

**CIL-NUS Distinguished Speaker Series  
Public Lecture on**

**“The WTO in the Midst of a Rupture in the  
Global World Order”**

**25 February 2026  
Four Points by Sheraton  
Singapore**



*Executive Summary*

On 25 February 2026, the Centre for International Law (CIL), National University of Singapore, hosted a public lecture with Prof Gabrielle Marceau, on the WTO in a midst of a rupture in the global world order, examining how the WTO is adapting to profound shifts in global trade governance.

The public lecture commenced with opening remarks by Dr Nilüfer Oral, Director of CIL, National University of Singapore, introducing Prof Gabrielle Marceau as the distinguished speaker for the CIL-NUS Distinguished Speaker Series Public Lecture on Climate Change. The lecture and ensuing question-and-answer session was moderated by Ms Danielle Yeow, Adjunct Senior Research Fellow and Lead, Climate Law and Policy (CIL).

Drawing on recent institutional practice, Professor Marceau emphasised the WTO's transformation from its conventional function as a venue for negotiations and dispute resolution to a more expansive platform for collaboration and policy coordination. She examined how the organisation has responded to recent global challenges, including the COVID-19 pandemic, where it leveraged its expertise in trade and convening power to facilitate coordination on vaccine production and distribution, as well as efforts to improve supply chain resilience in the face of widespread disruptions.

The lecture also explored ongoing debates over intellectual property and access to vaccines, as well as the WTO's increasing engagement with sustainable development issues and climate policy. Professor Marceau also addressed systemic challenges facing the WTO, particularly the continued paralysis of the Appellate

Body and the interim solutions developed by Members, alongside ongoing efforts at broader dispute settlement reform. The growing intersection between trade and emerging issues such as artificial intelligence was also discussed.

Overall, the lecture underscored the WTO's capacity to adapt to geopolitical, economic, and technological pressures, and its continued relevance as a forum for addressing cross-border challenges through dialogue and cooperation.



## Presentation

Professor Marceau’s lecture examined the evolving role of the World Trade Organisation (WTO) in a changing global order. She argued that the WTO is no longer confined to its traditional function as a negotiation and dispute settlement forum. Instead, it has increasingly acted as a platform addressing a wider range of issues through new methods of work, including committee-based deliberation, plurilateral initiatives, and enhanced engagement by the Secretariat.



## **WTO’s Response to COVID-19**

She began by discussing the WTO’s response to COVID-19. Due to its expertise in addressing border restrictions, the WTO became a key forum to coordinate responses to the pandemic, alongside the World Health Organisation (WHO). The WTO Secretariat also created a dedicated webpage to map national and regional COVID-19-related trade restrictions, facilitating collaboration and coordination among its Members. Under Director-General Dr Ngozi Okonjo-Iweala, the WTO also treated “vaccine policy as trade policy” and used its convening power to bring together associations, manufacturers, producers, and distributors of vaccines and medical supplies to boost production, distribution, and access. Notably, Canada and other Members requested that the Director-General engage with the private sector to discuss the accelerated production of COVID-19-related medical products. In addition, the IMF, World Bank, WHO, and WTO jointly convened a Task Force on COVID-19 Vaccines, Therapeutics, and Diagnostics for Developing Countries. Professor Marceau likened this initiative to Churchill’s “War Rooms”, as it brought together industry and private stakeholders to coordinate a global response to the pandemic.

The pandemic also highlighted the vulnerability of global supply chains. Professor Marceau explained that COVID-19 disruptions led to shortages of essential goods and disproportionately affected micro, small, and medium-sized enterprises. WTO Members therefore asked the Director-General to facilitate discussions on supply chain issues. The WTO hosted forums and technical workshops where governments, experts, and private-sector actors could identify bottlenecks and discuss ways to strengthen supply chain resilience. Concerns also emerged regarding critical minerals, particularly given their importance for electric vehicle supply chains. Finally, the MC13 Ministerial Declaration on Supply Chain Resilience recognised the WTO’s role in promoting resilient global supply chains.

Another key topic was the debate over intellectual property rights and access to COVID-19 vaccines. Developing countries such as South Africa and India advocated allowing vaccine production without the patent-holder's consent, while several developed countries opposed the proposal. A compromise was reached at MC12 in Geneva in 2022, allowing developing countries to use the subject matter of a COVID-19 vaccine patent without the consent of the right holder under certain conditions. Crucially, footnote 1 introduced an "opt-out" mechanism under which developing countries with existing manufacturing capacity were encouraged to commit not to use the waiver; China made such a commitment.

### **Climate and Sustainable Development at the WTO**

Professor Marceau then emphasised that Members have explicitly affirmed, in the 2024 Abu Dhabi Ministerial Declaration and the 2022 MC12 Outcome Document, the importance of trade and sustainable development in its economic, social, and environmental dimensions. The MC12 Outcome Document further highlighted the need to address climate change, biodiversity loss, pollution, and natural disasters. She also noted that the preamble of the WTO Agreement affirms the importance of sustainable development in international trade.

Professor Marceau further discussed the increasing relevance of the WTO in global climate debates. Members have recognised that trade is inseparable from climate issues, leading to a growing number of discussions on trade-related climate measures within WTO bodies. Moreover, the WTO has engaged with the private sector on climate issues, as evidenced by initiatives such as the WTO Trade Forum for Decarbonization Standards in the Steel Sector in 2023. Professor Marceau observed that many developing countries prefer climate discussions to take place within the WTO, particularly because of the principles of equivalence and mutual recognition found in the Agreement on Technical Barriers to Trade, the Agreement on the Application of Sanitary and Phytosanitary Measures, and the General Agreement on Trade in Services. These principles allow Members to pursue shared environmental goals using different standards, without requiring a single harmonised approach.

### **Joint Statement Initiatives**

New initiatives are emerging within the WTO, driven by subgroups of Members. The logic behind this approach is that Members should focus on practical cooperation even when formal consensus remains out of reach. For instance, Joint Statement Initiatives (JSIs) are being advanced by groups of like-minded countries, such as Japan, Australia, and Singapore, particularly in areas like e-commerce and digital trade. These initiatives enable substantive work to move forward even when some Members oppose discussions on issues such as climate policy, child labour, or digital trade.

### **Dispute Settlement Reform**

The lecture also addressed the WTO's dispute settlement crisis. Since late 2019, the Appellate Body has been paralysed, prompting a group of Members to establish the Multi-Party Interim Appeal Arbitration Arrangement (MPIA) in 2020 under Article 25 of the Dispute Settlement Understanding. While this mechanism provides an alternative tool for Members to resolve trade disputes, it remains a temporary

solution. At the same time, WTO Members have continued discussions on dispute settlement reform, which were formalised in April 2024. Professor Marceau highlighted that Ms Locknie Hsu, Professor of Law at the Singapore Management University, is currently one of the ten MPIA arbitrators.

## **Funds**

Although the WTO has traditionally had limited financial resources, it has established various funding mechanisms to assist developing countries. These include the 2004 Standards and Trade Development Facility, the 2007 Enhanced Integrated Framework, and the 2014 Trade Facilitation Agreement Facility. More recently, the Fisheries Subsidies Agreement established a Fisheries Funding Mechanism to provide technical assistance and capacity-building support to developing countries and least-developed countries; this mechanism has been operational since 8 November 2022. The Agreement also contains a list of prohibited subsidies that contribute to illegal, unreported, and unregulated fishing, as well as fishing on the unregulated high seas and in overfished stocks. Professor Marceau noted that although the Agreement was initiated in the UN, the UN enlisted the WTO's assistance due to its greater expertise in subsidies and subsidy negotiations.

## **Digital Trade and Technologies**

Finally, Professor Marceau briefly addressed digital trade and emerging technologies such as artificial intelligence (AI). AI has become highly relevant in the WTO context because it can affect, for instance, processes and production methods used to make goods. Many discussions were prompted after the European Union notified the Committee on Technical Barriers to Trade of its digital trade regulations. Additionally, the WTO Secretariat has prepared reports examining the relationship between AI and trade, such as the 2025 World Trade Report.

In conclusion, Professor Marceau argued that international organisations created by governments can adapt to new challenges when their Members support change. She suggested that the WTO has gradually evolved from a forum focused primarily on negotiations and dispute settlement into a broader platform for cooperation and policy coordination. Despite concerns about deglobalisation and predictions of WTO decline, governments continue to rely on the organisation as a forum to discuss and address cross-border problems.

## *Moderated Questions and Answer Session*



The evening concluded with a wide-ranging and engaging question-and-answer session. Participants, including a number of foreign policy officials and legal advisors, posed questions spanning the impact of a shift toward sustainable trade on developing countries, reflections on the principle of common but differentiated responsibilities in the trade context, the continued relevance of the most-favoured-nation treatment principle, and the significance of standard-setting discussions.

The key insights canvassed during the moderated session include:

- **Sustainable trade and development:** Participants raised concerns that environmental measures, particularly non-tariff measures, may disproportionately affect developing countries. Professor Marceau reiterated the significance of the WTO principle of equivalence, which facilitates mutual recognition rather than strict harmonisation.
- **Regulatory fragmentation and capacity constraints:** The slow implementation of frameworks such as the AfCFTA reflects divergent legal systems, uneven regulatory development, and limited institutional capacity. The principle of mutual recognition, as well as greater governmental reliance on international standards, may help bridge these gaps.
- **Reframing CBDR:** The International Court of Justice (ICJ) emphasized in the Climate Change Advisory Opinion that all states must do everything within their capacities to address climate change. The issue is not simply a binary distinction between developed and developing countries, with an emerging understanding is that all states must take action in accordance with their respective capacities. Although the WTO has historically relied on categorical distinctions between developed and developing countries, the evolving approach recognises that the responsibility to act applies to all states.
- **Subsidies – overcapacity:** Concerns about subsidies (particularly in relation to Chinese overproduction) are an increasing source of tension. Although the issue is being openly discussed, concrete reforms to the Agreement on Subsidies and Countervailing Measures have yet to materialise
- **Erosion and adaptation of MFN:** The most-favoured-nation principle continues to underpin the trading system but is increasingly challenged by bilateral and plurilateral arrangements. At the WTO, China has defended the Most-Favoured-Nation (MFN) principle and the existing status quo, whereas the United States appears to be departing from it. Hence, it may be conceivable for aspects of MFN commitments to become more flexible or subject to scheduled commitments reflecting countries' individual capacities in the future.
- **From tariffs to regulation:** Tariffs have already been significantly reduced in many countries, such as Canada and Singapore, where most goods face zero tariffs. As a result, many contemporary trade issues concern regulatory measures rather than tariffs per se. Emerging issues such as artificial intelligence and climate policy are primarily regulatory in nature, reinforcing the growing importance of regulatory cooperation in international trade.

- **Importance of standards:** Internationally recognised technical standards, though developed outside the WTO, play a central role in its operation. The integration of technical expertise is particularly valuable for emerging issues such as climate policy, where cooperation between trade policymakers and technical experts is increasingly necessary.

### **BONUS!**

#### **CIL Dialogues Blog by Gabrielle Marceau and Jian Ling Teo (25 March 2026): The World Trade Organisation Belongs to the Future — But How Do We Get There?**

Modern trade is evolving, but can the WTO keep up? From global health, climate, and digital trade and technologies, trade today is inseparable from the world’s most pressing frontiers. Yet, while the WTO excels as a forum for discussion, it is hitting a wall in rulemaking.

The traditional consensus rule has become a source of deadlock, as evidenced from how the path to integrating the Investment Facilitation for Development Agreement and the Agreement on E-Commerce into the WTO Agreement remains blocked.

How do we move forward when it seems “impossible” to do so? Gabrielle Marceau and Jian Ling Teo argue that Members must explore alternative paths for rulemaking, such as introducing processes and/or procedural steps to facilitate consensus, using softer norms or softer language, using dynamic and variable geometry commitments in sub-group instruments, and more. Members must do their best not to let the consensus deadlock undermine the security of global trade. Read [here](#).