

THE POLITICS OF GLOBAL TRADE: REVISITING THE FAIR TRADE DOCTRINE IN THE ERA OF ECONOMIC HEGEMONY

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Abstract - Fair international trade is an important goal in creating an inclusive and sustainable global economic system, especially for developing countries. While the principle of *Fair Trade* focuses on fair pricing and protecting the rights of producers in developing countries, its implementation is often hampered by the dominance of developed countries in global decision-making. To address this inequality, reform of global institutions such as the WTO is necessary to strengthen the representation of developing countries and establish fairer dispute settlement mechanisms. In addition, developing countries can strengthen their position by building regional alliances such as ASEAN and the African Union, which can increase their collective bargaining power in international trade negotiations. Integrating fair trade principles in bilateral and regional trade agreements will also provide greater opportunities for developing countries to obtain fairer prices and improve their socio-economic conditions. Effective educational campaigns and increased global consumer awareness about the importance of choosing fair trade products can accelerate this change, create higher demand for fairly produced products, and encourage developed countries and companies to adopt more sustainable trade practices. These steps can strengthen the position of developing countries in the international trading system and create a more equitable and sustainable global economy.

Keywords: fair trade; global institutional reform; regional alliances;

INTRODUCTION

International trade is often dominated by the political and economic interests of developed countries, which utilize their structural power to control the rules of the global game. Trade, despite its potential as a driver of development, is often constrained by inequitable governance at the micro-macro level. At the micro level, the dominance of "financiers" in distribution reflects oligopoly to the detriment of small producers, while at the macro level, asymmetric liberalization in the multilateral trading system - as discussed by Joseph Stiglitz and Andrew Charlton - reinforces the hegemony of developed countries ("North") through WTO regulations that tend to bias the interests of strong economies. Classical free trade theory, while promising efficiency, fails to address the structural gap due to unequal comparative advantage, where developing countries are trapped in the production of low value-added commodities (Adillah, 2024) .

Rapid economic globalization since the late 20th century has created a complex and interdependent international trade landscape. In this context, the concept of fair trade emerged as a response to structural inequalities in the global trading system dominated by developed countries. The fair trade doctrine was initially conceived as a corrective mechanism to exploitative trade practices, especially in economic relations between the Global North and South. However, in recent decades, economic hegemony increasingly concentrated in the hands of multinational corporations and dominant economic blocs has raised critical questions about the relevance and effectiveness of fair trade principles amid the mainstream of neoliberalism. This phenomenon is inseparable from the paradigm shift in post-Cold War global economic governance, where institutions such as the World Trade Organization (WTO), the International Monetary Fund (IMF), and the World Bank play a central role in shaping trade regimes that tend to perpetuate asymmetries of economic power (Ardiansyah, 2023) .

Power dynamics in contemporary global trade politics show a paradox between the rhetoric of inclusive multilateralism and the reality of covert protectionist practices by major economic powers. The United States, the European Union, and more recently China, have formed a triad of forces that compete and collaborate in determining the global trade agenda, often at the expense of the interests of developing countries. In this situation, the concept of fair trade, originally intended as an instrument



of economic emancipation, risks being co-opted as a legitimizing tool for an unequal model of global capitalism. Critics of contemporary fair trade implementation highlight how certification and ethical standards in trade often become an additional burden for small producers in developing countries, while not addressing the root causes of market distortions caused by developed countries' agricultural subsidies or dumping practices. On the other hand, the rise of the Chinese economy as a new force in global supply chains has added a complex dimension to the fair trade discourse, as China's unique political economy model combines capitalist elements with strict state control (Christawan, 2021) .

The development of digital technology and the industrial revolution 4.0 has also changed the traditional paradigm of producer-consumer relationships, creating new trading platforms that often transcend existing national regulations and ethical frameworks (Hendriana, 2022) . Increasingly pressing environmental issues also demand conceptual updates in the fair trade doctrine, given that sustainable trade practices can no longer be separated from issues of climate change and natural resource extraction. It is in this context that this research seeks to critically review the fair trade doctrine, especially in relation to three main issues: first, the capacity of this concept in responding to the challenges of the new multipolar economic hegemony; second, the effectiveness of fair trade governance mechanisms in the era of economic digitalization; third, the relevance of fair trade principles in the context of the transition to a global green economy (Jati, 2022) . It is important to note that the discourse on fair trade cannot be separated from the long history of economic colonialism that shaped the center-periphery relationship in the global capitalist system.

Dependency theory, developed in the 1960s, predicted systemic trends that trapped developing countries in a subordinate position as providers of raw materials and cheap labor. Although globalization is thought to have reduced this polarization through market integration, data from the United Nations Conference on Trade and Development (UNCTAD) shows that 80% of value added in global trade is still controlled by companies from developed countries. This fact calls into question the extent to which fair trade is able to change unequal economic power relations, or whether it has simply become a commodification of ethics marketed to middle-class consumers in rich countries. Post-colonial critiques of the fair trade concept also emphasize its epistemological aspects which are still dominated by Western perspectives, often ignoring local knowledge and indigenous value systems in formulating fair trade standards (Lafah, 2015) .

On the other hand, the emergence of new economic powers such as BRICS (Brazil, Russia, India, China, South Africa) offers the potential for alternative global trade governance, although it has not been able to create a truly different paradigm from the existing neoliberal system. The case of the US-China trade war in recent years shows how economic hegemony can be mobilized through the instruments of tariffs, economic sanctions, and technology control, creating a domino effect that harms smaller countries that are not directly involved in the conflict. This situation calls for a new approach to understanding fair trade that focuses not only on bilateral producer-consumer relationships, but also on the global macroeconomic architecture that enables distortions of power. The role of civil society organizations and transnational social movements in promoting fair trade also needs to be re-examined, given the increasingly complex network of actors involved in contemporary global economic governance. Regulatory challenges in the digital economy era also require updating fair trade instruments to address issues such as digital taxation, intellectual property rights in e-commerce, and the protection of platform workers. Labor issues are becoming increasingly crucial in the context of fragmented global supply chains, where the principles of living wages and humane working conditions are often sacrificed for production efficiency (Lafah, 2023) .

Fair trade emerged as a legal and political response to market neoliberalism. According to Nicholls and Opal, this concept functions as a soft law that protects marginalized producers without violating the international trade regime, while integrating ecological justice (green economy) as proposed by Richard Welford (Putra, 2021) . In Indonesia, initiatives such as the Fair Trade Community Consortium (KMFT) and Aliet Green represent the mobilization of non-state actors (NGOs) in building counter-hegemony through fair trade certification and community-based empowerment, including stigmatized women's groups. This movement not only encourages local policy transformation but also criticizes the Washington Consensus paradigm that ignores the dimensions of distributive justice.

The politics of fair trade law requires reconfiguring the balance between market interests and social protection. Asymmetries in liberalization must be addressed through inclusive global institutional



reforms, ensuring equal participation of developing countries in rule-making, and strengthening domestic legal instruments to internalize fair trade principles into national policies. Without the integration of procedural (market access) and substantial (welfare) justice, free trade will only reproduce structural inequalities that are counterproductive to sustainable development.

The doctrine of Fair Trade emerged as a response to this inequality, with principles such as fair pricing, environmental sustainability, and protection of labor rights. However, its implementation is challenged by political realities where developed countries tend to prioritize economic interests. Fair Trade is a global trading system designed to create economic justice, particularly for small-scale producers in developing countries (Mukti, 2020). The concept focuses on giving producers a fair price, prohibiting exploitative practices such as forced labor and child labor, and guaranteeing safe working conditions and workers' rights. In addition, Fair Trade promotes environmental sustainability by implementing environmentally friendly practices, such as reduced pesticide use and responsible waste management. Additional funds from the system are also allocated for community development, such as the construction of schools, health facilities, or local infrastructure. The goal is to empower producers to become economically independent, raise consumer awareness about the importance of ethical shopping, and reduce the negative impact of industry on the environment.

The benefits of Fair Trade are felt by various parties. Producers gain a more stable income, access to global markets, and an improved quality of life. Consumers get quality products with the assurance of ethical production processes, while the environment is protected from destructive industrial practices. Examples of products that are often Fair Trade certified are themselves through protectionist policies, domestic subsidies, or dumping practices. This research aims to examine the extent to which Fair Trade principles can be implemented in a hierarchical global trading system, as well as the political-legal factors that hinder it.

RESEARCH METHOD

In writing, a writing methodology is required. Method concerns the problem of how to work to understand the object that is the target of the science in question. So that the results of writing can be scientifically justified, a certain writing methodology is needed. Research methods are scientific activities related to analysis and construction, which are carried out methodologically, systematically and consistently. Methodological means according to a certain method or method, systematic means based on a system, and consistent means the absence of conflicting things within a certain framework. The approach method used in this research is a normative juridical approach, namely research that emphasizes research that emphasizes the rules that exist in positive law.

ANALYSIS AND DISCUSSION

Though in the practice of global trade politics the idea clashes with the reality of power hierarchies maintained by neoliberal regimes, the Fair Trade principle theoretically supports the values of distributive justice, environmental sustainability, and empowerment of marginalized producers. Policies of developed countries that rhetorically support Fair Trade but preserve protectionism via large agricultural subsidies reflect the gap between theory and practice: for example, the European Union's Common Agricultural Policy (CAP) reaching €386.7 billion (2021-2027) or the US Farm Bill worth \$428 billion (2018) while pressuring developing countries to open their markets under asymmetric liberalizing policies. Conversely, environmental and social criteria in Fair Trade certifications like Fairtrade International frequently turn into discriminatory non-tariff barriers as small Global South producers fight to meet the technical criteria and costs of certification without financial support, while North American multinational companies use these standards as a greenwashing tool to acquire market share (Faber, 2023).

Developed country hegemony is also maintained through control over the governance of multilateral institutions such as the WTO, where single undertaking and consensus mechanisms hinder developing countries' effective participation in rule-making. For example, the Doha Development Agenda (2001) round failed to resolve the issue of developed country agricultural subsidies, as well as the practice of divide-and-rule by offering bilateral agreements that favor powerful countries, such as the USMCA that marginalizes Mexico on labor issues. Other legal mechanisms include the use of countervailing duties and dumping charges against developing country exports-such as the case of the



EU's charges against Indonesian biodiesel (2023)-to protect their domestic industries, while ignoring the market distortions they create through export subsidies (Espinosa, 2023).

To strengthen the position of developing countries, it is necessary to reconstruct the architecture of global trade law that internalizes the principle of asymmetric reciprocity - where liberalization is adjusted to the economic capacity of the country - through reforming the voting system at the WTO from consensus to qualified majority voting to avoid unilateral veto by developed countries (Tananaiko et al., 2023) . Developing countries need to build solid coalitions such as the G33 or African Group to advocate for the elimination of developed countries' agricultural subsidies in the WTO Committee on Agriculture forum, as well as collectively utilize dispute settlement mechanisms to challenge covert protectionist policies. At the regional level, the integration of Fair Trade clauses in agreements such as the African Continental Free Trade Area (AfCFTA) should be strengthened with co-funding mechanisms for green certification and technology transfer, supported by the establishment of a dedicated fund under UNCTAD.

In the context of international trade, the principle of fair trade emerged as an attempt to create equality and fairness in trade relations between developed and developing countries. The principle aims to reduce the inequalities that often occur in the global market by providing fair prices to developing country producers, while protecting workers' rights and promoting social and environmental sustainability. However, while this principle is noble, its real-world application is often hampered by the political and legal dynamics governing international trade, which more often than not favor developed countries. Fair trade theory focuses on creating fairer trading conditions for developing countries by giving them the opportunity to access international markets at better prices (IRWIN, 2015) . One of the key principles of fair trade is to ensure that developing country producers receive a fair price for their products, which not only covers the cost of production, but also takes into account the social and environmental costs that are often overlooked in conventional global trade.

In theory, this principle aims to improve working conditions, strengthen workers' rights, and increase the economic resilience of local communities through access to more stable and profitable global markets. However, in practice, the implementation of fair trade is often hampered by significant gaps between theory and reality. One of the main gaps is the difference in standards applied in the global market, which often favors developed countries that have greater capacity to meet these standards. Developing countries, on the other hand, often struggle to meet stringent regulations related to product quality, consumer protection or environmental sustainability, which ultimately hinders their ability to compete in the international market at fair prices. In addition, many developed countries implement protectionist policies such as high import tariffs, subsidies to domestic industries, and other non-tariff barriers that can limit developing countries' access to international markets. Such policies often contradict the principle of fair trade, as they hinder developing countries' opportunities to obtain fair prices for the goods they produce.

Developed countries often use legal and political mechanisms to maintain their dominance in international trade, even though this often goes against the principle of fair trade. One of the most dominant mechanisms is the membership of developed countries in international trade organizations, such as the World Trade Organization (WTO). The WTO, which is supposed to serve as a forum for creating fairer global trade, is often seen as an instrument that favors developed countries as they have greater political and economic influence in decision-making within the organization (Kohl, 2017) . Developed countries often use their power within the WTO to enforce rules that are more favorable to them, such as setting subsidies that can be retained by developed countries but restricted to developing countries, or setting higher tariffs on products from developing countries that do not meet set standards.

In addition, developed countries often utilize bilateral or multilateral trade agreements to strengthen their position in the global market. These agreements often include provisions that are more favorable to developed countries, for example in the form of tariff arrangements, intellectual property rights, or environmental regulations, which indirectly prevent developing countries from gaining fairer benefits from international trade. Developing countries, which often have weaker bargaining power, are forced to accept these agreements even though they realize that these provisions may harm them in the long run.



Developed countries also use very strict quality and safety standards as a way to maintain their dominance in international trade. While these standards are meant to protect consumers and maintain environmental sustainability, in many cases, the standards set by developed countries are often too high for developing countries to meet. This can create a barrier for products from developing countries to enter the international market, as developing country producers do not have access to the technology or resources necessary to meet these standards. For example, developed countries often impose very strict environmental standards that require products from developing countries to meet requirements relating to greenhouse gas emissions, the use of hazardous chemicals or waste management. While developed countries have the technology and resources to comply with such regulations, developing countries with limited capacity often struggle to meet these standards, leaving them marginalized in international trade. Moreover, these high regulations often lead to stronger protectionist policies, further exacerbating inequalities in global trade.

The political challenges in institutionalizing fair trade principles are also enormous, especially when developed countries have strong political and economic interests in maintaining the status quo of global trade. Developed countries often see fair trade policies as a threat to their economic dominance, as these policies may reduce the profits they make from unfair international trade (Adelaiye & Eluogu, 2024). Therefore, despite growing international awareness of the importance of creating a fairer trading system, developed countries often oppose significant changes in the structure of global trade that could harm their interests. International politics, influenced by economic interests and geopolitical forces, often hampers efforts to introduce fairer policies for developing countries in multilateral forums.

To strengthen the position of developing countries in fighting for fair trade principles, several policies can be implemented in a multilateral context. First, developing countries must strengthen their bargaining position in international trade negotiations. One effective way is to form strategic alliances with other developing countries in organizations such as the WTO or UNCTAD. By working together in international forums, developing countries can create greater bargaining power to push for changes in trade policies in their favor. For example, developing countries can jointly demand the removal of agricultural subsidies that harm them, as well as the reduction of import tariffs that hinder their access to international markets. Such alliances can strengthen the position of developing countries in negotiating fairer policies at the global level.

Developing countries need to actively champion the integration of fair trade principles in international trade agreements, both bilateral and multilateral. By incorporating these principles, developing countries can ensure that global trade not only benefits certain parties, but also supports their social and economic well-being (Smyrnova, 2021). This could include provisions that eliminate subsidies that harm developing countries, provide fairer market access, and create mechanisms to ensure that standards are not overly burdensome for developing countries. Developing countries should also encourage developed countries to take responsibility for fairer trade practices, for example by providing incentives for companies in developed countries that commit to buying products from developing countries at fair prices and supporting sustainable and environmentally friendly production.

Developing countries need to strengthen their domestic capacity, especially in infrastructure, technology and skills. Limitations in technology and human resources often make it difficult for them to meet international standards. Therefore, it is important to develop these sectors in order to compete in the global market. In addition, developing countries should strive for trade policies that take into account social and environmental sustainability, not just short-term economic gains. Developed countries also need to take responsibility by supporting developing countries to achieve the standards set (Calderaro & Craig, 2020).

While fair trade principles have great potential to create a more equitable and sustainable international trading system, their real-world implementation is often hindered by existing political and economic disparities. Developing countries must strive to strengthen their position in international trade forums and push for policies that support fairness and sustainability. Through collaboration, domestic capacity building, and advocacy at the international level, developing countries can play an important role in championing fair trade principles and creating fairer global trade.

Critical International Law Theory offers a sharp critique of the way international law, particularly trade law, is shaped and applied. It argues that international law, including the rules



governing global trade, often reflect the interests of powerful states, particularly developed states, which have the ability to influence the formation of international legal norms. In this sense, international trade law is not neutral; rather, it is influenced by the political and economic interests of developed countries that have dominance over international institutions such as the World Trade Organization (WTO). Developed countries are often able to set trade rules in their favor, whether through subsidies, tariffs, or technical regulations that are difficult for developing countries to meet. In the context of Fair Trade, this theory suggests that despite the intention to create fairer trade, the practices of international trade law continue to favor developed countries in ways that disadvantage developing countries.

For example, in many international trade agreements, developed countries use very high quality and safety standards, which although intended to protect consumers and the environment, often lead to policies that indirectly restrict market access for developing countries. In this sense, international trade law is driven more by the interests of developed countries, who not only want to ensure their market access remains open but also want to maintain standards that are difficult for developing countries to reach. This shows how international trade law, which is supposed to create a fairer and more balanced trading system, is instead influenced by the hegemony of developed countries in determining trade rules.

The concept of Global Justice focuses on the moral responsibility of developed countries to reduce the inequalities that exist in the international trading system. It emphasizes the importance of reducing the asymmetry of power that exists between developed and developing countries, as well as promoting the principle of fairness in international relations. In the context of Fair Trade, developed countries are considered to have a moral responsibility to create a more inclusive and equitable trading system. Global justice demands that developed countries not only fight for their economic interests, but also pay attention to the social and economic conditions of more vulnerable developing countries. Developed countries often act protectionist by subsidizing their industries and imposing high tariffs on developing countries' products, even if those products are produced to more environmentally and socially friendly standards. Global justice requires developed countries to reduce protectionist policies and allow developing countries to compete fairly. Developed countries also need to eliminate harmful subsidies and ensure international standards do not limit the ability of developing countries to export their products.

Dependency Theory argues that developing countries are unable to access their full potential in the global economy because of their structural dependence on developed countries (Mejia, 2024). In the context of international trade, developing countries are often trapped in economic structures that make them dependent on the export of raw materials and commodities, while developed countries control the production of high value-added goods and technology. This creates an unbalanced relationship, where developing countries are more dependent on developed markets, while developed countries continue to maintain control over global markets and more profitable sectors of the economy.

Dependency Theory criticizes the existing structure of international trade, which often uses developing countries as a source of raw materials at low prices, while developed countries control more profitable industries (Kvangraven, 2020). Fair Trade principles aim to give developing countries more control over the added value of their products and ensure fairer prices. While these initiatives exist, more structural changes are needed to reduce the dependence of developing countries on developed countries. Developing countries need to be supported in developing their own industries and technologies. This support will help them gain a better bargaining position in global trade.

These three theories explain the major challenges of developing countries in fighting for Fair Trade principles. The hegemony of developed countries in international trade law, influenced by critical theory, creates inequality in global trade. Developed countries have the power to impose rules in their favor, while developing countries are forced to accept harmful provisions. To achieve true global justice, developing countries need to reduce their dependence on developed countries and have more control over their own economies.

To overcome the political challenges that arise in implementing Fair Trade principles, developing countries need to work together in multilateral forums such as the WTO and UNCTAD to create fairer trade policies. Developed countries should also take more responsibility in creating a global trading



system that supports developing countries, whether through reducing protectionist policies, eliminating harmful subsidies, or setting more realistic standards for developing countries (Zhou, 2024) . Only by creating equality in international trade relations can we ensure that the principle of Fair Trade can be realized globally and create a fair and sustainable trading system for all countries.

Reforming global institutions, particularly in international trade, is important to create a fairer system for developing countries. One key step is to strengthen the representation of developing countries in the World Trade Organization (WTO), which is currently dominated by developed countries in decision-making. Developing countries need to strengthen their role in the WTO by pushing for reforms to the organizational structure to ensure fairer representation. One solution is to introduce a more proportional voting system, where developing countries' votes better reflect their population and contribution to global trade.

Reforms in the WTO dispute settlement mechanism are essential to ensure fairness in resolving trade disputes. The current system is considered biased, as developed countries have more resources to influence legal and political decisions. Developing countries often find it difficult to access or utilize these mechanisms effectively. Therefore, there is a need to establish a fairer mechanism that takes into account the capacity of developing countries, provides greater access to defend their interests, and improves legal assistance and strengthens the role of developing countries in dispute settlement panels.

Developing countries need to develop more effective strategies to strengthen their bargaining power in international trade. One approach is to build regional alliances that can enhance collective strength, such as ASEAN and the African Union (AU). These alliances serve as platforms for developing countries to unite and fight for their interests in multilateral forums such as the WTO. With more solid alliances, developing countries can increase their bargaining capacity in trade negotiations and share resources, technology and knowledge to improve competitiveness in the global market.

Another strategic step for developing countries is to integrate fair trade principles in bilateral or regional trade agreements. Such agreements can include provisions that promote fairer trade, where the price of products offered to developing countries better reflects the social and environmental value of the production. By integrating fair trade principles, developing countries can obtain fairer prices for their products and ensure that workers and producers in their countries are protected from exploitation. For example, in bilateral trade agreements between developed and developing countries, developing countries can demand that their products are treated according to fair trade standards, ensuring that developing country producers receive higher payments, better working conditions, and protection of their rights (Elena Dovgal & Georgiy Dovgal, 2020) . Developed countries, in this regard, should be willing to introduce more transparent and fair policies that facilitate fairer access for developing countries to international markets. This would also incentivize developed countries to invest in more sustainable production and pay attention to the social and environmental impacts of their trading activities.

One of the keys to success in implementing fair trade principles is through wider advocacy and education on the benefits and importance of fair trade to global consumers (Khan et al., 2018) . To achieve this, it is important to raise awareness about fair trade products through structured campaigns that target consumers in developed countries, which are the main markets for products from developing countries. These campaigns can be conducted through various channels, including social media, digital marketing, and partnerships with organizations focused on sustainability and social justice. The main goal of the campaign is to educate consumers on the importance of choosing products that are produced in an ethical manner, which not only benefits producers in developed countries but also provides direct benefits to communities in developing countries. By increasing demand for fair trade products, developing countries can obtain better prices for their products, which in turn can improve the quality of life of their communities and support the sustainability of local economies.

In addition, this educational campaign can also encourage consumers to participate in changes to a fairer global trading system by supporting brands that are committed to ethical trade. For example, through company-level initiatives, such as fair trade certification for food, clothing and other goods, consumers can make better decisions about what they consume, based on more transparent information about the social and environmental impacts of the products they buy. With increased awareness, global consumers will be more inclined to choose products produced in a fair manner, which in turn will put

pressure on developed countries and large corporations to change the way they produce and distribute their goods.

To further strengthen the impact of these campaigns, developing countries can work with international organizations, NGOs, and the private sector to introduce more initiatives that encourage the use of fair trade products. Partnerships between the public and private sectors, as well as support from international organizations, can help accelerate changes in fairer global trade policies. This will enable developing countries to benefit more from international trade and ensure that their economic sectors develop in a way that is sustainable, inclusive, and more beneficial to society at large.

Reforming global institutions, strengthening developing country strategies, and broader advocacy of fair trade principles are critical steps to creating a fairer international trading system. Developing countries need to work together to form stronger alliances, fight for their position in the WTO, and integrate fair trade principles in trade agreements to ensure that they can compete fairly in the global market. At the same time, effective education campaigns can raise global consumer awareness about ethically produced products, drive higher demand for fair trade products, and provide incentives for developed countries and large corporations to adopt fairer and more sustainable trade practices. With all these steps, we can create a fairer trading world, where developing countries have a greater chance to grow and develop sustainably

CONCLUSION


To create a fairer international trading system, developing countries need to strengthen their role in global institutions such as the WTO through reforms that ensure fairer representation and more justice-sensitive dispute settlement mechanisms. Another important strategy is to build regional alliances such as ASEAN or the African Union to increase collective bargaining power and integrate Fair Trade principles in bilateral and regional trade agreements, which can provide fairer prices for developing countries. In addition, through structured education campaigns and increased global consumer awareness of Fair Trade products, developing countries can gain a greater advantage and influence change in the global trading system that is more inclusive, sustainable, and beneficial for all parties involved. With these measures, developing countries will have a greater opportunity to compete fairly and achieve more sustainable economic progress.

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