



## **BRICS DECLARATION ON THE WTO**

### ***Strengthening Multilateralism for Just Global Development***

*Recalling* that in the Strategy for BRICS Economic Partnership 2025 the BRICS Members have committed to support the multilateral trading system based on the rules and principles of the World Trade Organization (WTO) and resist emerging global uncertainty caused by several factors, including the rise of unilateral and protectionist measures including in the guise of environmental protection that run counter to the spirit of multilateralism and rules of the WTO,

*Emphasizing* the importance and BRICS Members' strong support to the open, fair, transparent, predictable, equitable, non-discriminatory, inclusive, consensus- and rules-based multilateral trading system with the WTO at its core,

*Reiterating* the decision under the Strategy for BRICS Economic Partnership 2025 to take actions to support the necessary WTO reform to enhance the WTO's resilience, authority and efficacy, and promote development and inclusivity, the BRICS Members declare the following:

We recall our commitment to the common objective of the WTO as enshrined in the Marrakesh Agreement.

1. We welcome the outcomes of the 13th Ministerial Conference (MC13) in Abu Dhabi (UAE) and reiterate our commitment to work towards the implementation of the decisions and declarations of WTO Ministerials. We note, however, there is still a need for further efforts in many outstanding issues including negotiations on the development of existing trade rules in the spheres of agriculture, dispute settlement reform, fisheries

subsidies and special and differential treatment. We thus underscore our strong intention and commitment to settle these unresolved issues.

- a. Determined to achieve tangible progress in negotiations by MC14 we will explore ways to overcome the existing divergences between WTO Member's on agriculture negotiating issues.

Recognizing the difficult situation in delivering tangible results based on the existing WTO mandates the BRICS Members agree on the following. First, we will explore other complimentary areas of engagement, including discussing opportunities for enhancing productivity and production, facilitating trade in agriculture and ensuring smooth cross-border movement of agricultural products. Second, we will seek solutions to overcome the barriers causing the current stalemate in the negotiations and holding back the WTO Members from reforming and benefiting from unleashing the full potential of predictable, fair, equitable and effective WTO multilateral trade rules, ensuring food security and livelihoods, especially for low-income or resource-poor farmers, providing for unimpeded trade flows. To this end, we propose holding consultations with the BRICS Members to explore and share ideas and proposals to encourage the WTO Members to follow suit.

- b. We acknowledge the importance of the work undertaken in the Council for Trade in Services (in regular and special session) and its subsidiary bodies. We support to reinvigorate work on trade in services within the existing mandates.
- c. Taking into account the relationship between trade and investment, as well as the importance of attracting foreign investments and improving their transparency we need to exchange views on how to improve and facilitate investment flows, which will benefit the BRICS Members and note the importance of deliberations at the WTO on all issues impacting the multilateral trading system, taking into account development dimension being an integral part of the deliberations.
- d. We underscore the significance of the ongoing second phase of the WTO negotiations on fisheries subsidies agreement and will work towards successful

conclusion as soon as possible, based on the MC13 text on effective disciplines regarding overcapacity and overfishing and recognizing Special and Differential Treatment for developing, including least developed countries, in line with SDG 14.6.

- e. We highlight the centrality of the development agenda at the WTO. We agree that WTO Members should be equipped with the tools necessary to support structural transformation in developing countries and advance economic development through industrialization. We also underline that anti-competitive trade policies infringe on our paths to industrialization and economic modernization, and undermine the prospects of a just and towards equitable, inclusive, and balanced global development. Such policies may in particular be hidden behind environmental and other similar pretexts and have adverse effect on the economic development of the WTO Members. In this regard, we welcome MC13 outcomes aimed at providing developing, specifically least developed country members, with more flexibilities under the WTO Agreements. We will continue our cooperation at the WTO both on improving WTO flexibilities to make them more effective to provide policy space for industrialization of developing WTO Members and on countering trade-related practices that impede just global development.
- f. We strongly believe that an accessible, effective and fully-functioning WTO dispute settlement system is of paramount importance in providing security and predictability of the multilateral trading system, global and regional supply chains as well as preventing the proliferation of protectionist measures, including in the guise of environmental protection, that violate WTO rules. The restoration of the dispute settlement mechanism is urgently important to uphold the credibility of the WTO. Thus, we agree to engage constructively within the WTO to deliver a ‘fully and well-functioning dispute settlement system’ by 2024 to fulfil the MC12 mandate confirmed by the WTO Members at MC13. We underscore that technical dispute settlement discussions in Geneva should lead us towards the restoration of a two-tier fully-functioning dispute settlement system as a key step in the WTO reform.

g. Along with an increasing pressure on the dispute settlement system another example of the WTO institutional crisis is the monitoring and negotiating functioning of the regular WTO working groups, councils and committees. We acknowledge the importance of institutional means in monitoring and furthering the objectives of the WTO Agreements, including negotiating initiatives. However, we note that there is a serious need for operational improvements in efficiency of certain WTO bodies (for example, Committee on Balance of Payments, Working Group on Trade, Debt and Finance, Working Group on Trade and Transfer of Technology). In this respect, we call for the review and re-invigoration of the work of such regular bodies. To this end, we intend to jointly identify possible ways to make the work of such bodies more efficient. We look forward to receive positive recommendations from these Committees towards MC14.

BRICS Members stress the importance of transparent, accessible and inclusive discussions within the WTO and the importance of consensus decision making. We reaffirm that no WTO Member should be deprived of the opportunity to participate in such discussions and pursue positive efforts towards improving the framework of the multilateral trading system.

2. We note current trade challenges the multilateral trading system is facing such as unilateral trade measures that go against WTO rules and principles, protectionist environmental policies, subsidy race, as well as activities of transnational corporations (TNCs) that may have a market-distorting effect, as provided below.

a. BRICS Members underscore the importance of coherency of international climate and environmental arrangements, such as the Rio conventions and the Rio Declaration on Environment and Development, developed in international fora with the WTO rules. To this end, BRICS Members agree to take appropriate steps to ensure that climate and environmental arrangements, as well as trade measures adopted by Members and any related arrangements between and amongst Members, that affect

trade are consistent with the WTO rules, scientifically based, do not constitute a means of arbitrary or unjustifiable discrimination and do not create unnecessary obstacles to trade. BRICS Members oppose unilateralism and “green” protectionism, uphold that the WTO is the main fora for international trade rules setting.

- b. The current global subsidy race, including repurposing of trade-distorting subsidies, provoked by several developed WTO Members under the guise of environmental protection considerations, worsens local and global competitive conditions, damages global trade and exacerbates existing trade imbalances among the WTO Members, in particular to developing countries.
- c. We note the complexity of TNC’s effects on international trade and acknowledge the scarcity of relevant discussions both within BRICS and at the WTO. We, therefore, need to explore the effects of TNCs’ policies on level playing field in international trade.
- d. We express our deep regret for the increase in quantity and the negative implications of unilateral trade restrictive measures that are inconsistent with the existing provisions of the WTO and also go against the most-favoured-nation principle, as well as the other underpinning principles of the WTO, thus significantly undermining the multilateral trading system. Such measures are becoming increasingly sophisticated and take various forms such as individual measures against private companies, technologies export control, prohibition of access to ports and the other means of transportation, restrictions on international payments. Consequently, supply chains, including vital ones, are suffering from such disruptions. This in turn hinders global economic recovery and sustainable economic development. We are resolute in jointly opposing protectionism and unilateralism. We acknowledge the need for a resilient and responsive WTO to tackle current trade challenges, however, the process of finding such responses should be based on a positive and constructive cooperation, while also addressing the interests of all WTO Members, especially developing and least-developed ones. We recognize the impact on the world economy from unilateral

approaches in breach of international law and also note that the situation is complicated further by unilateral trade restrictive measures.

- e. We underscore the critical role technology plays in increasing productivity and output, and in diversifying economies to better integrate into the regional and global value chains. Therefore, it must be recognized that effective and adequate access to technology should be secured with the aim to contribute to economic development of all WTO Members, including developing and least-developed ones.

3. BRICS Members emphasize the significance of an inclusive multilateral trading system and support fellow BRICS Members in their WTO accession processes. We will enhance collaboration with our BRICS counterparts and other WTO Members to assist, including through the capacity building, the BRICS Members acceding to the WTO to engage fully into the multilateral trading system.

4. We would make our voice heard and cooperate within the WTO to safeguard and improve multilateral trade rules and promote the openness, inclusiveness, stability and resilience of global supply chains. We will build convergence on issues pertaining to the multilateral trading system, including the WTO reform, as well as the other trade policy issues of common interest, to coordinate our positions regarding further promotion of global trade and investments. To approach this goal, we agree to substantially enhance our cooperation on multilateral trade and trade related issues advance dialogue and facilitate views/opinion exchange among BRICS Members as reflected in the Annex on Strengthening the organization of BRICS work on WTO and WTO-related issues. Such cooperation could extend to themes related to but not limited to trade and economic development, trade and environment, technology transfer and cooperation, and WTO reform.

**STRENGTHENING THE ORGANIZATION OF BRICS WORK  
ON WTO AND WTO-RELATED ISSUES**  
*Annex to the BRICS Declaration on the WTO*

*Recalling* that in the Strategy for BRICS Economic Partnership 2025 the BRICS Members have committed to support the multilateral trading system based on the rules and principles of the World Trade Organization (WTO),

*Recognizing* the growing role of BRICS in setting international trade agenda and driving global economy,

*Emphasizing* the need to effectively respond to contemporary challenges to the multilateral trading system, while at the same time prioritizing outcomes on long-pending mandated issues,

*Recognizing* the value of enhanced cooperation of BRICS Members on multilateral trade and trade-related issues to increase the effectiveness of such responses,

*Aiming* to better understand each other's views and positions in respect of the WTO agenda elements,

BRICS Members agree to advance dialogue on the WTO and WTO-related issues by establishing an Informal Consultative Framework on WTO issues.

The aim of the Informal Consultative Framework is to promote information sharing between BRICS Members and to increase their awareness about each other's views and positions in respect of different elements of the WTO agenda, current and future.

The Informal Consultative Framework is to be based on the following operational pillars<sup>1</sup>:

1. BRICS Members' Delegations to the WTO, if necessary, at the level of the Heads of BRICS Missions to the WTO, will hold meetings to exchange views and consult on

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<sup>1</sup> To make the discussion free and productive, no rules or procedures or other disciplines for the meetings are suggested at this point.

the WTO agenda issues. Capital-based officials are encouraged/invited to participate in such meetings, where appropriate/necessary.

2. Such meetings are to be held on a regular basis, and on an “ad hoc” basis, if needed.<sup>2</sup>
3. BRICS Chairing Member’s representative chairs such meetings and proposes their agendas, in consultation with and taking into account inputs from the other BRICS Members.

BRICS Members also recognize the importance of building expertise and producing quality research on global trade regulatory matters for fueling effective discussions among BRICS Members on the WTO and WTO-related issues. To this end, BRICS Members agree to explore the possibility of promoting the cooperation of their research centers and think tanks engaged in WTO and trade policy studies and analysis, including for capacity building of national experts and launching joint research projects, as appropriate.

To do this, by the end of October 2024, BRICS Members are encouraged to provide the Chair with the coordinates of their research centers and think tanks to promote further dialogue between them, as feasible.

The present understanding in no way changes rights and obligations of the BRICS Members under the WTO Agreement. BRICS Members that do not have the status of a WTO Member are invited to participate in the meetings under the Informal Consultative Framework.

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<sup>2</sup> Before major WTO events, such as WTO Ministerial Conferences and General Council meetings, and other events to be decided *ad hoc* by participants of the Informal Consultative Framework on the WTO issues.