



Why Geographical Indications for Least Developed Countries (LDCs)?

The UNCTAD vision, strategy and action

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The Vision:
Geographical Indications as development friendly
TRIPs to assist LDCs rural communities

UNCTAD Vision: GIs as a Trade development policy instrument

- UNCTAD analysis points out that LDC are perennially affected by low export capacity and productivity. They are dependent on commodities with high price fluctuation and low value added
- However LDCs possess an invaluable array of products linked to **their culture, tradition, and biodiversity belonging to rural communities**
- If adequately protected and branded through IPRs, these products could graduate to “excellence” fetching high prices in regional and international markets
- LDCs tend to have a negative perception of trade related intellectual property rights (TRIPs) as a the right of the Developed countries vs. developing world .
- **However GIs have substantial potential for LDCs but they have to be understood and used by delegates, capitals and rural communities**

The trade development dimension of GI

	Trademarks	Protection of GIs
Rights	<ul style="list-style-type: none"> – First in time, first in right – Can be sold 	<ul style="list-style-type: none"> – Producer groups can apply for GI protection – GIs cannot be sold or delocalized
Ownership	<ul style="list-style-type: none"> – Companies are usually the owners^c 	<ul style="list-style-type: none"> – Consortia, inter-professional organizations, associations or alike can be title holders – GIs are managed by individuals or firms or by collective groups (some exceptions: single firms pursuing individual GI application)
Specific & detailed product compliance	<ul style="list-style-type: none"> – Not necessarily 	<ul style="list-style-type: none"> – Depends on the specific GI regulation; ex. GI EU regulation: producers shall comply with the Product Specification. → Quality signal
Development objectives	<ul style="list-style-type: none"> – Not necessarily achieved 	<p>PDO and PGI are established to support producers of products linked to a geographical area by:</p> <ul style="list-style-type: none"> (a) securing fair returns for the qualities of their products; (b) ensuring uniform protection of the names as an IPR in the territory (c) providing clear information on the value-adding attributes of the product to consumers.

The strategy:

Linking geographical indications to trade development plans and strategies in LDCs

Linking GIs to trade strategies and Aid for Trade – The UNCTAD experience gained in LDCs

- GIs challenges and success stories depend on a mix of factors such as: the organization of the rural communities, the institutional set up of the different Ministries and overall Government perspective.
- A major challenge is the lack of understanding of what GIs are: Mixing with Trademarks, Fair trade, organic products etc. etc.
- Precarious institutions and regulatory frameworks: national GI laws might not exist or if available, they are incomplete and/or compete with Trade marks and other initiatives
- Importance of dialogue among stakeholders at local level: Ministry of Trade, Agriculture, IPRs institutes, Chamber of commerce, associations of producers

Linking GIs to trade strategies and aid for Trade – Some lessons learned and strategies adopted

- To be effective and viable GIs should be part of an overall trade strategy, they should not be read in isolation since GIs are resource intensive programs that need to be linked to an overall multi-sectoral trade strategy
- **However GIs do not receive substantial Aid for trade assistance** so far since they have not been sufficiently articulated and explored
- **UNCTAD has made efforts to link GIs to structured Aid for trade programs like the Enhanced Integrated Framework (EIF)**
- The Aid for trade initiative and EIF could be a potential vehicle for GIs to secure the necessary attention by Policy makers as a tool for trade promotion and export strategy

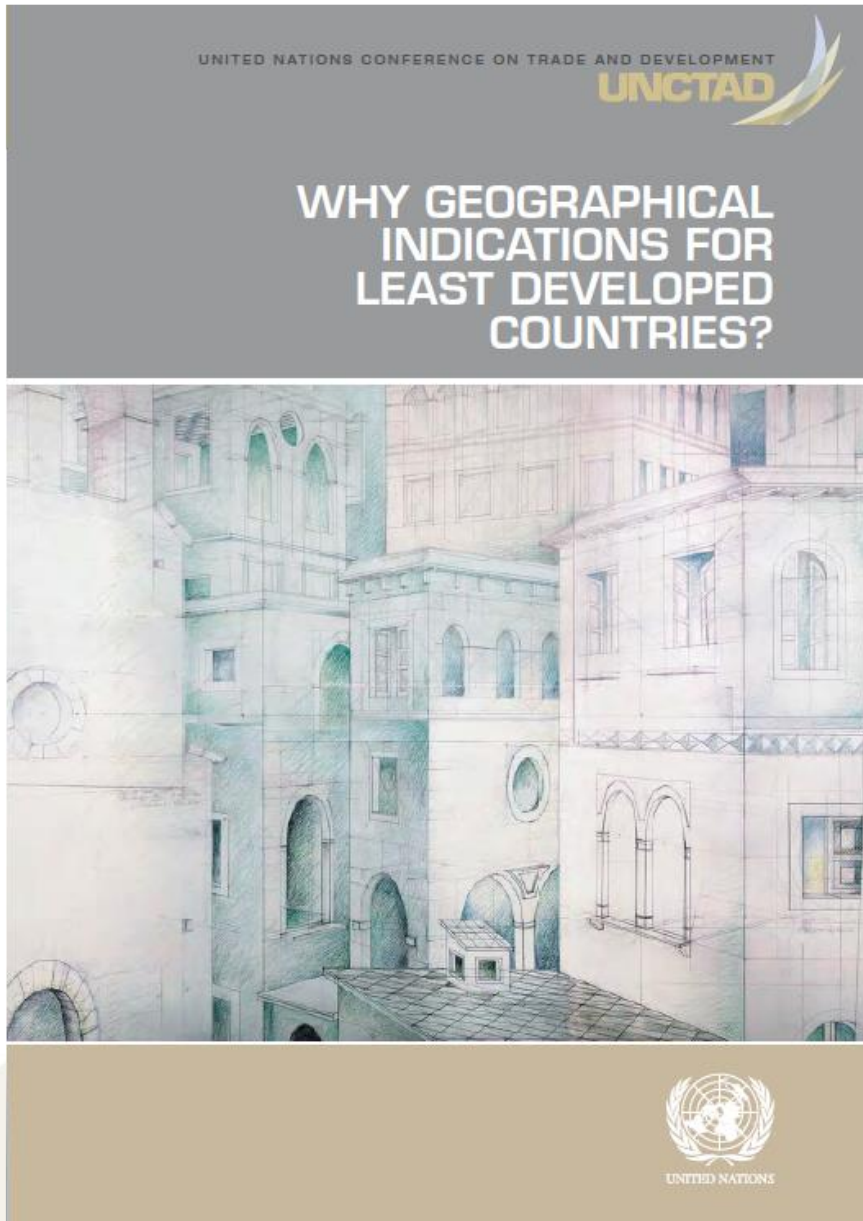
The Action:

UNCTAD technical assistance and advocacy for GIs

UNCTAD Projects and advocacy

- “*Strengthening the capacity of rural communities in LDCs to enhance the value-added of their traditional products*” and the project “*Market access and trade laws for LDCs*”, (2012-2014) , funded by the Italian Government
- Activities: advisory services, national/regional workshops, UNCTAD's national consultants and international experts
- Collaboration with Slow Food, FAO and WIPO
- Workshop and Public Conference at the *Terra Madre Fair (Salone del Gusto)*, October 2014, Turin Italy and Expo in Milan 2015
- Results showcased at UNCTAD 70th Anniversary (October 2015)
- EIF Diagnostic Trade Integration Studies (DTIS) : Senegal (DTIS 2013), Mali (DTIS 2015), Mozambique (2014), Ethiopia (2015), Benin (Trade Policy, ongoing)

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*Official Launch in December
2016 with the participation of
artists from Italy and Benin
(GIs & artistic representation of
territory and traditions)*

UNCTAD Case Studies

No.	LDCs	Potential GI products	Environmental settings
1	Bhutan	Bhutanese red rice	Glacial valleys
2	Cambodia	Kampot duriam (fruit)	Fertile soils
3	Cambodia	Kampot pepper	Drained soils
4	Ethiopia	Harena wild coffee	Protected forest
5	Ethiopia	Wenchi volcanic honey	Forest surrounding a crater lake
6	Ethiopia	Wukro honey	Forest
7	Guinea	Ziama-Macenta <i>robusta</i> coffee	Protected forest
8	Lao PDR	Coffee from Bolaven Plateau	Dense forests
9	Madagascar	Pink rice from Amparafaravola	Presence of a tectonic lake
10	Mauritania	Imraguen women's mullet bottarga	Natural reserve
12	Mozambique	White prawn from Mozambique	Mangrove ecosystems
12	Mozambique	Tete goat meat	Forest with abundant fruit trees
13	Senegal	Fruits from Lower-Casamance	Naturally grown fruits, high soil fertility

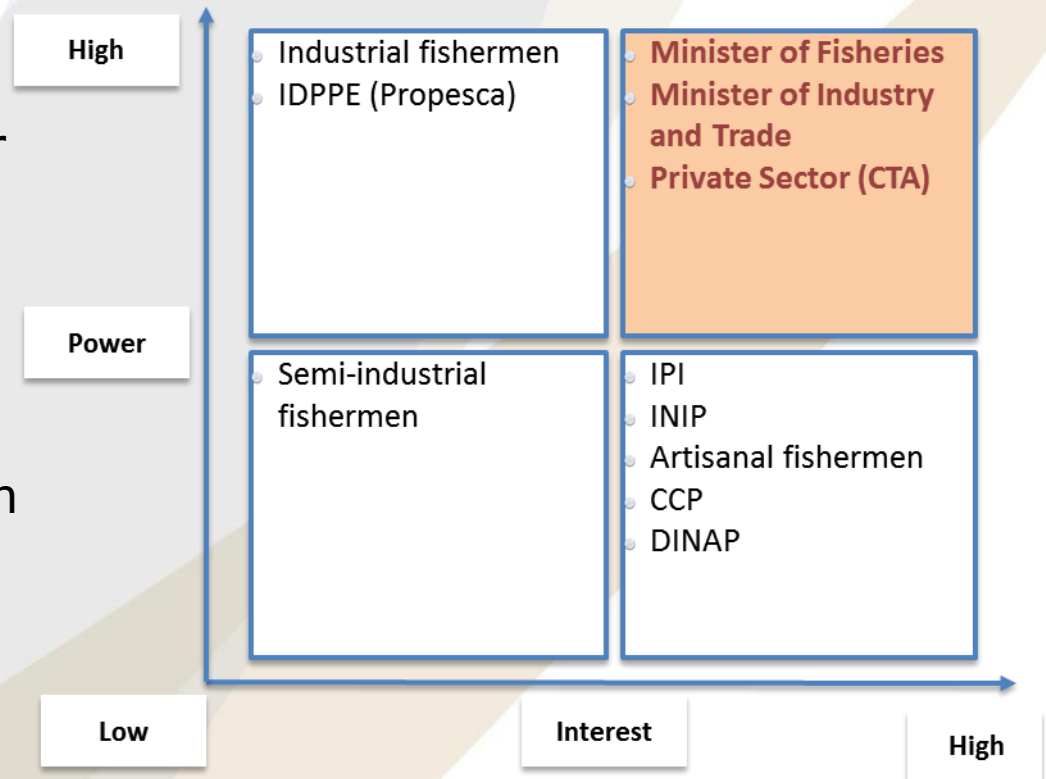
A challenging case: The white prawns of Mozambique

- White prawns have a high export potential (different taste)
- The quality and specificities is well known, but there is a lot of misuse of the «brand name» of the prawns of Mozambique especially in lucrative markets of South Africa
- In the absence of a GI, there is no way to distinguish the white prawns of Mozambique from the other prawns commercialized in those markets.
- Mozambique requested the help of UNCTAD
 - Expert in the field of GI's and
 - Organized with IPI two national workshops on GIs (Beira, Maputo) in 2013.



Main challenges - The institutional setting

- In Mozambique like in many LDCs the level of awareness on the relevance of GIs to country's economic growth and development remains dramatically low among decision-makers, private sector and communities;
- Weak intra and inter-institutional coordination, competing interests, power relations, and generally slowness in adopting changes;
- Existing artisanal fishermen associations are weak, scattered and invariably face internal governance challenges



Cambodia: Building on the Kampot Pepper Success Story

Direct Economic Benefits for Starling Farm

Before GIs, 2010

- ❖ SF Employees - 15
- ❖ Average take home pay - \$35
- ❖ Land Price - \$1,500 per hectare
- ❖ Pepper per KG - \$5 (farmgate)
- ❖ Production – circa 3 tons
- ❖ Vines under cultivation - ~10,000
- ❖ Tourism - Zero

4 Years Later

- ❖ SF Employees – 55 (90 at harvest)
- ❖ Average take home pay - \$100
- ❖ Land Price - \$15,000 per hectare
- ❖ Pepper per KG - \$18 (farmgate)
- ❖ Production – circa 25 tons
- ❖ Vines under cultivation - ~150,000
- ❖ Tourism – major draw to the area

Cambodian Baseline Situation and Outcome

Cambodia	Main Activities	Final Situation and Follow-up activities
<ul style="list-style-type: none"> • Existing GI law and two registered GIs: Kampot Pepper and Palm Sugar • No additional products identified for possible GI registration • No dissemination of results achieved in promoting GIs were undertaken by the government and association. 	<ul style="list-style-type: none"> • National Workshop (Phnom Penh, June 2014) • Presentation at Turin's Regional Workshop, exchange of experiences during the Slow Food Fair • National consultancy services • Presentation and exchange of experiences at the Asian regional workshop in Phnom Penh, December 2014 	<ul style="list-style-type: none"> • Possible additional GI products identified • An expansion of the list of products eligible for GIs registration beyond the existing two GIs products has been elaborated by the Ministry of Commerce of Cambodia. • Such priority on branding and GIs has been inserted in the Medium Term Plan (MTP) elaborated in April 2015 by the Ministry of Commerce for their financing from donors. • Better understanding on the part of the government of the need to protect and promote local GIs from counterfeits. • Better awareness on the part of the producers of Kampot Pepper of the potential of GIs in promoting their products.

Conclusion

- Undoubtedly GIs could be an opportunity for LDC rural producers as a valuable branding and development tool
- However there is a conspicuous lack of action from the Donor community to support GIs in the Aid for Trade initiatives.
- Even major supporters of GIs are lacking a systemic strategy to foster GIs in LDCs. The current support is sporadic, scattered, lacking an intervention logic and sustainability
- UNCTAD is championing a concrete triad action with other UN institutions such as FAO and WIPO to promote GIs policies in within Sustainable Development goals
- There are a growing number of success stories from where the LDCs could learn precious experience, especially in Asia)

UNCTAD's way forward

- Promoting and advocating a GIs vision building on a coordinated approach of UN agencies, FAO and WIPO to insert GIs into Aid for trade initiatives, EIF and Donors strategies
- Discussions with Donors (EU, Italy, Switzerland) for widening of activities in collaboration with EUI for Geneva delegates, Capitals and rural communities
- Linking GIs to migration and biodiversity: concept papers and proposals
- Forthcoming study on GIs in FTAs
- More case studies and sharing of lessons learned

Thank you for your attention

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