

How can Geographical Indications be useful for Indigenous Peoples and Local Communities?

Webinar: How to Protect and Promote Your Culture – Geographical Indications
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Origin products exist for long time

- Reputed origin products from indigenous people & local communities existed for a long time:
 - since Antiquity, foodstuff, agricultural goods, wines, handicraft, marble, bronze, silk, incense
 - were highly reputed thanks to their place of origin
- Name of the place of origin used to designate the product protected as an appellation of origin (AO) or geographical indication (GI), legally recognised
 - AO first in South Europe (France since 1905)
 - Internationalized in 1958 with the Lisbon Agreement of WIPO in around 20 countries
 - Since the 1990's : new concept of GI with weaker link with the origin than for AO
 - Harmonized regulation in the EU since 1992 (27 members): AO + GI
 - Broad internationalization TRIPs Agreement, WTO, 1994 : GI
 - Geneva Act of the Lisbon Agreement (2015): GI + AO
- 3500 EU, 405 Asean, 370 India, 79 Japan, 4 W. Africa, 10 Peru, 27 Colombia, 72 Brazil,...

Definition of GI

TRIPS Agreement (art 22)

- Identify a good as originating in the territory, of a Member, or a region or locality in that territory
- Where a given **quality, reputation or other characteristic** of the good
- Is **essentially** attributable to its geographical origin

In France: Cognac


COGNAC
FRANCE



In France: Limoges Porcelain



In Italy: Parmigiano Reggiano (Parmesan)

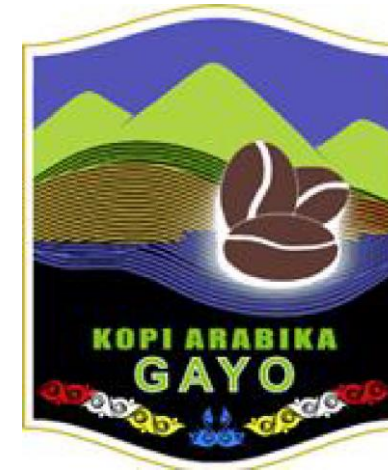


In Switzerland : Gruyère

LE GRUYÈRE[®]
SWITZERLAND AOP



In Indonesia: Gayo arabica coffee



In Colombia: Café de Colombia



In Colombia: Textile Wayuu



In India : Darjeeling tea



In Thailand: Khao Hom Mali Thung Kula Rong Hai (Rice)



In Cambodia: Kampot Pepper



In Indonesia: Tenun Ikat Sikka (Indonesia)



In Senegal: Madd de Casamance Coming GI





GI = right on a name

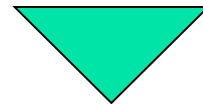
- Designating a product having a link with its **geographical origin** =
- Natural environment: natural factors
 - Biological resources: cultivated and processed
 - Climate, water of river, wood used for smoking...
- Ancient collective know-how, traditional knowledge of the indigenous people and local community: human factors
 - In using elements of the environment for producing the product
 - But also taken alone without natural factors
- Such link is reflected in the GI specification, describing :
 - the product, the method of production, the geographical area

GI : a link between place, people and a product

Natural environment
(topography, climate, soil,...)



Producers
(tradition, know-how)



Specific product (quality, reputation)

The specification

- Specification = rules to follow to be authorized to use the GI, core of GI system
- Elaborated by the indigenous people and the local community of producers gathered in a collective organization representing all producers : common and shared vision of the product
 - Ex: Tenun Ikat Sikka: Weaver Association in Sikka, Flores, Indonesia
 - Ex: Producers association **APPIMAC** created in November 2019: pickers, processors (transformatrices), distributors
 - In some countries state bodies are elaborating the specification
- Examined by the national GI public authority
- Controlled by the collective organization of producers and/or external control body
- Repression of frauds in the market: government in coordination with local communities

GI, organic agriculture, sustainable development standards: which differences?

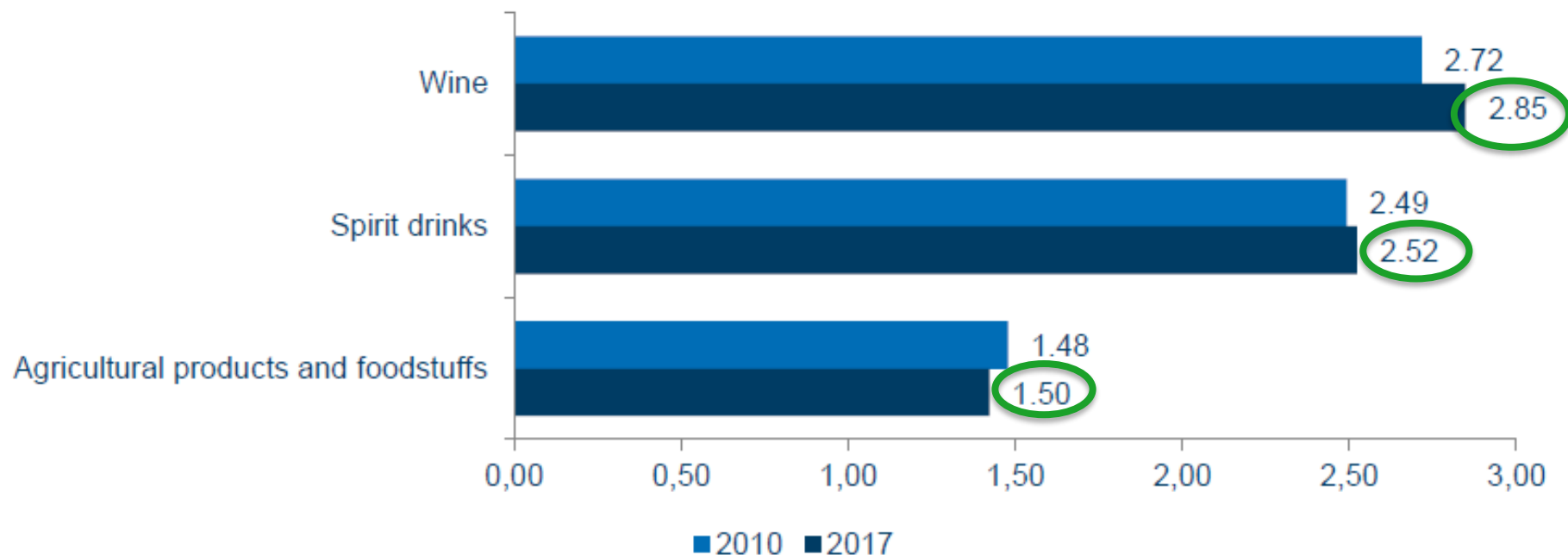
- GI: endogenous specifications, based on the pre-existing practices of local producers and existing reputation :
 - not a creation ex-nihilo of a reputation
 - elaboration and control by the collective organization
- Protection of a name :
 - GI confers an exclusive right of the name for products complying with the specification
 - = right to prohibit others from using the name for non-compliant products and fight against imitations and counterfeiting of the name

Objectives of GIs

- GIs useful for Indigenous Peoples/Local Communities
 - Increase of price for producers, structuration of value chain
 - Development of the territory: tourism (festival), employment
 - Preservation of traditional knowledge
 - Preservation of biodiversity
- GIs useful for consumers:
 - Guarantee of quality and diversity of products

Added-Value for the local community of producers

Premium Rate in the EU



Source: AND International study for DG Agri

An African Success Story : Penja Pepper

- Registered in 2013
- Increase of prices : 7 euros to 18 euros
- Increase of cultivated area : 100 ha to 500 ha
- Increase of productivity: 1/2 ton/ha to 1 ton/ha
- New job opportunity, stabilization of workforces (30 producers to 300 nurseries, producers, distributors)
- Improvement in the local economy with benefits in term of education and health systems in the region

But...

- Preservation of quality / typicity of the product
- Enforcement and protection in national and export markets

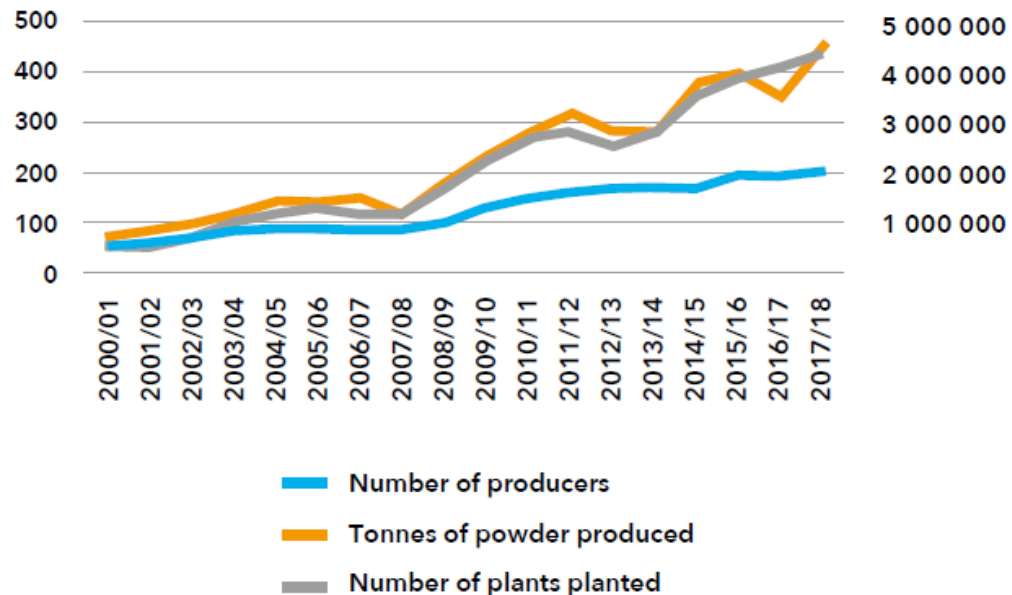
Source: OAPI, International Conference on Geographical Indications, September 8, 2016;
Penja Pepper Association, WTO, October 2017.



A French success story: Chili Pepper Espelette



Evolution of the sector since 2000



Following frauds :

- Creation of an association of producers
- AO in France in 2000, PDO in the EU in 2002.

Impacts between 1994 and 2004:

- Higher prices : 10 € to 20 €
- More producers: 30 to 58
- bigger geographical area : 8 to 28 ha
- Younger producers (between 25 and 45)
- 65% of producers live with Chili Pepper Espelette
- 77% of producers process and sell their product
- 10% producers have a shop
- 250 employment

Tourism:

- 2016: 500 000 visitors, including 30 000 during the festival

Source: Chili Pepper Espelette Producers organisation

Conclusions

- GIs are well adapted for preservation and promotion of Traditional knowledge and associated biodiversity of indigenous people and local communities
 - open to all local producers that meet the GI specification
 - based on a permanent link between the qualities of a product and a specific territory
 - based on collective traditions, while allowing for products to evolve over time
 - based on a specific environment
 - protected over long periods – as long as the collective tradition is maintained
 - have a “holistic nature”: involve nature, climate, land, culture, people, society...

Conclusions

- But
 - GIs protect only NAMES (can be the name of the community: ex GI Textile Wayuu), and not methods of production, knowledge, designs, traditions, biodiversity...
 - Which are indirectly protected and preserved by GIs thanks to the increased price of the products based on the protection of the name
- GI Specification should be based the practices of the indigenous people and local communities:
 - who need to be at the core of the management of GIs:
issue of empowerment



Thank you for
your attention

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