SEATINI
Strengthening Africa in World Trade

30TH ANNIVERSARY 1996–2026

WTO OMC

MC14 YAOUNDÉ 2026

ACHIEVING A DEVELOPMENT-CENTRED AGENDA FOR THE FOURTEENTH WTO MINISTERIAL CONFERENCE (MC14) IN YAOUNDÉ

Technical Submission to the Ministry of Trade, Industry and Cooperatives (Uganda)

February 2026

1. Introduction and Context

The Fourteenth WTO Ministerial Conference (MC14), to be held in Yaoundé, Cameroon, takes place at a time of heightened uncertainty in the global trading system. Persistent structural inequalities, limited progress on WTO reform, growing reliance on plurilateral approaches, and mounting geopolitical and geoeconomic fragmentation are reshaping the multilateral environment within which developing countries operate, including Least Developed Countries (LDCs) in the East African Community (EAC).

This context is further complicated by overlapping crises climate-related shocks, debt distress, food insecurity, cost-of-living pressures, and supply chain disruptions which have constrained fiscal space and weakened prospects for sustained structural transformation. Concurrently, major economies are expanding the use of industrial policy instruments in strategic sectors such as renewable energy, digital infrastructure, advanced manufacturing, and critical minerals. These shifts raise substantive questions regarding equity, competitive neutrality, and the scope of policy space available to developing countries within the existing multilateral framework.

Africa's engagement in the WTO must remain aligned with continental priorities articulated in Agenda 2063 and advanced through the African Continental Free Trade Area (AfCFTA). These frameworks emphasise industrialisation, value addition, economic diversification, employment creation, technological upgrading, and resilience. WTO outcomes at MC14 should therefore support rather than constrain Africa's structural transformation objectives and the effective implementation of the AfCFTA.

As the principal vehicle for deepening regional integration and expanding intra-African trade, the AfCFTA plays a central role in strengthening regional value chains and enhancing productive capacity. Africa's approach to MC14 must consequently be guided by a careful assessment of whether proposed outcomes reinforce these goals or risk limiting policy space and development prospects.

For EAC LDCs, MC14 is more than a routine Ministerial Conference; it is a strategic opportunity to safeguard development mandates, preserve industrial policy space, and ensure coherence between multilateral commitments and regional transformation frameworks. Coordinated regional analysis and clear strategic positioning will be essential to advancing these priorities effectively.

In parallel, Uganda's position should remain consistent with the collective priorities of the LDC Group as articulated in WTO General Council document WT/GC/W/979 (4 December 2025). These priorities provide an important benchmark for ensuring that development commitments undertaken at previous Ministerial Conferences particularly MC12 and MC13 are implemented before new rule-making initiatives advance.

SEATINI's contribution to shaping Uganda's negotiating position is framed within this broader context, with the objective of supporting evidence-based engagement before, during, and after MC14 to ensure that development priorities remain central to Uganda's and the region's participation in the multilateral trading system.

2. The Current State of the Multilateral Trading System

The multilateral trading system established under the World Trade Organization (WTO) is undergoing a period of significant strain, marked by interrelated structural, institutional, and political challenges. These pressures raise substantive concerns regarding the organisation's ability to deliver on its development mandate, maintain institutional coherence, and uphold confidence in a rules-based system.

One of the most persistent challenges is the limited progress in implementing long-standing development mandates arising from the Doha Development Agenda. Core issues of concern to developing countries including reform of agricultural trade rules and the strengthening and operationalisation of Special and Differential Treatment (S&DT) remain unresolved despite repeated Ministerial commitments. In particular, limited movement on addressing trade-distorting domestic support in developed economies, the absence of a permanent solution on public stockholding for food security purposes, and the lack of substantive review of S&DT provisions have contributed to continued asymmetries in the system. For Least Developed Countries (LDCs), these delays reinforce perceptions that development concerns are systematically deferred in favour of new negotiating priorities, thereby weakening trust in the development orientation of the WTO framework.

Institutional challenges are further compounded by the continued impasse in dispute settlement reform. The non-functioning of the Appellate Body has effectively suspended the operation of the WTO's two-tier dispute settlement system, limiting Members' ability to obtain final and binding adjudication of trade disputes. While alternative interim arrangements have been established among certain Members, these remain partial and do not restore a universally applicable enforcement mechanism. The resulting legal uncertainty disproportionately affects smaller and more vulnerable economies, which rely on a predictable and enforceable rules-based system to safeguard their negotiated rights.

At the negotiating level, the increasing recourse to Joint Statement Initiatives (JSIs) and other plurilateral processes represents a notable shift in practice. Although such approaches are presented as pragmatic responses to negotiating deadlock, their relationship to established multilateral mandates remains contested. Efforts to incorporate plurilateral outcomes into the WTO legal architecture without explicit multilateral consensus raise systemic and legal concerns. For many developing countries, the proliferation of plurilateral agreements risks institutional fragmentation and the emergence of differentiated obligations that may indirectly affect non-participating Members, thereby altering the balance of rights and responsibilities within the system.

These developments intersect with ongoing debates regarding the role of consensus in WTO decision-making. Consensus-based processes have historically functioned as an essential safeguard for equitable participation, particularly for smaller delegations with limited negotiating leverage. Proposals to reinterpret or bypass consensus through alternative procedural arrangements would have significant implications for institutional balance and inclusiveness. Any weakening of this principle could reduce the ability of developing countries to influence outcomes that affect their long-term policy space.

The broader global context further intensifies these tensions. Major economies have expanded the use of industrial policy instruments including subsidies, strategic procurement measures, local content requirements, and export controls to support priority sectors such as renewable energy, advanced manufacturing, and digital technologies. These developments reflect a wider shift toward strategic economic competition. Concurrently, aspects of the WTO reform discourse have focused on strengthening disciplines in areas related to subsidies, state intervention, and regulatory measures, often with implications for developing-country policy frameworks. The resulting asymmetry where advanced economies expand domestic intervention while reform discussions emphasise constraint raises concerns regarding equity and policy space for industrialisation and structural transformation.

Collectively, the persistence of unresolved development issues, the weakened dispute settlement system, the expansion of plurilateral rule-making, debates over consensus, and evolving industrial policy practices indicate a transitional and uncertain phase for the multilateral trading system. For LDCs and other developing Members, these dynamics underscore the importance of safeguarding development mandates, preserving institutional safeguards, and ensuring that any reform process strengthens rather than diminishes the inclusiveness and balance of the WTO framework.

For Uganda and other EAC LDCs, these trends intersect with structural vulnerabilities narrow production bases, commodity dependence, limited manufacturing capacity, infrastructure deficits, and high exposure to external shocks.

3. Key Issues and Systemic Challenges Informing Uganda's Position at MC14

Agriculture and Food Security

Agriculture remains central to Uganda's economy, underpinning rural livelihoods, food security, employment, and agro-industrial linkages. Yet longstanding imbalances within the multilateral trading system continue to constrain agricultural transformation across East Africa. Limited market access, tariff escalation in developed-country markets, and the persistence of trade-distorting domestic support measures undermine competitiveness and value addition efforts. The absence of meaningful progress on reform of domestic support disciplines, the unresolved question of a permanent solution on public stockholding for food security purposes, and continued delays on the Special Safeguard Mechanism reflect the incomplete development agenda of the Doha Round.

For Uganda, MC14 must not result in further deferral of agriculture reform. A development-oriented negotiating position should prioritise tangible outcomes on domestic support and food security that address structural asymmetries, while preserving and strengthening Special and Differential Treatment (S&DT). Agriculture should remain a central benchmark against which the credibility of any broader WTO reform package is assessed.

WTO Reform and Development Orientation

Reform discussions within the World Trade Organization are highly contested and risk shifting the institutional balance away from development priorities. Proposals advanced by some Members including differentiation or "graduation" approaches to S&DT, dilution of the single undertaking principle, and expansion of notification and transparency obligations could significantly narrow policy space for developing countries without correcting embedded structural imbalances.

Uganda should advocate for a reform process firmly anchored in the Marrakesh Agreement's development objectives, existing Ministerial mandates, and consensus-based decision-making. Reform must address historical inequities in agriculture, subsidies, and technology access before advancing new rule-making agendas. A reform outcome that prioritises enforcement and procedural efficiency while sidelining development concerns would not serve Uganda's long-term interests.

In this context, inclusivity in the reform process is critical. Uganda must ensure effective representation in formal and informal processes, resist efforts that marginalise smaller delegations, and actively coordinate within the African Group and the EAC to safeguard collective negotiating leverage.

Investment Facilitation for Development (IFD)

The plurilateral Investment Facilitation for Development initiative presents complex legal and policy implications. While framed as a facilitation instrument, its incorporation into the WTO architecture particularly if subject to the Dispute Settlement Understanding (DSU) would render its obligations enforceable multilaterally. This raises concerns regarding regulatory autonomy, administrative capacity, and coherence with regional investment frameworks.

Uganda should approach any outcome on IFD with caution. If adoption or incorporation into WTO Annexes is pursued at MC14, Uganda should support calls for comprehensive legal clarification and ensure that consensus-based procedures are fully respected.

Electronic Commerce and the Moratorium

The plurilateral negotiations on electronic commerce and the continued moratorium on customs duties on electronic transmissions carry direct fiscal and structural implications for Uganda. As a country seeking to expand its digital economy while still reliant on tariff revenues, Uganda must carefully evaluate the long-term impact of permanently constraining its ability to levy customs duties on digital imports.

The regulatory dimensions of e-commerce negotiations including data governance, cross-border data flows, source code, and technology transfer have implications for digital industrialisation and domestic innovation ecosystems. Premature commitments could entrench dependence on foreign digital platforms and limit the development of local enterprises.

Industrial Policy Space and Structural Transformation

The global expansion of industrial policy interventions by major economies underscores the importance of preserving equivalent policy tools for developing countries. Subsidies, strategic procurement, local content measures, and technology support schemes are increasingly deployed to secure competitive advantage in emerging sectors. In parallel, reform discussions within the WTO increasingly emphasise strengthening subsidy disciplines and regulatory constraints.

Process Integrity and Consensus

Institutional practice at MC14 will be as significant as substantive outcomes. The increasing reliance on restricted negotiating formats, Chair-driven texts, and efforts to integrate plurilateral outcomes without full multilateral mandates pose risks to transparency and inclusiveness. For Uganda, consensus-based decision-making remains an essential safeguard against the imposition of obligations inconsistent with national development priorities.

Strategic Preparedness for MC14

Several potential scenarios warrant preparation. These include attempts to multilateralise the IFD Agreement through Annex incorporation; pressure to render the e-commerce moratorium permanent; reform language that reinterprets consensus or S&DT; and outcomes that defer agriculture reform while advancing new rule-making.

4. Recommendations for Uganda's Engagement at MC14

In light of the foregoing analysis, the following recommendations are proposed to guide Uganda's engagement before, during, and after MC14. These recommendations are aimed at ensuring that Uganda's participation in WTO reform processes remains firmly anchored in national development priorities, regional integration commitments, and the preservation of policy space;

- The Government of Uganda should enter MC14 with a clearly defined, development-oriented strategy anchored in disciplined prioritisation of outstanding mandates. Progress on agriculture reform and the strengthening of Special and Differential Treatment (S&DT) should take precedence over the adoption or incorporation of new plurilateral disciplines. Any reform outcome should be assessed against its contribution to correcting structural imbalances rather than expanding obligations that constrain policy space.
- The Government of Uganda should establish clear negotiating red lines and fallback positions in advance of MC14, particularly in anticipation of pressure to endorse packaged outcomes on WTO reform, plurilateral incorporation, or permanent extensions of the moratorium on customs duties on electronic transmissions. Uganda should strengthen coordinated engagement within the African Group and the LDC Group to preserve collective leverage. Where proposed outcomes risk narrowing policy autonomy or entrenching asymmetries, Uganda should be prepared to withhold consensus in accordance with established WTO procedures.
- With respect to the Investment Facilitation for Development (IFD) initiative, the Government of Uganda should undertake a comprehensive national impact assessment and structured stakeholder consultations prior to any ratification decision. In the absence of adequate safeguards, clarity on legal implications, or assured technical and financial support, the Government may consider deferring ratification pending further review. The Government of Uganda should prioritise implementation of the AfCFTA Protocol on Investment as the primary framework guiding national and regional investment policy. Ensuring coherence between the AfCFTA investment framework and any potential WTO-based commitments will be essential to avoid regulatory fragmentation or conflicting obligations.
- On electronic commerce, Uganda should advocate for an evidence-based assessment of the fiscal and developmental implications of the moratorium on customs duties on electronic transmissions and preserve regulatory flexibility consistent with national digital industrialisation objectives and AfCFTA commitments. The Government of Uganda should carefully scrutinise any proposal to extend or render the moratorium permanent to ensure alignment with domestic revenue considerations and long-term digital transformation strategies.
- Across all reform discussions, Uganda should

consistently defend the right to deploy targeted industrial policy instruments necessary for structural transformation, agro-processing, and technological upgrading. The Government of Uganda should resist reform trajectories that constrain developing-country policy tools while normalising expansive interventions in advanced economies. Preservation of industrial policy space should remain a central development priority in Uganda's engagement in the WTO reform process.

Conclusion

MC14 represents a critical juncture for Uganda and other EAC LDCs. The central consideration is whether reform outcomes will correct structural inequities and strengthen the development dimension of the multilateral trading system, or whether they will introduce new obligations that constrain policy autonomy without addressing longstanding imbalances.

Uganda's engagement should therefore be anchored in a clear development-oriented reform agenda, reinforced by regional coordination, national consultation, and strategic preparedness.

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