

## **MC14 in Yaoundé: Consider, Endorse or Finalize? Mixed Procedural Signals in the WTO Reform Package**

*By Vahini Naidu*

*An Analytical Note on the Procedural Design of the MC14 WTO Reform Package, 17 March 2026*

### **Abstract**

This note examines the procedural design of the MC14 WTO reform package and its implications for developing countries. It maps six conflicting formulations of what Ministers are expected to do with the draft reform texts, identifies an institutional tilt towards the Facilitator's document, and shows how non-binding breakout "takeaways" and informal small group consultations are being used to shape post-MC14 work. It concludes with practical recommendations for safeguarding a genuinely member-driven, consensus-based reform process.

---

### **1. Introduction**

Ministers arriving in Yaoundé will be presented with a package of documents on WTO reform prepared by three different institutional actors and supplemented by the WTO Secretariat's public communications. Each has framed the status and expected outcome of the draft Yaoundé Ministerial Statement on WTO Reform and the draft WTO Reform Work Plan in different terms. The result is a reform process in which the procedural foundations are unclear, the expected ministerial action is described in six different ways across the package, and the institutional architecture tilts toward a particular outcome. Rather than providing Ministers with a coherent basis for decision-making, the multiplicity of formulations, documents, and informal mechanisms risks producing convergence through confusion rather than through consensus. This note identifies and analyses the procedural inconsistencies across these documents, examines the status and implications of the breakout session outputs, and draws attention to strategic risks for developing countries. This note is without prejudice to the views and positions of South Centre Member States or other developing countries.

The documents examined are:

- Written Report by the WTO Reform Facilitator to the General Council, JOB/GC/491 (6 March 2026)
- Cover note by the General Council Chair, WT/MIN(26)/13 (17 March 2026)
- Revised Modalities, Schedule of MC14 Sessions (Director-General), WT/MIN(26)/INF/9/Rev.1 (17 March 2026)
- Information Note for WTO Reform Breakout Sessions (WTO Reform Facilitator), WT/MIN(26)/INF/15 (6 March 2026)

- WTO Secretariat briefing note on WTO Reform (WTO website: [https://www.wto.org/english/thewto\\_e/minist\\_e/mc14\\_e/briefing\\_notes\\_e/wtorreform\\_e.htm](https://www.wto.org/english/thewto_e/minist_e/mc14_e/briefing_notes_e/wtorreform_e.htm))

## 2. What are Ministers being asked to do? Six contradictory formulations

The most fundamental procedural question at any Ministerial Conference is what Ministers are being asked to decide. The MC14 Provisional Agenda (WT/MIN(26)/W/1, 19 February 2026) is deliberately open-ended on this point. Under Item 2, "Action by Ministers," it states only that "Ministers are expected under this item of the agenda to take any action which they may deem necessary for the work of the WTO. This may include any action on Ministerial texts and decisions." The Provisional Agenda does not specify what action Ministers should take on any particular text, nor does it presuppose endorsement, adoption, or finalisation of any document. Against this neutral baseline, the MC14 package contains six different formulations of the expected ministerial action on the draft Ministerial Statement and Work Plan. **Table 1** below sets out these six formulations, indicating where each comes from and what it implies for the type of decision Ministers are being steered toward.

**Table 1: Formulations of expected ministerial action on the draft Statement and Work Plan**

Source	Formulation	Implication
<b>GC Chair cover note (WT/MIN(26)/13)</b>	"for Ministers' consideration"	No expectation of outcome. Ministers may consider and set aside, amend, or take no action.
<b>DG modalities, schedule table (WT/MIN(26)/INF/9/Rev.1)</b>	"Ministers will have an opportunity to express their views on adopting"	Adoption is not presupposed. Ministers are invited to state whether they support adoption.
<b>WTO Secretariat briefing note (WTO website, second reference)</b>	"for possible endorsement at MC14"	Softer than the Facilitator. "Possible" signals endorsement is one potential outcome among others.
<b>Facilitator report, para 6.5 (JOB/GC/491)</b>	"for Ministers' consideration and	Pairs consideration with endorsement, implying

	endorsement at MC14"	endorsement is the expected outcome of consideration.
<b>WTO Secretariat briefing note (WTO website, opening line)</b>	"ministers will be asked to endorse the work plan"	Strongest public framing. Presents endorsement as the ask, not as one of several possible outcomes.
<b>DG modalities, section 1.1(5)(b) (WT/MIN(26)/INF/9/Rev.1)</b>	"Ministers will finalize the draft Ministerial Statement and Work Plan"	Presupposes Ministers will reach agreement on a final version. Goes beyond endorsement to imply completion of the text.

The variation across these formulations reveals a carefully calibrated progression toward a predetermined outcome. The General Council (GC) Chair's neutral "for Ministers' consideration" sets the formal baseline. The schedule table's "express their views on adopting" introduces the concept of adoption. The Secretariat briefing note's "possible endorsement" normalises the expectation of endorsement for public and capital-level audiences. The Facilitator's "consideration and endorsement" pairs the two as a single expected action. The Secretariat's opening line ("ministers will be asked to endorse") eliminates conditionality entirely. The Director General (DG)'s "finalize" goes further still, presupposing that Ministers will complete the text. Each step in this progression narrows the procedural space available to Ministers who may wish to amend, qualify, or withhold support. The overall effect is to frame any outcome other than endorsement as a failure of the Conference, placing the burden on delegations that raise objections rather than on proponents to secure consensus.

### 3. Institutional tilt toward the Facilitator's text

The calibrated push toward endorsement is reinforced by three institutional choices. First, the six Minister-Facilitators who will guide the breakout sessions and prepare the takeaway reports are drawn from Members aligned with the third group identified in the Facilitator's report, those supporting an ambitious, detailed work plan with specific timelines and substantive commitments (JOB/GC/491, para 2.1(c)). None is drawn from the first group, which in the Facilitator's own characterisation "does not support the adoption of a detailed Work Plan" (para 2.1(a)), nor from the second group, which supports only a streamlined, process-focused work plan (para 2.1(b)). The Minister-Facilitators will shape the breakout discussions, determine what constitutes "convergence" and "divergence," and

author the written summaries that will become the post-Conference takeaway document. Their orientation is relevant to how that document will read.

Second, the Facilitator's draft Statement and Work Plan is the only reform text that travels to Ministers as part of the formal MC14 package, accompanied by a GC Chair cover note with a WT/MIN document symbol. Member submissions that contain comparable draft ministerial statements and work plans, including those by the EU and Paraguay, are not part of the package. At the March GC, India and the United States asked whether Member submissions would be included. The DG indicated they would not, initially stating that Members are free to send their documents to Ministers separately. Subsequently, the DG reframed the request as requiring the transmission of "every single submission," deflecting attention from the narrower and more reasonable ask, which concerned only the two or three Member submissions that proposed draft ministerial statements and work plans comparable in character to the Facilitator's package. The GC Chair invited Members to request MIN document symbols for their submissions but did not include them in the transmitted package. This stands in contrast to the treatment of e-commerce, where all three Member proposals are being forwarded to Ministers despite the absence of convergence.

Third, the GC Chair's cover note references Member submissions only through a hyperlink to the WTO reform webpage, where they sit alongside dozens of other documents. The Facilitator's report receives direct citation and a formal document reference. Ministers reviewing the package in capitals will see one framing of the reform discussion unless they independently seek out alternative texts. The combined effect of these three choices is to position the Facilitator's draft as the default text for ministerial engagement, placing the burden on dissenting delegations to introduce alternatives into a process that has not been designed to accommodate them.

The WTO Secretariat briefing note adds a particularly significant dimension. Its opening line states that "ministers will be asked to endorse the work plan." This frames MC14 as presenting Ministers with a binary question. While the briefing note carries a disclaimer that it is not an official record and does not prejudice Members' positions, its public characterisation signals to capitals, media, and the broader public that the Conference will present a yes-or-no choice. If the Friday evening session is conducted on this basis, it narrows the space for amendment, qualification, or conditional acceptance. Delegations wishing to modify specific elements of the Work Plan would need to reframe the discussion from "do you endorse?" to "what changes are needed before we can endorse?" The procedural dynamics of a plenary session at 19h30, after a full day of breakout sessions, do not favour such reframing.

The GC Chair's cover note provides the most accurate description of the current procedural reality. It explicitly acknowledges that the drafts "do not enjoy Members' consensus" and expresses the hope that they "will assist Ministers in their work during the Conference towards building a consensus outcome." This is the only document among the six that objectively states where things stand.

Within the DG's own modalities document there is an internal inconsistency. The narrative in section 1.1(5)(b) says Ministers will "finalize" the text. The schedule table for the same session says Ministers will "express their views on adopting." These are different actions. "Finalize" presupposes agreement. "Express their views on adopting" does not. The schedule table is typically what delegations rely on in practice, but the DG's wording signals the Secretariat's intended framing of how the session should unfold.

#### 4. The breakout session outputs: Non-binding in law, binding in practice

##### 4.1 Two distinct outputs

The modalities document describes two separate outputs from the Minister-Facilitators following the breakout sessions as described in **Table 2** below.

**Table 2: Breakout session outputs**

Output	Description	Format	Circulation
<b>Report</b>	"Short, consolidated report per topic" covering foundational issues, decision-making, past mandates, development, level playing field, and "any other matter raised by Ministers"	Oral presentation at the Transparency Plenary by one Facilitator per topic	Delivered at the Friday 27 March plenary session (19h30)
<b>Summary</b>	"Short, written summary, concise and non-attributed"	Written document annexed to the consolidated reports	Compiled into a "single takeaways document" and circulated to all Members after the Conference

The relationship between these two outputs is ambiguous. The modalities document treats the written summary as an annex to the oral report, suggesting they are separate documents. The Information Note (WT/MIN(26)/INF/15, para 6.5) describes a different workflow in which each Facilitator first prepares a summary from their own group, then Facilitators meet collectively to consolidate by topic. Under this reading, the written summary is the raw input from which the consolidated oral report is distilled. The "single takeaways document" to be circulated after the Conference will be based on the written summaries, giving them more lasting institutional weight than the oral reports that Ministers actually hear in the room.

#### 4.2 The non-binding guidance paradox

The modalities document states that the Minister-Facilitator reports will be "under their own responsibility, non-binding and without prejudice to any Members' positions." The summaries are described as "neither negotiated nor consensus texts" that "carry no binding effect" and are "intended solely as reference points." In the same sentence, however, the modalities document states that the reports "could provide useful guidance for follow-up work." These two propositions are in direct tension. This contradiction is reinforced through two separate textual channels. **Table 3** below identifies where the modalities and the draft Work Plan refer back to Ministers' exchanges at MC14 and to the Facilitators reports, and shows how these references would allow a formally non-binding document to guide post-MC14 work.

**Table 3: Textual channels embedding non-binding outputs into post-MC14 work**

Document	Language	Effect
<b>Modalities, section 1.1(5)(a)</b>	Reports provide guidance for follow-up work" "could provide useful guidance for follow-up work"	Directly links non-binding reports to follow-up work
<b>Work Plan, Foundational Issues section (Annex to JOB/GC/491)</b>	Discussions will continue "taking into account Ministers' exchanges at MC14"	The takeaway reports will be the only written record of "Ministers' exchanges at MC14" on reform

Each of these references individually might be dismissed as hortatory. Together, they create a textual architecture that embeds the takeaway reports into the post-MC14 process at two distinct points. A delegation that objects to the content of a takeaway report after the Conference would need to challenge both references simultaneously, which is procedurally difficult once the Work Plan has been adopted.

### 5. The Friday-to-Sunday procedural gap

The MC14 schedule creates a procedural funnel with no formal mechanism for resolving disagreements on the reform texts between the Friday evening plenary and the Sunday closing session. **Table 4** below sets out the sequence of sessions from Friday evening to Sunday midday and shows that, on the current schedule, there is no dedicated slot for negotiating changes to the reform texts before they are brought to Ministers for action.

**Table 4: Timeline for reform text decision-making**

Day and Time	Session	Reform Text Status
<b>Friday 27 March, 19h30</b>	WTO Reform Transparency Plenary	Ministers hear breakout reports and "express views on adopting" or "finalize" the text (depending on which formulation governs)
<b>Saturday 28 March, full day</b>	Ministerial sessions on fisheries, IFDA, e-commerce, agriculture, development	No scheduled time for reform text negotiations
<b>Sunday 29 March, 09h00–12h00</b>	Informal HODs	"Review all documents to be put forward for Ministerial consideration"
<b>Sunday 29 March, 12h00–13h00</b>	Formal Closing Session	"Take any necessary action, including gaveling final decisions"

The absence of a formal negotiating mechanism in the written documents, combined with the DG's oral confirmation that informal small group consultations will fill this gap, is consistent with the calibrated push toward endorsement identified in Sections 2 and 3 above. If Ministers raise substantive objections on Friday evening, the written modalities document describes no formal process for

negotiating amendments before the Sunday Informal Heads of Delegation meeting. Saturday would be consumed by ministerial sessions on fisheries, Investment Facilitation for Development Agreement, e-commerce, agriculture, and development. At the March General Council, however, the DG indicated that Facilitators would use lunch breaks and other gaps in the Saturday schedule to convene Ministers in smaller configurations to review the draft reform texts and work toward agreement. This confirms that the intended mechanism for resolving outstanding differences on the reform texts is informal small group consultations conducted on the margins of the Conference, despite the insistence by the DG that MC14 is not a negotiating ministerial. This mechanism is not reflected in any written document circulated to Members. It gives Facilitators discretion over whom to convene, with no described criteria for participation, no transparency safeguards, and no guarantee that all groupings will be represented. For resource-constrained delegations, this presents a dual challenge. They cannot be present in multiple rooms simultaneously, and Saturday's schedule already requires their engagement in fisheries, agriculture, and development sessions that are of direct interest to them. Being drawn into informal reform text consultations during breaks further compresses the limited time available for group coordination on those other outcomes.

## **6. Concentration of process control in the Facilitator's post-MC14 role**

The WTO Reform Facilitator's draft Work Plan assigns himself a dual post-MC14 role. The Facilitator will "lead Members' discussions on foundational issues" and will also "continue to oversee and coordinate the overall process in a holistic manner, including the three initial workstreams, ensure coherence across the workstreams and avoid scheduling overlaps." The GC Chair will appoint separate facilitators for decision-making, development, and level playing field, but the Reform Facilitator oversees and coordinates them. This means one delegation holds authority over four of the five reform tracks. Only dispute settlement falls outside this structure, under the Dispute Settlement Body. The same Facilitator authored the draft Work Plan, prepared the Information Note for the breakout sessions, and would have overseen the takeaway document from MC14. If the Work Plan is adopted as drafted, this creates continuity and control from the preparatory phase, through the Conference, and into the post-MC14 implementation phase. Given the concerns raised by several delegations at the March and December General Council meetings regarding the Facilitator's departure from the original terms of reference, the perceived lack of impartiality, and the trust deficit that these have generated, the entrenchment of this role in the post-MC14 architecture warrants careful scrutiny by developing country Members before the Work Plan is endorsed.

## **7. Recommendations**

- 7.1 Seek clarity before the Friday plenary on which formulation governs the session. The GC Chair's "for Ministers' consideration" and the schedule table's "express their views on adopting" are the formulations most consistent with a member-driven, consensus-based process. If the session is conducted as a binary endorsement question or a "finalize" exercise, delegations should place on record that the GC Chair's cover note confirmed the absence of consensus and that no formulation in the MC14 package overrides the requirement for consensus decision-making at the Ministerial Conference. In this regard, Rule 28 of the Rules of Procedure for Sessions of the Ministerial Conference (WT/L/161) is clear: "The Ministerial Conference shall take decisions in accordance with the decision-making provisions of the WTO Agreement, in particular Article IX thereof entitled 'Decision-Making'." The terms "endorse," "finalize," and "express views on adopting" do not appear in the Rules of Procedure and carry no procedural authority independent of Article IX. The applicable legal standard is Article IX, and delegations are entitled to insist that any decision on the draft Statement and Work Plan be taken on that basis.
- 7.2 Register concerns during the breakout sessions. The Information Note on the breakout sessions states that each Minister-Facilitator will prepare "a summary of the key takeaways from their respective group," referring to the breakout groups. The modalities document is less specific on the source material for the written summaries but places them as annexes to the consolidated reports presented at the Transparency Plenary. On either reading, the breakout sessions are the primary source of content for the takeaway document. If a Facilitator characterises a point as reflecting "convergence" when a delegation disagrees, that delegation should state its objection clearly during the breakout session. Silence during the breakout sessions will make it harder to contest any elements in the takeaway document after the Conference. Delegations should also use the Transparency Plenary to place any corrections or qualifications on record, given the possibility that the consolidated reports draw on both the breakout discussions and the plenary session.
- 7.3 Request that the written summaries be shared with all Members before they are compiled into the final takeaways document, so that delegations have an opportunity to flag inaccuracies or mischaracterisations before the document acquires institutional weight.
- 7.4 Note the textual channels through which the takeaway reports are embedded into post-MC14 work. If the Work Plan is adopted, delegations should seek interpretive clarity that the takeaway document does not constitute agreed input for post-MC14 work and that "Members' submissions and contributions" in the

Modalities section refers to formal written submissions, not Facilitator-authored summaries of breakout discussions.

- 7.5 Pay close attention to the "any other matter raised by Ministers related to Post MC14 reform work" category. This open-ended category could be used to introduce issues into the takeaway document that were not part of the formal breakout agenda and on which developing country Members may not have had an opportunity to express views in a structured setting.
- 7.6 Coordinate positions on the Facilitator's continuing post-MC14 role. The concentration of oversight and coordination authority (embedded in JOB/GC/491) in a single delegation warrants scrutiny. Delegations may wish to propose that the GC Chair, rather than the Reform Facilitator, serve as the primary coordination point for all reform workstreams, with the appointment of a new Facilitator who will be subject to agreed terms of reference and rules of procedure.
- 7.7 Request transparency on the informal consultations that the DG has indicated will take place during breaks in the Saturday schedule to advance the reform texts. Delegations should seek assurances that they will be represented in any configuration convened by the Facilitators. Delegations should also request that any revised text emerging from such consultations be circulated to all Members before the Sunday Informal HODs, with adequate time for review. Rule 23 of the Rules of Procedure for Sessions of the Ministerial Conference provides a basis for this request: "Proposals and amendments to proposals shall normally be introduced in writing and circulated to all representatives not later than twelve hours before the commencement of the meeting at which they are to be discussed." If a revised reform text is to be taken up at the Informal HODs on Sunday at 09h00, Rule 23 would require its circulation by Saturday at 21h00 at the latest. Delegations should invoke this rule explicitly when requesting advance circulation of any revised text.

This Note has been prepared by the South Centre's Trade for Development Programme. The South Centre is an intergovernmental organisation of developing countries. It produces and disseminates strategic analyses, information, and policy recommendations on international economic, social, and political issues of concern to the Global South. The views expressed in this note do not necessarily reflect the official positions of the South Centre's Member States or other developing countries.

For enquiries, please contact: [Naidu@southcentre.int](mailto:Naidu@southcentre.int) or visit <https://www.southcentre.int/>