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**Ministerial Conference
Thirteenth Session
Abu Dhabi, 26-29 February 2024**

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MINISTERIAL STATEMENT BY INDIA

The following communication, dated 28 February 2024, is being circulated at the request of the delegation of India.

We note the communication from Chile and the Republic of Korea ([WT/MIN\(24\)/W/5](#)) dated 16 February 2024 which provides that 'As informed to all WTO Members at the special meeting of the General Council held on 14 February 2024, 119 WTO Members co-sponsoring the Joint Ministerial Declaration will submit, for Ministers' consideration at the 13th WTO Ministerial Conference (MC13), a request to add the IFD Agreement to Annex 4 of the Marrakesh Agreement Establishing the WTO ("WTO Agreement") pursuant to Article X.9 of the WTO Agreement. The request for incorporation is submitted in the form of a 'Draft' Ministerial decision'. An advance copy of the noted Draft Ministerial decision is annexed to the communication [WT/MIN\(24\)/W/5](#).

Article X.9 of the Marrakesh Agreement Establishing the WTO states that "The Ministerial Conference, upon the request of the Members Parties to a trade agreement, may decide exclusively by consensus to add that agreement to Annex 4".

We state that no exclusive consensus exists to add the proposed Agreement as an Annex 4 Agreement. We underscore that given the lack of exclusive consensus, this is not a matter for the MC13 agenda.

Further discussions and consultations on this matter can take place in the General Council including on concerns, as reflected in [WT/GC/W/819/Rev.1](#).

This statement is a formal objection by India within the meaning of footnote 1 of Art. IX:1 of the Marrakesh Agreement Establishing the WTO, to any proposal to include the adoption of the Investment Facilitation for Development Agreement as an issue for consideration and action within the agenda of, or as an agenda or sub-agenda item of, the 13th Session of the WTO Ministerial Conference.
