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Deterrents to Country Classification Reform in the World Trade Organization—Do They Correspond With Reality?

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There are no definitions of "developed" or "developing" countries within the World Trade Organization (WTO). Instead, developing countries are determined on the basis of self-selection. As a result of self-selection, a number of member states with diverse levels of economic development are perceived as "developing" and, as a result, enjoy special rights embodied in Special and Differential Treatment (S&DT) provisions of the WTO Agreements. Unsurprisingly, developed countries, discontented with current state of affairs, are not willing to extend S&DT provisions to all self-declared developing countries (DCs) and, instead, call for further differentiation among DCs. The latter however, and most notably advanced DCs like India and China, support current classification method. As a result, S&DT talks at the multilateral level have remained deadlocked for decades. For any change to happen, it is essential that all WTO member states, regardless of their development level, come back to negotiating table and reach a consensus. In order to trigger such negotiations, as the first step, it is of utmost importance for both developed and developing countries to disregard the unsupported misconceptions that ultimately deter them from starting fresh negotiations. With this in mind, the article explores and challenges three significant arguments often used by opposing parties causing the deadlock: first, the argument of the developed countries suggesting that all the rules of the WTO law are applicable to the developed countries, and only some to self-declared DCs; second, defense of current status quo by the developing countries on the grounds that the ability to self-declare as "developing" was a decisive factor for certain DCs to join the WTO back in 1995; and third, assertions according to which any change to the current classification method will drastically swing the bargaining power in favour of developed countries.

Keywords: country classification, developing countries, reform, S&D treatment, WTO

Introduction

World Trade Organization (WTO) is an alliance of 164 states with diverse economic development levels, resources, and capacities (WTO Members and Observers). With the aim to tackle the undisputable inequality among the member states, the WTO law introduced Special and Differential Treatment (S&DT or S&D treatment) provisions. These are special provisions enabling developing countries (DCs) to pursue policy options that they deem appropriate for development (Ukpe & Khorana, 2021). Special rights, *inter alia*, include phase-in periods, financial and technical assistance, and preferential tariff schemes (WTO S&DT Provisions).

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Considering that WTO-covered agreements contain over 183 provisions for S&DT (Secretariat Note, 2016), it is not surprising that current country classification method within the WTO has attracted a great deal of academic attention and debate among its developed members.

As of today, poorest member states form the group of "least-developed countries" (LDCs) based on objective measurements put forward by the United Nations (UN) that the WTO accepts (UN Criteria). Since there is no definition of "developed" and "developing" countries provided under the WTO law, their status is determined on the basis of self-selection (WTO Developing Countries). The problem of self-selection however, lies in the fact that as a result of this method, a number of member states with vastly different economic development level have a "developing" country status. For instance, in theory, South Korea with a per capita income of $31,489.1 in 2020 and, on the other hand, a small-market economy like Georgia with a per capita income of $4,278.9 are entitled to same special rights (World Bank Data). Consequently, it comes as no surprise that developed countries, discontented with current state of affairs, are not willing to extend special rights to all self-declared developing countries and call for further differentiation among them. The latter however, and most notably advanced DCs like India and China, support current status quo.

The idea of further bifurcation of developing countries is not new. Scholars like Ad Koekkoek (1992) have voiced the need for a change as long ago as in 1992. Nevertheless, no palpable change has been achieved. This issue was once again put in the limelight during the presidency of Donald Trump, who infamously argued that actions needed to be taken so that "countries stop CHEATING the system at the expense of the USA" (Trump, 2019). As a result, in 2019 the US submitted two proposals to the General Council. First one argued that due to "great development strides", WTO's current classification no longer makes sense, which is why countries should not be allowed to self-declare themselves as "developing countries" (US Proposal, 2019). Second proposal provided criteria for graduation, some of which have nothing to do with trade (Second US Proposal, 2019). In response, a number of DCs collectively submitted a communication, where they embraced current status quo and argued that development divide is still very much present between developed and developing countries (Developing Countries' Proposal, 2019). Noteworthy, that decision-making in the WTO is consensus-based and follows the so-called "one country, one vote" rule. Therefore, for a change to happen, it is vital that all member states, regardless of their development level, are of the same mind, which does not seem to be the case as of today.

While there is an increasingly urgent need for developed and developing countries to break the stalemate and start fresh negotiations, one of the deterrents for this to happen is the fact that both developed and developing member states firmly believe that they are being treated unfairly. While developed countries argue that all the rules of the WTO law are applicable to the developed countries, and only some to self-declared DCs, the latter defend current status quo on the grounds that the ability to self-declare as "developing" was a decisive factor for certain DCs to join the WTO back in 1995 and that any change to the current classification method will drastically swing the bargaining power in favour of developed countries.

In this light, following article asserts that a number of myths that serve as a deterrent from starting fresh negotiations shall be busted. With this in mind, this article will address above-mentioned three significant arguments often used by opposing parties: first, it will illustrate that overwhelmingly emphasizing on the fact that the ability to self-declare as "developing" was a decisive factor for certain DCs to join the WTO back in 1995 is not a good enough argument for the proponents to argue the merit of status quo these days; second, the article will counter-balance the viewpoint of the developed countries according to which all the rules of the

WTO law are applicable to the developed countries only, putting them in a vastly disadvantageous position; third, the article will demonstrate that a break-up of developing country group and their further bifurcation does not necessarily mean that the bargaining power will be drastically swung in favour of developed countries.

Busting the Misconceptions

For any change to happen within the WTO, it is of utmost importance that the member states come to a consensus through negotiations. The latter is impossible when the counterparties firmly stand their ground and justify their positions based on unreasonable arguments. Fisheries subsidies negotiation is an illustrative example of the negative impact of self-selection on negotiations in the WTO. Namely, fisheries subsidies negotiations aim to adopt disciplines that prohibit those fisheries subsidies that encourage illegal fishing and contribute to overcapacity and overfishing. For it to be effective, these disciplines shall be applied to the world's largest fishing nations, which means they should cover some self-declared DCs as well (US Proposal 2019). The dominance of DCs in fish and fishery products' export is illustrated in Table 1 (FAO, 2016). Given that DCs are among leading exporters of fish and are responsible for capture production as well, the article argues that they should have to contribute to ensuring sustainability of fish stock as well, which is not the case as of today. Thus, unless DCs accept certain differentiation in their treatment (which they are unwilling to do), there seems to be a little prospect that meaningful commitments can be implemented in this regard (Michalopoulos, 2000). In this light, following article examines below feasibility of those three reasons that are often argued by critics and proponents of the current status quo.

Table 1

Top Five Exporters of Fish and Fishery Products (US$ Millions)

	Country	2004	2014
1	China	6,637	20,980
2	Norway	4,132	10,803
3	Vietnam	2,444	8,029
4	Thailand	4,060	6,565
5	USA	3,851	6,144
	World Total	71,869	148,147

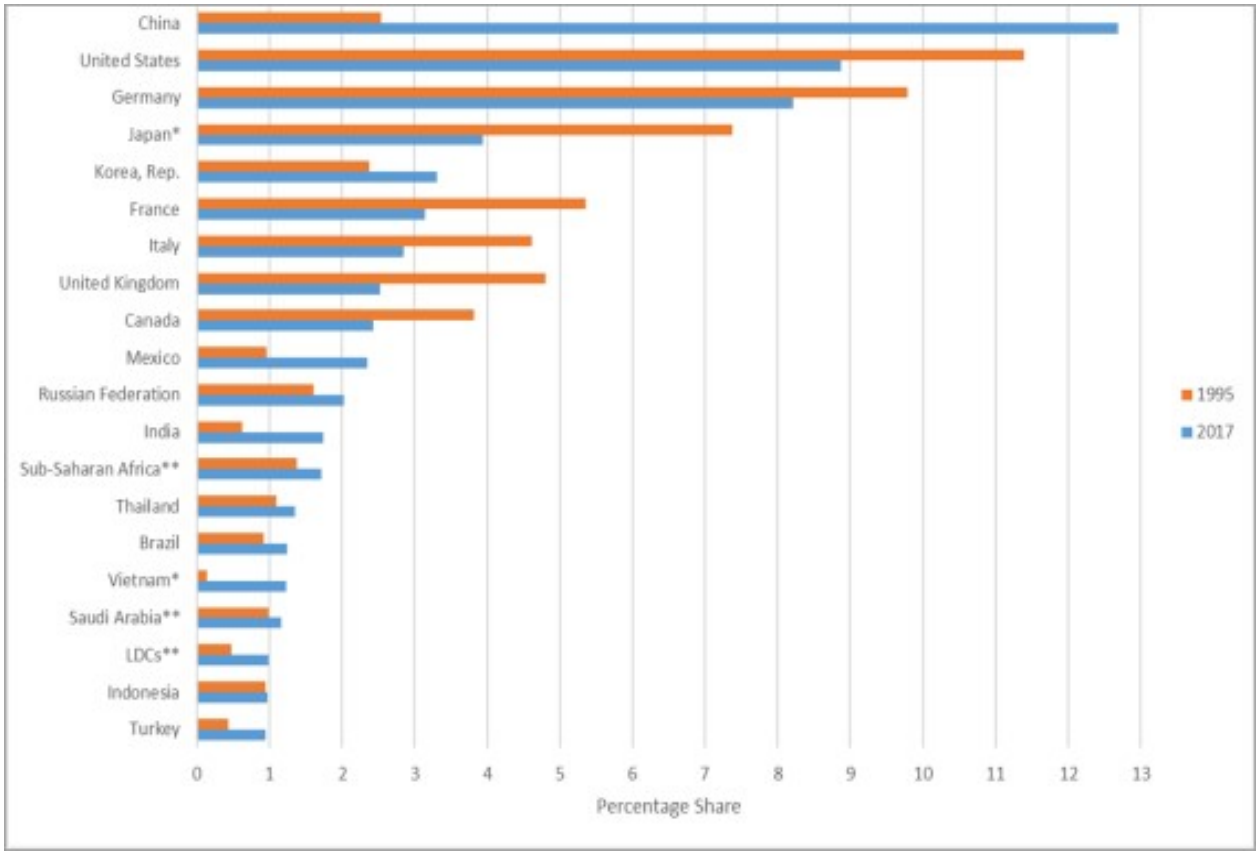
Developing Countries' Case: Historical Context

Following article argues that basing the justification of current status quo on the economic reality that existed two decades ago is unacceptable. That being said, in a historical context, it is an uncontested fact that developed countries were aware of the different economic situation of developing countries and in order to get them to join the WTO, they granted DCs special treatment, now known as S&DT clauses (Mampolokeng, 2005). Interpretation given to the essence of S&DT clauses by the DCs is also noteworthy. Developing countries view S&DTs as a means to help them become a compatible economic competitor. In this light, forcing them to compete with developed countries on an equal footing is regarded as an indirect discrimination by the DCs. The latter, therefore, expect an unwavering support from their developed counterparts and this anticipated support became the premise upon which a significant number of DCs became WTO members (Mampolokeng, 2005).

Despite the above-mentioned historical context, the world has not stood still since the inception of the WTO. Whereas the developing status of the self-declared developing member countries aligned with their

actual economic state in the beginning, nowadays, an uneven development of developing country members in the last decades makes the hardline approach of preserving status quo somewhat imprudent. Indeed, there are indicators of the transformed world illustrated in Figure 1 (US Proposal, 2019). It illustrates uneven progress in Members' share of global exports of goods between 1995 and 2017. China's share jumped five-fold, making China the largest global exporter of goods since 2008. Sub-Saharan Africa's share grew only modestly as India's share, which was behind the former, caught up to Sub-Saharan Africa's share by 2016. Meanwhile, the shares of the US, Germany, Japan, and France all decreased, while the UK fell by nearly half.

There exists an undeniable gap among the economies of different developing members. In this light, the question arises as to whether current classification of WTO members still makes sense at a time when signs of a changing world are evident. Even the goals stated by members in the preamble to the Marrakesh Agreement Establishing the WTO recognized that there are "needs and concerns at different levels of economic development", implying there might be many levels of development (Marrakesh Agreement). Hence, even if self-declaration played a role in the accession of a large number of DCs, still, failure to reach consensus about targeting different capabilities of DCs now leads to being stuck in a system that no longer makes sense.



Notes:
* Shares of global exports of goods are calculated for 1996 and 2017
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Figure 1. Shares of global exports of goods, 1995 versus 2017.

It is noteworthy that examples exist where due to the changing economic world other international organizations (IOs) came to terms with the fact that they had to make distinctions among "developing country"

members so that they could properly implement their goals. For instance, IMF is one of IOs demonstrating its flexibility to change in order to address increasing complexity regarding development. While it started off with a simple classification between "industrial countries" and "developing countries" in early 1980, it went through changes in the years of 1993, 1997, and 2004, creating a new "emerging and developing countries" category, which has been sub-divided into "commodity exporters" and "diversified exporters" after recent changes in 2014. Likewise, United Nations Development Program and the World Bank have also deemed it essential to address changing realities and reformed how they classify countries by level of development (Nielsen, 2011). Therefore, it is submitted that considering the potential benefits that each grouping of countries may receive by further bifurcation and considering that it is common for IOs to change classification methods to correspond with the realities, the change within the WTO is not only possible, but essential because by remaining status quo, the WTO anchors its members to the world that does not exist anymore. This, in itself, goes against the original intent of the S&DTs, which was introduced as a means to assist DCs in need to integrate into the world trading system (US Proposal, 2019).

Developed Countries' Case: Futility of Self-victimization

For the sake of fairness, it is submitted that in its proposals the US manifestly exaggerates the negative role of advanced DCs in failing negotiations and the way they take advantage of self-declaration. According to the US, "all the rules (of the WTO law) apply to a few (the developed countries), and just some of the rules apply to most, the self-declared developing countries" (US Proposal, 2019, p. 2). Such description of events, mildly said, does not correspond with the reality. Firstly, this claim ignores the fact that the current S&DT provisions in the WTO agreements are a result of decades-long negotiations and compromises, not a gift (Developing Countries' Proposal, 2019). Also, developed countries have been taking advantage of so-called "reverse S&DT" by seeking and obtaining flexibilities in areas of interest to them. While the preferential benefits granted to the developed countries are not officially labelled as S&DT provisions, still, in reality, they have a similar effect on the S&DT provisions granted to the developing countries, hence, the name of "reversed S&DT" (Developing Countries' Proposal, 2019).

Historically speaking, the practice of developed countries of evading general rules and enjoying preferential benefits at the cost of developing countries is not new. The aid to post-war Europe reconstruction is illustrative of it. Precisely, back in 1950, after waiving the obligations under Article XIV of GATT, Western European countries agreed to gradually eliminate quantitative restrictions between themselves, while discriminating against hard-currency countries such as the USA (South Centre, 2017). No less interesting are the examples of preferential treatment enjoyed by the USA. For instance, in 1955, the US was granted a "temporary" waiver from the obligations of Article XI:1 of GATT, as a result of which it was permitted to impose quantitative restrictions on imports of agricultural products. It is noteworthy that the "temporary" nature of the waiver lasted for about 40 years (Developing Countries' Proposal, 2019). Another noteworthy example includes a series of arrangements made by the US and other developed members pursuant to which they imposed restrictions on imports of textile and clothing products, an activity forbidden under Article XI of GATT. This "temporary" exemption from the general rule lasted for 43 years and three months in the US (Developing Countries' Proposal, 2019).

Latest instances of Reverse S&DTs include a number of move-away examples from the general trade rules that developed countries "obtained" in agriculture sector during the negotiations of Doha Round (namely,

Revised Draft Modalities for Agriculture Text Rev.4) (WTO, 2008) and Nairobi Round (namely, Nairobi Decision on Export Subsidies) (WTO, 2015). As argued by South Centre, an intergovernmental policy research and analysis institution of developing countries, these "reverse S&DTs" have proven even more operational and impactful than the S&D treatment provided to developing countries (Kwa & Lunenborg, 2019). Considering the scale of "Reverse S&DT", this hypothesis should not be too far from the reality. For instance, back in 2016, domestic support per farmer (expressed in subsidies) in the US amounted to $60,586 whereas in Canada and the EU the numbers were $16,562 and $6,762 respectively. In stark contrast, domestic support given to a Chinese farmer constituted $863, while in India it only amounted to $227 (Developing Countries' Proposal, 2019). Without any doubt, farmers in developed countries are given a massive competitive advantage with regards to their agricultural products in the international market. The benefits reaped by developed countries and the damage incurred to developing countries become even more striking once we take into account the fact that in the majority of the DCs, agriculture is the largest source of employment and livelihood, while in developed countries it is mainly commercial in nature (Developing Countries' Proposal, 2019).

It is further stated that in practice the WTO law allows selective deregulation of agricultural products that permits big exporting countries and blocs like the US or the EU to maintain high subsidies. As a result, WTO Agreements benefit corporate agribusiness of developed countries that cannot be challenged by small farmers of the DCs (Nisar, 2013). Unfortunately, in this situation, vulnerable, small-market developing countries are the ones whose economies suffer the most because they usually experience economic blow from both developed and advanced developing countries as a result of the subsidies granted to their farmers. For instance, according to the Fair-trade Foundation, a UK-based organization, the rich-country cotton growers from USA, EU, China, and India were paid $47 billion in subsidies in the 10-year timeframe (2000-2010); this resulted in a direct economic blow to nearly 15 million poverty-stricken cotton farmers across West Africa (Nisar, 2013). It si noteworthy that even though there has not been much vocal support for country classification method reform among small-market developing countries, it remains a fact that due to the current unprecedented gap among the economies of different developing member states, small-market DCs are put in an unfavorable position from the onset; namely, due to the lack of resources and existing capacity constraints, they do not have a level playing field at competing with the goods and services of advanced DCs, let alone the developed countries (Bacchus & Manak, 2020).

In light of all the above-mentioned, arguing that developed countries are the victims of current course of developments is way off the mark because, in reality, as rightly argued by Linda Weiss (2005), developed countries have created "…a multilateral order which best suits their own development trajectory…" (p. 723). This leads us to the conclusion that it cannot be categorically asserted that only one side benefits from S&D treatment. Since both sides have things to benefit from, it is in their best interest to overcome the deadlock and start fresh negotiations regarding possible country classification reform pursuant to which S&DTs will align to the actual trade needs of developing member countries. This way, the prospect of successful trade-offs during negotiations will look better.

The Case of Changing Bargaining Power

Back in 2001, McCalla (2001) analyzed 148 developing country members with the aim to observe what the latter wanted from the WTO. He came to a conclusion that no matter their development level and diverse circumstances they were in, all of them, *inter alia*, wanted protection from bullying by large countries and

companies. The so-called bullying ability comes with the bargaining power, which is affected by the market power a state has at its command, giving it a powerful tool for determining the outcome of the trade negotiation (Drahos, 2003). Hence, critics tend to challenge further bifurcation of DCs on the grounds that if the single developing country group breaks up and countries start making their cases individually, the bargaining power will be drastically swung in favour of developed countries, putting all DCs (i.e. advanced and lower layer of developing countries) in a less powerful negotiating position (Kwa & Lunenborg, 2019).

A serious weakness with this argument, however, is that the existence of diverse DCs already indicates that "they do not all speak with one voice" (Matthews, 2006, p. 4). Due to their diverse economies, these countries face different issues that need individual approach. Besides, when it comes to the bargaining power, overall imbalance between developed and developing member countries is already rather obvious and cannot be blamed on the calls for further differentiation of developing WTO members. The fact that currently those negotiation topics, that are more important to developed countries than for developing ones, receive more attention in the WTO shows that developed countries already have an upper hand in negotiations. For instance, their powerful negotiating position can be observed in trade in goods, where many IT products are subject to zero tariff rates; in contrast, agricultural sector, where DCs have a comparative advantage, is still distorted by subsidies and tariff quotas (Cui, 2008).

This article argues that keeping status quo cannot neutralize better bargaining position that developed countries have in negotiations. Although it is suggested in the literature that the solution to this problem could possibly lie in the institutional design improvement of the WTO, this option may not be desirable, because, as Peter Drahos (2003) rightly stated, the WTO is a bargaining forum and limiting or restricting bargaining in it may result in diluting its importance as a forum. Therefore, it is submitted that a more optimal existing solution would be bargaining together in groups. For instance, ASEAN Group, a regional intergovernmental organization, is an example of a developing country group operating in the WTO, while there are some groups that emerge in response to particular issues (e.g. Cairns Group) and differ from each other in terms of longevity and/or formality (Drahos, 2003). It goes beyond the scope of this article to assess which type of coalition structure—formal or informal—developing countries should adopt to successfully manage negotiations within the WTO. Both formal and informal groups can be ineffective or effective, depending on the circumstances (Narlikar, 2003). What holds importance is that examples exist of a successful coalition made up of mainly developing country members. For instance, Cairns Group of agricultural exporters, which included 14 DCs (out of the eighteen members of the group) and was formed in order to ensure that agricultural reform was given a high priority during the Uruguay Round, is exemplary of the fact that collective action by weaker members can be productive (Drahos, 2003). Hence, the issue of bargaining power should not serve as a deterrent from country classification reforms, because the growing number of formal and informal coalitions of DCs can counterbalance developed countries' bargaining power.

Furthermore, this article does not necessarily agree with Joost Pauwelyn (2013) in arguing that poorest developing countries would rather have BRICS on their side in a single developing country group and avoid "divide and rule" strategy of the developed countries. It is more important for small-market developing countries like Georgia to find "like-minded" member countries in individual cases, irrespective of their developing level. In fact, further bifurcation of DCs could serve as a way to identify potential coalition members and negotiating positions at the multilateral trade negotiations. Besides, formation of coalitions focused on a specific goal ensures a diversity of its members—namely, shall the goal coincide with the interests

of diverse spectre of members, not only advanced developing countries are likely to join the coalition, but developed countries as well. For instance, Australia, whose agricultural interests aligned with those of developing countries, played a significant role in the success of the Cairns Group (Drahos, 2003).

In conclusion, this article opposes the idea that further bifurcation of developing member countries' group could potentially lead to the lack of bargaining power of DCs in trade negotiations. This argument cannot become a deterrent to country classification reform simply because, even in absence of further bifurcation of DCs, developing members are already in a weaker position during trade negotiations. Consequently, instead of arguing about the necessity of status quo, the advanced developing countries should use this situation in their benefit—namely, in return for the country classification reform, they should demand improvements in S&DT clauses with regard to technical assistance in a sense that they shall receive an assistance package during the process of negotiations and the process of forming the coalitions.

Conclusion

Sceptics might argue that current status quo is likely to remain for many more years to come due to the lack of consensus among developed and developing member states. However, considering visible economic progress several upper layer of DCs have made as well as recent criticism on behalf of the US regarding drawbacks of current classification system, it is safe to say that this topic has re-emerged as a critical issue and is likely to remain on the radar for long. In this light, following article examined a number of misconceptions that deter member countries from starting fresh negotiations. It was argued that first, due to an uneven development of developing country members in the last decades and the changing realities thereof, the fact that the ability to self-declare as "developing" was a decisive factor for certain DCs to join the WTO back in 1995 is not a good enough argument for the proponents to argue the merit of status quo nowadays. Further, the article illustrated that it is ungrounded to argue that all the rules of the WTO law are applicable to the developed countries only, putting them in a vastly disadvantageous position. And lastly, the article supported the viewpoint that a further bifurcation of the developing countries' group cannot be blamed for swinging the bargaining power in favour of developed countries. It is of utmost importance for the WTO member states, regardless of their development level, to stop self-victimizing themselves on this ground of unsupported assertions. Therefore, once such misconceptions are busted, this may give rise to the start of fresh negotiations regarding much-needed country classification reform within the WTO, supported by compromises from all involved parties with the aim to finally end the deadlock.

References

Bacchus, J., & Manak, I. (2020). The development dimension: What to do about differential treatment in trade. *CATO Institute Policy Analysis, 887*, 1-24.

Cui, F. (2008). Who are the developing countries in the WTO? *Law and Development Review, 1*(1), 123-152.

Donald Trump (@realDonaldTrump). (2019 July 26). The WTO is BROKEN when the world's RICHEST countries claim to be developing countries to avoid WTO rules and get special treatment. NO more!!! Today I directed the U.S. Trade Representative to take action so that countries stop CHEATING the system at the expense of the USA! Twitter post. Retrieved from https://twitter.com/realdonaldtrump/status/1154821023197474817?lang=en

Drahos, P. (2003). When the weak bargain with the strong: Negotiations in the world trade organization. *International Negotiation, 8*(1), 1-40.

Food and Agriculture Organization (FAO). (2016). *The state of world fisheries and aquaculture 2016* (pp. 1-190). Rome, Italy: FAO Fisheries and Aquaculture Department.

Koekkoek, A. (1992). Exports of developing countries: Differentiation and comparative advantage, *The International Trade Journal, 6*(3), 375-399.

Kwa, A., & Lunenborg, P. (2019). Why the US proposals on development will affect all developing countries and undermine WTO. *South Centre Policy Brief, 58*, 1-11.

Mampolokeng, M. (2005). Special and differential treatment under the World Trade Organisation (WTO) with specific reference to the application of the WTO agreement on agriculture (M.Sc. thesis, University of South Africa, 2005). Retrieved from https://www.researchgate.net/

Matthews, A. (2006). More differentiated special treatment in the agriculture agreement: Beyond concept to practice. *IIIS Discussion Paper, 108*, 1-17.

McCalla, A. F. (2001). What the developing countries want from the WTO. *The Estey Centre Journal of International Law and Trade Policy, 2*(1), 1-13.

Michalopoulos, C. (2000). The role of special and differential treatment for developing countries in GATT and the World Trade Organization. *World Bank Working Papers-International Economics, 2388*, 1-41.

Narlikar, A. (2003). *International trade and developing countries: Bargaining coalitions in the GATT&WTO* (pp. 1-256, 1st ed.). New York: Routledge.

Nielsen, A. (2011). Classifications of countries based on their level of development: How it is done and how it could be done. *IMF Working Papers, 31*, 1-45.

Nisar, A. (2013). Competitive strength of nations: Doing business in a global market. *Eurasian Journal of Business and Management, 1*(1), 41-50.

Pauwelyn, J. (2013). The end of differential treatment for developing countries? Lessons from the trade and climate change regimes. *Review of European Community and International Environmental Law, 22*(1), 29-41.

South Centre. (2017). The WTO's special and differential treatment negotiation (paragraph 44). In *Analytical Note SC/AN/TDP/2017/3* (pp. 1-27). Geneva: South Centre.

The Marrakesh Agreement Establishing the World Trade Organization. (April 15, 1994). 1867 U.N.T.S. 154.

Ukpe, A., & Khorana, S. (2021). Special and differential treatment in the WTO: Framing differential treatment to achieve (real) development. *Journal of International Trade Law and Policy, 20*(2), 83-100.

UN-OHRLLS. (2021). *Criteria for identification and graduation of LDCs.* Retrieved 25 December 2021 from http://unohrlls.org/about-ldcs/criteria-for-ldcs/

Weiss, L. (2005). Global governance, national strategies: How industrialized states make room to move under the WTO. *Review of International Political Economy, 12*(5), 723-749.

World Bank. (2021). *World development criteria, GDP per capita (current US$).* Retrieved 25 December 2021 from https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=GE-KR

World Trade Organization. (2008). *Revised draft modalities for agriculture. TN/AG/W/4/Rev.4*. Geneva: WHO.

World Trade Organization. (2015). *Export competition. WT/L/980.* Geneva: WHO.

World Trade Organization. (2016). *Special and differential treatment provisions in* WTO agreements and decisions: Note by the secretariat, WT/COMTD/W219. Geneva: WHO. [Secretariat Note, 2016].

World Trade Organization. (2019a). *An undifferentiated WTO: Self-declared development status risks institutional irrelevance, WT/GC/W/757*. Geneva: WHO. [US Proposal, 2019].

World Trade Organization. (2019b). *Draft general council decision: Procedures to strengthen the negotiating function of the WTO*, WT/GC/W/764. Geneva: WHO. [Second US Proposal, 2019].

World Trade Organization. (2019c). *The continued relevance of special and differenti*al treatment in favour of developing members to promote development and ensure inclusiveness, WT/GC/W/765. Geneva: WHO. [Developing Countries' Proposal, 2019].

World Trade Organization. (2021a). *Members and observers*. Retrieved 25 December 2021 from https://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm

World Trade Organization. (2021b). *Special and differential treatment provisions.* Retrieved 25 December 2021 from https://www.wto.org/english/tratop_e/devel_e/dev_special_differential_provisions_e.htm

World Trade Organization. (2021c). *Who are the developing countries in the WTO?* Retrieved 25 December 2021 from https://www.wto.org/english/tratop_e/devel_e/d1who_e.htm