



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

**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 the negotiations on the establishment of a multilateral system of notification and registration of geographical indications (GIs) for wines and spirits ("GI Register") in 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.
2. Since my last written report, circulated as document TN/IP/28 on 28 December 2020, I have conducted individual consultations with five interested delegations on how the Special Session could proceed in fulfilling its mandate. While Members' positions on substantive and procedural issues remain unchanged, some *demandeurs* indicated their readiness and willingness to participate in sharing information and experiences on the diverse ways in which GIs have been protected through bilateral and/or regional agreements. In their view, this information sharing exercise was important in paving the way for future negotiations on a multilateral register for wine and spirit GIs.
3. During the consultations, I invited Members to consider three specific suggestions raised by Members during past consultations held in October 2020: (1) that the Special Session schedule meetings to share information and experiences on the diverse ways in which GIs have been protected through bilateral and/or regional agreements; (2) that the WTO Secretariat conduct a study on the relationship between the TRIPS Agreement and the Geneva Act of the Lisbon System; and (3) that the WIPO Secretariat be invited to brief delegations on the state of play with the WIPO international registration system.
4. In the meantime, I had invited Members to reflect on how, when and where the other side's concerns might be addressed without necessarily conceding nor agreeing to them, and to reflect on new approaches to achieve their own objectives. I also asked whether they had contacted the other side on how to proceed to fulfil the Special Session's mandate.
5. Regarding the first suggestion, the delegations from the W52 Group indicated they were ready and willing to participate in the information sharing exercise. Some believed that this exercise was important in paving the way for future negotiations and indicated that they would engage other W52 delegations in the TRIPS Council's regular and/or special sessions. Other delegations, however, were still sceptical of its benefit to the Special Session's work. The delegation from the Joint Proposal Group thought that this information exchange would duplicate work in WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), and that the SCT was an appropriate and already available forum for this type of exchange. Thus, they sought further clarification on what the proponents wanted to achieve through this exercise.
6. Concerning the second and third suggestions, the delegations from the W52 Group supported both in principle, while pointing out the importance of timing for such work. The delegation from the Joint Proposal Group stated that they could not support either suggestion due to their longstanding concern over the Geneva Act and the Lisbon system.

7. Regarding the procedural issue, the delegations from the W52 Group stood by their demand for linkage and parallelism between three TRIPS issues: GI register, GI extension, and TRIPS-CBD. The delegation from the Joint Proposal Group repeated that respect for the Special Session's mandate was a threshold issue to be addressed.

8. Unfortunately, none of the delegations has engaged with the other side on these specific suggestions, though a few remarked that IP issues had been discussed regularly between capitals. I urged them to take up the specific suggestions with one another in the context of the Special Session.

9. Regarding future steps, after reflecting on the overall situation, I planned to call for a small group consultation to explore the possibility of holding the suggested information exchange exercise, and then to hold an informal open-ended meeting to report on these consultations and to provide an opportunity for delegations to share their new thoughts on the work of the Special Session.

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