

GLOBAL TRENDS ANALYSIS

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Global Trade Cooperation after COVID-19: What is the WTO's Future?



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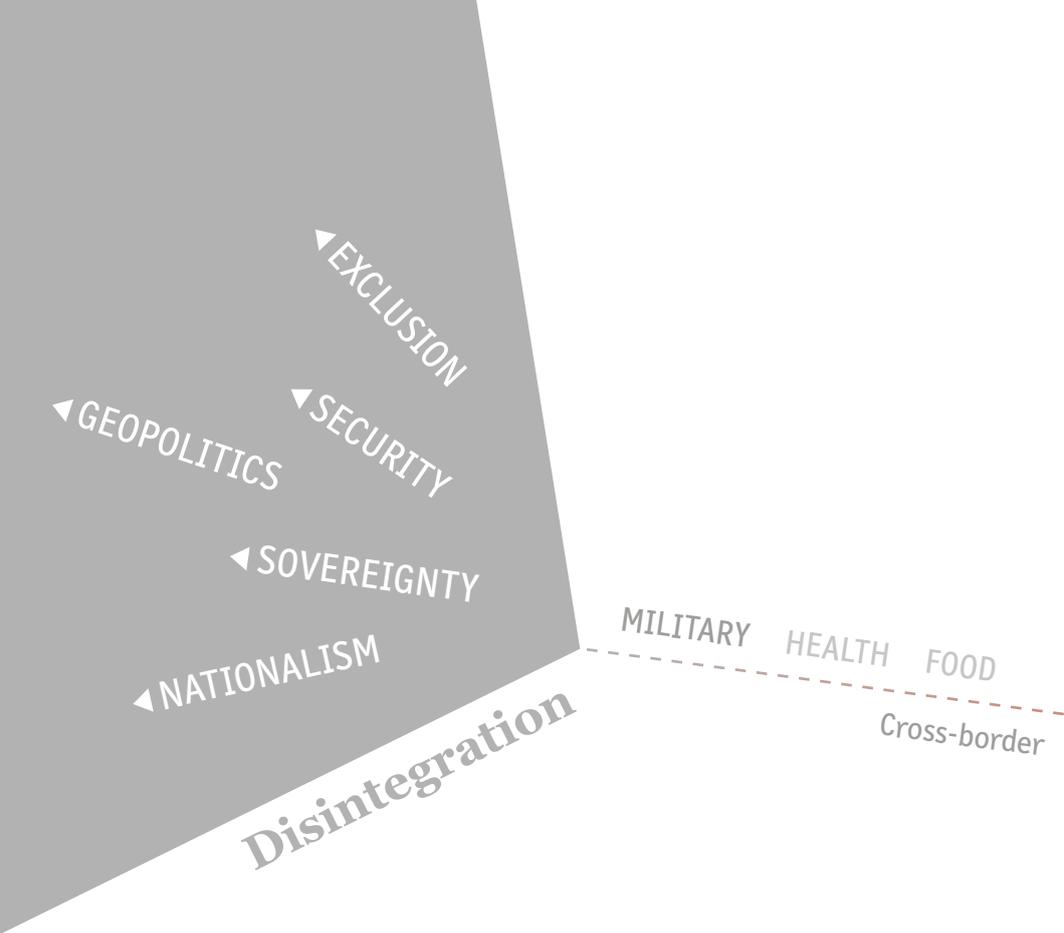
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INTRODUCTION

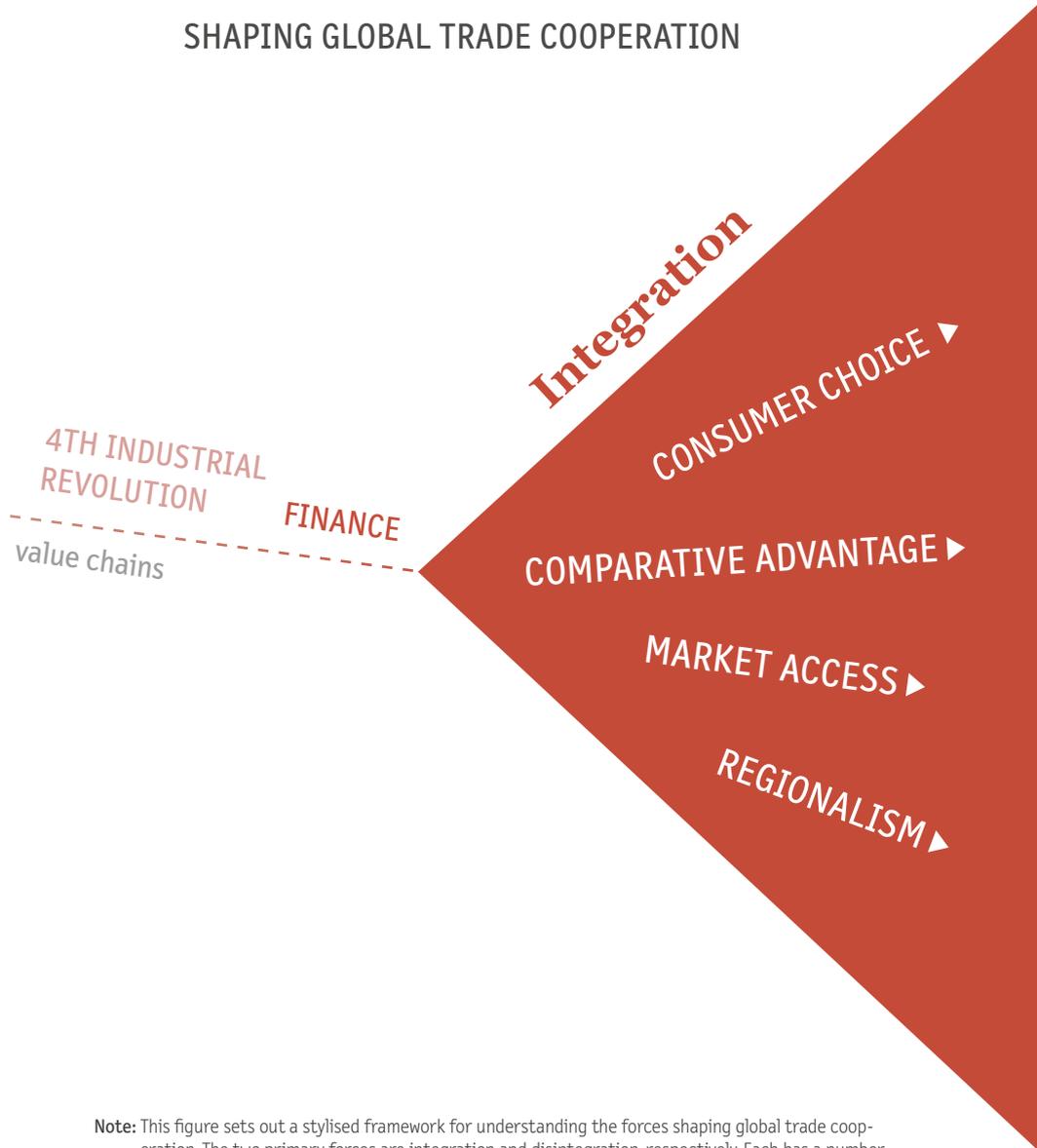
International trade cooperation has been under growing strains since at least the turn of the twenty-first century. Forces promoting global trade integration were in the ascendancy for most of the first decade. They were anchored on complex production specialisation mediated through cross-border value chains, underpinned by consumer demand for a variety of cost-effective products, and cemented through regional and bilateral trade agreements. However, since 2008, successive shocks unleashed cumulative disintegrative forces that counter-balanced and now threaten to overwhelm the forces of integration. These comprise rising nationalism, associated desires for sovereignty, growing concerns over uneven distribution of the benefits of economic globalisation, shifting international power balances and associated security concerns. These disintegrative forces threaten to unravel the World Trade Organization (WTO). COVID-19 mostly accelerates this trajectory, rendering WTO reform and restoration to its central role at the apex of the global trading system increasingly challenging. But all is not lost, as the forces of global trade integration have not dissipated and every crisis also presents reform opportunities.



Military	a national prerogative, interacting strongly with nationalism and geopolitics, yet geopolitics also compels states to cooperate including formation of alliances, to strengthen resistance to external threats
Health	notably response to pandemics, also primarily a national prerogative with international cooperative dimensions such as via the World Health Organization but also international research and development consortia
Food	traded across many borders, but when crises occur the national impulse is to retain food at home using export restrictions
4th Industrial Revolution	fuelled by information and communications advances, which cross borders for the most part with ease; however, these technologies have their disintegrative aspects, for example automation – which undermines labour-seeking foreign direct investment – and their military applications that encourage governments to protect intellectual property by excluding foreigners from accessing it
Finance	remains mostly free to cross international borders, although in the wake of the global financial crisis capital controls re-emerged in some jurisdictions and the Chinese market remains relatively closed to international finance

FIGURE 1

CENTRIFUGAL VS. CENTRIPETAL FORCES: SHAPING GLOBAL TRADE COOPERATION



Note: This figure sets out a stylised framework for understanding the forces shaping global trade cooperation. The two primary forces are integration and disintegration, respectively. Each has a number of distinct drivers, indicated in boosting arrows. The thin dash line connecting the two primary forces represents the countless cross-border value chains connecting disparate parts of the world economy to each other in tangible (goods, particularly parts and components) as well as intangible (intellectual property rights, services – particularly data-fuelled) terms. To each side of this divide, a number of additional core trade-related drivers is shown, each with its own integration/disintegration dynamic.

1. ACCELERATING BREAKDOWN OF GLOBAL TRADE COOPERATION

This paper is based on the conceptual framework that global trade cooperation is shaped by two primary forces with distinctive drivers – integration and disintegration –, connected by cross-border value chains [see Figure 1]. Besides, additional core trade-related drivers such as ‘Military’, ‘Health’, ‘Food’, ‘4th industrial revolution’ and ‘Finance’ have a particular influence on trade cooperation. This framework is derived from my long experience of working in and on the global trading system in various roles, and as such is a personal rendering of what is undoubtedly a highly complex terrain. In the following, I discuss how international trade cooperation has been evolving and influenced by these drivers at different periods of time, starting with a brief historical perspective on the last two decades.

1.1 THE APEX OF INTEGRATION FORCES: THE WTO’S DOHA DEVELOPMENT ROUND

Prior to the global financial crisis of 2008, market-led integration, backed by a confident US military and economic super-power, dominated international economic cooperation. It was driven by the logic of economic integration through ‘Global Value Chains’, led by apex firms or multinational corporations, scouring the world in search of markets [‘Consumer choice’ in Figure 1], choosing optimum production locations based on ‘Comparative advantage’. This was anchored in a proliferation of regional economic integration arrangements [‘Regionalism’], and at the multilateral level was underpinned by the launch of the WTO in 1994.

The lead-in to the global financial crisis was the peak of the neoliberal ‘Washington consensus’ culminating, in the trade world, in the launch of the Doha Development Agenda in November 2001, officially launched at the WTO’s Fourth Ministerial Conference in Doha, Qatar. Prior to the Round’s effective collapse in July 2008 (officially, it is still alive), serious underlying tensions had become apparent across some old and new fault lines (Blustein 2009), notably:

- (1) Would the traditional post-World War II engine of international trade liberalisation under the General Agreement on Tariffs and Trade

(GATT) – the so-called ‘quad’ of the US, Canada, the European Union (EU), and Japan – be able to direct proceedings as they had up to that point [‘Geopolitics’ in Figure 1]? The answer was a resounding ‘no’. This was perhaps best captured in the symbolism of the ‘green room’ (the WTO Director General’s boardroom) in which the quad had traditionally met to hammer out their deals. As the Round’s complexity and coalitional dynamics multiplied, participation in green room deliberations expanded to a core set of systemically-significant developed and developing countries. Pascal Lamy, then the WTO’s Director General, described his approach to mobilising consensus as one of expanding concentric circles, i.e. creating a ‘contract zone’ (Odell 2000) in the new core group and then progressively rolling it out to the wider membership (World Trade Organization 2008).

(2) In what ways could developing countries at various stages of development and with differing levels of trade integration ambition be accommodated in the Round’s final package, or the ‘Special and Differential Treatment’ (SDT) issue? From the standpoint of many developing countries the word ‘development’ in the Doha Development Agenda signified that their interests would be paramount; for other countries, particularly developed members, a cynical interpretation widely shared at the time was that the word ‘development’ provided sufficient political cover to pursue a ‘business as usual’ multilateral trade negotiation.

(3) Would some developed countries reform old pockets of resistance – notably agriculture [‘Food’ in Figure 1], perhaps best thought of as ‘SDT of a special type’ – an observation frequently made by the then South African trade minister, Alec Erwin?

(4) How could new issues of interest to developed countries, notably services and deep regulatory (‘behind the border’) commitments, seen as necessary to smooth the operation of global value chains, be meaningfully accommodated? Veterans of the Round will remember the US-EU attempt to include competition, investment, and government procurement. This was derailed by a loose coalition of developing countries. A watered-down version of trade facilitation survived and was adopted as a stand-alone multilateral agreement at the Bali Ministerial Conference in December 2013. It is the only multilateral agreement (meaning it is applied to all WTO members) concluded under the auspices of the WTO.

The effective cessation of WTO negotiations prior to the onset of the global financial crisis signalled that business would not be as usual, and that a power shift was well underway.

1.2 AFTER THE 2008 FINANCIAL CRISIS THE PENDULUM SWINGS TOWARDS DESINTEGRATION

In a prior report I co-edited (World Economic Forum 2015) we drew on political science literature to label this period ‘The Interregnum’ [‘Geopolitics’ in Figure 1], referring to a period when an embedded political-economic regime is breaking down but no replacement regime yet exists to take its place. While tensions in the US-China relationship were pivotal to this power shift, there was more in play than this critical bilateral axis. Economic growth in the developing world generally continued to outpace developed world rates, and investment as well as trade flows were increasingly being directed to or from an emerging group of developing countries. These dynamics were best captured in two influential Goldman Sachs reports, on Brazil, Russia, India and China (BRICs) (O’Neill 2001), and the Next Eleven (N-11) (O’Neill et al. 2005), respectively, in which the investment bank mapped out the contours of future economic growth and consumption, anchored in the above-mentioned emerging giants, as well as the mid-tier developing countries following in their wake.

Importantly, China’s embrace of the global trading system, increasing centrality to off-shoring of global value chains, and vast consumer market potential, when combined with the after-effects of both India and Brazil’s economic reforms carried out in the 1990s and around the turn of the century, reinforced the economic integration trend underway prior to the global financial crisis at global and regional levels (Draper et al. 2009). While the WTO’s negotiating engine stalled, regional economic arrangements continued to multiply, notably in the Asia-Pacific, but by no means confined to this region [see Figure 2]. Furthermore, the integrative aspects of the cluster of technologies dubbed the ‘4th Industrial Revolution’ [Figure 1] were emerging and provided powerful support for economic integration even as the locus of economic activity was shifting. The regulatory gap between these technologies and international trade cooperation agreements is widely thought to have widened, notwithstanding ‘WTO +’ regional trade agreements such as the (now) Comprehensive and Progressive Trans-Pacific Partnership.

1.3 PRESIDENT TRUMP'S ELECTION: ACCELERATING THE GROWTH OF DISINTEGRATIVE FORCES

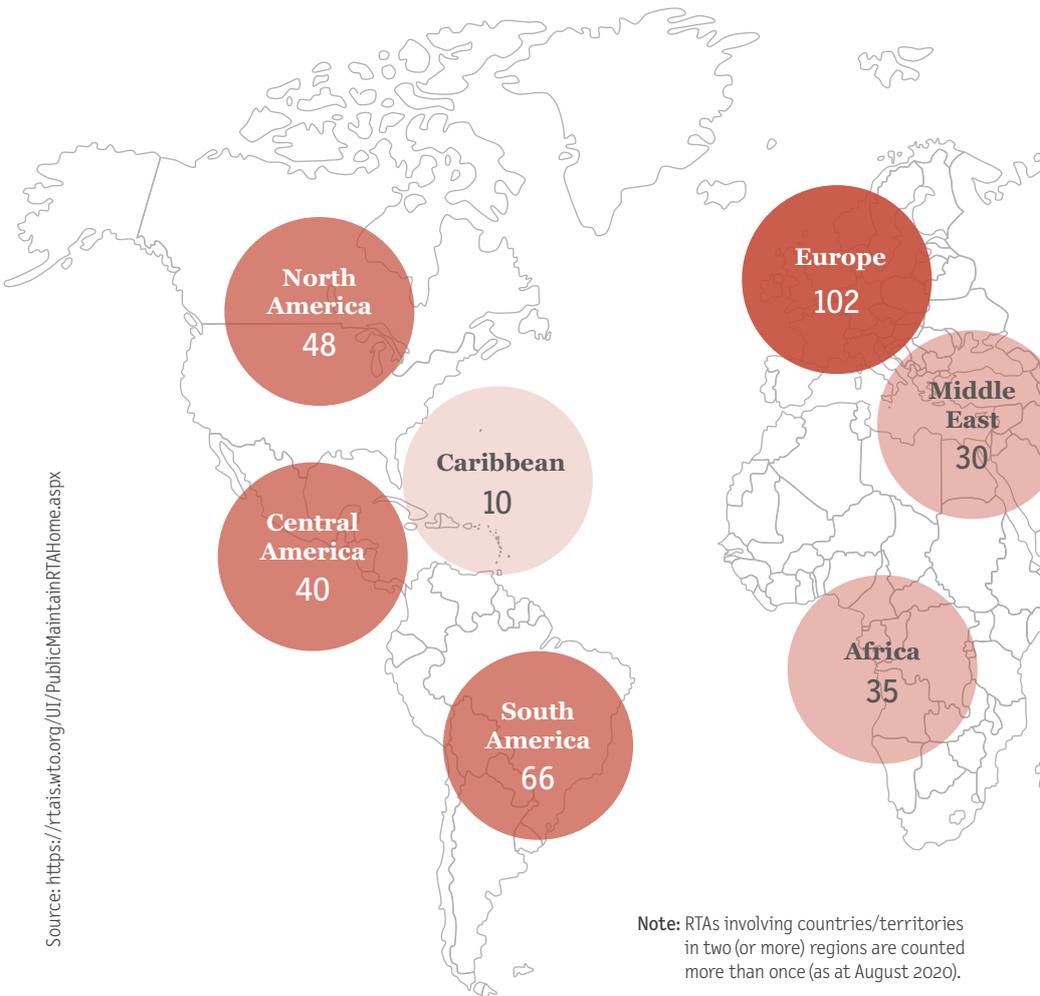
Yet the global financial crisis had lifted the lid on a Pandora's box of disintegrative forces already in play, culminating most potently in the election of President Donald Trump in the US, and mirrored in Europe particularly [in Figure 1 'Sovereignty', e.g. 'Brexit'; 'Exclusion'; and the associated rise of 'Nationalism']. The Trump administration's trade policy and so-called 'trade wars' (Draper 2019) reflected and amplified this shift, assuming an overt and intensifying mercantilist hue with its emphasis on the balance of trade, matched by developments in China already in train prior to President Xi's assumption of leadership of the Chinese Communist Party in 2013, and subsequent sharp turn towards state capitalism anchored on resurgent State-Owned Enterprises (SOEs).

The EU has responded by assuming an explicitly 'geopolitical' trajectory, including reviving previously discredited notions of industrial policy couched in terms of economic sovereignty, and labelling China a 'systemic rival' as well as a 'strategic partner'. China's economic rise and investments in military modernisation lent these trends a decidedly militaristic flavour ['Security' in Figure 1], while the Chinese Communist Party's worldwide projection of its authoritarian governance model has challenged Western democracy's position of relative authority. These heightened geopolitical tensions are now driving intense contestation over who will control the cluster of '4th Industrial Revolution' technologies, as well as drawing 'Military' establishments increasingly into the frame. In response, Western governments, led by the US and in some cases Australia, are tightening access to their markets for 'dual-use' technology-related investments (e.g. in regard to Huawei) as well as outward investments by their own firms into rival geopolitical competitors, especially China. On the trade front this is being matched by a proliferation of export control measures over the same cluster of dual-use technologies. At the same time, a backlash against the social implications of some aspects of '4th Industrial Revolution' technologies has been growing in Western societies. This increasingly manifests in pressure to control personal data, feeding into associated policy regimes designed to reign in the power of the predominantly US multinational corporations driving these technological developments.

FIGURE 2

STEADY INCREASE IN REGIONAL TRADE AGREEMENTS (RTAS) SINCE THE EARLY 1990s

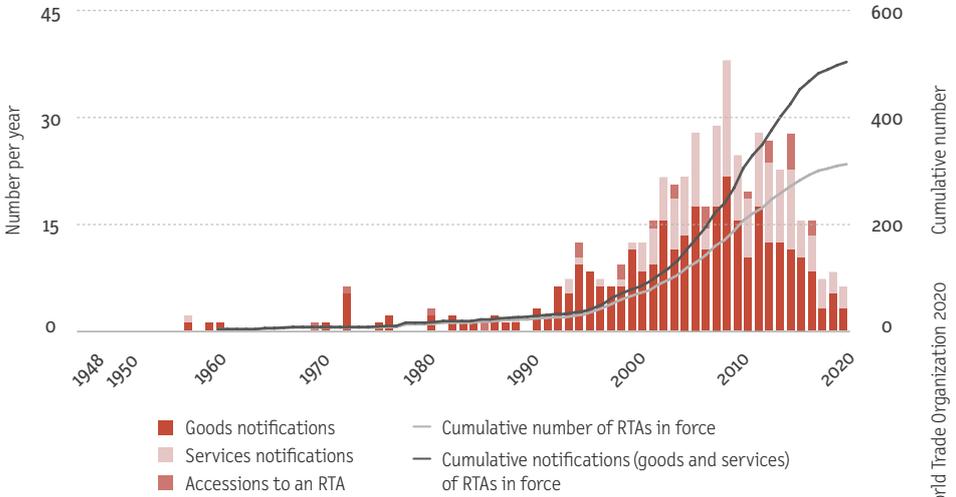
RTAs in force, participation by region



Source: <https://rtais.wto.org/UI/PublicMaintainRTAHome.aspx>

Note: RTAs involving countries/territories in two (or more) regions are counted more than once (as at August 2020).

RTAs currently in force (by year of entry into force), 1948–2020



Note: Notifications of RTAs: goods, services and accessions to an RTA are counted separately. The cumulative lines show the number of RTAs/notifications currently in force (as at August 2020).

Source: World Trade Organization 2020



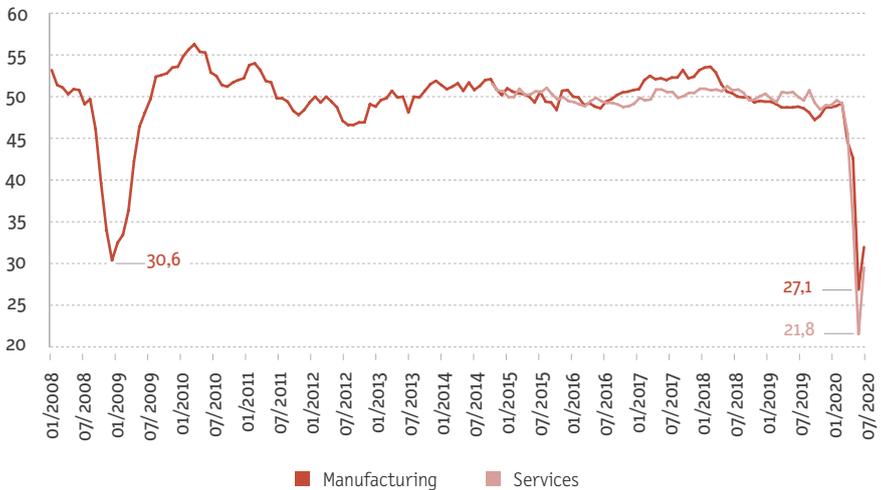
* CIS: Commonwealth of Independent States

1.4 COVID-19: REINFORCING THE DISINTEGRATIVE TREND

Consequently, the COVID-19 ‘Health’ [Figure 1] pandemic interacts with an accelerating process of disintegration in train at least a decade prior to 2020, and has strengthened those disintegrative forces. Specifically, national governments have mostly followed the advice of their medical and scientific establishments by self-isolating their countries and citizens. Two positive readings can be taken from this: that scientific advice and medical knowledge are still valued in an increasingly populist world; and that the United Nations body charged with cross-border cooperation in international health matters – the World Health Organization (WHO) – is still relevant. Unfortunately, implementation of medical advice has led to precipitous disruptions to economic activity and international trade [Figure 3]. Economists identify three ‘legs’ to this economic disruption: a financial shock sparking meltdowns in stock markets; a supply shock as factories close, workers are sent home, and international trade is curtailed; and a demand shock as companies shut down, trade less with each other, and new ranks of the unemployed quickly swell. By contrast, the global financial crisis was characterised primarily by a

FIGURE 3

Corona pandemic causes sharper decline in international trade than the global financial crisis in 2008
Global Purchasing Managers’ Index (PMI) new export orders indices, January 2008 – May 2020



Source: IHS Markit (cited in World Trade Organization 2020, p. 26)

Note: Index, base = 50. Values greater than 50 indicate expansion while values less than 50 denote contraction.

financial shock ‘curable’ by massive monetary policy stimulus, bank bailouts, and concentrated fiscal support packages. The COVID-19 crisis response has occasioned both massive monetary and fiscal stimulus measures across the world, and especially developed economies. Bad as things are in the major economies, the economic shocks will be felt much more severely in the developing world where governments and societies are far less resilient and have much weaker healthcare systems (Eichengreen 2020).

‘Sicken thy neighbour’ (Global Trade Alert 2020) trade measures have accompanied disruptions to supply chains as a consequence of isolation measures implemented across the world. Hoarding of essential medicines, personal protective equipment, respirators, and now food, at individual, sub-national, and national levels, is taking place in many countries [Figure 6]. As is well-known, citizens hoarding in the domestic market drives up prices by creating temporary shortages. Similarly, governments’ hoarding by imposing export restrictions creates shortages in international supplies, putting importers at risk and driving up international prices. Unseemly practices are alleged, such as shipments destined for one country being intercepted on airport runways and diverted to another owing to more money having been proffered. Steep price increases for those same medical supplies have occurred, with shortages of critical inputs – often normally sourced from abroad – exacerbating the situation. Transportation restrictions, particularly across borders, have severely interrupted supply chains, and not just for medical equipment. Consequently, governments, notably conservative governments, are compelling companies to produce critical medical products by invoking powers not seen, at least in Western democracies, since the Second World War. Cumulatively these short-term impacts could be devastating for poor consumers, and developing countries, especially when combined with the sudden and massive global joblessness caused by the three-pronged economic crisis induced by COVID-19 self-isolation measures.

Clearly, these are not normal times. Governments should be accountable to their citizens, and individuals will look after their families first. These powerful human impulses are accelerating the breakdown of international cooperation, and are not likely to attenuate until the crisis has passed. Compounding this already grim downward economic spiral is the sharpening of underlying geopolitical tensions, as the major powers, particularly the US and China, seek to cast blame for the onset of the disease and to earn praise for how they have responded. Furthermore, it is not clear when the virus storm

clouds will pass, meaning the consequences of global self-isolation could intensify in the months ahead. And possibly most importantly, it is not clear whether the trade shutters will be taken down once the crisis abates.

Overall, the 'health' crisis has poured fuel onto the 'sovereignty' and 'nationalism' fires burning before the disease's outbreak. And so 'health security' is interacting strongly with 'national security' and 'food security', in ways probably without historical precedent. Offsetting this is the well-established, and generally beneficial set of forces associated with the global value chains' dynamic and economic integration – which remain intact overall even though strong headwinds are evident. Most notably, it is very likely that after the crisis supply chains perceived as critical to maintaining national security (in Figure 1 'Military', 'Health', and 'Food') will continue to be looked at differently in some places and by some actors. Yet for others, the crisis has reinforced the need for economic openness and international trade cooperation.

This dynamic of intensifying disintegration feeds into the undercurrents structuring international discussions over what needs to be done to reform the WTO. It simultaneously increases the urgency of re-establishing the WTO's relevance, while undermining its *raison d'être*, being to promote global economic integration through trade.

2. IMPLICATIONS FOR WTO REFORMS

In this section I first provide my perspective on the political contours of the principle reform proposals animating discussions on this subject in Geneva, and in WTO members' capitals. Given the number of reform proposals, and the multiplication of elements covered, in the available space a high-level 'birds eye view' approach is adopted. Then, in light of the forces shaping international trade cooperation discussed above, I consider the prospects for success.

2.1 REFORM ISSUES

Core issues pertinent to reforming the WTO that ensure it is relevant to modern trade governance, are organised according to three established WTO pillars: market access negotiations, rule-making, and dispute-settlement [see Figure 4].

Regarding *market-access negotiations*, forging multilateral agreements under the auspices of the WTO is now a near impossible task. Since the conclusion of the Uruguay Round and launch of the WTO in 1995, the Trade Facilitation Agreement is the only new multilateral accord forged by the membership. Even prospects for a multilateral agreement on fisheries subsidies – a potentially very positive contribution to achieving the Sustainable Development Goals (SDGs) – now seem to be dimmer than ever.

FIGURE 4
Key issues on the WTO reform agenda



Source: Author

In my view two problems are at the heart of this impasse: diverging expectations over the Special and Differential Treatment, and particularly the treatment of large developing countries notably China; and the related issue of how state capitalist economies can be effectively integrated into a market economy club. The issue of Special and Differential Treatment has given impetus to a potential ‘back to the future’ solution, namely increasing recourse to ‘plurilateral’ negotiations containing subsets of the full WTO membership [see Figure 5], or ‘coalitions of the willing’. Therein those countries making concessions are prepared to multilateralise their commitments unilaterally (i.e. by not requiring non-negotiating parties to make commitments) but only if ‘free-riding’ can be minimised through having all major trading economies

FIGURE 5
Concluded plurilateral agreements in the multilateral trading system

Tokyo Round (1973 – 1979)

Sectors

- International Dairy Agreement
- International Bovine Meat Agreement
- Agreement on Trade in Civil Aircraft

Rules

- Technical Barriers to Trade Agreement
- Agreement on Subsidies and Countervailing Measures
- Anti-Dumping Agreement
- Customs Valuation Agreement
- Agreement on Import Licensing Procedures

Government Procurement Agreement (1)

Uruguay Round (1986 – 1993)

- Incorporation of Tokyo Round Rules, plus Dairy and Bovine Meat Agreements, into the single undertaking
- Continuation of Civil Aircraft and Government Procurement Agreements

Post-Uruguay Round

Goods

- Pharma Agreement
- Information Technology Agreement (1 and 2)

Services

- Agreement on Basic Telecommunications & Telecommunications Reference Paper
- Understanding on Commitments in Financial Services

Government Procurement Agreement (2)

Source: Author

with a stake in the particular negotiation sign up to the results – in other words having a ‘critical mass’. As noted in Section 1.2 a large number of developing countries remain outside of this approach, giving rise to frequent attempts to hold up progress on various issues unless the major players return to the Doha Development Agenda negotiating table. This seems only to have increased the determination of the major trading powers to intensify both the number of plurilateral initiatives and the countries participating in them. The US, in particular, has recently set out strong views on the need to reform Special and Differential Treatment, and which countries should qualify for it (United States Trade Representative 2020).

Whereas market access negotiations lend themselves to unilateral implementation, for example rewriting import tariffs, *rule-making* is a more complex endeavour that typically must apply to the membership as a whole. Again, Special and Differential Treatment is a central concern since developing countries at different levels of development may consider themselves not in a position to implement rules more appropriate to developed country institutional capabilities and circumstances. The GATT managed this problem by allowing the poorest countries to be exempt from certain rules, and/or to have longer time periods to comply. Interestingly, the Trade Facilitation Agreement offers a pathway to resolution, by staggering both the formulation of commitments and their implementation for developing countries only, and conditioning implementation of certain commitments on receipt of ‘aid for trade’ resources.

The *Dispute Settlement Understanding* (DSU) is colloquially referred to as the WTO’s ‘jewel in the crown’. Binding decisions handed down through its dispute settlement mechanism sets the WTO apart from other multilateral institutions, notwithstanding the system’s evident shortcomings. Lately, the Appellate Body has ceased to function since the US, in pressing its case for reforms to the Appellate Body, has blocked appointments of new judges to replace those whose terms have ended. Without a functioning Appellate Body, countries that dislike Panel reports can ‘appeal into the void’ (Pauwelyn 2019) in order to send decisions they don’t like into limbo. Clearly this situation is untenable, and so an Appellate Body reform is a particularly pressing matter.

2.2 REFORM PROSPECTS

Some progress is evident in the market access negotiations arena. This concerns the ‘Joint Statement Initiatives’, on electronic commerce, investment facilitation and micro, small, and medium enterprises, launched at the Buenos Aires WTO Ministerial meeting in December 2017. The *e-commerce* initiative has resulted in plurilateral negotiations encompassing both market access and rules. However, since cross-border data flows are central to e-commerce and digital trade, the politics of this negotiation are fraught. Divergent data governance perspectives between the US, EU, and China are one key fault line (Gao 2020). These draw on the market economy versus state capitalist tension at the heart of the reform agenda, but also highlight increasing concerns over geopolitics and security, namely who will control the future course of the ‘4th Industrial Revolution’. Expectations of developing country participants of Special and Differential Treatment are another fault line. While the negotiations are continuing, albeit disrupted by COVID-19, the jury is still out on whether they will get over the line and end in a substantive agreement.

Industrial subsidies rules reforms are arguably the most contentious issue on the rules reform agenda. The US, EU, and Japan have held a series of consultations on the subject, with China’s state-owned enterprises (SOEs) and opaque financing systems in their crosshairs (Trilateral Meeting 2020). In essence these countries wish to narrow the scope for subsidies to be paid to and through SOEs by reforming the Agreement on Subsidies and Countervailing Measures (ASCM). They also wish to increase the ease with which countervailing measures (so-called ‘actionable’ subsidies) could be imposed by reversing the burden of proof on members alleged to be providing harmful subsidies to their firms. In other words the subsidising member must prove that said subsidies are not in fact harmful. Furthermore, they want to advance subsidy notification obligations, and permit retaliation by members if notifications should not be forthcoming. China is opposed to this agenda, and has set out its own approach to WTO reform which could perhaps be characterised as defensive and incremental (Lu 2019).

As for the *Appellate Body*, WTO members seem to have adopted a two-pronged approach: First, to ride out the Trump administration, and hope that the next US President will take a less hard-line view. Assuming that transpires,

perhaps negotiations over reforms to the Appellate Body, some of which are needed, could resume. Second, to bypass the Appellate Body by establishing a parallel arbitration mechanism governed by the Dispute Settlement Understanding's Article XXV, which 16 members and the EU have signed on to (European Commission 2020). This time the EU and China are on the same side – against the US – although Japan has not signed on.

2.3 HOW DOES COVID-19 AFFECT THE PROSPECTS FOR WTO REFORMS?

Overall, the prospects for meaningful WTO reforms and progress on negotiations are downbeat. Ironically, COVID-19 provides limited avenues for reviving negotiations, although the general climate in and around Geneva is not conducive to meaningful progress.

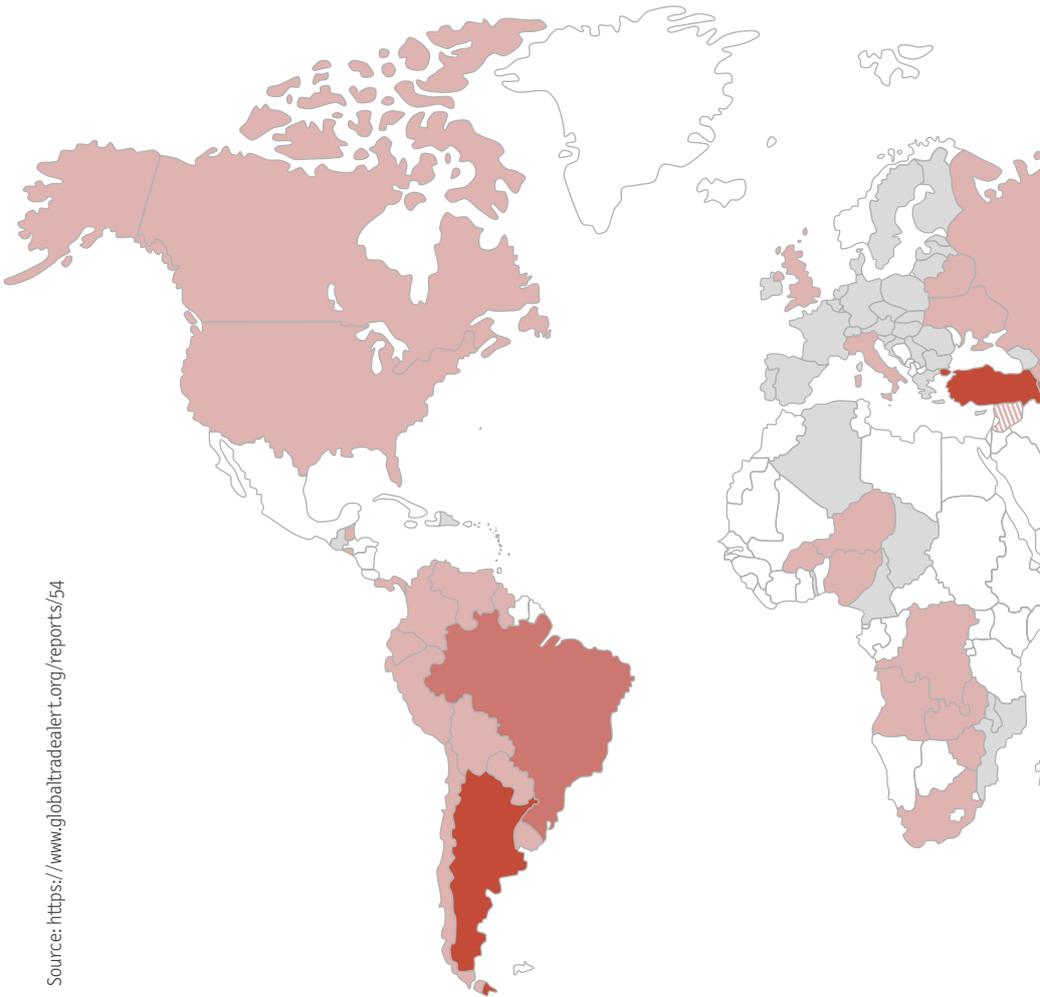
Specifically, since many countries have reduced import duties on medicines [Figure 6], *plurilateral negotiations* to reduce and/or eliminate import duties for critical health equipment, pharmaceuticals, and related inputs necessary for these cross-border value chains to function smoothly should be possible. This would enable construction of stockpiles for future crises, and building production capacity – whether on a national or regional level. Given that this primarily concerns import duties, the agreement should be pursued on a most-favoured nation basis (meaning that ensuing tariff reductions would be multilateralised, so that non-participating countries could also benefit), once critical mass amongst the major trading partners has been achieved. Importantly, it would build on an existing plurilateral agreement, the Pharma-Agreement of 1995, under which two thirds of global medicines trade takes place duty free amongst the 34 signatories. The Association of German Chambers of Industry and Commerce (DIHK) has proposed, for example, that the agreement could be expanded to include medical supplies, equipment and technology, as well as personal protective equipment (Deutscher Industrie- und Handelskammertag 2020).

Members could also initiate a plurilateral negotiation to contain and manage *subsidisation* of domestic firms through the many rescue packages national governments have implemented, or at the very least to roll back the most trade-distorting subsidies. Of course, they would have to ensure sufficient policy space to prepare domestic and regional response capacities for future health crises is preserved (Organisation for Economic Cooperation and

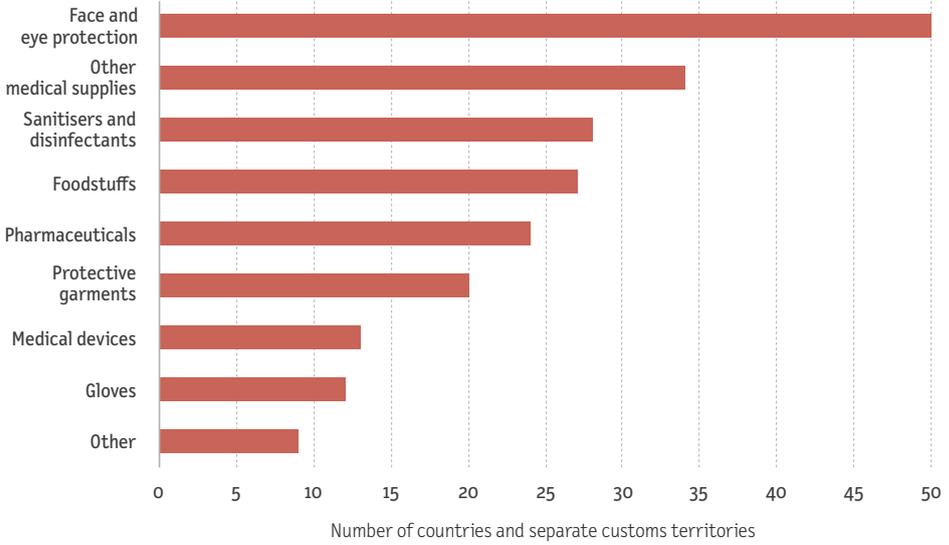
FIGURE 6

EXPORT RESTRICTIONS VS. IMPORT POLICY REFORMS IN THE HEALTH SECTOR AS A RESULT OF COVID-19

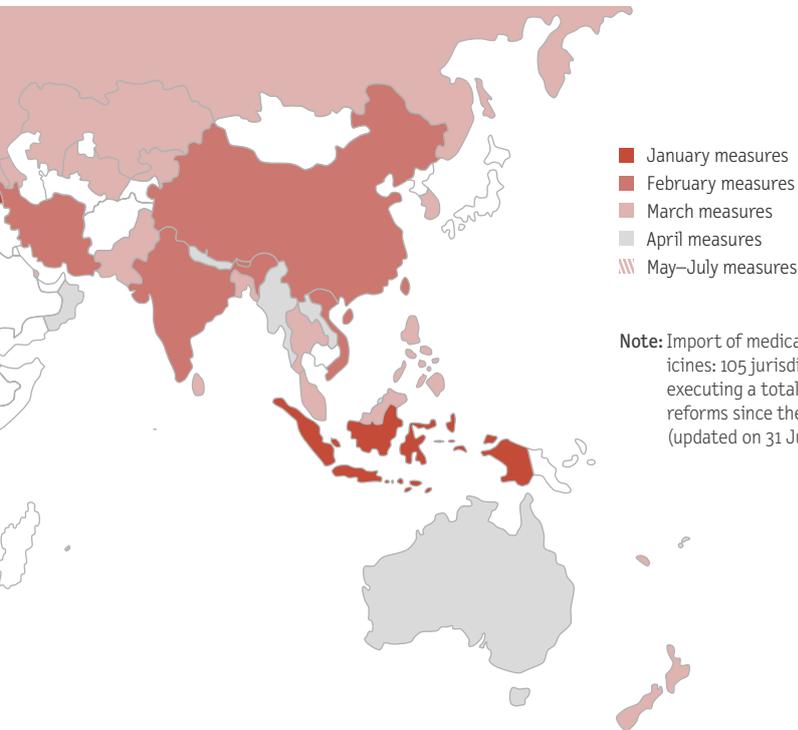
A global wave of import policy reforms on medical supplies
and medicines in the wake of the Corona crisis
January–July 2020



Number of countries/separate customs territories introducing export restrictions as a result of COVID-19, by categories of products (as of 9 August 2020)



Source: <https://www.macmap.org/covid19>



Development 2020). Importantly, this negotiation should encompass both goods and services given the increasing prominence of the latter in global trade, and the extent to which essential services have been negatively affected, to the detriment of cross-border value chain operations, during the pandemic.

In addition, members could initiate *multilateral* discussions in the WTO to bring greater clarity to governance of GATT's exceptions clauses, specifically:

(1) Those GATT provisions relating to export restrictions, with the aim of tightening the conditions under which recourse to them could be made. For example, consultations with appropriate international organisations such as the Food and Agriculture Organization of the United Nations (FAO), underpinned by technical analysis of market conditions and potential impacts on importing countries, could be made mandatory prior to the introduction of export restrictions, with the results being published in order to boost transparency.

(2) The security exception (Article XXI), which was under much scrutiny prior to COVID-19 owing to some member states, notably the US, making increasing use of them. Again, the purpose should be to tighten, not eliminate, the conditions under which recourse to national security exceptions could be made, not least since the goal of elimination is a non-starter.

Getting anything done in the WTO is a major challenge. The prospects for reforming it prior to COVID-19 were dim. Nonetheless, the G20 at least supported a WTO reform agenda, that now needs to be updated to reflect COVID-19 exigencies. Indeed, COVID-19 provides a measure of impetus in the reform direction. As the old saying goes: 'Never waste a good crisis!'

REFERENCES

- BLUSTEIN, PAUL** 2009: Misadventures of the most favored nations: clashing egos, inflated ambitions, and the great shambles of the world trade system, New York: PublicAffairs.
- DEUTSCHER INDUSTRIE- UND HANDELSKAM-MERTAG** 2020: Idea Paper Extension WTO Pharmaceutical Agreement, n.p. (<https://www.dihk.de/resource/blob/23306/a41ac714074ff4730120303dd992695f/dihk-ideenpapier-ausweitung-wto-pharma-abkommen-englisch-data.pdf>, 17.08.2020).
- DRAPER, PETER** 2019: How should Africans respond to the investment, technology, security, and trade wars? (Africa in Focus, 30.09.2019), Washington, D.C.: The Brookings Institution (<https://www.brookings.edu/blog/africa-in-focus/2019/09/30/how-should-africans-respond-to-the-investment-technology-security-and-trade-wars/>, 17.08.2020).
- DRAPER, PETER/SALLY, RAZEEN/ALVES, PHILIP (EDS.)** 2009: The Political Economy of Trade Reform in Emerging Markets, Cheltenham: Edward Elgar.
- EICHENGREEN, BARRY** 2020: The most serious crisis of all (East Asia Forum, 12.04.2020), n.p. (<https://www.eastasiaforum.org/2020/04/12/the-most-serious-crisis-of-all/>, 17.08.2020).
- EUROPEAN COMMISSION** 2020: EU and 16 WTO members agree to work together on an interim appeal arbitration arrangement (WTO Dispute Settlement, 24.01.2020), Davos (<https://trade.ec.europa.eu/doclib/press/index.cfm?id=2106>, 17.08.2020).
- GAO, HENRY** 2020: Data Governance in Trade Agreements: Three Digital Kingdoms (Presentation to UNESCAP, 23.04.2020), n.p. (<https://www.unescap.org/sites/default/files/Session%206%20Toward%20a%20%20digital%2C%20Data%20Governance%20in%20Trade%20Agreements%20Three%20Digital%20Kingdoms-Henry%20Gao.pdf>, 17.08.2020).
- GLOBAL TRADE ALERT** 2020: Tackling Coronavirus: The Trade Policy Dimension, St. Gallen: Swiss Institute of International Economics and Department of Economics, University of St. Gallen (<https://www.globaltradealert.org/reports/50>, 17.08.2020).
- LU, XIANKUN** 2019: China's Perspectives on WTO Reform, Adelaide: Institute for International Trade (<https://iit.adelaide.edu.au/news/list/2019/11/26/chinas-perspectives-on-wto-reform>, 17.08.2020).
- O'DELL, JOHN S.** 2000: Negotiating the World Economy, Ithaca and London: Cornell University Press.
- O'NEILL, JIM** 2001: Building Better Global Economic BRICs (Global Economics Paper, no. 66), n.p.: Goldman Sachs Economic Research Group.
- O'NEILL, JIM/WILSON, DOMINIC/PURUSHOTHAMAN, ROOPA/STUPNYTSKA, ANNA** 2005: How Solid are the BRICs? (Global Economics Paper, no. 134), n.p.: Goldman Sachs Economic Research Group.
- ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT** 2020: COVID-19 and international trade: Issues and Actions, n.p. (https://read.oecd-ilibrary.org/view/?ref=128_128542-3jjg8kfswh&title=COVID-19-and-international-trade-issues-and-actions, 17.08.2020).
- PAUWELYN, JOOST** 2019: WTO Dispute Settlement Post 2019: What to Expect? What Choice to Make?, n.p. (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3415964, 17.08.2020).
- TRILATERAL MEETING OF THE TRADE MINISTERS OF JAPAN, THE UNITED STATES AND THE EUROPEAN UNION [TRILATERAL MEETING]** 2020: Joint Statement, 14.01.2020, Washington, D.C. (https://trade.ec.europa.eu/doclib/docs/2020/january/tradoc_158567.pdf, 17.08.2020).

UNITED STATES TRADE REPRESENTATIVE 2020: 2020 Trade Policy Agenda and 2019 Annual Report of the President of the United States on the Trade Agreements Program, Washington, D.C. (https://ustr.gov/sites/default/files/2020_Trade_Policy_Agenda_and_2019_Annual_Report.pdf, 17.08.2020).

WORLD ECONOMIC FORUM 2015: The High and Low Politics of Trade: Can the World Trade Organization's Centrality be Restored in a New Multi-Tiered Global Trading System?, Geneva (http://www3.weforum.org/docs/WEF_GAC15_The_High_Low_Politics_Trade_WTO_Centrality_report_2015.pdf, 17.08.2020).

WORLD TRADE ORGANIZATION 2008: News item from the July 2008 Geneva Ministerial: Day 4: Ministers talk numbers till late but breakthrough remains elusive, n.p. (https://www.wto.org/english/news_e/news08_e/meet08_summary_24july_e.htm, 17.08.2020).

WORLD TRADE ORGANIZATION 2020: World Trade Statistical Review 2020, Geneva.

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