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**MINISTERIAL DECLARATION ON THE CONTRIBUTION OF THE MULTILATERAL
TRADING SYSTEM TO TACKLE ENVIRONMENTAL CHALLENGES**

COMMUNICATION FROM ARGENTINA, BANGLADESH, BARBADOS, PLURINATIONAL STATE OF BOLIVIA, BRAZIL, CABO VERDE, COLOMBIA, ECUADOR, EGYPT, HONDURAS, INDONESIA, KAZAKHSTAN, PANAMA, PARAGUAY, PERU, SOUTH AFRICA, URUGUAY, BOLIVARIAN REPUBLIC OF VENEZUELA, AND THE AFRICAN GROUP

The following communication, dated 29 February 2024, is being circulated at the request of the delegations of Argentina, Bangladesh, Barbados, Plurinational State of Bolivia, Brazil, Cabo Verde, Colombia, Ecuador, Egypt, Honduras, Indonesia, Kazakhstan, Panama, Paraguay, Peru, South Africa, Uruguay, Bolivarian Republic of Venezuela, and the African Group.

We, developing members, meeting in Abu Dhabi, United Arab Emirates, at the Thirteenth Ministerial Conference of the World Trade Organization (WTO):

1. **Affirm** the importance of sustainable development as a core objective of the multilateral trading system, as stated in the Preamble to the Marrakesh Agreement establishing the WTO, where Members recognise the need to seek "both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development."
2. **Recall** the mandate of the CTE, established by the Ministerial Decision on Trade and Environment, adopted in Marrakesh on 15 April 1994 and subsequent Ministerial Decisions and Declarations.
3. **Reaffirm** our commitments to Multilateral Environment Agreements (MEAs), including those expressed in the United Nations Framework Convention on Climate Change and its Paris Agreement, the United Nations Convention to Combat Desertification, the Convention on Biological Diversity, and its Global Biodiversity Framework, among others and the UN 2030 Agenda and its Sustainable Development Goals affirming the economic, social, and environmental dimensions of sustainable development.
4. **Acknowledge** the nexus of trade and sustainable development and that international trade can make a positive contribution in achieving the UN 2030 Agenda and its SDGs and responding to global environmental crisis in so far as it concerns WTO mandates and, in a manner, consistent with the Members' responsibilities as well as their respective needs and concerns at different levels of economic development.
5. **Reaffirm** our support for a rules-based, open, transparent, fair, and non-discriminatory multilateral trading system, with the WTO at its core and for effective collective action rather than unilateral measures.
6. **Reiterate** that the multilateral trading system should contribute to the achievement of the sustainable development goals and promote export-led growth in the developing countries through, *inter alia*, preferential trade access for developing countries, special and differential

treatment that responds to the development needs of developing countries, in particular least developed countries, and the elimination of unnecessary obstacles to trade that are inconsistent with WTO agreements.

7. **Note** that WTO rules do not prevent countries from the adoption of environmental measures provided they are not applied in a manner that would constitute arbitrary or unjustifiable discrimination or a disguised restriction on international trade.
8. **Believe** that, in line with the spirit of the WTO Agreements, trade-related environmental measures can best contribute to sustainable development, including environmental sustainability, by improving market access conditions and facilitating trade and investment, thus providing new market opportunities and incentives for sustainably produced products through trade policies, rather than by imposing barriers to trade.
9. **Express deep concern** about the increase in unilateral and protectionist measures, which run counter to the spirit and rules of the WTO and the purposes and principles of the United Nations, undermine the multilateral trading system and impact negatively on the access of developing countries' exports to global markets. We emphasize the importance of promoting an open world economy and generating greater positive effects of globalization.
10. **Note** that WTO law is not to be read in clinical isolation from public international law. Trade-related environmental measures and policies, due to their hybrid nature, must simultaneously respond to a multiple set of principles and parameters recognized by international environmental law and international trade law, including equity and Common but Differentiated Responsibilities and Respective Capabilities.
11. **Emphasize** that it is only through mutual supportiveness and harmonized application of international instruments such as MEAs and WTO Agreements that sustainable development can be meaningfully achieved.
12. **Stress** that capacity building, climate finance and technology transfer, including environmentally sound technologies, to address climate change are central for the adaptation and mitigation strategies of developing countries and a key element to facilitate growth and sustainable development.
13. **Recall** that climate finance and transfer of technologies from developed countries to support national action by developing countries on climate change and the development of endogenous technologies and capacities in developing countries has been an essential element since the adoption of the United Nations Framework Convention on Climate Change (UNFCCC). We reaffirm as stated in Article 4.7 of the UNFCCC that the extent to which developing country Parties effectively implement their commitments will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology. Subsequently, Article 10 of the Paris Agreement calls for that cooperative action on technology development and transfer shall be strengthened.

Do Hereby Agree to:

14. Call on all Members to refrain from imposing of unilateral trade-related environmental measures that create unnecessary obstacles to trade or arbitrary or unjustifiable discrimination between countries.
15. Encourage enhanced transparency of trade-related environmental measures applied by Members.
16. Intensify our collective work in the Committee on Trade and Environment to analyse the key principles of international environmental law that are relevant to the design and implementation of trade-related environmental measures, with the aim of enhancing coherence and mutual supportiveness between international environmental regimes and trade regimes in the design and implementation of trade-related environmental measures.

17. Intensify efforts to work on all items of the Committee on Trade and Environment, particularly the agreed items of focus.
 18. Work together to foster a dialogue on how to promote trade that supports sustainable development and just transitions, including by considering how positive trade incentives, designed, and implemented cooperatively, as well as WTO Agreements could facilitate trade of sustainably produced products, and provide developing countries with necessary means of implementation in this regard.
 19. Promote a coherent, open, member-driven, consensus-based, and inclusive approach in the discussion of trade and environment issues that arise across WTO bodies.
 20. Strengthen discussions in the CTE and other relevant bodies of the WTO on how the multilateral trading system can best contribute within its mandate to global responses to the environmental crisis, taking into account the principles and provisions of relevant international environmental treaties and norms of international environmental law.
 21. Reinvigorate the discussions on trade and technology transfer, including of environmentally sound technology across multiple WTO bodies, including the Committee on Trade and Environment and the Working Group on Trade and Transfer of Technology.
 22. Work together to promote, within the WTO mandate, cooperation on trade, innovation, and climate finance.
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