



**2004 Annual WTO Public Symposium
ORIGIN Round Table on Geographical Indications
27 May 2004 – Geneva**

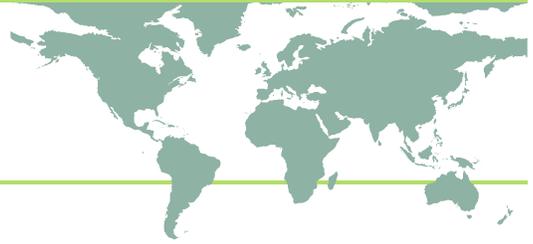
Localisation within Globalisation: Better Protecting Geographical Indications to favour Sustainable Development

The Round Table organised by ORIGIN was held under the chairmanship of Pedro Echeverria, President of ORIGIN and producer of Antigua Coffee from Guatemala. In its introductory speech, the president of ORIGIN welcomed all the participants and briefly spoke about the organisation and its objectives. ORIGIN was launched in June 2003 at the initiative of more than one hundred producers coming from more than thirty countries across the world, ORIGIN is the first international network of geographical indications producers and members come from Africa, Asia, Latin and North America, Western and Eastern Europe.

ORIGIN's main objective is the promotion of Geographical Indications as an instrument of development. ORIGIN also advocates for a better protection of geographical indications at the international level. ORIGIN has initiated several activities for the development and the promotion of GI protection around the world, in particular partnerships between producers that allows ORIGIN members to exchange their experiences. In its introductory speech, the president insisted on the useful role of geographical indications with regard to sustainable development. He also insisted on the advantages that producers will get from a better protection of GIs at the national and the international levels. It was on these two issues that the invited speakers presented their experiences in two different sessions.

First session: GIs contribution to sustainable development

Dr. Elisabeth Barham (Assistant professor at the University of Missouri, USA) presented her research on the specificity of geographical indications as an intellectual property right and the interest of GI in a development perspective. Following the completion of case studies in countries like France, Portugal and Canada that showed that geographical indications (GIs) can support local development and sustainable development, Dr. Barham started preparatory works to establish a *sui generis* protection of GIs for agricultural products in the State of Missouri in the USA. Dr. Barham considers that "GIs have an important role to play if we are building a system of trade where local can be part of global", especially because GI is the only intellectual property right that relates to a specific place. GIs belong to a region and it is not possible to move them from their territory. Moreover GIs make it possible to maintain the local characteristics of the product they identify and therefore their intrinsic qualities. In her research, Dr. Barham found that GIs can also contribute to developing employment in decentralised regions and other economic activities like tourism. For her, the advantages of GIs could also be beneficial to a country like the USA, their producers and consumers, since "with GIs, we would enjoy a richer world and this would also be possible for our grandchildren". Dr. Bahram concluded her speech hoping that producers will be able to benefit from a system of GIs that will ensure fair trade in the global trade for small producers located in decentralised regions.



Following this introduction a panel of three speakers presented their experiences on the contribution of GIs to sustainable development.

Mrs Zoubida Charrouf (Representative of the Argan Oil producers, Morocco) presented the potential of GI for developing countries through the example of the Argan Oil. The project of the Argan Oil is the perfect illustration of the numerous and positive impacts that a well organised and developed GI can have on the local, economic and social development of a region:

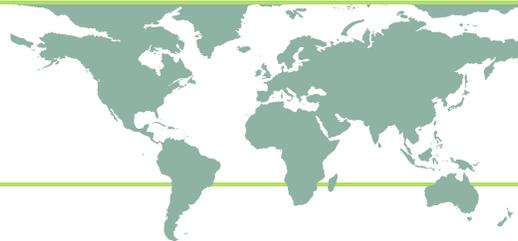
- Thousands of people live on the production of the Argan Oil in a very poor region of Morocco and most of them are women
- The valorisation of the product is accompanied by development of new economic activities in the region, like tourism or little shops close to the cooperative
- Alphabetisation campaign has been launched in order to enable the continuity of the project among the women
- Trees are planted regularly to enable a production on the long run, to help the fight against the progression of the desert and the erosion of the land, to prevent rural exodus and to ensure a preservation of the biodiversity.

But Mrs Charrouf clearly pointed out that to enjoy all these benefits, it is essential to valorise the product and to make the local producers aware of its great value. Scientific researches were therefore launched confirming the medical, cosmetic and nutritive qualities of the Argan Oil, all qualities that were part of the traditional knowledge of the local population. In addition, a process aimed to get together all the actors of the Argan Oil was launched in order to get a protection through GI. Mrs Charrouf is convinced that a protection through GI is the best solution to allow this project to continue to have its positive impacts. The development of GI on a typical product such as the Argan Oil will provide increasing income for the local producers and will enable them to keep the economic benefits in the region by controlling all the fabrication steps of the production.

Mr. Jean-Jaques Bret (Director Comité Interprofessionnel du Comté, France) presented the economic value of the GI for the Comté cheese region. Comté cheese comes from the Franche-Comté, a region where only pasturage is possible. Without the development and the valorisation of the production of Comté cheese, the region would have known desertification and rural exodus. The GI Comté is based on handmade activities and small farms; the production of Comté requires therefore more workers than an industrial production of cheese. The demand of consumers for quality is also met with GI products, since traditional characteristic and qualities are ensured by the GI.

Mr. Bret sent out a clear message to the WTO negotiators: “we can very well understand people who fear distortion in trade. This would be legitimate if the objective of enhancing the protection of GIs at the international level would have been to give the advantage to a big European group against a big American group. However, the logic and the objective of a better protection of GI is absolutely not this one; GIs has a local history, based on tradition, on men”. Moreover, he stressed that the protection of the GI Comté does not mean that other producers cannot produce a similar cheese; they just cannot use the name “Comté” on their cheese. For Mr. Bret, the absence of an effective protection for GIs will have for consequences the end of the





production in difficult regions and the movement of population from the country towards the cities. He concluded by saying that “GIs go over national cleavages, since every country has local production with geographical or traditional denominations. GIs are part of the national patrimony that everybody wants to protect”.

Mrs. Agnes Nyaga (Vice President of ORIGIN for Africa and representative of the Kenyan Tea Board, Kenya) presented an African perspective of the fight against costly abuses and free-riders and the importance of extension for developing countries producers. Explaining that GIs are a new concept for African countries, Mrs Nyaga indicated the necessity to continue to better develop the awareness of the African producers on the potential of this intellectual property right. For her, GIs can help producers to better market their unique and differentiated products and ensure better market access. Taking the example of the Kenyan tea, she explained how GIs can allow producers to benefit from the added value brought to the products along the supply chain. For Mrs Nyaga, “GIs can play an important role for African countries which have an economy based on agriculture. They can contribute to the realisation of government policies on poverty eradication and sustainable development”.

Second session: The case for better protection of GIs in the DDA framework.

Brigadier Anil Adlakha (Executive Director All Indian Rice exporters Association, India Vice-President of ORIGIN for Asia) introduced the second session devoted to the Doha Development Agenda (DDA) framework. He recalled that the producers’ of the GI’s objectives with regard to the enhancement of the protection of GIs in the DDA cover both the extension of the protection under Article 23 of TRIPS Agreement to all GI products and the establishment of a legally-binding multilateral register. He also pointed out the advantages for the protection of GI’s and the costs and their importance for consumers. He concluded by saying: “the WTO must respond positively to our request as better GI protection would benefit millions of people who are depending on traditional and local GI products. This could become a key success factor for the Doha Development Agenda (DDA)”.

Mrs. Dawnine Dyer (representative of the Napa Valley Vintners Association, USA) gave an American perspective on the ongoing negotiations on GIs in the DDA, explaining the importance of a better GI protection for Napa Valley wine producers. Explaining the system of protection that exists in the United States and in the State of California for the protection of GIs for wines, Mrs Dyer recognised the economic value of place and place names for the commercialisation of typical products such as wines. Such products take all their characteristics, qualities and reputation from the place where they are produced. She also pointed out the huge costs that Napa Valley wine producers have to defend their trademark “Nappa”. Outlining some deficiencies of the current protection existing for GIs for wine in the US, she stated the strong interest and support of her association to enhance the protection of GIs for wines by the US government, in order, for instance, to better prevent the abusive use of GIs in advertising or trademarks that mislead the public.

Mr Feng Li Ming (Director, Camus Cognac, China) gave a Chinese perspective on the ongoing negotiations on GIs in the DDA, explaining the interest of GIs for Chinese producers and the importance of a better protection of GI at the international level. The legal work on the





establishment of a protection for GIs in China started in 1994 with the question of the protection of the French GI “Cognac”. In 2000, a Ministerial decree was adopted ensuring the protection of GIs in China. More interesting was the fact that even without any legal protection the notion of GIs has been very present in the Chinese mentality for century: the example of the Long Jing tea trees selected by the emperor of China is the clear illustration of the understanding of the GI concept. China is a country with a very long agricultural tradition and very traditional and typical products. Several products already deserve a protection as GI in China, such as “ Long Jing Tea, Shao Xing Yellow Wine, Moutai Alcohol”. Chinese producers have already seen the positive effects of GIs protection recuperating in particular the markets for yellow wine in third countries.

Mr Stefano Fanti (Managing Director, Parma Ham Consortium, Italy) presented a European perspective on the ongoing negotiations on GIs in the DDA. He explained the importance - for producers and consumers - of the extension of the protection of Article 23 TRIPS Agreement to all products and the establishment of a multilateral register. Mr Fanti pointed out some of the problems that Parma Ham producers face when trying to get a GI protection for their product in many countries. He underlined why the protection of GIs through trademarks is not always adapted: refusal of the registration of the trademark “Parma” as being descriptive, prior trademarks, etc. He also outlined the disadvantages of Article 22 TRIPS Agreement protection and the fact that the protection of Article 23 TRIPS Agreement would be more effective to prevent the abusive uses of the Parma Ham GI. For Mr Fanti: “the extension of the protection of Article 23 TRIPS Agreement to all products and the establishment of a legally binding register for GIs for all products are essential tools to ensure in the future a more effective protection of GIs at the international level”.

Mr. Pedro Echeverria, President of ORIGIN, concluded the round table by stating: “Better protecting Geographical Indications boils down to the defence of a fair trade concept. We need to provide for the localisation of productions in the context of trade globalisation. We consider that the progress made on this issue will determine WTO members’ ability to meet their Doha commitments to provide for a genuine Development Agenda”.

ORIGIN would like to thank the WTO Secretariat for the excellent organisation of the Symposium and the Republic and Canton of Geneva for the financial support received for the organisation of this roundtable.