



**Council for Trade-Related Aspects of
Intellectual Property Rights
Special Session**

Original: English

**MULTILATERAL SYSTEM OF NOTIFICATION AND REGISTRATION OF GEOGRAPHICAL
INDICATIONS FOR WINES AND SPIRITS**

REPORT BY THE CHAIRMAN, AMBASSADOR ALFREDO SUESCUM (PANAMA)

1. This report on my consultations with interested delegations in the context of the Special Session of the Council for TRIPS is submitted on my own responsibility and is without prejudice to the positions of delegations and to the outcome of the negotiations.¹

2. At the informal meeting of the Trade Negotiations Committee (TNC) held on 6 February 2014, the Director General shared with delegations his request that the Chairs of Negotiating Groups start a dialogue with Members on issues that may be able to be taken forward, bearing in mind six parameters as a guide for discussions. These six parameters were, in summary: (1) preserving development as a central pillar of Members' efforts; (2) focusing on doability, balancing realism and ambition, with no-one being asked to do the impossible; (3) recognising that the issues are interconnected so that they must be tackled together; (4) staying creative and open minded; (5) being inclusive and transparent; and (6) maintaining a sense of urgency.

3. Following this request by the Director-General, I held consultations with interested individual Members and groups on 10 and 11 March 2014, following an open invitation extended to all Members to meet with me. Some delegations also contributed comments by telephone and e-mail. I also held an informal open-ended meeting on 1 April 2014.

4. In these consultations, I asked Members for their views on how to take forward the work of the TRIPS Special Session, and on how to reflect this process in a post-Bali work programme on the remaining Doha Development Agenda issues. In their responses to these questions, I requested that Members focus on the mandate of the TRIPS Special Session as set out in the first sentence of paragraph 18 of the Doha Ministerial Declaration (WT/MIN(01)/DEC/1), which reads as follows:

"With a view to completing the work started in the Council for Trade-Related Aspects of Intellectual Property Rights (Council for TRIPS) on the implementation of Article 23.4, we agree to negotiate the establishment of a multilateral system of notification and registration of geographical indications for wines and spirits by the Fifth Session of the Ministerial Conference."

5. From these consultations, it seems that there have not been substantive changes in Members' negotiating positions in this group, as they are documented in the previous chair report TN/IP/21 and reflected in the Draft Composite Text that was circulated to Members as an Annex to that document.

6. Notwithstanding my emphasis on the mandate of the TRIPS Special Session, most of the Members that participated in these consultations concentrated on linkages between the work of the Special Session, and TRIPS implementation issues (TRIPS/CBD and GI extension) outside the purview of this group, as well as with the wider post-Bali process. Most of the Members participating indicated that, as a condition for work on the multilateral GI Register in the TRIPS

¹ This report also contains the substance of the informal report circulated as JOB/GC/64 at the General Council meeting of 14 March 2014.

Special Session, they would like to see parallelism with work on these other processes and issues. Other Members rejected linkages between these processes and issues, and would need assurances that the mandate of the TRIPS Special Session would be respected before agreeing to restart work in this negotiating group. The negotiations were described as complex and difficult by both sides of the debate, even within the mandate of the TRIPS Special Session, and most Members taking part in the consultations seemed hesitant to engage actively in negotiations until the overall scope and balance of the post-Bali work programme becomes clearer.

7. As regards the substance of negotiations or the method of working of the TRIPS Special Session, no novel ideas were offered on how to advance the work of this group. A few Members felt that technical work could progress on the basis of the 2011 Draft Composite Text with respect to issues such as notification format, or special and differential treatment provisions inasmuch as this work did not touch on the question of mandate.

8. I briefed Members along the lines of this report at the informal meeting held on 1 April 2014. Members made no further comments or proposals regarding the work of the Special Session.

9. It is my impression that, under current circumstances, Members are not ready to take forward substantive work on the GI Register as a priority. Finding a solution to Members' very different concerns with respect to the negotiating mandate and linkages to other WTO work continues to appear central to permitting substantive work in the TRIPS Special Session to resume.
