

# Micro, Small, and Medium-Sized Enterprises:

Key developments and updates in the  
Informal Working Group discussions among  
World Trade Organization members

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April 2021

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**Micro, Small, and Medium-Sized Enterprises: Key developments and updates in the Informal Working Group Discussions among World Trade Organization members**

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Written by Julian Mukiibi and Leslie Sajous

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## Abstract

At the 11th WTO Ministerial Conference of December 2017, a group of WTO members issued a joint statement establishing an Informal Working Group (IWG) on Micro, Small, and Medium-sized Enterprises (MSMEs). The overarching objective of the group is to promote the integration of MSMEs into the multilateral trading system.

Building on an earlier brief, this note provides an update on the IWG on MSMEs' work for June–December 2020. It highlights the impacts of the recent COVID-19 pandemic on MSMEs, including women-led and women-owned MSMEs, and the interventions so far.

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## Acronyms and Abbreviations

<b>COVID-19</b>	coronavirus disease 2019
<b>G20</b>	Group of Twenty
<b>GESI</b>	gender equality and social inclusion
<b>GTH</b>	Global Trade Helpdesk
<b>IDB</b>	Integrated Database
<b>ITC</b>	International Trade Centre
<b>IWG</b>	Informal Working Group
<b>LDC</b>	least-developed country
<b>LEI</b>	Legal Entity Identifier
<b>MC12</b>	Twelfth Ministerial Conference (WTO)
<b>MSME</b>	micro, small, and medium-sized enterprise
<b>SME</b>	small and medium-sized enterprise
<b>TFA</b>	Trade Facilitation Agreement
<b>TPR</b>	Trade Policy Review
<b>UNDESA</b>	United Nations Department of Economic and Social Affairs
<b>WTO</b>	World Trade Organization

## 1.0 Introduction

In early 2017, a group of WTO members who referred to themselves as “Friends of MSMEs” held informal discussions on how the World Trade Organization (WTO) could promote the integration of micro, small, and medium-sized enterprises (MSMEs) in the international trading system.<sup>1</sup> On December 13, 2017, alongside the Eleventh WTO Ministerial Conference in Buenos Aires, 87 WTO members issued a joint statement establishing an informal work program on MSMEs that would be open to interested members. The initiative’s overarching objective was to support the integration of MSMEs into the multilateral trading framework. In doing so, the Informal Working Group (IWG) specified that it did not aim to negotiate new rules but rather to deliberate and agree on “a multilateral outcome aimed at establishing a formal work program for MSMEs” (WTO, 2017b).<sup>2</sup>

Since its establishment, the IWG on MSMEs has conducted a series of thematic discussions on MSMEs’ various challenges while engaging in international trade. In 2019, the group discussions evolved to a structured format to arrive at an outcome by the WTO’s Twelfth Ministerial Conference (MC12). Initially scheduled for June 2020, the event was postponed due to the COVID-19 pandemic outbreak, with current indications suggesting that the conference could take place in late 2021. The IWG on MSMEs has continued with its work in the interim. In December 2020, it adopted a package of six recommendations and declarations to support the integration of MSMEs in global trade.

This brief provides an overview of key developments impacting MSMEs globally and the IWG on MSMEs’ work from June to December 2020. It builds on an earlier brief covering the group’s work since its inception and incorporates some of the key considerations involving gender equality and social inclusion (Leal Campos et al., 2020). It also notes the pandemic’s impact on MSMEs and the policy responses seen at the national, regional, and international levels to date. Lastly, the brief summarizes some of the immediate next steps for the IWG, particularly in the lead-up to MC12.

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<sup>1</sup> Prior to the Friends of MSMEs meetings, some WTO members had expressed interest in starting a conversation on this issue ahead of the previous WTO Ministerial Conference, held in Nairobi, Kenya, in December 2015.

<sup>2</sup> For a detailed account of the group’s evolution, see Leal Campos et al., 2020.

## 2.0 COVID-19 Challenges for MSMEs and Policy Responses

The COVID-19 pandemic has caused an unprecedented social, health, and economic crisis whose devastation has been felt worldwide (United Nations Department of Economic and Social Affairs [UNDESA], 2020). The pandemic's severity prompted governments to impose several measures to curtail the virus's spread and severity, such as lockdowns, travel bans, and curfews. While necessary from a public health standpoint, these measures have also caused severe damage to the global economy, including production disruptions, a collapse in consumption, and adverse responses by stock exchange markets (Organisation for Economic Co-operation and Development, 2020). During the next two years, the projected cumulative output losses could amount to over USD 8.5 trillion under some estimates, wiping out nearly all output gains of the previous four years (UNDESA, 2020).

The brunt of the pandemic's damage has been felt by MSMEs, which are by nature more labour-intensive than other businesses (Zeidy, 2020). Another factor that makes them vulnerable to shocks relates to their thinner liquidity reserves. MSMEs generally have smaller inventories: they operate with relatively thin profit margins and smaller supplier networks (UNDESA, 2020). They also have limited financial alternatives, as they often lack assets that can either be disposed of or used as collateral for new credit lines (Zeidy, 2020).

The Asia Pacific MSME Trade Coalition conducted a study in 2020 on the pandemic's effects on MSMEs in the region, even as COVID-19 was in its early stages. They found that 50% of all the MSMEs that participated in the survey had less than a month's worth of cash reserves. Without any alternative sources of capital, the prospects for these entities' survival would be difficult (Elms, 2020).

The lockdowns, business closures, and curfews imposed in most countries curtailed goods production, which precipitated the disruption of global and regional supply chains (Karr et al., 2020). COVID-19 also led to a crash in commodity prices for oil and metals while causing exports of skins and leather products, footwear, vehicles, and clothing to fall by over 20% (Tembo, 2020). China, the European Union, and the United States account for 63% and 64% of import and export supply chains, respectively. They are also major importers of raw materials, parts, and components. The COVID-19 containment measures these countries imposed had grave consequences on global supply and demand chains. As a result, enterprises faced a decrease in demand, the cancellation of export orders, raw material shortages, and transport disruptions (Zeidy, 2020).

The International Trade Centre (ITC, 2020) predicts that the disruptions in supply chains will reduce manufacturing inputs worldwide by at least USD 288 billion. Although both big and small enterprises were affected by the supply chain disruptions, MSMEs were disproportionately affected. They had difficulty switching to new suppliers for sourcing key inputs while lacking



sufficient capital to absorb price increases (WTO, 2020c). These disruptions had a ripple effect on demand for supplies and exposed MSMEs to liquidity shortages, which hurt their ability to function.

Most MSMEs are concentrated mainly in manufacturing, services, and tourism, which are highly susceptible to the pandemic's adverse effects. The UN World Tourism Organization predicts that international tourist arrivals could decline by 60%–80%, a drop that is 15–20 times larger than that seen during the global financial crisis of 2008 (ITC, 2020). The drastic reduction in international travel and tourism has put many MSMEs at a higher risk of closure, rendering millions jobless in many tourism-dependent economies (UNDESA, 2020).

MSMEs have adopted various strategies to try to soften the blow from the pandemic. Many enterprises have had to lay off employees, take on debt, and sell assets (Ncube, 2020). Some businesses took steps to make themselves more resilient to shocks by adopting new electronic commerce systems that would allow them to continue much of their operations and sales virtually. Others went through a complete transformation in which they started creating new products, such as face masks and personal protective equipment, to meet the demand during the pandemic (Ncube, 2020).

Various organizations have been trying to monitor the specific impacts the COVID-19 pandemic had on women-led MSMEs, especially in developing and least-developed countries (LDCs). According to Sreelakshmi Papineni (2002), an economist with the World Bank's Africa Gender Innovation Lab, "globally, female-owned businesses were 5.9 percentage points more likely to close their business than male-owned businesses, when controlling for the region."<sup>3</sup> In Uganda, 61% of women-led small businesses failed to generate any income, compared to 22% of companies led by men. Rwanda and South Africa showed similar trends (Finmark Trust, n.d.). Looking at the Middle East, recent data shows that 27% of women-owned companies had shut down in Palestine. In comparison, 53% of women owners reported that they were considering laying off their employees (UN Women, 2020).

One of the core challenges of women-owned MSMEs is defining and collecting specific data, making it difficult to analyze their specific needs and provide relevant financial and other support. In a webinar organized by the Women Entrepreneurs Financial Initiative (We-Fi), Stephanie Oula, Data2X's Partnership Manager of Women's Financial Inclusion Data, said that "if governments and financial service providers cannot identify or have not tracked women-owned enterprises, this can negatively impact how governments design support programs for the most affected women entrepreneurs" (We-Fi, 2020).

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<sup>3</sup> Papineni's presentation of a global research project focused on gender-based constraints, based on a collaboration between Facebook, the OECD and the World Bank, which collected and analyzed data from 26,000 business owners and managers between May 28 and 31, 2020 in 50 countries. It is the first analysis out of a series of six Facebook Future of Business COVID-19 Surveys.

Government responses to the specific challenges that women face also have to consider women entrepreneurs' particular needs, which may differ from their male counterparts. For instance, in Bangladesh, women entrepreneurs request special allocations of working capital and other financial support from the government to recover from losses suffered from COVID-19's fallout. "Without government support, women entrepreneurs will not be able to stay on course," according to Selima Ahmad, President of the Bangladesh Women Chamber of Commerce and Industry (BWCCI). She described how COVID had affected women entrepreneurs in her country to participants in a webinar. In addition to the hefty income losses, among the challenges that emerged during the pandemic's first wave were the continued costs—such as rent and utilities—that businesses had to contend with while closed. "As a result, many female entrepreneurs faced social, economic, and mental challenges, including domestic violence," she said (The Daily Star, 2021).

However, other research has found that women-led MSMEs tend to be more robust and adopt more conservative business strategies, making them more resilient in crises, including in public health emergencies like COVID-19 (United Nations Economic and Social Commission for Asia and the Pacific, 2020). These findings were presented in a study conducted across 11,000 public companies worldwide in 2017, which found that women-led firms tend to out-perform men-led firms. This was attributed partly to the fact that "women tend to be more conservative in their [business] predictions, leaving more room for positive surprises" (Cho Walsgard, 2017).

The pandemic has demonstrated that, when considering policy issues pertaining to MSMEs, gender equality and social inclusion (GESI) are important considerations. An online, developing country-oriented network of policy professionals known as the Gender, Social Inclusion, and Trade (GST) Working Group<sup>4</sup> defines GESI as the process of improving the conditions of all disadvantaged individuals and groups. It seeks to include the marginalized and strengthen their abilities, opportunities, and dignity relative to their role in the trading system, whether they are consumers, producers, or traders (GST Working Group, n.d.). GESI is a fundamental aspect of human rights and social justice and a pre-condition to improving the development process by putting social concerns at the forefront of interventions (Integrity Action, 2021). Such issues have not been dealt with so far in the IWG on MSMEs, as there is an understanding that the recently established IWG on Trade and Gender will deal with GESI issues.

Realizing that the pandemic's broader economic impact is often at its most evident through its adverse effects on MSMEs, the international community and national governments have crafted various policy responses to mitigate the impacts of COVID-19 on MSMEs (ITC, 2002). Examples of these responses are described briefly below.

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<sup>4</sup> The Gender, Social Inclusion and Trade Working Group is part of a grant also funded by TAF2+; further details are available at <https://www.genderandtrade.com/about-gst-wg>

## 2.1 International and Regional Responses

International organizations and coalitions have taken several steps to strengthen the global ecosystem for MSMEs and their resilience against the pandemic's adverse effects (Ncube, 2020). The United Nations Global Compact issued an appeal called *Uniting Businesses* around the corporate response to the COVID-19 pandemic. The request calls for the private sector to pay special attention to MSMEs, encouraging companies to respond with flexibility, compassion, and solidarity to the pandemic's effects and honour current contracts to the greatest extent possible (United Nations Global Compact, 2020). Meanwhile, the International Chamber of Commerce launched a *Call to Action* entitled *Save our SMEs (SOS)*, which raises the profile of how COVID-19 has hurt small and medium-sized enterprises (SMEs) and their employees. They call for effective policy and fiscal responses at both the international and national levels, including the provision of resources and tools that will help SMEs navigate the economic shock (Ncube, 2020).

At the intergovernmental level, the ITC has been working with various governments during the pandemic. For example, through its *Trade for Sustainable Development (T4SD) Hub* in Lao People's Democratic Republic, the ITC has provided advice, assistance, and information to several beneficiaries in the agricultural sector to help them cope with the pandemic (Shah, 2020). The ITC also provided remote support to the Myanmar Ministry of Hotel and Tourism's young staff by upgrading their crisis communication skills and digital media plans (ITC News, 2020). The African Export–Import Bank teamed up with the ITC to launch the training program, *How to Export Within the AfCFTA* (African Continental Free Trade Area). The training program aims to give African small business owners and young entrepreneurs the knowledge and skills they need to take advantage of the trading opportunities that have emerged now that the implementation of Phase I of the African Continental Free Trade Area is underway (Tembo, 2020). The training program also helps small businesses to become part of regional value chains, especially in preparation for a post-COVID-19 recovery.

Concerning the IWG on MSMEs, WTO members also recognized that MSMEs were at the forefront of this global pandemic's adverse side effects and would require specific support. To this end, many members of the IWG and even non-members of the group joined together to issue a statement in May 2020 to support MSMEs and trade during COVID-19. As stated in the IWG's annual report for 2020, "the statement commends the actions taken by WTO Members and encourages Members to update any trade-related COVID-19 measures to the WTO to make the most timely and accurate information available to MSMEs" (WTO, 2020d). Two webinars were also organized in 2020 aimed at "Helping MSMEs in the Time of COVID-19". Three newsletters circulated to provide updates on the IWG's work, including in response to COVID-19. Publication of the newsletter was also an opportunity to build stronger communication links between the IWG's members and the private sector (WTO, 2020d, 2020m).

In their December 2020 declaration, IWG members acknowledged the specific impacts of the COVID-19 pandemic on MSMEs and the unique contribution the WTO can make in their recovery from the crisis. In Annex 6 of the declaration, they also recognized that the pandemic

had created further difficulties for MSMEs in accessing finance (WTO, 2020g). Several members suggested that “COVID-19 and its impact on MSMEs” should be among the issues they address in 2021. All IWG members were also invited “to submit their COVID-19 related MSME government support measures directly to the WTO Trade Monitoring team, with an explicit indication that these measures are MSME specific, for inclusion in the online database dedicated to COVID-19 Trade Monitoring” (WTO, 2020m).

## 2.2 National Responses

At the national level, there has been a wide range of policy responses. They have varied in both magnitude and scope, often reflecting the size of the concerned country’s public budget and sectors most affected by the pandemic (WTO, 2020l). While government aid levels have varied, MSMEs across the board have said that public policy measures will be vital for their survival, especially given the liquidity crisis many face due to COVID-19. According to an ITC survey that interviewed MSMEs in 136 countries, these companies said that measures such as tax waivers, temporary tax relief, and financial programs could help them weather the pandemic, at least in the near term (ITC, 2020).

The World Bank set up a dashboard that tracks measures that countries are rolling out in support of MSMEs in response to the pandemic. According to the dashboard, the following actions have been implemented globally to date: 594 debt finance instruments, 358 employment support instruments, 314 tax-related instruments, 136 measures related to business costs, 64 measures for other finance, 54 actions to increase demand, 45 steps toward improving the business climate, and 35 business advice measures (World Bank, n.d.).

Government policies have sought to safeguard export-oriented businesses by and large, mainly because exports help earn foreign currency to pay for essential imports. For instance, the Government of Bangladesh committed to paying the wages of employees in export-oriented industries (ITC, 2020). Trade finance was made readily available for enterprises in most countries. In Turkey, the Export Credit Bank extended its credit repayment periods by two to six months and stretched its rediscount credit terms to two years to ease businesses’ financial burden (ITC, 2020). Some countries changed their border procedures to encourage timely issuance of international commercial documents. For instance, Indonesia introduced accelerated customs procedures for reputable traders and authorized economic operators, while China reduced cargo dues and port facilities charges by 20% (ITC, 2020).

The time frame for this pandemic has proven impossible to predict, as much as the launch of vaccination programs in many countries has provided some hope that the worst could soon be over. What COVID-19 will mean for MSME business operations during the final stretch of the pandemic and recovery remains to be seen. However, the crisis has highlighted some of the critical challenges that MSMEs have long faced, often pushing existing weaknesses to their breaking point.

## 3.0 Work Program and Activities of the IWG on MSMEs: June to December 2020

In March 2020, the IWG's work was interrupted temporarily due to the COVID-19 pandemic, with all WTO and WTO-related meetings put on hold due to meeting restrictions in Geneva. However, in June, the group resumed work to advance the text on the "MSMEs package," meeting in small groups and plenaries, held in virtual and hybrid formats (i.e., allowing participation both through physical and virtual means). Stakeholders, including the private sector and international organizations, contributed to the discussions through webinars.

Based on this work, the group adopted a package of six declarations and recommendations on December 11, 2020 (WTO, 2020f). According to a WTO summary,

The package included a set of voluntary and non-binding offers covering various aspects, such as transparency and exchange of information on MSMEs, trade facilitation, access to finance and cross-border payments, access to market information, and inclusion of MSMEs in regulatory development. This outcome follows from the IWG's 2017 Buenos Aires Declaration, in which they committed to addressing barriers that impose a significant burden on MSMEs interested in participating in international trade. (WTO, 2020n)

The endorsement of the package of six recommendations and declarations took place in the last IWG meeting of the year, which was held on December 11, 2020. At the meeting, Malaysia and Pakistan did not endorse the package, pending review by their respective capitals. Ukraine announced its intention to formally support the package and join the IWG on MSMEs, making it the group's 91st member. Mauritius also noted their intent to endorse the document. Members decided that the package's approval would remain open until an agreed time so that other interested WTO members could join the endorsement. IWG members were called upon to undertake outreach to non-signatory WTO members to build support for the package (WTO, 2020l).

Below is an overview of the main issues discussed in the lead-up to the December endorsement, drawn largely from analysis of the reports of meetings held during the last six months of 2020 and the recommendations and declarations adopted in December 2020.

### 3.1 Collection and Maintenance of MSME-Related Information

Transparency is one of the WTO's main pillars, with the institution actively monitoring its members' national trade policies. This transparency function also involves the notification of such policies by members to the secretariat. This work plays a critical role in the smooth functioning of the multilateral trading system, ensuring that delegations in Geneva have the information they need to negotiate new rules or address trade irritants that could otherwise lead to a trade dispute. One of the essential tools for this trade monitoring work is the Trade Policy Review



(TPR) mechanism. All WTO members are subject to periodic reviews of their policies and macroeconomic environment. This requires a report by the Secretariat, a report by the WTO member in question, and a multi-day session at the organization's headquarters where the review is discussed and other members can ask questions and obtain answers. Collecting data and updating them is resource-intensive: it requires human, financial, technical, and technological resources that all WTO members may not necessarily have. This task becomes even more challenging when it comes to collecting disaggregated data for MSMEs.

As part of their work to date, the IWG has been considering whether these TPRs can also serve as a tool for understanding governments' MSME-related policies and identifying possible lessons learned and best practices. They have since adopted a recommendation that involves collecting and cataloguing MSME-related information for ongoing use and reference. WTO members would provide MSME-related information in line with issues named under a checklist in Annex 1 (WTO, 2020f). This submission would be voluntary and would be provided, to the extent possible, during their TPRs. Members may also provide additional information not included in the checklist.

The checklist is divided into three main categories, themselves composed of 3–4 subcategories (WTO, 2020f):

- 1. Background information:** MSMEs' definition for statistical and policy analysis, available statistics on MSMEs' role in the economy and their participation in international trade, and statistics on MSME ownership by diverse groups.
- 2. Marketplace framework:** specific references to MSMEs in said framework, consultation mechanisms for MSMEs to provide input to and comment on new or revised legislation and regulations, review processes implemented for new legislation or regulations, and assistance to support MSMEs' compliance with new requirements.
- 3. Government programs and policies:** general programs or policies, provisions in regional trade agreements, and collaborative engagement with other countries that seek to address challenges faced by MSMEs in their integration into international trade.

The WTO Secretariat has also been asked to maintain a database of the information collected to (i) provide members with an overview of MSME-related data, (ii) support an exchange of information between members, and (iii) inform analysis and discussions of MSME-related agenda items in WTO councils and committees.

Considering the specific needs and constraints of developing countries and LDCs, the recommendation allows for "Members that experience difficulties collecting MSME-related information they wish to provide in support of this recommendation consider, as appropriate and on a voluntary basis, requesting technical assistance from the WTO Secretariat to this end" (WTO, 2020f).

## 3.2 Access to Information

The number of rules and other prerequisites necessary for the proper conduct of trade operations between countries is vast and complex. MSMEs have more trouble navigating these rules than large companies with substantial resources. These barriers to accessing relevant and timely information hinder those MSMEs' business development processes and curtail their efforts toward integration into international trade. Throughout their deliberations, IWG members recognized that one of the significant challenges faced by MSMEs is how to obtain all the relevant information on international trade transaction regulations, irrespective of their activity sector. The Declaration on Access to Information, including in Annex 2 of the Declaration on Micro, Small, and Medium-Sized Enterprises (WTO, 2020f), aims to address this challenge through successful and prompt operationalization of the Global Trade Helpdesk (GTH), supported by the GTH helpdesk baseline coordination questionnaire (which follows Annex 2).

The Global Trade Helpdesk (GTH) is described as a

Multi-agency initiative jointly led by ITC, UNCTAD, and the WTO to simplify market research for companies, especially MSMEs, by integrating trade and business information into a single online portal. Using GTH, firms can compare demand for their products across markets, explore tariffs and other market access conditions, access details about buyers, navigate domestic export processes, and find business partners. (GTH, 2021c)

The GTH covers a wide range of information through nine integrated tools, including:

- (i) The TradeMap, which features indicators on export performance, international demand, alternative markets, and the role of competitors from the product and country perspectives.
- (ii) The Market Access Map, which presents customs and other market access requirements applied by more than 200 countries.
- (iii) The UNCTAD TRAINS database, which has data on non-tariff measures in Harmonized System (HS) 6-digit product classification for more than 90 countries.
- (iv) The Export Potential Map, with trade analysis of export information for 222 countries and 4,064 products.
- (v) Trade Information Portals, which visualize step-by-step guides to trade procedures.
- (vi) The Sustainability Map, which provides information on sustainability initiatives, standards, trends, codes of conduct, and auditing protocols in the global supply chains.
- (vii) The ePing Alert system, which provides timely access to new measures notified under the WTO Technical Barriers to Trade (TBT) Agreement and the WTO Agreement on Sanitary and Phytosanitary (SPS) Measures
- (viii) Connect Americas, which features procedures and regulations for international trade, along with financing opportunities in Inter-American Development Bank (IDB) member countries.

- (ix) The Rules of Origin Facilitator, which means to make it easier to understand which rules of origin apply for products being exported to another country (GTH, 2021a).

The GTH also offers modules for users on how to explore markets, assess requirements, navigate procedures, and identify partners (GTH, 2021b).

The declaration (WTO, 2020f, Annex 2), which was only subject to minor redrafting/editing compared to the February 2020 decision on access to information and the GTH (WTO, 2020e), encourages WTO members to voluntarily provide information through a simplified questionnaire to the WTO Secretariat or the ITC to update the GTH with accurate information. This will need to be done within a year of the declaration's adoption and then every two years after that. Members are called upon to take action in the relevant WTO bodies to enhance their transparency efforts and ensure the GTH operates to its full potential. The declaration also calls for technical assistance for developing country members and LDCs that experience challenges in submitting the required information. Finally, the statement foresees the GTH's operationalization review based on what is learned from its implementation.

### 3.3 Trade Facilitation and MSMEs

Burdensome customs procedures are a crucial challenge for MSMEs, as already noted in the 2016 edition of the WTO's *World Trade Report 2016*. Bureaucracy and red tape can create significant delays when moving goods across borders. Trade facilitation measures and the simplification, modernization, and harmonization of export and import processes have emerged as critical issues for the world trading system, particularly for MSMEs' development (WTO, 2021b). Considering that, many trade stakeholders argue that it is essential to include MSMEs in consultations regarding the design of trade facilitation measures at national, regional, and multilateral levels (including at the WTO).

In the December 2020 declaration, the IWG on MSMEs calls upon WTO members to fully implement the WTO's Trade Facilitation Agreement (TFA) in line with the category commitments they have notified to the organization, including transparency measures (WTO, 2020f). The TFA is the WTO's newest multilateral agreement. Developing country and LDC members can notify which commitments they can implement upon entry into force and which ones will require additional time, capacity-building support, and technical assistance (WTO, 2020f, Annex 3).

The IWG on MSMEs declaration (WTO, 2020f, Annex 3) goes a step further compared to the February 2020 draft text on trade facilitation (WTO, 2020j) by "recognizing the importance of digital solutions to speed up processing and ensure that trade is as frictionless as possible." The IWG calls upon members to support the TFA's implementation and speed up digitalization for MSMEs. Substantive additions and new texts have been added by the members between February and December 2020, which address how to consult MSMEs and how to ensure that trade facilitation measures at multiple levels of policy-making are drafted and implemented in an MSME-friendly manner.



More specifically, the IWG recommendation invites WTO members, the Secretariat, and donor organizations to work together to design and provide MSME-related capacity building and technical assistance for more coherent and complete implementation of the TFA in developing countries and LDCs. It also encourages WTO members to share their TFA implementation experiences in the WTO Committee on Trade Facilitation, which is one of the functions of that body, and incorporate the interests and experiences of MSMEs into those discussions. In turn, WTO members can identify and promote best practices for implementing the agreement to support MSMEs' needs. The recommendation also encourages identifying additional opportunities for trade facilitation and promoting best practices, including "the adoption of digital solutions that can support the movement of goods across borders" (WTO, 2020f, Annex 3).

### 3.4 MSMEs' Inclusion in Regulatory Development in the Area of Trade

Adapting to regulatory changes may be particularly burdensome for MSMEs, especially if they are not aware of these changes' timing and scale and what it means for them in practice. In this regard, IWG members have considered the need to minimize the potential challenges that may emerge, such as assessing the impacts of new rules on MSMEs and providing them with an adequate opportunity to comment on and adapt to new regulatory requirements. In this regard, the recommendation encourages WTO members to consider MSMEs' specific needs when undertaking domestic regulatory development (WTO, 2020f, Annex 4).

Compared to the February 2020 draft recommendation on promoting MSMEs' inclusion in regulatory development in the area of trade (WTO, 2020i), the revised recommendation endorsed in December features few changes (WTO, 2020f, Annex 4). The recommendation provides a non-exhaustive list of elements of domestic regulatory procedures that would be beneficial to MSMEs in this respect. In summary, these are (WTO, 2020f, Annex 4):

- a) Engagement of MSMEs throughout the process of domestic regulatory development
- b) Publication of drafts of regulations before their adoption
- c) Assessment of the impacts of possible new regulatory measures on MSMEs
- d) Provision of a reasonable period to comment on drafts
- e) Prompt publication of adopted regulations
- f) A retrospective review of adopted regulations
- g) Making available the public documents in electronic form and availing free access to them.

The final version of the recommendation added a new focus on experience-sharing among members to discuss practical ways to enable MSMEs' participation in developing domestic regulations concerning issues covered by the WTO agreements. This would aim to ensure that such regulations will be less burdensome to implement in practice. This effort could entail the use

of training and capacity-building programs for MSMEs to understand these issues better (WTO, 2020f, Annex 4).

### 3.5 MSMEs and the WTO Integrated Database

MSMEs, particularly in developing countries and LDCs, lack access to reliable, prompt, and official information regarding market access, including tariffs and other taxes payable, significantly reducing their business prospects. In that regard, the WTO Integrated Database (IDB), while a useful trade monitoring tool that provides tariff and other trade-related information, does not always reflect the latest changes to tariffs and other taxes. It means that MSMEs are still not aware of these costs until they try to engage in trade. A 2019 decision by the WTO Committee on Market Access (WTO, 2019a) addresses the modalities and operation of that database by asking members to provide data on an annual basis, taking into consideration changes in technology to streamline the preparation of notifications, on:

- Applied most-favoured-nation import tariffs at the level of national customs tariff nomenclature.
- Import statistics in the same national tariff nomenclature.
- Where relevant, data required by the Transparency Mechanism for Preferential Trade Arrangements—the non-reciprocal preferential applied tariffs and associated import statistics and preferential tariffs used in the context of regional trade agreements.
- Other applied non-most-favoured nation tariffs—for example, tariffs applied on imports originating in non-WTO members.
- Ad valorem equivalents (AVEs) of non-ad valorem (NAV) duties.
- Applied internal taxes and other duties and charges at the tariff line level.
- Imports or proportion of imports (value and volume) under tariff-rate quotas.<sup>5</sup>

Considering the IDB as “the official source of tariff and other trade-related information,” the IWG on MSMEs supports the full implementation of the 2019 decision by all WTO members and an up-to-date and comprehensive IDB (WTO, 2020f, Annex 4).

With a little language editing, compared to the January 2020 draft recommendation to promote the implementation of the newly adopted IDB decision (WTO, 2020k), the latest recommendation (WTO, 2020f, Annex 5) highlights a subsection in the updated decision that opens a provision for members to provide additional tariff and trade-related information voluntarily. Several members were previously providing information on preferential tariffs and import statistics under regional trade agreements. The recommendation also points to an additional subsection as a possible way to reduce the burden on members concerning their annual tariff and trade data submissions. The new paragraph and the updated decision allow members

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<sup>5</sup> Adapted from WTO, n.d.

to agree voluntarily with the WTO Secretariat to transmit the data automatically (WTO, 2020f, Annex 5).

### 3.6 Trade-Related Aspects of MSMEs' Access to Finance and Cross-Border Payments

One of the significant constraints on MSMEs' integration in international trade is access to finance, including trade finance, and the challenges associated with cross-border payments. The limited bank penetration rate and trade finance opportunities offered by traditional operators to MSMEs lead to severe constraints for their global trade participation and development prospects. While those challenges are real, various opportunities, including the Legal Entity Identifier (LEI)<sup>6</sup> and other digital tools, exist to facilitate trade finance and cross-border payments for MSMEs.

IWG members substantially reworked the February 2020 draft declaration on access to trade finance for MSMEs with a new reference to LEIs (WTO, 2020g) to arrive at the declaration of December 2020 (WTO, 2020h, Annex 6). Primarily, the declaration adopts a broader scope on the financial challenges faced by the MSMEs, considering access to trade finance and cross-border payments. It also recognizes that the COVID-19 outbreak worsened these challenges, particularly in developing countries and LDCs. The declaration calls on WTO members to coordinate with relevant WTO bodies and multilateral institutions to identify concrete measures that can resolve the barriers that MSMEs face in accessing finance and facilitate international diffusion by exchanging information regarding best practices and technical assistance, as well as through capacity building (WTO, 2020h, Annex 6).

The declaration's full implementation appears to rely on the exchange of information between members on how to best assist developing country and LDC governments, MSMEs, and other relevant actors. The declaration welcomes international initiatives that aim to facilitate the adoption of a global legal identification system for companies, such as the global LEI. It also urges the WTO Secretariat to invite relevant international organizations to partner in organizing events to inform on the trade-related aspects of MSMEs' access to finance and cross-border payments. WTO members are encouraged to cooperate with such initiatives, keeping in mind the post-COVID-19 recovery aspects (WTO, 2020h, Annex 6).

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<sup>6</sup> According to Global Legal Entity Identifier Foundation (2021): "The LEI is a 20-character, alpha-numeric code based on the ISO 17442 standard developed by the International Organization for Standardization. It connects to key reference information that enables clear and unique identification of legal entities participating in financial transactions. Each LEI contains information about an entity's ownership structure and thus answers the questions of 'who is who' and 'who owns whom.'"

## 4.0 Future Work Plan

The IWG has announced the following program of meetings in the coming months to advance its work in possible outcomes at the WTO MC12 during 2021.

- February 18, 2021
- May 4, 2021
- June 24, 2021
- June 25, 2021 (MSME Day)
- July 28, 2021
- October 12, 2021
- November 30, 2021
- December 7, 2021

The IWG has also discussed which topics could form a future work plan, which is presented in four categories (WTO, 2020d). Members will decide which of these issues they will conduct further work on and in what order. These issues include the following (WTO, 2020d):

### **a) The MSME web platform, which will be known formally as “Trade4MSMEs”**

In order to streamline information access and online tools, the Trade4MSMEs web platform is now under development. The project will serve as a resource for MSMEs and policy-makers alike, providing them with a curated selection of training, online tools, research publications, government publications, and other materials. Given that many of these resources are spread out across various sites, it is difficult for MSMEs to find authoritative, timely information and for policy-makers to make sense of the scope and scale of research available. This web platform will be regularly updated over time, with users having opportunities to provide feedback that will ensure the site remains fit for purpose.

The platform will have two separate, easily searchable sections for MSME and policy-maker user groups. The MSME section will identify and categorize the already available online trade information, divide it into various sections related to the measures taken to conduct international trade, and provide access to practical tools for potential traders. The policy-maker section will be responsible for aggregating MSMEs and trade studies into a single online location and include examples of best practices in trade policy. The website will be translated into the three official languages of the WTO to increase its accessibility (WTO, 2021a). A task force has been established to oversee the development of the Trade4MSMEs platform, which has funding support from the UK’s Trade and Investment Advocacy Fund (TAF2+).

## **b) Implementation of IWG's Recommendations**

Work in this regard will include following up actions by the WTO Secretariat and the monitoring function of the IWG. The WTO Secretariat will establish and maintain a database of MSME-related information as provided by WTO members in their TPRs. This information will be the basis for work in the various relevant committees when tackling MSME policy issues. With the support of relevant international organizations, the WTO Secretariat is also asked to organize “information sessions on trade-related aspects of MSMEs’ access to finance and cross-border payments” (WTO, 2020d). It would include, for instance, developments on the global LEI. The overarching objective is to improve access to finance for MSMEs.

With regard to monitoring, the IWG will follow up on the recommendation for its members to support the implementation of the May 2019 IDB decision. This would involve members providing “additional information to the IDB and... enabling the automatic electronic transmission of their tariff or import data” (WTO, 2020d). It would facilitate prompt availability of up-to-date information and therefore provide a level of certainty for MSMEs interested in accessing markets internationally.

The IWG will also monitor its members’ support to the GTH by voluntarily submitting the information set out in the adopted recommendation (WTO, 2020h, Annex 2). This work aims to support improved access to information for MSMEs to become better integrated into the multilateral trading system.

## **c) Other Follow-up Actions and Topics for Further Exploration**

The IWG has identified these follow-up actions and topics for further exploration: trade facilitation, domestic regulatory development, and access to finance and cross-border payments.

Regarding trade facilitation, members are asked to share experiences on “how the interests of MSMEs are taken into account” (WTO, 2020d). To this end, WTO members, the Secretariat, and donor organizations are requested to provide the capacity-building support and technical assistance that MSMEs need for TFA implementation issues. The IWG will also monitor the identification of additional opportunities for trade facilitation, including the adoption of digital solutions to speed up customs procedures (WTO, 2020h, Annex 3).

Another topic that they will follow up on is domestic regulatory development, whereby members will be expected to exchange information on their respective experiences in involving MSMEs in the process of domestic regulatory reforms and development. It would ensure that their needs and interests are reflected in such regulations.

They would also continue work building on the recommendation to exchange best practices and information “on technical assistance related to on trade-related aspects of MSMEs’ access to finance and cross-border payments” (WTO, 2020d).

## d) Suggested Topics for the Future Work of the IWG

IWG members and other stakeholders have suggested a wide range of topics for future work, including digitalization, custom duties in the context of e-commerce, trade facilitation, regional trade agreements and preferential treatment, export support, capacity building and network opportunities, intellectual property, and investment and post-COVID-19 recovery measures for MSMEs (WTO, 2020d).

Concerning digitalization, some of the issues for future consideration include (WTO, 2020d):

- Exploring support for digital-related skills development, particularly for women-owned and rural-based MSMEs, which Mexico has proposed.
- Adopting policies that would enhance MSMEs' competitiveness through digital transformation and use of new technologies. This has been proposed by the G20 and would entail the provision of appropriate educational systems, adequate innovation policy support instruments, and innovation incentives (WTO, 2020a).
- Adopting the UNICTAL Model Law on Electronic Transferable Records to provide a legal cover basis for recognizing transferable electronic documents, thereby reducing trade costs for MSMEs (WTO, 2020m).
- Assisting MSMEs in adopting digital technologies, which would enhance their capacity to transact electronically, as some in the private sector have proposed.
- Increasing awareness of cybersecurity issues for MSMEs and providing them with the tools to help improve their cyber-readiness. Some figures place the level of MSMEs affected by cyberattacks at 60% (this proposal was made during a webinar and is described further in INF/MSME/W/20) (WTO, 2019c).<sup>7</sup>

Ideas suggested for future work on customs duties in the context of e-commerce suggest exploring *de minimis* practices and their impacts on MSMEs. *De minimis* practices, which represent the value or amount of goods below which no import taxes or duties are charged, can significantly impact MSMEs' trade costs. Several international agreements provide for such thresholds as a means of facilitating trade for MSMEs. IWG members are considering work toward a possible global *de minimis* threshold (WTO, 2020d).

Customs procedures are another area where the IWG will consider conducting further work, such as the need for simpler commodity codes that would reduce the need for customs agents, which are an obstacle for MSMEs in many countries (WTO, 2020d).

Concerning regional trade agreements and preferential treatment, the suggestion is to explore MSME-related provisions in such arrangements and exchange relevant experiences and best

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<sup>7</sup> As observed by Jennifer Brant, Director of the Cyber Readiness Institute, on March 27, 2019 – reported in INF/MSME/W/29 (WTO, 2020d).



practices. This work could also address the burdens imposed on small businesses by the rules of origin and associated requirements (WTO, 2020d).

On COVID-19, there is a suggestion for the IWG to explore how MSMEs' interests can be taken into account in economic recovery measures and how to ensure MSMEs' situations are better taken into account in potential future crises. It would entail mapping MSME-related support measures, which would provide the basis for identifying good practices.

Intellectual property rights are another area of possible work, which could involve exploring how such rights can be effectively leveraged to assist MSMEs in global trade.

Other possible areas of future work suggested in the IWG are to “exchange good practices on collecting trade statistics” to better understand MSMEs' roles in global value chains. The rationale is to come up with better policies that would enhance MSMEs' integration in international trade (WTO, 2020d).

Going forward, in its first meeting of the year held on February 18, 2021, the IWG started its reflections on how to implement the package of declarations and recommendations agreed in December 2020 and what new issues the group would like to tackle in the year ahead. Mexico updated the group on the work underway to establish the Trade4MSMEs platform and Canada shared how its national cybersecurity strategy helps MSMEs mitigate cybersecurity risks. In addition, the Global Express Association gave a presentation on how simplifying and automating low-value shipments can facilitate trade conducted by small businesses and make it more efficient for governments to collect revenues. Meanwhile, the United Nations Economic Commission for Europe provided an update on its project on Integrated Services for MSMEs in International Trade. The Organisation for Economic Co-operation and Development also shared information on its work on MSMEs.

The IWG Coordinator, Ambassador José Luís Cancela of Uruguay, confirmed that Kuwait and Thailand have endorsed the December package for a total of 94 sponsors.

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