



**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 DACIO CASTILLO (HONDURAS)

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 ("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 the beginning of my chairmanship, which coincides with the last written report from the TRIPS Special Session issued by my predecessor in TN/IP/22 on 1 April 2014, there have been a number of efforts in the TRIPS Special Session to respond to the Director-General's repeated calls for resumption of activities across negotiation groups, and to reinvigorate substantive work on the GI Register.
3. Informal consultations that I held with the most active delegations on 2 October 2014 showed that Members' positions remained unchanged in substance, and that the different views regarding the scope of the negotiating mandate described in TN/IP/22 persisted. Moreover, in light of the overall impasse regarding the implementation of the Bali decision on Trade Facilitation at that time, there was no appetite then to resume work in the TRIPS Special Session.
4. After the General Council Decision of 27 November 2014 to resume work on the post-Bali Agenda, I held informal open-ended meetings on 12 December 2014 and on 23 February 2015. The purpose of these meetings was to permit Members to share any new ideas on how progress could be made in the work of the TRIPS Special Session, and on how it should be reflected in the "clearly defined work programme on the remaining DDA issues" mandated by ministers at the Bali Ministerial Meeting. While there was no indication of a substantive shift of Members' traditional positions, delegations did agree at the meeting in December to hold an informal information session on the activities of the negotiating group in order to update delegations in the work undertaken in the TRIPS Special Session up to 2011.
5. After further consultations in early 2015, the Council held such an informal information session on 23 February 2015 in which the Secretariat provided a detailed factual overview of past work in the TRIPS Special Session (RD/IP/5) tracing the negotiations of a register for wine and spirit GIs from 1997 to 2011. This information sharing session was appreciated by Members as comprehensive and useful, in particular for delegations who had not recently been involved in the negotiations, for illuminating the amount of work that had already been accomplished in the course of these negotiations so far. However, although a number of Members continued to highlight the importance of this negotiating issue for them, they remained hesitant to engage in the TRIPS Special Session, citing lack of clarity on the overall negotiations picture after Bali.
6. This situation remained unchanged in informal group consultations which I held with the most active delegations on 11 June 2015. Although some delegations were beginning to consider what a recalibration of negotiating ambition could mean in the context of the TRIPS Special Session, the traditional differences on the substance and the scope of the negotiations persisted. Other delegations felt that TRIPS was not one of the areas where consensus outcomes for the

10th Ministerial Conference could realistically be achieved, and that delegations' efforts should therefore be focused on other negotiating groups.

7. I briefed Members on the outcome of these negotiations in an informal open-ended meeting on 30 July 2015. 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.

8. In light of the above, it is my assessment that the situation has not improved since my predecessors' report in April 2014. It seems that in the preparations for the 10th Ministerial Conference substantive work on the GI Register does not currently represent a priority for Members. Delegations' willingness to engage substantively in the TRIPS Special Session remains at a low point and significant efforts on the part of all delegations would be necessary to overcome the persistent disagreements on the mandate and the substance of these negotiations.
