



**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. I present this report on my own responsibility and without prejudice to the position of delegations or to the outcome of negotiations 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.
2. My predecessor, Ambassador Dacio Castillo (Honduras), and myself held many informal consultations and open-ended meetings over the past three years, to gather delegations' thoughts and suggestions on how to fulfil the mandate of the Special Session. I must conclude from these that there has been very little or no evolution in Members' positions on either substantive or procedural issues on the GI register negotiations.
3. There were many new developments outside the WTO, including multilateral, bilateral and regional agreements, and domestic systems on GI protection. Some delegations supporting the modalities proposal contained in document TN/C/W/52 indicated their readiness and willingness to participate in sharing information and experiences arising from these developments. In their view, this information sharing exercise was important for suggesting possible new avenues for future negotiations in the GI register negotiations. Other delegations in this group, however, were still sceptical of its benefit to the Special Session's work.
4. The delegations supporting the Joint Proposal contained in document TN/IP/W/10/Rev.4 thought that this information exchange would duplicate work in the 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. They sought further clarification on what the proponents wanted to achieve through this exercise.
5. On procedural matters to do with substance of the negotiations, the W52 Group stood by their proposal for linkage and parallelism between the three TRIPS issues addressed in document TN/C/W/52, namely GI register, GI extension, and TRIPS-CBD. In response, a delegation from the Joint Proposal Group repeated that respect for the Special Session's mandate was a threshold issue to be addressed before negotiations could recommence.
6. I have repeatedly suggested that delegations reflect on how, when and where they may address the other side's concerns without necessarily conceding or agreeing to them. I also asked that they reflect on new approaches to achieve their own objectives. Despite this encouragement, to my knowledge none of the delegations has engaged with the other side on these specific suggestions, and no novel ideas were put forward on how to advance the work of the Special Session.
7. Since my last written report, circulated as document TN/IP/29 on 25 February 2021, I had 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. Delegations did not see the current negotiating environment as conducive to any substantive engagement. Most of the principal delegations, including proponents, considered

the negotiations and preparations for MC12 to be a much higher priority, and thus felt there was no urgency in this regard.

8. After reflecting the overall situation, I find no appetite now to take up the negotiations in the TRIPS Special Session, including among the main *demandeurs*. Delegations' willingness to engage substantively in the TRIPS Special Session is likely to remain scant, at least until after MC12. Even then, significant efforts will be necessary on the part of all delegations to overcome persistent disagreements on the mandate and the substance of these negotiations.
