, and the Agreement on Fisheries Subsidies, in force since September 2025. Both were genuine achievements, but neither came from the WTO's traditional engine of a comprehensive negotiating round adopted as a single undertaking. The round launched on that model, Doha, has never concluded. Where progress has come, it has come through narrower routes.

The WTO's 14th Ministerial Conference (MC14) in Yaoundé confirmed how far that route has stalled: Members could not agree on a reform roadmap, could not extend the e-commerce moratorium, and left two completed plurilateral agreements blocked from formal incorporation. Yet the same conference showed where momentum still exists. Sixty-six WTO Members agreed on an interim implementation arrangement for the Electronic Commerce Agreement (ECA), and the supporters of the Investment Facilitation for Development Agreement committed to finding practical pathways to implementation. That contrast is the starting point for this policy paper: where consensus rulemaking has stalled, coalitions of willing WTO Members continue to find ways to move forward.

"Plurilateral" describes a spectrum of arrangements rather than a single legal form. At one end sit the formal Annex 4 agreements – plurilaterals embedded in the WTO treaty itself in Annex 4 to the Marrakesh Agreement, whose obligations and benefits apply only to the Members that join them, such as the Agreement on Government Procurement. In the middle are open, schedules-based agreements such as the Information Technology Agreement, whose benefits are extended to all Members on a most-favoured-nation (MFN) basis. More recent are the Joint Statement Initiatives (JSIs) on electronic commerce, investment facilitation and services domestic regulation. This policy paper uses "plurilateral" across this full spectrum, because the underlying question, how willing Members advance trade rules when the full membership will not, runs through all of them. This policy paper also considers arrangements such as the Digital Economy Partnership Agreement, which builds on the provisions contained in the Comprehensive and Progressive Agreement on Trans-Pacific Partnership (CPTPP) and allows smaller groups of countries to advance plurilateral trade outcomes outside the WTO framework.

The first generation of JSIs at the WTO is essentially complete: the texts are agreed. But producing those texts was never the main challenge. Members have always been free to negotiate among themselves throughout the history of the multilateral trading system (General Agreement on Tariffs and Trade (GATT) and WTO). The real challenge is integration: turning finished outcomes into commitments anchored in the WTO's legal framework. The Electronic Commerce and Investment Facilitation agreements are done, but they remain outside the WTO legal framework. The question is not whether plurilateralism can produce agreements, but how those outcomes can be integrated to give business lasting certainty and where it should focus to deliver the most commercial value.

This policy paper builds on ICC's MC14 Call for Action[1], which urged WTO Members to agree on a roadmap for WTO reform, explore "variable geometry" in the system and clarify how plurilateral outcomes are integrated into the WTO. Taking up that last point, it examines these questions from the perspective of the global business community and does two things: it makes the case for why expanded and strengthened plurilateral agreements are the most practical path forward for WTO rulemaking, and it identifies commercially meaningful topics that WTO Members could take forward now.

1 ICC (2025), Revitalising the multilateral trading system: A call for action, https://iccwbo.org/news-publications/proposal/revitalising-the-multilateral-trading-system-call-for-action/

This policy paper proceeds in seven parts. Following this introduction, **Section II** traces the evolution of WTO plurilateral agreements, from the Tokyo Round codes to the current JSIs. **Section III** sets out the mechanisms for integrating plurilateral outcomes into the WTO's legal architecture and the trade-offs each involves. **Section IV** identifies the cross-cutting factors (i.e., legitimacy, transparency, dispute settlement and review) that determine whether any plurilateral endures. **Section V** looks at plurilateral approaches outside the WTO. **Section VI** draws these together into a forward-looking agenda for the next generation of initiatives. **Section VII** assesses how ready each initiative is to move. **Section VIII** concludes.

II. Evolution of WTO plurilateral agreements

Plurilateral agreements have been part of the WTO and, before it, the General Agreement on Tariffs and Trade (GATT), throughout their history. They are not an exception to WTO practice but reflect a recognition that some Members have decided to move forward with defining new trading rules and offering market access. Understanding how these arrangements have evolved over time provides important context for the choices facing WTO Members today.

Table 1. WTO plurilateral agreements today

Types of plurilateral agreements	Agreements	Participation
Annex 4 agreements*	Agreement on Government Procurement (GPA)	Revised in 2012; 22 parties covering 49 WTO Members
	Agreement on Trade in Civil Aircraft	Tokyo Round origin; 43 parties
Schedules-based goods agreements (GATT)	Information Technology Agreement (ITA / ITA-II)	The ITA has 84 participants; approximately 97% of world trade in IT products. ITA-II has 29 participants representing 57 WTO Members
	Agreement on Trade in Pharmaceutical Products (Pharma Agreement)	Concluded 1994; reviews completed 1996, 1998, 2007, 2010; dormant since 2010
	Chemical Tariff Harmonisation Agreement (CTHA)	Concluded during the Uruguay Round; 14 additional Members via accession
Schedules-based services agreements (GATS)	Telecommunications	1996; 82 WTO Members with commitments
	Financial Services	1997; approximately 100 Members with specific commitments
	Mode 4	1996; approximately 34 Members with specific commitments
	Domestic Regulation	Concluded 2021; implementing from 2024; over 70 participants
Completed but not yet integrated into WTO architecture	Electronic Commerce Agreement (ECA)	Text stabilised 2024 (91 participants); interim implementation arrangement agreed by 66 Members at MC14 (2026)
	Investment Facilitation for Development Agreement (IFD)	129 supporters; Annex 4 incorporation blocked; alternative implementation pathways under development

* Note: Two early Annex 4 agreements, the International Dairy Agreement and the International Bovine Meat Agreement, were terminated in 1997, leaving the GPA and Civil Aircraft as the only operational Annex 4 agreements.

A full history of the development of WTO plurilateral agreements can be found in Annex I.

III. Anchoring WTO plurilateral agreements

The choice of integration mechanism in the WTO bears directly on the political viability, legal resilience and practical enforceability of any plurilateral agreement. Several distinct pathways exist, each with different trade-offs.

Two questions shape the choice. First, does the mechanism place commitments *inside* the WTO's legal order, *alongside* it pending formal integration or outside? Second, are the resulting benefits extended to all Members on an MFN basis or confined to those that sign up? The mechanisms below can be read against those two axes.

Table 2. Legal pathways for integrating plurilateral outcomes into the WTO architecture

Mechanism	Consensus requirement	MFN application	Precedent	Legally binding
Annex 4	Full consensus needed	No	GPA, Civil Aircraft	Yes, with WTO dispute settlement
Goods schedules	No consensus required but individual objections possible	Yes	ITA, Pharma Agreement	Yes, with WTO dispute settlement
Services schedules	No consensus required but individual objections possible	Yes	Telecommunications, Mode 4, Domestic Regulation for Services, Financial Services	Yes, with WTO dispute settlement
Interim arrangements	No consensus required. Potential for objections related to use of WTO resources.	Only applies to WTO Members that have signed up to it Current examples are ECA and IFD. MFN would not necessarily be required.	None	Multi-Party Interim Appeal Arbitration Arrangement (MPIA): Yes, anchored into the Dispute Settlement Understanding ECA: Yes, not within the WTO. It replicates WTO dispute settlement conditions.

A fuller overview of these mechanisms and their precedents is provided in Annex II.

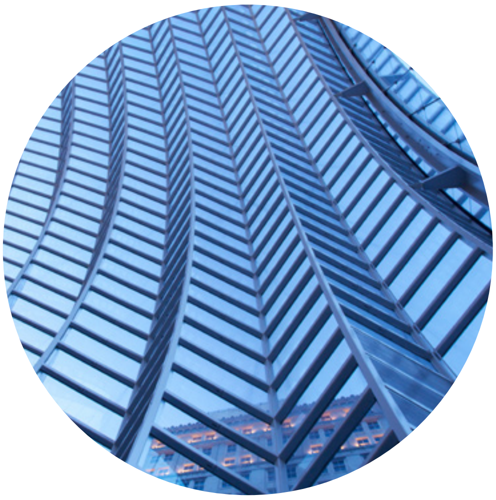
Implications for future negotiations

The experience of integrating the current generation of plurilateral outcomes into the WTO framework and their delays show that the integration pathway for new commitments must be considered and consciously selected at the outset of negotiations by WTO Members.

The Australia-India arbitration under GATS Article XXI:3(a) and the interim arrangement of the Electronic Commerce Agreement offer alternative pathways. In both cases, they enabled domestic implementation and regulatory alignment, building practical experience and generating the kind of state practice that over time supports fuller institutionalisation.

Until WTO reform discussions can resolve the structural challenges associated with consensus decision-making and Annex 4 incorporation, future initiatives must be designed to work around these constraints rather than depend on their resolution. This means that participating WTO Members should use the schedules model wherever possible, while retaining interim arrangements as a fallback for subject matters where scheduling is not an option.

Regarding interim arrangements where consensus-based multilateral action is blocked, subgroups of Members can and should pursue arrangements that promote WTO values and advance cooperative commitments, pending formal integration into the WTO architecture.



IV. Improving the functioning of WTO plurilateral agreements

As Section III above has demonstrated, there are several potential mechanisms through which WTO Members can pursue plurilateral agreements within (and adjacent to) the WTO's framework. However, regardless of which route is chosen, there are certain common factors that determine their long-term success. These factors are set out below.

Addressing the critiques of legitimacy

Critics of plurilaterals raise serious concerns about fragmentation, marginalisation of developing country interests and erosion of consensus. These must be addressed, not dismissed. The strongest form of the critique is that even an open plurilateral lets a critical mass set standards that non-participants must, in practice, follow without having shaped them. The response is both procedural and substantive. Open plurilateralism, where benefits are extended on an MFN basis, is preferable to discriminatory agreements. However, legitimacy also depends on genuine inclusiveness: public availability of negotiating texts, ensuring developing country priorities are integrated, and above all, practical support for participation.

Maintaining systemic coherence

The growing use of plurilateral approaches also raises legitimate questions about coherence across the multilateral trading system. Multiple initiatives pursuing different legal pathways, institutional structures and membership configurations risk increasing complexity for governments and businesses alike, and poorly coordinated plurilateralism could itself become a source of the fragmentation it seeks to remedy. The strongest safeguard is openness by design. A plurilateral negotiation that produces an outcome that extends benefits on an MFN basis is merely a continuation of a common practice since the establishment of the multilateral trading system. Alongside this, Members should strengthen information sharing across initiatives, regularly review how different agreements interact, and make greater use of the WTO Secretariat's monitoring functions. This preserves the flexibility that makes plurilateralism valuable while reducing the risk that it fragments the system it is meant to strengthen.

Strengthening technical assistance

An open accession model is only effective if all interested Members have a realistic opportunity to participate. Technical assistance should therefore support not only implementation after accession, as built into the IFD Agreement, but also the ability of developing countries to assess opportunities, prepare domestically and participate effectively in negotiations. Where possible, plurilateral initiatives should identify implementation partners, resource needs and indicative timelines so that participation is a practical option, not just a formal one.

Supporting real transparency

Transparency is a foundational principle of the multilateral trading system, yet in practice access to information about plurilateral negotiations remains inconsistent and often inadequate. The WTO Secretariat should serve as the central repository for all plurilateral agreement texts, schedules of commitments, implementation timelines and review outcomes, making these publicly accessible through a dedicated, searchable online portal. Regular compliance reporting, peer review mechanisms and the integration of plurilateral commitments into Trade Policy Reviews would ensure that obligations are not merely inscribed but actively implemented and monitored over time.

Resolving disputes

The enforceability of commitments is what distinguishes meaningful trade agreements from political declarations. For plurilateral agreements to deliver commercial certainty, participating Members must have access to effective dispute settlement mechanisms. Where plurilateral commitments are integrated into the WTO through Members' goods or services schedules, they are automatically covered by the WTO's Dispute Settlement Understanding (DSU). For agreements that cannot be integrated through schedules, the Electronic Commerce Agreement offers a model, albeit an imperfect one. Dispute settlement is only one element of effective enforcement. Mediation, already provided for under the DSU but never used, offers participants a faster, lower-cost route to resolving frictions before they escalate.[2] Pending longer-term institutional solutions, participants could complement it with regular compliance reporting, structured peer review, independent monitoring with public reporting, or ad hoc arbitration drawing on approaches developed in regional agreements and the MPIA. These tools cannot substitute for binding adjudication, but they can sustain commercial confidence in commitments in the interim. Future plurilateral initiatives should treat access to dispute settlement as a design requirement from the outset.

Building in review and expansion mechanisms

Every new plurilateral should include a mandatory periodic review clause (every three years) to update product or service coverage. The ITA's 19-year gap between its 1996 conclusion and the 2015 expansion and the Pharmaceutical Agreement's 14-year dormancy demonstrate the cost of ad hoc review. Open accession provisions modelled on the GPA should be standard. This expansion should also apply to participation in the agreements themselves – with efforts undertaken to encourage more WTO Members to accede and participate in the agreements.

The role of the private sector

Structured private sector engagement should build on the experience of the Trade and Environmental Sustainability Structured Discussions (TESSD) and MSME Informal Working Group, which have set new precedents for the participation and engagement of the private sector in their work and for surfacing where the real trade frictions and opportunities lie.

Taken together, these factors are a practical checklist for what comes next. If an initiative has a clear integration pathway, an identifiable constituency of willing Members, a mechanism for dispute settlement, a built-in review process and an open-accession structure, it is ready to move. Initiatives lacking several of these elements belong further out. Section VII applies this checklist to the agenda set out in Section VI.

2 ICC (2025), Reimagining WTO Dispute Settlement: a business case for mediation, iccwbo.org/news-publications/news/reimagining-wto-dispute-settlement-a-business-case-for-mediation/

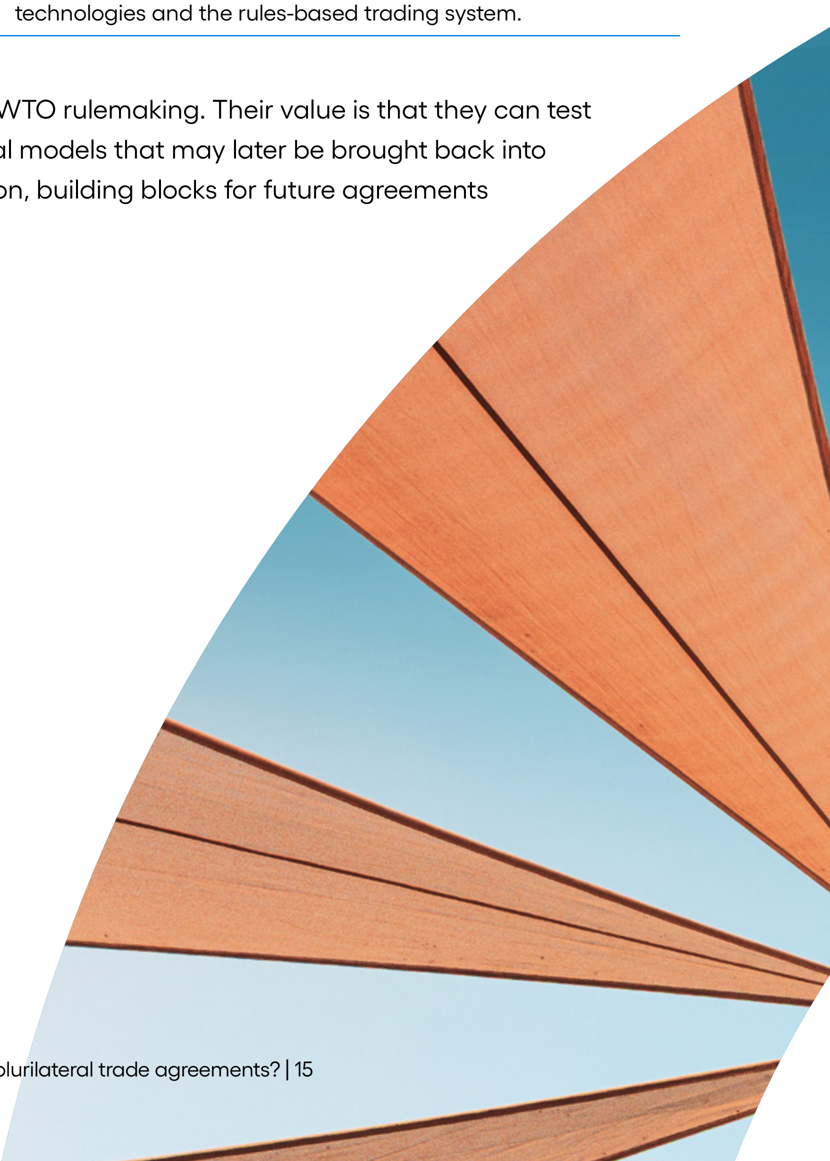
V. Plurilateral approaches outside the WTO

Plurilateral rulemaking is not confined to the WTO. Groups of economies are also developing trade rules through standalone agreements, structured dialogues and convergence exercises outside the WTO framework, including in areas such as digital trade, climate, sustainability and regulatory cooperation.

Table 3. Selected plurilateral arrangements outside the WTO

Arrangement	Form	Relevance for WTO rulemaking
Agreement on Climate Change, Trade and Sustainability (ACCTS)	Standalone agreement	Shows how trade, climate and sustainability commitments can be developed among a small group of economies and potentially inform future WTO discussions.
Digital Economy Partnership Agreement	Standalone agreement	Provides a modular approach to digital trade rules, including paperless trade, digital identity, data and emerging technologies.
Green Economy Partnership Agreement	Standalone agreement under negotiation	Builds on the pathfinder model for green economy cooperation.
EU-CPTPP dialogue	Structured dialogue and convergence exercise	Shows how major trading partners can explore alignment, interoperability and future cooperation across existing trade frameworks.
Future of Investment and Trade Partnership	Flexible cooperation platform	Shows how small and medium-sized, trade-dependent economies can use flexible geometry to advance practical work on supply chain resilience, digital trade, trade technologies and the rules-based trading system.

The point is not that these arrangements replace WTO rulemaking. Their value is that they can test approaches, build confidence and create practical models that may later be brought back into the WTO, whether as reference points for discussion, building blocks for future agreements or templates for broader participation.



VI. What next for WTO plurilaterals? A forward-looking agenda

The post-MC14 landscape presents a strategic opportunity to define the next generation of WTO plurilateral initiatives. This section sets out both near-term extensions of existing work and more ambitious new areas.

Table 4. Summary of different possible future plurilateral agreements

Deepening existing agreements	
E-commerce – next phase	AI in commerce, data flows, platform liability, digital competition
ITA-3	New-generation tech products (3D printers, industrial robots, commercial drones, lithium-ion batteries); disciplines on non-tariff barriers
Trade Facilitation 2.0	Single-window interoperability, electronic trade documents, digital identity
Agrifood Trade Facilitation and SPS	Interoperability of electronic SPS certificates, trade facilitation of agricultural products
Pharmaceuticals	Reactivate dormant reviews; expand to biologics, mRNA products, diagnostics; commit to refrain from imposing tariffs on health products in trade disputes
Chemicals	Reactivate dormant reviews; widen product coverage
Trade and the environment	
Environmental Goods Agreement	Relaunch on a narrower, reviewable product list anchored on APEC 54 goods
Environmental services	Covering consultancy, waste management, water treatment, renewable energy services
Plastics and fossil-fuel subsidies	Move from dialogue to binding disciplines and transparency obligations
Carbon Border Adjustment Mechanism (CBAM) interoperability	Common carbon methodologies, frameworks for mutual recognition, a green lane for goods from participating jurisdictions. This should serve as a foundation for cooperation on other sustainability supply chain regulations
Services and market access	
Professional services	Disciplines on domestic regulation (legal, engineering, architecture, medical)
GATS market access	Resume request/offer liberalisation; close the gap between bound and applied services regimes
Mode 4 and business mobility	Sectoral commitments, streamlined visa procedures, digital credentialling framework
Future areas	
AI and algorithmic trade governance	Recognition of AI safety assessments; disciplines against discriminatory restrictions on cloud infrastructure
Critical minerals and supply chain resilience	Transparency obligations on export restrictions; standstill commitment against new export bans among participants

A. Deepening existing agreements

The next phase of e-commerce

The stabilised JSI text should be treated as a foundation, not a ceiling. The agreement includes a built-in review to return to issues which could not be resolved as part of the current ECA. A next phase could deepen disciplines on AI in commerce, algorithmic accountability, platform liability and digital competition. Participating WTO Members could establish a tiered framework: baseline free flow for non-sensitive commercial data, recognition of data protection adequacy, disciplines on data localisation with a necessity test and safe harbours for legitimate regulatory purposes.

Participation should expand beyond the current membership. The internal prohibition on customs duties for electronic transmissions should serve as the foundation for a permanent commitment, filling the moratorium gap. The relationship between the e-commerce agreement and the ITA should be strengthened to ensure coherence between tariff-side and regulatory-side disciplines.

Initiating an ITA-3

Since the ITA-2 list was finalised in 2015, products such as 3D printers, industrial robots, commercial drones, lithium-ion batteries, advanced patient monitoring systems and high-definition displays have emerged or matured. Vietnam's April 2026 announcement of intent to join ITA-2 signals continued appetite. The ITA Committee's planned thematic sessions on AI, e-commerce and broadening participation provide an institutional springboard. An ITA-3 should also operationalise the existing commitment to address non-tariff barriers through disciplines on conformity assessment and standards.

Trade facilitation 2.0

A complementary agreement to the existing TFA could address regulatory frameworks for logistics providers, customs brokers and freight forwarders; recognition of digital trade documents; and single-window interoperability standards. A structural gap exists around the infrastructure of digital trade: interoperability of single-window systems, common standards for electronic trade documents, recognition of digital identity frameworks and Application Programming Interface (API) standards for government trade portals. According to the OECD, a 10% improvement in bilateral performance in automating border procedures, combined with streamlined documentation and stronger co-operation among border agencies, could boost global goods exports by up to 18%.[3]

Just as the original TFA sets out a framework for modernising border procedures, a Trade Facilitation 2.0 agenda could provide the common rules and interoperability frameworks needed for digital trade to operate at scale across jurisdictions. For agricultural and food supply chains, greater interoperability and predictability in digital customs and certification processes would help reduce avoidable delays, documentation costs and disruption at the border.

3 OECD (2025), The digitalisation of trade documents and processes, www.oecd.org/en/publications/the-digitalisation-of-trade-documents-and-processes_64872f25-en/full-report.html

Agri-food trade facilitation and SPS coherence

Agricultural trade depends not only on tariffs but also on predictable and trusted regulatory systems. Divergent sanitary and phytosanitary (SPS) measures, delays in the setting of international standards and fragmented documentation and certification requirements can create major frictions, particularly for perishable goods and exporters with limited compliance capacity.

Participating Members should therefore explore a practical plurilateral work programme and, where feasible, binding commitments aimed at improving predictability in agri-food trade. Priorities should include greater interoperability of electronic SPS certificates and customs systems; transparent and timely import-tolerance procedures; transition periods that avoid unnecessary trade disruption where residue limits or other SPS requirements change; and stronger use of international standards as the baseline for domestic measures where those standards exist.

Such an initiative would not replace WTO committee work, nor would it diminish Members' right to protect human, animal or plant life and health. Properly designed, it would instead complement the existing SPS framework by reducing avoidable procedural frictions, strengthening transparency and supporting more predictable agricultural trade.

Updating the Pharmaceutical and Chemicals Agreements

The review mechanism has been dormant since 2010. Reactivating the review could look at expanding coverage to post-2010 innovations (biologics, gene therapies, mRNA-platform products, diagnostics), and widening participation to include major generic-producing nations. Building on the Pharmaceutical Agreement, a broader plurilateral could cover tariff elimination on diagnostics, Personal Protective Equipment (PPE) and vaccine inputs. A renewed review should also address trade facilitation specifically for pharmaceutical products: more predictable customs treatment for time-sensitive medical goods, greater transparency in tariff classification and border procedures, and stronger coherence with existing international frameworks on pharmaceutical product classification.

The International Federation of Pharmaceutical Manufacturers and Associations (IFPMA) has identified[4] four additional elements that a broader pharmaceutical plurilateral should address. First, a commitment by participating Members to refrain from imposing tariffs on biopharmaceutical products and their inputs whether as a retaliatory measure in trade disputes or as a tool to correct trade imbalances. Given the humanitarian stakes, insulating medicines from trade-remedy weaponisation should be a baseline norm.

Second, enhanced trade facilitation for pharmaceutical products specifically: expedited customs clearance protocols, streamlined customs procedures for medicines (including rapid border crossing for time-sensitive biological products), recognition with the World Customs Organization on pharmaceutical product classifications, and technical assistance for developing country customs workforces handling medical goods. The WTO Committee on Market Access has already identified a range of such challenges in its April 2023 report on lessons from COVID-19, providing a ready-made basis for action.[5]

4 IFPMA (2025), Trade and Health Agenda: A Meaningful World Trade Organization Roadmap to Strengthen Global Health, www.ifpma.org/wp-content/uploads/2025/03/A-Meaningful-World-Trade-Organization-Roadmap-to-Strengthen-Global-Health-November-2025-updated-1.pdf

5 WTO (2023), Lessons learned from the experience-sharing sessions on trade in COVID-19 related goods, https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/MA/409.pdf&Open=True

Third, regulatory cooperation disciplines going beyond transparency: provisions for regulatory reliance and frameworks for mutual recognition modelled on existing bilateral frameworks, allowing participating Members to accept the results of comparable conformity assessment procedures from partner regulators. This would reduce duplicative facility inspections, lower compliance costs for multi-market manufacturers and improve the speed at which products reach patients. Relevant international bodies including the International Council for Harmonisation of Technical Requirements (ICH), the Pharmaceutical Inspection Co-operation Scheme (PIC/S), and the International Coalition of Medicines Regulatory Authorities (ICMRA) provide existing frameworks on which WTO disciplines could build.

Fourth, intellectual property disciplines to preserve the innovation ecosystem underpinning pharmaceutical development. Any plurilateral on pharmaceutical trade should include a commitment that technology transfers occur on a voluntary basis and on mutually agreed terms, consistent with existing WTO obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). WTO discussions on technology transfer in the Working Group on Trade and Transfer of Technology should reflect these principles.

A new chemicals plurilateral could build on the CTHA foundation in several respects. First, tariff elimination among participants, going beyond harmonisation to zero across the full scope of HS Chapters 28 to 39, with phased staging for Members currently above CTHA rates. The chemicals industry has long advocated for comprehensive tariff elimination, arguing that the globally integrated nature of chemical supply chains means that even low tariffs compound across multiple border crossings of intermediate inputs. Second, disciplines on non-tariff barriers that increasingly affect the sector, including divergent regulatory requirements for testing, labelling and packaging, complex rules of origin that penalise integrated supply chains, export restrictions on chemical feedstocks and raw materials and dual-pricing practices. Third, updated product coverage reflecting the evolution of the sector since the 1990s, including advanced materials, specialty chemicals and green chemistry products that do not fit neatly within the original CTHA product lists. Fourth, regulatory cooperation mechanisms, potentially modelled on the mutual recognition provisions in recent bilateral trade agreements, to reduce compliance costs arising from divergent national chemical safety regimes.

Regulatory cooperation should be a central component. The objective is not automatic recognition across non-equivalent systems, but improved transparency and comparability, greater use of trusted international methods and standards, and reduced duplicative procedures where feasible. Product coverage should also be updated to include products linked to lower-emissions technologies.

B. Trade and environment

Reviving the Environmental Goods Agreement

Negotiations on the Environmental Goods Agreement (EGA) stalled in December 2016 over product scope and dual-use classification. A relaunch should adopt a narrower initial product list anchored on the 54 Asia-Pacific Economic Cooperation (APEC) environmental goods[6] and where appropriate elements from the Chair's EGA list before negotiations were suspended. The agreement should include a built-in review mechanism. The definitional problem should be addressed through end-use or process-based classification rather than relying solely on HS codes.

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6 The list of 54 environmental goods agreed by APEC economies in 2012, covering products such as solar panels, wind turbines and water treatment equipment, is available at https://www.apec.org/meeting-papers/leaders-declarations/2012/2012_aelm/2012_aelm_annexc

Environmental services

TESSD has built a strong analytical foundation, and at MC14 signalled a shift towards concrete action; the opportunity now is to translate that groundwork into binding commitments. As a concrete next step, Members should develop a template for commitments similar to the Financial Services Understanding covering environmental consultancy, waste management, water treatment and renewable energy services. APEC work and the ACCTS provide building blocks.

Plastics pollution and fossil fuel subsidies

The Dialogue on Plastics Pollution (83 co-sponsors) should transition from dialogue to disciplines on single-use plastic trade flows, non-plastic substitutes and plastic waste trade. The Fossil Fuel Subsidy Reform initiative (48 co-sponsors) should push for binding transparency obligations on fossil fuel subsidy reporting as its first deliverable.

Carbon Border Adjustment Mechanisms interoperability

With the EU's CBAM operational and similar measures under consideration in the United Kingdom (UK), Canada and Australia, a plurilateral could establish common methodologies for embedded carbon calculation, frameworks for mutual recognition of carbon pricing schemes, a "green lane" for goods from participating jurisdictions and a transparency mechanism. This could forge a means of addressing other sustainability supply chain regulations such as deforestation and forced labour.

C. Services sectorals and market access

Professional services

Building on the 1998 accountancy disciplines, Members should develop sector-specific reference papers for professional services (legal, engineering, architecture, medical) covering qualifications and licensing requirements and procedures.

Resuming GATS market access negotiations

GATS Article XIX envisions successive liberalisation rounds. Members should initiate request/offer negotiations focusing on closing the gap between bound and applied services regimes, including using current Free Trade Agreement (FTA) practice.

Mode 4 and business mobility

A plurilateral could develop sectoral Mode 4 commitments for specific professions, recognition of qualifications, streamlined visa procedures and a digital credentialling framework. This would give developing countries a tangible gain from plurilateral participation, addressing the legitimacy critique directly.

D. Future areas for plurilateral ambition

Beyond the conventional pipeline, several emerging areas merit consideration for future negotiation.

AI and algorithmic trade governance

The WTO has no disciplines on AI-specific trade barriers: discriminatory compute access restrictions, divergent AI safety certification regimes and algorithmic transparency requirements functioning as market access barriers. A plurilateral reference paper could cover recognition of AI safety assessments, disciplines preventing algorithmic transparency requirements from becoming disguised protectionism and commitments against discriminatory restrictions on cloud infrastructure services.

Critical minerals and supply chain resilience

A plurilateral could establish transparency obligations on export restrictions for critical minerals, disciplines on processing-localisation requirements, recognition of responsible sourcing standards and a standstill commitment against new export bans among participants. This sits alongside the ITA-III and EGA agendas, since critical minerals are essential inputs for both digital and green technologies.

VII. Assessing readiness

The agenda below is assessed against the conditions set out in Section IV that determine whether a plurilateral can move: WTO Member support, an available route into the WTO, the ability to be enforced and kept up to date, and openness to wider participation. Initiatives are ordered by readiness (those meeting all four criteria first) and, within each band, by the route they would most likely take into the WTO.

Table 5. WTO plurilateral agreements of tomorrow

Readiness	Initiative	WTO Member support	Route in	Enforcement and review	Open / MFN
Ready	E-commerce — next phase	✓	✓ (interim arrangement)	✓	✓
	Trade Facilitation 2.0	✓	✓ (protocol to the TFA)	✓	✓
	ITA-3	✓	✓ (goods schedules)	✓	✓
	Pharmaceutical review	✓	✓ (goods schedules)	✓	✓
Advancing	Chemicals review	◐	✓ (goods schedules)	✓	✓
	Environmental services reference paper	◐	✓ (GATS schedules)	✓	✓
	Professional services	◐	✓ (GATS schedules)	✓	✓
	Mode 4 and business mobility	◐	✓ (GATS schedules)	✓	◐
	Agri-food trade facilitation / SPS	◐	— (none yet)	✓	✓
Awaiting a coalition of willing Members	Environmental Goods Agreement relaunch	—	✓ (goods schedules)	✓	✓
	GATS market access (request / offer)	—	✓ (GATS schedules)	✓	✓
Early	Plastics and fossil-fuel subsidy transparency	◐	◐ (working group)	◐	✓
	CBAM interoperability	—	— (none yet)	◐	◐
	Critical minerals and supply-chain resilience	—	— (none yet)	—	◐
	AI and algorithmic trade governance	—	— (none yet)	—	—

Legend: ✓ in place ◐ partial or emerging — not yet

Readiness bands:
- Ready: meets all four criteria.
- Advancing: route in place and enforceable; Member support still building.
- Awaiting a coalition of willing Members: a route exists but no coalition has formed.
- Early: no settled route.

VIII. Conclusion

The post-MC14 moment is one of both crisis and opportunity. Recent experience shows that willing WTO Members remain capable of negotiating new plurilateral outcomes. The challenge now is to ensure that those outcomes are anchored, enforceable and capable of evolving as commercial realities change.

The multilateral trading system's inability to deliver new rules through a large multilateral round of negotiations with a single undertaking or on individual multilateral agreements is not an argument against rulemaking. It is an argument for plurilateralism done well: inclusive by design, open in application and integrated into the WTO through legally resilient mechanisms.

The interim arrangement of the Electronic Commerce Agreement and efforts to move forward with the Investment Facilitation for Development Agreement provide a foundation for future ambitious action. WTO Members should now identify where their efforts can deliver the greatest practical value. Doing this well begins with a single discipline: pick the legal route before the negotiation, not after. Every new plurilateral initiative should have a working assumption regarding its pathway into the WTO at the outset and periodic review and open accession from day one. This is something WTO Members can commit to now, without waiting for WTO reform.

For business, the most immediate value will come not from proliferating initiatives for their own sake, but from focusing on those that reduce concrete trade frictions: digital trade implementation, tariff modernisation in key sectors, more predictable trade facilitation and stronger coherence in sectors where regulatory divergence increasingly drives costs and uncertainty.

Alongside launching new initiatives, WTO Members should actively work to broaden participation in existing plurilaterals. A targeted effort to bring crucial players, including major economies currently outside the ITA, the GPA or the Electronic Commerce Agreement, into those frameworks would deepen their commercial value and strengthen their legitimacy.

Plurilateralism is not a substitute for multilateralism, but a complement to it. Where multilateral consensus is possible, it should remain the preferred route. Where it is not, willing Members should be encouraged to pursue ambitious, open and commercially meaningful initiatives that remain anchored in the principles of the multilateral trading system.

Done well, plurilateral agreements can keep the WTO evolving alongside the global economy, delivering practical outcomes for businesses while creating pathways for broader multilateral progress in the future. The question is not whether to pursue plurilateral agreements, but how to pursue them well.

Annex I – History of GATT/WTO plurilateral agreements and means of integration

The Tokyo Round Codes (1973-1979)

The Tokyo Round represented the first major attempt by GATT contracting parties to move beyond tariff negotiations and address non-tariff barriers to trade. The resulting agreements, known as "codes", covered anti-dumping, subsidies and countervailing measures, technical barriers to trade, government procurement, customs valuation, import licensing and trade in civil aircraft. These codes were significant as they detailed disciplines on the regulatory and administrative measures that distort trade.

The Uruguay Round (1986-1994)

The Uruguay Round saw the creation of the WTO as an organisation and a package that turned many of the Tokyo Round codes into binding multilateral agreements. Four agreements remained plurilateral under Annex 4 of the Marrakesh Agreement: the Agreement on Government Procurement (GPA), the Agreement on Trade in Civil Aircraft, the International Dairy Agreement and the International Bovine Meat Agreement. The latter two were terminated in 1997 due to low participation, leaving the GPA and Civil Aircraft as operational Annex 4 agreements. Article II:3 of the Marrakesh Agreement established Annex 4 as the formal home for plurilateral agreements while Article X:9 imposed the requirement that consensus of the WTO Membership is needed to add new agreements.

The main reason for requiring consensus to include new agreements under Annex 4 was that it ensured that such agreements would not affect the pre-existing rights of WTO Members who were non-participants, which is a legitimate consideration for ensuring the accountability of the outcome. However, this should operate in both directions: where a plurilateral outcome has no impact on the pre-existing rights or obligations of non-participants, then there is no reason to block such an agreement's inclusion in Annex 4.

Zero-for-Zero initiatives

Outside of the formal Annex 4 plurilateral agreements, WTO Members were still looking to create new agreements. The international business community played a significant role as a driving force behind these initiatives, pushing governments to enter negotiations and helping to define the commercial priorities that shaped their scope. Following the Uruguay Round, Members continued to negotiate including on:

- **Pharmaceutical Agreement (1994, reviewed thereafter):** During the Uruguay Round, a group of major pharmaceutical-producing nations (the European Communities, US, Japan, Canada, Switzerland, Norway, Macao (China) and the UK as well as Austria, Finland and Sweden who subsequently joined the EU) agreed to eliminate tariffs on thousands of finished pharmaceutical products and active ingredients. The agreement operates on a MFN basis through participants' GATT schedules, with a built-in review mechanism intended to update the product list at least every three years, with the support of the World Health Organization. Reviews were completed in 1996, 1998, 2007 and 2010, expanding coverage from approximately 7,000 to over 10,000 products.
- **Information Technology Agreement (1996, expanded 2015):** The ITA, concluded at the Singapore Ministerial Conference in 1996, committed an initial 29 participants (now 84, covering approximately 97% of world trade in IT products) to eliminate tariffs on computers, semiconductors,

telecommunications equipment and related products. The ITA-2 expansion at the Nairobi Ministerial Conference in 2015 added 201 products worth $1.3tn in annual trade. Collectively, ITA and ITA-2 commitments cover approximately 20-25% of total world trade in goods.[7]

- **Spirits (1996):** This was a more limited agreement to impose zero tariffs on spirits among the EU, US, Japan and Canada (for brown spirits).
- **Chemicals:** The CTHA, concluded during the Uruguay Round, committed an initial group of participants (Austria, Canada, the Czech Republic, the European Communities, Finland, Japan, Korea, Norway, Singapore, the Slovak Republic, Sweden, Switzerland and the US) to harmonise and bind tariff rates across HS Chapters 28 to 39 at three levels: 0% for primary petrochemicals and pharmaceutical products, 5.5% for basic organic and inorganic chemicals, and 6.5% for more highly processed goods such as cosmetics and plastics. Since the Uruguay Round, 14 additional WTO Members have adopted CTHA commitments as part of their accession terms. The agreement operates through participants' GATT schedules on an MFN basis, following the same integration model as the ITA and Pharmaceutical Agreement.

Services protocols

GATS established its own plurilateral tradition: subsets of Members can negotiate commitments to be added to their schedules. Such commitments may include market access, national treatment as well as additional commitments on regulatory disciplines in accordance with Part III of the GATS (Article XVI, XVII and XVIII).

Examples of such commitments include telecommunications (1996), financial services (1997), Mode 4 commitments (completed in 1997) and, most recently, domestic regulation for services.

7 WTO (2025), World Trade Report 2025, www.wto.org/english/res_e/booksp_e/wtr25_e.pdf

Annex II – Legal pathways for anchoring WTO plurilateral outcomes

Consensus-based integration through Annex 4

Annex 4 agreements are part of the WTO framework, with a dedicated institutional structure, accession process and dispute settlement coverage. The GPA is the most significant of these, a living agreement that was revised in 2012, with 22 parties covering 49 WTO Members. This also gives WTO Members who are party to the agreement access to the WTO Dispute Settlement Body should it become necessary. Crucially, Annex 4 benefits do not need to be extended on an MFN basis, as is the case. For example, the benefits of the GPA only extend to other GPA parties.

The defining constraint of the Annex 4 route is set by Article X:9 of the Marrakesh Agreement: a new agreement can be added to Annex 4 only if the Ministerial Conference decides to do so by consensus. Consensus, in practice, operates as the absence of a sustained formal objection and has traditionally carried an expectation of restraint: Members do not block matters in which they have no substantial stake. That norm has been stretched. A single Member's refusal to join consensus has been enough to halt incorporation of the Electronic Commerce and Investment Facilitation agreements, even though neither would bind the objecting Members or extend obligations to them. What was designed to encourage accommodation has been turned into an instrument of blockage.

The barrier applies to *adding* a new agreement, not to enlarging an existing one. Accession to the GPA, for instance, follows the agreement's own procedures without fresh consensus. The Annex 4 route therefore offers the strongest legal anchoring the WTO can provide, but only to agreements that can clear a hurdle the current generation of plurilaterals cannot.

Modification of goods and services schedules through certification

The ITA and Pharmaceutical Agreement demonstrate a second pathway: participants bind zero tariffs on covered products in their GATT schedules of concessions, with benefits extended to all WTO Members on an MFN basis. Typically, WTO Members have been keen to have a so-called "critical mass" of Members involved in such negotiations so that there is sufficient trade coverage to avoid a free rider problem, which in reality normally only applies to market access since regulatory disciplines are difficult if not impossible to apply on a non-MFN basis. As it is for each WTO Member to implement the agreement through its own schedules, this route avoids the Annex 4 consensus hurdle.

Like with goods schedules, it is possible for WTO Members to inscribe new disciplines under GATS Article XVIII, which are provided on an MFN basis. While the post-Uruguay Round services commitments were focused on improving market access, the more recent Domestic Regulation for Services (SDR) initiative took those commitments further as "additional commitments". Formally concluded in late 2021 and beginning its practical implementation phase in 2024, the Agreement on SDR aims to make the authorisation process for service providers more transparent, efficient and predictable.

Plurilateral dispute settlement

With the continued crisis in the WTO's Appellate Body, a group of Members resorted to establishing the MPIA as a stop-gap mechanism to preserve the right to a binding two-tier dispute settlement process while the official Appellate Body remains in abeyance. Anchored in Article 25 of the DSU, it allows participating Members to resolve trade disputes through independent arbitration that mirrors the traditional appeal process. By agreeing to these rules, disputes cannot be "appealed into the void" (whereby a party appeals to the non-functional Appellate Body to indefinitely stall a ruling).

Experience of recent Electronic Commerce Agreement and Investment Facilitation for Development Agreement

Both the ECA and the IFD Agreement have faced similar challenges when looking to integrate the agreements into the WTO's legal architecture. As neither is a pure goods or services agreement, they struggle to leverage the modification and certification approach set out above. Instead, as a first principle approach, both had applied to the WTO General Council and Ministerial Conferences numerous times since the texts were agreed, including most recently at MC14. However, in the face of continued blocking of consensus by one Member, they have said that they would pursue alternative means of implementing the agreements.

The ECA (which started as the E-Commerce JSI) was launched at MC11 in 2017 and reached a stabilised text on 26 July 2024 among 91 participating Members. The text addresses six pillars: enabling electronic commerce (e-signatures, e-invoicing, e-contracts); openness (non-discriminatory treatment of digital products); trust (consumer protection, personal data protection, prohibition on mandatory source code transfer); telecommunications (updating the 1996 Reference Paper); and cross-cutting issues (transparency, cybersecurity cooperation). At MC14, 66 Members agreed to apply the ECA's rules by interim arrangement.[8] This interim arrangement is a second-best but pragmatic approach that seeks to replicate parts of the WTO's dispute settlement mechanism while anchoring the agreement alongside the WTO, with the WTO Director General being the depository of Member's instruments ratifying the agreement.

The IFD agreement, meanwhile, supported by 129 WTO Members, focuses on transparency and administrative efficiency for foreign direct investment, explicitly excluding market access, investment protection and Investor-State Dispute Settlement (ISDS). India, initially supported by approximately 37 countries, blocked Annex 4 incorporation on jurisdictional grounds. South Africa and Türkiye's shift ahead of MC14, breaking from the opposing coalition, left India as the primary blocker. While not as advanced as the ECA, IFD Members have committed[9] to exploring "practical pathways for its effective implementation." Indeed, a number of IFD Members are already undertaking needs-assessment exercises to understand what steps they need to take to implement the provisions contained in the IFD in their domestic legislation.

8 WTO (2026), Members adopt a pathway to bring E-Commerce Agreement into force via interim arrangements, www.wto.org/english/news_e/news26_e/mc14_28mar26_341_e.htm

9 WTO (2026), Members participating in IFD Agreement issue joint ministerial declaration at end of MC14, www.wto.org/english/news_e/news26_e/infac_30mar26_353_e.htm

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