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SINER-GI

Strengthening International Research on Geographical Indications: from research foundation to consistent policy



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SINER-GI

**Strengthening International Research on Geographical Indications:
from research foundation to consistent policy**

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Thematic Priority: PRIORITY 8.1. POLICY-ORIENTED RESEARCH (SSP)

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WP 7 – Potential strategies and recommendations

D12 - GI Strategies and policy recommendations

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D12 – WP7 Report

GI Strategies and policy recommendations

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1. WP7 objectives and methodology

The last step of the SINERGI project was: “Elaborate synthesis and scenarios to devise strategies and policy recommendations” (according to the technical annex). This work started with an **international comparison of case-studies elaborated in WP6 and a definition of GIs protection effects crossed to different legal and institutional systems**. Proposed baseline scenarios were confronted with case studies and discussed in regional meetings (see D9).

This work package aims to formulate policy recommendations on GIs, based on the developed scenarios and identified strategies, that will maximise the strengths and minimise the weaknesses of GI usage with respect to rural and regional development, and product valorisation, supply chain and competitive processes.

From the technical annex, the WP7 objectives are:

- Identification of realistic and context sensitive scenarios of GI implementation and evolution, incorporating the baseline scenarios developed in WP6, with the case study relevant knowledge generated from Task 2.
- Identification of potential alternative strategies adopted by GI relevant actors in light of possible scenarios, and evaluation of the effects of these strategies on rural and regional development aspects, supply chain evolution; competition and trade; institutional support and juridical processes.
- Formulation of policy recommendations on GIs, based on the developed scenarios and identified strategies, that will maximise the strengths and minimise the weaknesses of GI usage with respect to rural and regional development, and product valorisation, supply chain and competitive processes.

The WP7 builds on the results of previous work packages. The work began with a systematic review of key material from the case study analysis (Task 2) and the WP6 scenarios. It continued with identification of possible and likely strategies for action by actors involved in implementing and using GIs, in light of the identified scenarios. A matrix of factors influencing strategy choice will be developed, in consultation with partners and case study participants, to systematise the analysis.

The second part of the work will involve formulation of policy recommendations on GIs, designed to maximise the legitimacy and rural/regional development impact, whilst minimising threats with respect to competition and trade. The policy recommendations were developed through interaction with project partners and many consultation meetings with policy actors, where expert knowledge and feedback can be gained. A formalised way for collecting policy recommendation was used. See the proceedings of regional meetings and of Rome meetings.

The partners responsible in WP7 are the University of Edinburgh (UK) as coordinator and University of Newcastle (UK), INRA and the University of Florence as assistants.

Let us first remind three important concepts:

- what is a GI product: starting from the legal definition, GI Products are goods originating from a delimited territory where a noted quality, reputation or other characteristic of the good is essentially attributable to its geographical origin and the human or natural factors.

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This link between GI product and the territory is multidimensional and characterized (with different intensity) by: a) the specificity of local resources used; b) the history and tradition linked to local population; c) the collective dimension: a common culture and a shared knowledge at production and consumption level. The consequences are that: the GI product, and the GI name, are the outcome of a GI system; actors, both inside and outside the supply chain system, play a central role; GI have many effects on the territory, affecting both private and collective dimension (economic and social system, environment, ...).

- what is a “GI system”: a GI system is the set of actors who are effectively engaged in creating value and improving the strategic marketing position of a GI product by spontaneous individual or organized collective action, and those who are engaged in the activation and reproduction of those local resources (natural resources, knowledge, social capital) which make the GI product specific.
- what is a “sustainable” GI system: a GI system is sustainable if its development allows the reproduction of its economic, social and environmental basis, and if it gives a positive contribution to the broader economic, social and environmental local system.

2. Strategies: Synthesis of Results from SINERGI project

The definition for Geographical Indications (GIs) provided by the TRIPS Agreement is broad enough to cover the name of any kind of products when some distinctive quality is linked with their geographical origin, and the diverse modes of identification of those products. There are several degrees and levels of recognition of a geographical indication value and right: consumers' demand, marketing rules within a supply chain, protection laws and supporting public policies.

In SINERGI work, the levels of analysis in this report are both "GI systems" and "protection schemes". WP1 (D1) proposed a definition and an analysis of protection schemes, "legal and institutional schemes" corresponding not only with law provisions on GI (TRIPs agreement asks for definition of GI as property right in national laws but allows a diversity of juridical provisions) but also with the ways there are implemented and used by economic actors. WP2 (D2) showed the collective action aspect of GI systems dynamics. The objectives of WP3 and WP4 were to set up analytical grids for the case study analysis (WP5) in terms of "GI system" analysis, which was implemented in WP6.

We know that *markets and policy features concerning the GIs are fairly diverse worldwide*. This diversity can be described at many levels and notably regarding policy aspects:

- diversity of initiators / stakeholders and their motives (to recover the use of usurped names, improve the access to markets, preserve the biodiversity and fight against biopiracy, protect the traditional know how, support collective development initiatives and enhance the rural development, better regulate market fluctuations...);
- supply chain structures (long/short, coexistence of large/small firms, etc.);
- governance structures (clubs, channel captains, inter-professional bodies),
- policies related with Gi development, legal instruments, enforcement devices, public or private certification modes; types of justifications of the public action (see Sylvander, al).

GI policies and GI products market dynamics relate to three types of political issues: GI as names or identifiers to which are tied property rights; GI product market qualification process, which regards market functioning, and the reputation mechanisms which are at play in GI economy; the GI political economy, and the various public justification for supporting GIs. So policy recommendations regard property rights, public management of quality schemes and development policies (rural development).

Following Stern (2000), the D1 report states polarity between two opposite attitudes towards protection, from a permissive to a prescriptive one, taking into account the following criteria:

- Prevention and repression of misleading or unfair use, with an enforcement on private initiative vs / definition of right holders and public enforcement
- From TradeMark to protected and registered GIs, through Certification Trademarks and weak GIs
- From freedom of packaging and labelling to requirements on those items
- From wines and spirits to all kinds of products
- From juridical decisions to administrative ones

On this basis D1 distinguishes four types of legal/institutional contexts (D1 report, Thevenod-Mottet and al. (2006), see Table 7). Another dimension to be taken in account is the degree of participation of the local producers in the definition of the code of practice and in the regulative bodies. The so-called prescriptive systems in Europe are based on professional or interprofessional organisations in relation with the administration, the recent evolution being to set up independent forms of control. Thus we can observe hybridising between prescriptive and permissive systems.

But, several authors stress the lasting divergence in the conception of the GI property right, and see the TRIPs agreement as a compromise between European and USA points of view. As noted by Josling (2006) a core point underlying the international debate is the form and substance of intellectual protection known by the term 'geographical indication'. One aspect of that debate is the extent of the protection scheme beyond the protection of the name of a GI product and its relation to quality control and to reputation formation. Considering the protection of the name, certification trademark system and the American common law system can be considered as a strong system. Hughes (2006) argues that: "Like other trademarks, certification marks can develop as a matter of common law without USPTO registration. Presumably, the same is true for collective marks". This means that a European producer can gain common law protection of its geographical indication in the United States without regard to whether the GI is protected under an EU member state's trademark law, geographical indications law, or both. The ability of certification mark rights to arise without any ex ante government role further distinguishes the American approach from a real AOC system." But the issue is not only that of the name, but that of the product itself, and is concerned by the provision the legal system offers for producers and stakeholders organisation and thus the capacities of control the producer will have on the system, regarding production and marketing rules; a certain level of control being the true condition for collective return from the market. In interpreting the difference between the US and European doctrines for GI protection, American authors have recently adopted in English the word *terroir*—which in French is related to the substantial link between a community of producers and territory-specific resources—to denote the European philosophy (Barham, 2003; Josling (2006) and Hughes (2006). The so called "terroir doctrine", interpreted through state/market issues (Josling) or rent protection (Hughes), refers to the recognition or the identification of geographic properties translating in the product, but while this doctrine refers to quality identification and regulation it is not in itself a protection scheme (see D9, chapter 1). According to Sinergi case studies result (outside Europe and US...), we can reconsider the issue of the quality referred to origin and qualification systems using GI as identifier. New issues related to Millennium goals and even certain aspects of the present global food crisis have to be considered. Can the promotion trade of GI products be a way to mitigate in some regions rural poverty? Can it be sustaining regional food security and sustainable development? Is it related with biodiversity and local knowledge protection?

To apprehend the debates, our point of view was to consider the driving forces operating in the present international trade and competition regime and their impact on GI economy in different contexts (D9). We will draw here on that analysis to present: (1) How GI systems evolve and develop; (2) GIs impact on sustainable development; (3) forecasts for GI systems under 3 geopolitical scenarios

2.1 How GI systems evolve and develop

GI systems develop through marketing initiatives within long or short value chains and with national, local, or international policy supports. There are several dimensions of GI products economy and GI production systems are complex institutional combinations: the market structure, the supply chain organisation, local resources management system, the stakeholders' configuration and policies types of support, the regulation and control management system and the industry mode of governance, the technology and its generic vs. specific aspects, and product qualification procedures... GI system cannot be assimilated to a supply chain because it incorporates horizontal and land-based coordination mechanisms, due to the specific nature of origin quality, which involves the activation, the management and the preservation of a common pool resources.

2.1.1 Market issues

While GI specificity relates somehow to distinctive specific resources, the quality perception (attributes) of a product bearing a GI is not limited to that specificity. A GI product has generally to comply with various mandatory or market quality standards, and thus the capacity of absorption of these standards inside the GI qualification and marketing procedures is a criterion of distinction, which distinguishes specific systems, generally on small scale, where specific resources are essential, an generic ones, where the access to large and distant markets and to large retailing channels, implies the conformity with various (generic) standards. To follow one or the other direction is a strategic choice for marketers, depending on the form of the producers' alliance and on the type of value chain in which is involved the product. It is a path dependant process of designing common marketing strategy or strategies, in the framework of a GI system. Thus, phases of conflict between alternative strategies and period of crisis resulting by a strategic change (issue of up-grading and up-scaling) break up GI system trajectories (see D9, chapter VI).

Table 1 Generic versus specific systems according to types of resources and of market

| | Distinctive Resources | Types of markets and strategic marketing tools |
|-----------------|--|--|
| Generic system | Generic quality standards and knowledge | General market, supermarkets, exports and long distance sales |
| Specific system | Common pool resources, culture, social capital | Specialized market (ethnic, fair trade, organic) Local food |

But products qualification issues can not be reduced to the economics or the sociology or the law related to the issues of the signalling of *one* type of attribute, while these approaches are well developed in the academic literature. Qualification results of mechanisms of institutional hybridity mixing in concrete market standards quality innovation paradigms (see Allaire, Wolf, 2004). All types of market signs, brand names or collective standards, are investments to get a distinctive recognition by the market opinion and are supports for potential return value by distinctive reputation. While market analysis rest on codified typologies of products according to recognized standards, social and finally market qualification of the products is not a simple combination of attributes. For example, the consumer perception of an "origin" attribute will not be the same in a farmers' market scene or in a supermarket, or this attribute will not be identified by the same ways in regional versus international market. Qualification procedure will differ, and thus the role of diverse legal tools, in different historical market regimes, for example in the 50's before the supermarket revolution versus in the 90's in a media market universe (Allaire, Daviron, 2007). All along the trade history and in the contemporary global world, origin quality products exist as market facts and institutional facts. Market reputation encompasses intimately a typical quality and credibility in the GI sign and in the rules of quality control.

The typical quality of a GI product changes along time with technology and acculturation processes, and it varies within professional communities of producers or processors. We see these changes possibly enhancing the market position of these communities in GI systems trajectories of successful market extension, but also in the contrary jeopardising the GI reputation, when the system loses quality coherence (Barjolle, Sylvander, 1998). What is jeopardising collective reputation is a complex issue because collective reputation is a balance between individual interest

to develop individual reputation and to safeguard collective reputation banking the individual reputation.

GI products generally combine identifiers. Cheeses, coffees or wines bearing a GI identity can be identified in addition as organic, faire-trade, or by any type of public good friendliness. These systems of identifiers can be analyzed according to quality qualification in distinguishing the rationale and the stake to identify not only the origin attribute but more globally a product in its complex signification, and the tools (rules) allowing that identification. Three principal rationales are in play to identify quality of GI products:

- the *heritage*: reference to tradition, ethnic values and cultures, and to traditional knowledge,
- to *prevent quality heterogeneity* jeopardizing collective reputation and the GI identifier system including the GI sign and the market chain governance mode,
- to *reach new consumers' concerns* related to modes of production (public issues in human health, animal welfare sustainable development...).

Table 2: Quality origin standards

| Rationale | Identification stake | Instrument |
|---|--|--|
| Common heritage | Specific "origin" quality | Code of practice (basis) |
| Prevent quality heterogeneity jeopardizing reputation | Intrinsic relevant quality attributes | Additional rules in the code of practice |
| New consumers' concerns | Process and other extrinsic quality attributes | Additional rules (not in the code of practice) and skills (in complementary setting) |

2.1.2 Policy issues

Different levels have to be considered to apprehend reputation mechanisms (see, Allaire G., conclusions presented in the Geneva Sinergi final meeting, June 2008). Therefore Table 3 introduces three economic strategic levels, which are three levels of public concerns.

Concerning individual reputation which impacts collective reputation and reciprocally, the actors' capacities are linked with the efficiency of the mark and intellectual property system and also with juridical capacities of the producers, both at the entrepreneurial and the professional levels. Concerning the setting up of the collective origin standard, several public capacities are at stake, regarding the abilities allowing the actors to manage common resources, the codification and the control systems. Beside that, the institutional quality system and the public opinion on it, the state guaranty for contracting and lasting cultural conventions are elements of the creation of quality fora (forums) and institutional reputation impacts (see D3).

Table 3: Economic and institutional reputation mechanisms

| | Level and support of reputation | Failures | Institutional arrangements (examples) |
|--|--|--|--|
| Individual names and marks | <i>Individual reputation</i> Classification system Minimum quality requirements | Internal free riding | Peer control Certification mark Administrative or professional agreement |
| Origin quality Product standard | <i>Product (origin) reputation</i> Codification of attributes Maximum requirements (specific and non specific) | External free riding Quality heterogeneity Multiplication of relevant attributes and identifiers | Common pool resource management capabilities Codification Control |
| Quality sign Quality forum | <i>Institutional reputation</i> Quality virtuous circle and top positioning (selection) | Quality crisis | Differentiating of quality signs (e.g. PDO/PGI) Conventions of quality |

2.2 Sustainability impacts of GI systems

One specific task of the Sinergi WP6 was the "*identification of "invariant" effects among all GI Cases studied in Task 2*". Here invariant effects refer to the types of impacts which are in relation with the general institutional nature of GIs, while the measures of impacts are case variables. Those effects are in relation with the local and collective dimension of the GI system productive resources, including knowledge, and with the technology of production and the rules of management of the common resources pool. They relate also to the extent of a quality premium if existing and to the distribution of this rent within the supply (value) chain. Identification of invariant effects (causing variable impacts according to the context and the GI system characteristics) consists in the identification of the pressure factors and the models of impacting, while impacts quantitative assessment refers to the building of indicators measuring the effectiveness of the factors of impact or measuring impact results. In the Sinergi framework, impacts are observed effects of the implementation of Geographical Indication schemes and in the same time of the functioning of GI systems, considering the three main dimensions of the sustainable development: economic, social and environmental (including impact on human health). "Invariant" effects are those effects which are linked with the GI quality scheme intrinsic properties but variable with the type of GI system.

The diversity of the systems of production and marketing of products (or ingredients) qualified by their origin is explained by territorial or industry parameters of the governance and not primarily by the form of the legal system of protection. Qualification processes may stimulate new networks and community actions, but they may also be incompatible with strategies of extended territorial development. Comparative analysis of European case studies, under EEC Regulation 2081/92, shows that the consequences for rural development can vary, according to the way the different experiences evolve under the same protection scheme, depending from the involvement and behaviour of actors (Tregear and al., 2007). It is not given for granted that national or regional

public policies supporting GI producers will necessary contribute to sustainable development. There are diverse powerful policies related to the future of GIs including media, education, etc.

Most of the Sinergi case studies relates to GI systems in progress. In that situation, it is impossible to assess effective impacts, it was only possible to identify factors (or potential factors) of impact. These potential / expected impacts are congruent with the main motivations of the initiators or the supporters of a GI system / protection scheme. For established GI systems or protection schemes, effective impacts can be considered to be assessed; but the factors which are causing the impacts are always complex to identify. Many comparative studies show the great influence of general factors such as political support or inclusion of the local initiative in various policy concerns. Furthermore, it is difficult to distinguish what is caused by the legal protection versus the GI system rules. Nevertheless, different studies were carried out for the assessment of the rural impacts of GI initiatives, especially in Europe (Paus, 2003; Réviron, Paus, 2008; see Barjolle, 2008 in D9).

Assessment methodologies of GIs impact on sustainable developpement should be based on the identification and the quantification of a set of *pressure and result indicators* (the main sources being statistical data, accounting data, enquiries and field observations: such as volumes, prices, number of employees, VAT, yield..., but such sources are not existing as comprehensive databases...). We use here the terminology used by the EU framework for the assessment of Rural Development Reglement. By "pressure": we mean a factor coming with the specificity of the GI system or protection scheme and from the market (e.g. the market demand and its trend) and by "result": an effect of this factor which has territorial impact in terms of sustainable rural development (e.g. % of the land devoted to GI production, % of farmers being GI producers, premium level...). By "impact": we mean a level of impact (measure or ordinal ranking). The first type of indicators can be used in synchronic or diachronic comparisons and they can be related to production units, regions or supply chains. It is generally difficult to obtain direct measures of global impacts in terms of sustainability (even by modelling). While diverse sets of indicators for biodiversity or for socioeconomic sustainability defined at territorial levels was proposed, for now quantitative studies comparing GI system and no GI system governed territories are not developed. While the measure of the impacts in diverse specific cases has to be supported by some quantitative indicators, the conceptual or normative identification of those effects is a first step. Identification of the invariant effects should refer to general terms and reasonable objectives in accordance with general goals as the Millennium Development Goals (MDGs). "General terms" mean for example: increase and better repartition of incomes, mitigation of poverty, empowerment of local actors, accountability, in favour or not of biodiversity, etc.

The following kinds of impacts are expected when GI systems develop:

Economic impacts

- Market stabilisation
- Price premium compared to other regions

Social impacts

- Employment - Stabilisation of the rural population
- Gender issue
- Rural development - creation of value added in the region
- Empowerment of local actors
- Cultural value of keeping the production in the region
- Tax income for the State

Environnemental impacts

- Keeping of local breeds
- Extensive way of agricultural production
- Favourable to prevent water supply diminution and erosion

Health impact

- Sanitary / hygiene rules

2.3 Forecasts for GI systems under 3 geopolitical scenarios

In the contemporary globalisation of the economy, food markets are undergoing a shift towards services and products differentiation among quality attributes (e.g. Allaire 2004, Daviron and Ponte 2005; Wilkinson J., 2002). Since the 1980s, many authors have emphasized a 'quality turn' corresponding to the increasing variety of food services. The differentiation of food qualities concerns the whole system of food production and provision. The industrialization of food chains has been renewed by biotechnological innovations and at the same time consumption patterns have undergone substantial transformations with the development of services at the end of the food chains. While generic food is regulated by mandatory national (or Europe) norms, quality-differentiated markets require private standards and global regulations. This has led to a form of institutional gap. While in the previous industrialist period state administrations and industries had concentrated standardization capacities, the development of new models of production and of new services mobilizes local resources and at the same time is based on global consumption norms, but developing in a pluralistic world.

The new standards emerging in food provision put in relation mode of production codification with emergent global norms related to sustainability inspired programmes, promoted both by states, and social movements and NGOs. This new standardization (or innovation) regime is characterized by international agreements following the creation of the WTO, but which remain incomplete. Multi-actor initiatives to set up global norms, products by products (e.g. sustainable forest norms), tend to constitute entry conditions for certain markets; and to renew marketing strategies at the various stages of agrofood chains (Reardon T., Codron J.M., Bush L, Bingen J., and Harris C., 2001). Although quality standards concern the large industrial food systems, a new regime of innovation is developing through the extension or the mainstreaming of 'alternative foods'. Organic or ethnic products may be mentioned in this category. Whether they bear a geographical indication or not, origin products also account for this evolution.

Food quality standards and environmental standards and norms are perfect examples of the double dynamics of decentralization (private and voluntary standards) and globalization (WTO and other international agreements) of market regulation and of the market institutions change. Fulponi (2006) claims this movement is mainly induced by big retailers at the world level. Alongside public health standards, private standards emerge in coalitions of firms (e.g. GFSI: Global Food Safety Initiative). This phenomenon, she argues, does not stem from consumer demand, as consumers are not informed of B2B norms, nor from any intention to pre-empt state regulation, but from a new way of competing: excluding some firms from the market, improving competencies, specifying production conditions, establishing new management systems, making transaction cost savings by not multiplying separate certifications for each coalition member. Henson and Reardon (2005) show that the development of private standardization associated with public standardization may have potentially varied and contradictory effects: positive effects (complementarities with public policies, assistance in bringing firms up to standard, head-starts for some leading businesses) and negative effects (capturing of public good by private interests, lobbying effect dragging quality down). This prompts debate about the linkages between the

different aspects of qualification of agricultural goods and food: safety, environment, fair trade, etc., including GIs.

In a complex universe of qualification, due to market networks enlargement and food acculturation, private standard-setting organizations are developing as an institutionalized solution to global problems when international conventions are absent in the relevant domain (as it is the case for standards pertaining to sustainability). They can be also a way around WTO rules limiting states' ability to enforce production requirements over the products they import and in this case can be supported by bilateral agreements.

The change in the governance of markets and in competition among actors in food chains, known as the quality turn, institutes several types of fora where product specifications and mode of production standards are debated and negotiated among various types of actors, private or governmental, scientific experts and NGO representatives, whether specialized or not. Producers, processors and retail firms, have strategic resources in play within quality fora, and engage in strategic behaviour known as forum shopping and formalized by economists as a strategic trade-off between the cost of participation in a particular quality forum and the benefit (collective quality reputation) it provides (Lerner and Tirole, 2006). In the context of the global competition, a strategic challenge for individual firms and GI systems collectively is to position them in the relevant quality forum or fora (or media universe) for claiming quality attributes. This position setting rests on a selection of design(s) among codified standards and certifications schemes (forum shopping), according to the strategic business model orientation. In another words, to position a firm or a product in the quality universe is to participate in quality forum(s) and to relate to standard-setting-organisation(s) (SSO), at different level of participation or membership. Two phenomena conjugate in the dissemination of standards: a process of adoption by proximity and at the macro level a process of competition among the areas of standardization formed by the various fora. The situation resulting from the TRIPs agreement offers potentiality for a multiplication of national or regional GI recognition and protection systems, contributing to the differentiation of the quality fora.

To contrast the different aspects of the new international trade and competition regime we have presented three alternative economic scenarios (or hypotheses) (see the WP6 report, D9). These three hypotheses concern the position of GI identifiers as marketing tools for differentiate final products in a complex market universe in which IPR in general, social norms and opinions play a major role in the dynamics of markets. We called them:

- CONVERGENCE
- DIVERGENCE
- PLURALITY

All the hypotheses borrow elements of the present situation. We observed a diversity of GI products qualification processes on the global market and several contrasting GI based strategies. To define the third economic scenario (plurality), we hypothesise some consistency of that situation as equilibrium, while in the real world this plurality fuels no negligible tensions. We confronted this hypothesis with: (1) the hypothesis of unification of the GI concept in stakeholder's representations and strategies (common vision of the true meaning of GI as IP right), needing some convergence in the national competition laws, trademarks systems and GI protection doctrines; and (2) the hypothesis where consumers are changing their preferences but do not recognize significant value to GI's. The driving forces which influence the probability of occurrence of each of the three scenarios are not limited to the market tendencies but are notably depending on the forms of the process of standard setting, by private or public initiatives, regarding sustainable development issues.

The first scenario is based on the idea that the process of acquiring value for origin is related to a particular convention of quality, which can translate as a whole in different contexts; it is why we

call it "convergence". In this vision, protected Gs are supposed to get premiums in covering specific geographical quality and also they are supposed to absorb the other high quality specifications, in significant extent. Diffusion of this quality paradigm is generally thought by its proponents in favour of the emergence and the development of GI new markets, if they are able to benefit from the global demand and if the products access large markets.

As it is noted by certain observers (and confirmed by our case studies), the actual trend in the setting up of GIs laws following the TRIPs agreement seems to reinforce the option of sui generis systems. But the issue is the effectiveness of such systems in the global economy and even in national protection schemes implementation. In the real present economy, in any case, the strategies of the actors operating at the international level, and the local origin products systems confronted with scaling up issue have to complain with the various types of legal/institutional systems. In addition, the individual competition inside one GI system leads to combine GI certification and others marks in individual and collective compatible marketing strategies. Thus the efficiency of sui generis system is still a matter of economic competition and marketing strategies, including cultural dimensions of those. Diverging aspects of the situations (national or regional configuration) regard also the supporting policies related to those domains. National states (or EU) are in these scenario important players. However, this first scenario is supposing the origin qualification acquiring an affective power of market differentiation in global markets. A major open question is the scope in which this scenario can get public legitimacy and coherent market recognition. While market will resume differentiating on qualitative attributes, this scenario signifies not only convergence on GI image, but yet the convergence of quality policies and institutions. That should correspond with the capacity of GI stakeholders' organisations to influence or predominate on others quality schemes. That should signify that those organisations are able to go beyond a corporatist point of view and that the origin attribute is able to encompass a wide range of credence attributes.

The second economic scenario corresponds to the weakening of the prescriptive systems of GI protection. If they are unable to guaranty a coherent (readable) system of quality differentiation, specific GIs protection laws are not expected to play a key role, in contrary to the general property right and trademarks laws and thus the existence or not of specific rural development policies is a key factor of local development support. Considering the functioning of GI systems, this scenario leading to private assurance quality schemes development is not incompatible with collective governance, including collective deliberation of the producers to define the specificity of the product by code of practice (collective marks) and even with a public control when certification marks belong to state agency. As ideal-type, this scenario supposes the guaranty to open entry for producers reaching the conditions and the provision of an effective public examination before agreement. Such public provision is not limited to centralized prescriptive systems, diverse IPR protection tools can be mobilized including collective or certification trademarks owned by public bodies. But, in any case, the collective aspects of the quality regulation can suffer from the scaling up of those specific products, markets and value chains. Thus private standards and competition laws in this scenario are factors dominating the market organisation. This scenario should not be in favour of emerging local GIs systems.

Quality regulation (beyond mandatory norms) based on the trademarks system and the basic competition law relies on the assumption of a perfect capacity of the consumers to clearly identify marks and the sharing of a coherent quality attributes nomenclature. In order to adapt to marketing strategies, prescriptive systems tend to diversify the significance of the GI signs as it is the case in the dualistic European system (PDO/PGI). That can contribute to the divergence of GI conceptions and to the weakening of the "terroir model" of qualification. The multiplication of competing quality standards supported by the trademarks complex system can contribute to blurry the substance of GI intellectual property while it is recognized in principle by the TRIP agreement. Others signs having some link with the consumers' representation of the notion of origin can

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challenge the PDO/PGI system or other GI signalling system. In the same way of confusing the standard, collective initiatives revalorising places of production and the link between consumption and places and seasons, can contribute to weaken GI signs. They are in general coming from outside GI communities, as for example the initiatives of the organic agriculture communities in the US, even in Europe the action of Slowfood. So, there are several rationales to support the logic of this second scenario. Finally registered GIs, in this scenario, should stay confined to niche connoisseurs markets, and more or less developed according to levels of national standards of life. Even in South-North market alternatives, organic or fair trade certification standards or general quality standards (as EUREGAP) with mention of source should supplant or integrate the origin indication (as indication of source). In this scenario, the use in Europe (or elsewhere according to the 512 reg.) of the quasi generic PGI system (in combination with others quality signals) would not attract a large premium and is not likely to be largely supported by industries strategies¹. The second economic scenario we present can be termed "divergence" in several senses: persistent divergence in the TRIPs negotiation, divergence of actors conceptions of GI significance (including consumers, policy makers and media), divergence within quality qualification and certification/control systems; all of this weakening the origin as specific quality identifier.

The third economic scenario is built considering how the diversity of the GI systems is presently developing and corresponds to the permanence of the diversity of GI fora (see D3). Contrary to the first and second scenarios, here the diversity of the GI products and signs is not an obstacle for the market recognition (at different premium levels) because that diversity is integrated in a diversified but functioning signalling *pluralistic* system. The third scenario is based on the hypothesis of the establishment by public/private initiatives at different levels of a functioning pluralistic system of market quality identifiers. Contrary to the second scenario based on the domination of private standards, the third one includes an important role to the collective initiatives. It supposes that "the market" (helped by the media...) is able to make distinctions within a proliferation of quality labelling signs, thus supporting a large variety of business models. What is clearing the market is the media system, including all forms of diffusion of the consumers' experiences.

By diverse aspects, global objectives are concerned by the issue of the GI intellectual property, e.g. fair trade (rural communities' poverty reduction), biodiversity and traditional knowledge protection, rural development, food security, etc. Global environmental objectives are also at stake along with the global trade objectives founding the WTO (as consumers' health protection, regulation of marks and IPRs as part of services liberalisation, etc...). All of those issues are controversial and conflicting, but for this scenario we assume some effectiveness of open coordination in international regulation and some success in the diffusion of "good governance" practices. The diversity of GI systems corresponds to the irreducible diversity of marketing strategies to which the legal system have to adapt. Contrary to the first scenario the third one is not supposing a convergence of GI fora, but it suppose a workable diversity of GI visions which are distributed on a value scale resulting from the diversity of fora reputation and credibility. Contrary to the second scenario, the third assumes that the GI, in the broad sense of the TRIPs agreement, keeps for its ability to structure markets.

The organisation of the diverse value chains according to the three scenarios is depending on the negotiation power distribution within actors. To build up forecasts from the case studies, it is necessary to consider regional configurations (geopolitical contexts) to hypothesize which one of the three scenarios the developments we can observe thank to the case studies are sustaining. A collective work on that issue for Latina America was done during the Sinergi Santiago de Chile

¹ It can be noted that PGI strategies in Europe are generally supported by regional territorial policies. This second scenario supposes that the region will reorient there food quality policies (to organic and local markets for example).

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regional meeting (19-11 December 2007). Divergence appeared to be the current operating scenario: multiplicity of quality schemes and of GI approaches, importance of private qualification schemes, no clear vision of what a GI is. The entry point for GI systems emergence is quality and marketing. There is a strong culture of trademark. Recent laws for GIs protection are currently not used and the use of geographical names as trade marks is frequent in certain industries (coffee). Divergence between national institutions can be observed within the Mercosur, but discussions exist and while bilateral agreements exist with the EU, global negotiations are set up.

A change in the position of USA and CAIRNS group in the WTO round seems a condition for a convergent scenario in Latin America. But while, for Mexico, the convergence scenario could be the best in that an international norm allows escaping to US approach (Mexico is member of the Lisbon agreement). Many new GI initiatives are based on factors such as biodiversity, local culture and knowledge, and receive for that reason some support for the local, national, international institutions; independently from GI protection. So a pluralistic development can be viewed as favourable for niche markets, while the divergence scenario seems more in accordance with export oriented industries (private certification schemes).

Some parts of that analysis can be generalized. But it shows the condition for a development of a third scenario, needing both support to the development of local capacities of organisation (including by international cooperation and NGOs) and articulation between collective and private initiatives.

Even in Europe, the situation is not corresponding with a convergence scenario and some aspects of a pluralistic system are developing but not without problems. Policy recommendations more or less implicitly refer to the different scenarios.

3. Policy recommendations for GI Systems

3.1. General framework: aims and principles inspiring policy recommendations

Prompted by the renaissance of the interest in Origin products and Geographical indications in the frame of a general trend to favour quality products and processes (see Sinergi D2), there is a growing concern and involvement of public policies, with the aim of protecting, regulating, enhancing local initiatives on these products and of supporting external positive effects on the whole rural context.

The review of the literature conducted in Task 1 of Sinergi project, and the analysis of the case-studies, clearly showed a diversified set of policy tools, and differentiated and scattered ways by which public Institutions, at various levels (global, regional, national, and local) act in this direction, not always in a coordinated and uni-directional way. Sometimes there is even a lack of knowledge and contradictory and incomplete regulation and support measures.

The aim of this part of the WP7 Report is to draw an organised map of Policy Recommendations on how to support and direct Origin product systems towards sustainability, on the basis of the work done by SINER-GI partners during WP7 and of empirical evidences collected during the previous WPs.

In the next paragraphs, some preliminary issues concerning GI policies and some “caveats” will be presented, starting from some lessons that emerge from case study analysis and other activities brought-on during Sinergi project.

Three main questions will be addressed:

- a) Why a GI policy? Which justifications?
- b) Which kind of GI policy recommendations? Which needs?
- c) How to set-up a GI policy? Which actors (public/private; different territorial levels for public actors) and which tools, which institutional settings?

3.1.1. GI products and GI policies: lessons from case studies

By their nature, expectations on positive effects of GI products attract the interest of many kind of actors, besides firms involved in the supply-chain. This is very relevant, because the need and the demand for regulation and support policies to favour GI products comes from a diversified set of both private and public actors.

Although the case-studies selected within SINER-GI project were mainly related to ongoing GI recognition processes, and only a few of them obtained a formal legal protection as GI, lessons learnt are very valuable. Indeed, from the Sinergi case-studies it emerges that:

- there are very differentiated situations, where Origin products, GI products and GI special protection schemes have different meanings both for firms and for public actors;
- in some countries, legal frameworks concerning the special protection schemes of GIs are contradictory and/or not complete. In other words, the role of GIs with regard to other

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intellectual property rights (IPR) and/or quality signs is not clear and specific, and often executive procedures are still lacking;

- in many countries, little room is given to the process of codification of norms (participation of the actors involved in the GI production system to the definition of the Code of practices) and to the issue of controls;
- the existence of a normative framework is not always accompanied by policies aiming at supporting the use of this legal tool by firms, that would be very important considering the weakness of the private sector, particularly for small and traditional production systems. As a consequence, the number of GI recognised products is small, even when a regulatory system does exist;
- in general, interest of local actors in GIs protection schemes is wider than the mere protection of misuses of geographical names on national and international markets. The "pure-protection" aim is the most relevant aim of the actors only in limited cases where the GI product is very reputed, it benefit from a higher price than similar products and imitations are very widespread on the market. Rather, very often local actors are interested in the codification of process and product characteristics and in the regulation of the GI product also in order to have some reference standard, to limit uncorrect practices even inside the local production system and to support the development of some kind of collective governance around the GI product
- many expectations on GI products are focused on supply chain management and marketing improvement, and – mainly in less favoured regions – to reach rural development goals. But links between GI protection schemes and rural development policies are often lacking;
- the lack of local producers organisation, both before and after reaching the protection, is a strong obstacle for having positive effects from the GI protection, and often blocks the GI registration process;
- in some cases, also environmental and/or social goals are taken explicitly and directly into consideration as possible aims of a GI policy; but this kind of goals are frequently in contrast with the contingent interest of some components of the supply chains.

As a consequence, on the side of public policies, from Sinergi case studies many implications and needs seem to emerge:

- the "property right justification" for the GI policy is very often accompanied by the "supply chain" and the "rural development" justifications, both at national and at regional level (as in EU Regulation 510/2006 on PDO-PGI products). Especially in recent times, as happened in the rural policy of the European Union, public policies are not only concerned with agricultural growth and agribusiness development, but they also consider the multifunctionality of agricultural activities and, more in general, the integration of agriculture in all the economic and social activities at local level (tourism, craft or industrial manufacturing, services, social activities). GI products are integrated in this perspective, too;
- GI protection policies are very diversified around the world, and these differences are very important in order to attain specific types of objectives. Protection schemes play a key role to build the basis for the GI product valorisation, but the "quality" of the scheme is a basic element for the quality of public policies and the collective action of local actors. Some key aspects emerged during the analysis: the clarity and transparency of collective rules, the existence and the quality of "internal controls", the effectiveness of the protection on the

market (avoiding frauds), the engagement in promoting the role of GI scheme as quality convention (consumer information, coherence with other place-related quality signs, ...) ...

- the policy tools that should be encompassed in a "GI policy" are very varied: legal tools for protection of intellectual property right, but also education and empowerment policies, agricultural and agro-food system policies, consumer policies, promotion policies ... Actually, the real degree of insertion of GI protection policy in the wider context of agriculture and rural development policies is very different from one country to another;
- different public authorities are involved in the whole "GI policy", both from the functional point of view and from geographical point of view;
- socio-technical support to private actors and to the establishment of organisational forms able to manage the GI as collective quality sign (collective asset) is very important, in order to make the role of the GI scheme effective. Not only professional producers are the target of these policies, but also other kind of actors;
- (according to our "three eggs" reference scheme, see WP2 Report) many policies are aimed at supporting the upgrading of Origin Product (that is, a product linked to a specific place, to its specific resources and to the people who lives there) to Geographical indicated product (that is, an Origin product to which actors – both from production and the consumption side – refer with a geographical name), and to Protected GI product;

3.1.2. Why a GI policy? Which justifications?

Economic justifications for the protection of GIs have been widely explored and discussed in economic literature.

The scope and intensity of public intervention may vary according to each researcher's vision on the role of the public sector. Theoretically speaking, in a liberal vision, we should justify public intervention only when the market fails in providing the desired level of goods or when it cannot take into account some effects which are not integrated in market price (positive and negative external effects, or externalities).

There are two idealtypical visions of GIs policies: GIs can be interpreted as the "neutral" recognition and protection of a right some individuals or a community owns in the use of a geographical name (prevention of frauds, consumers protection), and on the other side GIs are considered as a means to pursue (in an indirect way) some "public" goals that, by their nature, GI products and production systems would not attain without public support.

The point is here to know to what extent and to what conditions GI systems may produce valuable positive effects on sustainability, in order to identify the role of public policies to make GI systems produce positive effects and limit the negative ones.

SINERGI research and previous researches provide empirical evidences about different values linked to GI products, coming from the strict link to specific local resources, to a social community, and to their local production systems.

The vision of GI schemes as "policy tool" is supported by the paradigm of the "virtuous circle of valorisation of the GI product". In this paradigm, the GI product, rooted in its local production system and inserted in the wider local socio-economic system, incorporates some physical and human local specific resource thanks to the action of local actors. The validation of the GI product by the society allows for a remuneration coming from the market (and/or other sources, such as public support), and this generate money that can remunerate local specific resources. This allow for the reproduction of this virtuous circle, that enrich the local territories.

This paradigm underline the links of the GI product with the place and the people of that place, and hence the GI product become a potential key-element for development strategies. The GI product can be conceived as a collective good, result of a collective action during time.

The effects of GI valorisation are not automatic: they depend on both private (individual and collective) and public actors strategies that define the links between GI product, local resources and society and markets.

GI protection schemes can support positive effects of the GI valorisation, or avoid some negative effect. Actually, these schemes can also exert negative effects, for example because the codification process stimulate the conflicts between local actors and bring to exclusion of some category of actors from the system.

3.1.3. Which kind of GI policy recommendations? Which needs?

Supporters of a “neutral” GI policy say that the role of the State should only be limited to the protection of the geographical names from abuses and usurpations in an effective way, in order to let actors and markets act free. This neutrality may be a “chimera”, e.g. how public authorities have to evaluate contrasts in the registration process in order to establish the “right rights” over a “geographical name” between the more traditional producers and some modern firms that make the GI product according to “industrialised” methods?

The identification of policy recommendations cannot be “neutral”, but it is always oriented by some values and consequent principles, even though they are not made explicit. In general terms, even the more “neutral visions” are inspired by specific values and principles, at least the “constitutive principles” of free-market institutions. This is particularly true when we consider a “proactive” GI policy, that is a policy that accompanies the whole GI constitution and valorisation process to maximize potential *positive* effects and minimize the *negative* ones, where *positive* and *negative* should be evaluated on the basis of the above mentioned values and principles

Therefore, it is important to make it clear which values and principles have oriented SINERGI researcher in drawing policy recommendations on GIs and GIs protection schemes.

The work done in SINER-GI research has been oriented by economic, social and environmental sustainability of GI systems (defined as the bundle of actors working in the local supply chain and around the GI product), and not only by short-term economic efficiency. In this period of sharp increase of food prices all over the world, thinking of GI sustainability should drive us to find solutions also in the light of poverty reduction and access to food. This should also help to sustain the “legitimacy” of GI protection schemes and the other supporting policies to GI production systems.

Therefore, the aim of the SINERGI GI policy recommendations is not that of having more geographical indications around the world (increase of the number of GI protected products), but rather to have “better” Geographical indications in order to increase sustainability of their production systems.

According to the vision of GI policies as a tool aiming at pursuing some “public” goals, GI products can become a part of a wider policy, and GI protection schemes are only one of many tools available.

At the same time, there is the concrete risk of charging GI products, and GI protection schemes, with too many roles/functions, which in some cases can be contradictory.

3.1.4. How to set-up a GI policy? Which actors?

Given SINERGI’s objectives, the focus has been mainly on GI protection schemes and their effects on sustainability. Having effective and “good” legal frameworks for the recognition and functioning

of GIs is a very important step in order to guaranteeing the sustainability of the GI production system.

Of course, GI recognition schemes cannot substitute other policies to support “GI products development-based strategies”, in particular structural problems (at agricultural, processing and distribution level), co-ordination problems, credit access, human capital and professional competencies, should be considered in an integrated way at a local level.

In addition, there are other tools/actions/policies that should be conceived and implemented to accompany and support the use and development of GI protection schemes on the field, in particular if the aim is to orient GI systems towards the sustainability.

Therefore, attention has been paid to a *comprehensive “integrated GI policy”* aiming at supporting positive influences of GI valorisation on local sustainable dynamics (economic, social and environmental) and fronting possible negative effects.

In this sense, the protection by means of a GI scheme is one of the many possible ways to enhance sustainability of GI products, and not always it is the best way, or even simply a good way, of reaching some kinds of “public” aims.

The integration of GI schemes policies within other GI related policy tools is relevant mainly where the knowledge and empowerment of local actors is very low.

The achievement of a GI policy asks for different levels of intervention, from the international to the national and the local ones. How to distribute public power within vertical levels (international, regional, national, local), and how to integrate and harmonize these different levels, are all very relevant matters.

The comprehensive GI policy should also combine both private (collective) and public action, in order to guarantee an effective governance of the GI product system.

As GI products and GI production systems are contextualised in specific territories, it would not be possible to make general recommendations to be applied to all contexts. Anyway, some general recommendations can be given, taking into account that these recommendations should be carefully adapted to specific contexts and to the specific aims that appear to be most important in these contexts.

3.2. Methodology

The identification of policy recommendations has been made according to a special methodology developed by the SINER-GI Steering Committee, in accordance with the PAB members.

General inputs for policy recommendations were given by:

- Literature analysis (drawing also from Task 1)
- SINERGI Regional meeting Budapest 2007
- SINERGI Regional meeting Santiago 2007
- FAO Santiago Meeting 2007
- SINERGI WP7 Meeting Edinburgh January 2008
- SINERGI PAB Meeting Rome 2008
- FAO-SINERGI Meeting Rome 2008

Besides all the above mentioned sources, a special methodology has been elaborated to collect relevant information from all SINER-GI members, associated researchers, external experts, Case-studies responsables, and PAB members.

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The methodology is based on a Policy Recommendations Matrix which consists in two dimensions: critical areas to be fronted in the light of GI system sustainability, and policy levels.

a) Critical areas

On the basis of work done in previous Sinergi WorkPackages (literature analysis, case studies analysis), ten main critical areas to front in the light of GI systems sustainability were identified. These critical areas are (see the 1st column of the Matrix):

1. GI POLICY AND LEGAL FRAMEWORK
2. RULES-SETTING PROCESS
3. ROLE OF LOCAL RESOURCES
4. ORGANIZATION AND GOVERNANCE
5. HORIZONTAL-VERTICAL DISTRIBUTION OF THE GI BENEFITS
6. MARKET
7. CONSUMERS AND CITIZENS
8. ENVIRONMENTAL ISSUES
9. SOCIAL AND CULTURAL ISSUES
10. COMPREHENSIVE STRATEGY

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b) Policy recommendations and levels of policy action

For each critical area many Policy recommendations could be given by each researcher.

Each Policy recommendation can be implemented by means of one or more Policy actions, in order to develop a comprehensive “integrated GI policy”.

Policy have been articulated into the following levels of implementation:

- a) INTERNATIONAL GI NEGOTIATIONS: both WTO and bilateral agreements.
- b) EU 510 IMPLEMENTATION: implementation of the PDO-PGI Reg.EU 510/2006, mainly for recognition of extra-EU designations of origin and geographical indications.
- c) EU AND MEMBER STATES / COOPERATION ACCOMPANYING POLICIES: this level is about accompanying policies of the EU, and of each EU member State, developed in favour of GI products in extra-EU countries. This kind of policies can be managed directly by governments or by national agencies.
- d) NATIONAL: all policies at non-EU State level, concerning both legal framework definition and implementation, and national accompanying policies (as information, promotion, rural development policies, technical assistance).
- e) REGIONAL / LOCAL: all policies and initiatives developed at lower institutional levels.

The Policy Recommendation Matrix

| Critical areas to front in the light of GI systems sustainability | General Policy recommendations | ACTIONS | | | | |
|---|--------------------------------|-------------------------------|-----------------------|--|----------|------------------|
| | | International GI negotiations | EU 510 implementation | EU and Member States / cooperation accompanying policies | National | Regional / Local |
| 1 legal frame | | | | | | |
| 2 rule-setting process | | | | | | |
| 3 local ressources | | | | | | |
| 4 governance | | | | | | |
| 5 benefits distribution | | | | | | |
| 6 market | | | | | | |
| 7 consumers | | | | | | |
| 8 environment | | | | | | |
| 9 social issues | | | | | | |
| 10 integrated poliy | | | | | | |

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The Matrix was filled by SINER-GI members, associated researchers, external experts, Case-studies responsables, and PAB members, on the basis of their researcher's experience and knowledge (see the list of filled matrixes in Appendix).

3.3. Policy recommendations: general overview

Thirty-two Policy Recommendations matrixes were filled by Sinergi researchers. These recommendations were discussed and synthesized in a Global matrix (see the Global matrix Appendix). In this matrix 42 recommendations were made in the 10 main critical areas identified.

In this paragraph the 42 policy recommendations are presented as single cards, putting in evidence for each of them the motivation of the recommendation and some policy actions useful to achieve the recommendation. These policy actions are to be considered only as examples of possible actions useful in order to put in practice policy recommendations, As a consequence, the cards should not be considered as complete and internally coherent “policy packages”.

In the two following paragraphs the policy matrix will be analysed considering the ten critical areas (rows) and the different public policy actions levels (columns).

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Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.1) Improving knowledge on GI products and systems

Justification

Lack of basic awareness amongst public authorities and local actors (farmers/processors) of the meaning, characteristics, and evolution of GI systems

Policy actions

a) International GI negotiations

Clarify difference with other kind of quality products

b) EU 510 implementation

- Promote tools for monitoring and assessing GIs (databases, regional observatories)
- Clarify the difference between GIs and other kind of quality products

c) EU and Member States / cooperation accompanying policies

- Support research on GI products and systems, and relationships with sustainability issues
- Support information and experiences exchanges between (public and private) actors
- Clarify difference with other kind of quality products

d) National

- Make inventories of (also potential) GI products
- Support research on GI products and systems
- Support information and experiences exchanges between (public and private) actors
- Clarify difference with other kind of quality products

e) Regional / Local

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- Raise awareness of GI products in the Administrations
- Organise exchange-study visits
- Make links with other support bodies to share best practices
- Support inventories of GI products
- Support local discussion fora on GI and quality products

Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.2) Improving knowledge on GI protection schemes and reduce the confusion between different legal tools that use geographical names (GI, indication of provenience, trademarks...)

Justification

Lack of basic awareness amongst public authorities and local actors (farmers/processors) of what are GI protection schemes and other ways to protect the name of GI products, and of which benefits can come from.

Policy actions

a) International GI negotiations

- Clarifying the differences between the legal tools that use geographical name

b) EU 510 implementation

- Support national information campaigns on GI protection schemes for producers and consumers
- Refine and disseminate practical guides for applicants
- Support 3rd countries public authorities to set-up and manage GI protection schemes

c) EU and Member States / cooperation accompanying policies

- Promote information campaigns
- Stimulate discussion fora involving 3rd countries authorities and other stakeholders
- Support 3rd countries public authorities to set-up and manage GI protection schemes
- Develop clear logos and give consumers the right information on the differences between the legal tools that use geographical name

d) National

- Provide clear information on GI protection schemes and their benefits/risks

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- Provide guidance on how to apply to regional/local authorities and Producers organizations (booklets, websites, training courses)
- Provide training for national public agents involved in GI registry.
- Develop clear logos and give information to the consumers about the differences between the legal tools that use geographical name

e) Regional / Local

- Provide clear information on GI protection schemes and their benefits/risks
- Provide education of the local administration staff to increase the consulting quality
- Show to GI local actors practical examples or cases of related GI systems and how actors benefited.
- Make links with other support bodies to share best practice

Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.3) Extend GI protection worldwide

Justification

Misuse and abuses may impede local actors to activate valorization initiatives, thus resulting in the underexploitation of the potentialities of GI systems to exert positive effects on sustainability. Differences in the way GIs are protected in each country increase protection costs and limit the marketing of GIs products

Policy actions

a) International GI negotiations

- Build an international register of GIs
- Extend the level of protection to the additional protection in all products
- Extend GI regulation to non food handicraft products based on local culture
- Negotiate at all levels, also with popular mobilization

b) EU 510 implementation

- Allow the protection of GI in EU countries even if not protected in the country of origin
- Increase the protection through bilateral agreements EU - 3rd countries
- Accept that a globally accepted framework could be different from the EU one

c) EU and Member States / cooperation accompanying policies

d) National

- Allow transborder application even if not protected in the country of origin
- The government could notify the goods having the additional protection in the official gazette to encourage the international negotiations

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e) Regional / Local

| |
|--|
| |
|--|

Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.4) Prevent individual appropriation of geographical names

Justification

Individual appropriation of geographical names can be detrimental to future possibilities for collective initiatives and menace GI systems sustainability

Policy actions

a) International GI negotiations

- Assume as general principle that GIs are collective "by nature" and, as a consequence, they can not be privately protected
- Deepen research and exchange results on effects of individual appropriation on local development dynamics

b) EU 510 implementation

- Ask for representativeness of collective bodies applying for the GI registration/protection
- When applicant is not a group of producers, check how the producers are represented and which documentation was used by the applicant
- Make specific controls on this aspect and avoid registration inside EU of "expropriated" collective names"
- Recognise only "opened" GIs from extra-UE country ("opened" meaning that everybody complying with the code of practice can use the name)

c) EU and Member States / cooperation accompanying policies

- Help other countries to develop GIs only when those GIs are "opened" ("opened" meaning that everybody complying with the code of practice can use the name)
- Make specific controls on this aspect and avoid registration inside EU of "expropriated" collective names
- Recognise only "opened" GIs from extra-UE country ("opened" meaning that everybody complying with the code of practice can use the name)

d) National

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- Inhibit registration of GIs by individuals, as private trademarks or other
- Create "lists" of not-registrable names
- Approve National laws asking for representativeness of collective bodies and guarantee right of opposition
- Allow any producer to use the GI if complying with the specification (recognise only "opened" GIs)

e) Regional / Local

- Support local collective action and ask for the maximum participation of stakeholders in order to register GIs
- Keep informed interested parties on GI registration applications

Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.5) Having a clear registration procedure, with clear criteria, helping to balance between the development of meaningful designation criteria and the need for simplicity in application process

Justification

Highly technical, bureaucratic, complex registration procedures are likely to dissuade small producers, and therefore to benefit larger firms; producers who may benefit from registration do not apply, or if the system is developed, may lead to unsatisfactory economic returns

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Create a *light* kind of designation of origin for small local products, with low cost
- Speed-up changes of Code of practices
- Simplify procedures
- Avoid loosening the Code of practices, which weakens the PDO-PGI system
- Recognise GIs from extra-UE country with a clear procedure that guarantee the rights of opposition
- Recognise GIs from extra-UE country only when the rules-setting process satisfies some condition on information of all stakeholders, representativeness, democracy

c) EU and Member States / cooperation accompanying policies

- Help extra-UE country to design with a clear registration procedure for GIs that guarantee the rights of opposition

d) National

- Take in account the concrete situation of the country (and producers) when

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building GI regulation

- Try to lower control and certification costs
- Promote a participatory certification, in order to certify organic, fairtrade and GI, and lower certification costs

[e\) Regional / Local](#)

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Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.6) Set-up “appropriate” and equal certification systems

Justification

The access and use to GI scheme should be regulated, in order to guaranteeing the respect of the Code of practice by all producers and provide a product complying with the common rules

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Ask for appropriate forms of control (adapted to the socio-economical characteristics of applicants)
- Increase of human resources for enquiry process
- Strengthening monitoring and evaluation activity

c) EU and Member States / cooperation accompanying policies

- Give technical assistance to implement efficient control systems
- Strengthening monitoring and evaluation activity

d) National

- Provide clear rules for control
- Support creation of efficient and transparent control bodies (public or private)
- Foster the development of third-party control
- Strengthening monitoring and evaluation activity

e) Regional / Local

- Support producers (in particular the smallest ones) to comply with codified control systems

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- Strengthening monitoring and evaluation activity
- Set up code of practices according to control issues

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Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.7) Improve the transparency during the EU-procedure for recognition of non-EU Geographical Indications as PDO or PGI necessary to protect the buyers but also the producers (threatened by the free-riding of others producers).

Justification

Clear and transparent rules should be the basis for (intermediate and final) consumers interest and trust in GIs

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Put the existence of norms on the product and process, their implementation (control), and their publicity as a requirement for the recognition of extra UE GIs.

c) EU and Member States / cooperation accompanying policies

d) National

- Put the existence of norms on the product and process, their implementation (control), and their publicity as a requirement for GIs in order to allow the buyers to know them.
- Provide clear justification to rejections

e) Regional / Local

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Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.8) Strengthen institutional capacities for the protection of GI at national and international level

Justification

Institutional capacity is of paramount importance to support GI schemes diffusion and local actors dynamics

Policy actions

a) International GI negotiations

- Strengthen the institutional capacity at WIPO through multi-lateral agreement.

b) EU 510 implementation

- Ensure EU national institutions capacity to protect efficiently non EU GI (capacity to enforce control for non EU GI)

c) EU and Member States / cooperation accompanying policies

d) National

- Establish and strengthen GI supporting capacity at national level.
- Assess the distribution of skills between the public and the private sector (included certification bodies)
- Invest in capacity building where gaps are identified

e) Regional / Local

- Establish and strengthen (auditing) GI capacity at local/regional level

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Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.9) Improve coordination between different authorities concerned with economic, social, health and food safety aspects, and allow the possibility to have “sui generis” food safety norms in the case of traditional GI products

Justification

Conflicts between traditional/artisan practices of GI system and modern food quality/safety norms. Producers who may benefit from registration do not apply. In some cases too strict and “modern” food safety regulations may cause a loss of authenticity in the GI product, and severe obstacles for smaller firms to comply with the norms, without resulting in a real increase in food safety

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Erection of an independent PDO/PGI agency

c) EU and Member States / cooperation accompanying policies

- support research on links between food safety and GI products characteristics and specificity

d) National

- Improve coordination between ministerial sectors
- Better coordination and reconciliation of the different regulations and laws
- Create a discussion forum in each country with the stakeholders that use geographical names for promotion.
- Support research on links between food safety and GI products characteristics and specificity
- Develop “sui generis” regulations
- Training course and homogenization of behaviours within sanitary personnel charged of supporting and controlling food safety norms

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e) Regional / Local

- Improve coordination between local authorities involved in different aspects
- Need for 'joined up government' and cross-departmental policies–agreements between agriculture, development, sanitary authorities
- support research on links between food safety and GI products characteristics and specificity

Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.10) Insert GI products and GI schemes in a “comprehensive policy of quality products” in order to have a coherence between Intellectual Property Rights policy and Sustainable agriculture and rural development policy

Justification

Avoid the risk of reciprocal jeopardization and market confusion between different quality signs systems

Policy actions

a) International GI negotiations

- Involve more interdisciplinary perspectives (legal, economic, sociological, political science, anthropological) in the political debate .

b) EU 510 implementation

- Make explicit the link between GIs policies and innovation policies
- Balance GI support policies vis-à-vis organic, quality production, food safety policies within the framework of CAP

c) EU and Member States / cooperation accompanying policies

- Stimulate the emergence of alternative paradigms
- Promote partnerships to govern GI

d) National

- Build on national coherent quality policies, avoiding overlapping also in the use of geographical names
- Create the framework for supporting alternative paradigms
- Integrate local, regional and national GI policies, institutions and actions.

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e) Regional / Local

- Give to producers information about different quality schemes available
- Supporting and initiating networks based on alternative paradigms
- Contextualise the costs and benefits of GI systems and applications at local level vis-à-vis other producers' strategies

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Critical area

1) GI POLICY AND LEGAL FRAMEWORK

Policy Recommendation

1.11) Improve the coordination between the different initiatives (at country level) using geographical names for promotion

Justification

To avoid confusion for the buyers. It is more necessary for exported products (when production zones are less known by the buyers), especially when –like for coffee- they exist different levels of promotion actions (firms, local and national)

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

d) National

- Create a discussion forum in each country with the stakeholders that use geographical names for promotion.

e) Regional / Local

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Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.1) Improving producers' and other local actors' awareness on GI characteristics and potentiality

Justification

Very often public authorities and local actors are not aware of GI products potentialities and of the "values" they incorporate. The lack of awareness may impede GI products to turn into a resource for local economy and social development

Policy actions

a) International GI negotiations

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b) EU 510 implementation

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c) EU and Member States / cooperation accompanying policies

- Supporting technical and management assistance programmes for GI product characterization

d) National

- Designing technical and socio-economic assistance programmes for GI product characterization

e) Regional / Local

- Raise awareness of GI products in the Public Administrations
- Supporting local actors involvement (also by means of producer and consumers associations, ...) in national inventories
- Supporting the setting-up of "GI local groups" for discussing about GI products specificities and their links with the territory

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Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.2) Consider all different tools for the valorisation of the GI product and allow for their integration (before GI recognition)

Justification

There is a risk of taking into account only the protection of GI for the valorisation of the GI product, forgetting other tools such as marketing initiatives, rural animation, research, collective organisation

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

d) National

- Making available different tools able to valorise GI products according to different typologies (dimension, market, etc.): collective marks, etc.
- Supporting integration of different control systems

e) Regional / Local

- Increase information of local actors about different possibilities
- Support access of local actors to different possibilities

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Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.3) Support local initiatives to apply for the GI protection/recognition – Support local animation and build up knowledge about GI within the NGOs

Justification

Very often the “poorest” GI producers don’t reach the protection

Policy actions

a) International GI negotiations

- Develop programs around GI in the developing countries (WIPO, WTO, CNUCED, FAO, etc.)

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

- Link rule-setting to dedicated innovation (research, extension and training) policy

d) National

- Think about a national policy in order to support GI initiatives, eg a public office devoted to support them
- Guidelines to code of practices change
- Dedicated innovation policies

e) Regional / Local

- Stimulate collective action and interprofessions
- Providing financial means to undertake the application
- Providing technical assistance to undertake the application

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- Use local and regional discussion forums to evaluate the strengths and weaknesses of GI schemes and applications
- Dedicated innovation policies

Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.4) Allow the participation of all the categories of local actors in the definition of the GI common rules on product and process characteristics, and of the geographical area of production (Code of practice)

Justification

GI can become a useful weapon for stronger actors' categories of the GI. The process that leads to apply for the protection of the GI, and the very registration, may create social conflicts or problems between the actors of the system. Where GI system actors are heterogeneous in profile, with different motivations and approaches to GI production and marketing, GI registration can raise disputes, especially on the definition of the geographical boundaries, the production practices, the final quality levels.

This point is important because so far, there is often a trade-off between high-quality and social inclusion.

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Asking for "democracy" in the definition of GI rules
- Verify the participation of local actors in the application process
- Integration of consumers expectations in the concept of defining PDO-PGI products
- Embodying impact analysis of changes in the codes of practices
- Guidelines to code of practices setting and modifications
- Find a procedure to negotiate when conflicts happen during the registration between two different countries (right to oppose)

c) EU and Member States / cooperation accompanying policies

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d) National

- Designing appropriate recognition schemes, to stimulate a discussion between different positions
- Supporting bodies may play a crucial role as mediators in the disputes. But to be effective, they have to be seen as fair and inclusive, and have the trust from the different actors' categories
- Give room to regional/local public institutions in the recognition process
- Let local consumers' and connoisseurs' knowledge to be taken into account in the definition of the rules
- Build-up procedures to publish the Code of practices and to negotiate the conflicts (open procedure)
- Allow publication of the present application to start the opposition procedure and then the debate on the content of the application and who shall be the applicant

e) Regional / Local

- Empowering of local actors: giving accessible information
- Creating local forums for discussion about GI and encourage active participation of actors, in particular of small producers
- Stimulate local consumers' participation
- Carefully consider the effects generated by the contents of the Code of practices on the distribution of benefits between actors
- Promote the involvement of politicians of provincial and municipal level in the formation of a committee product

Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.5) Carefully consider possible conflicts between “traditional” and “modern” ways of making GI product

Justification

Technical innovation sometimes risks to deeply affecting the very nature of the GI product, thus changing also the cultural and symbolic value of the product. The introduction of innovations should be carefully analysed and discussed within the system, with the participation of consumers representatives

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Carefully consider traditional vs modern techniques and quality aspects in the recognition of non-EU GIs
- Stop the trend of loosening the contents of Code of practices, which is weakening the PDO-PGI system

c) EU and Member States / cooperation accompanying policies

- Link rule-setting to dedicated innovation (research, extension and training) policy

d) National

- Make explicit the evaluation criteria in the recognition process
- Embodying impact analysis of changes in the codes of practices
- Take into consideration rural innovation processes; promote social, technical, economic and organisational innovations, that enhance effectiveness of GI system.

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e) Regional / Local

- Give room to discuss these issues to all categories of producers

Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.6) Carefully consider possible conflicts between “large” and “strict” production area for the GI product

Justification

There are contrasting issues in this choice, regarding both quality of the GI product (a smaller production area can support a more homogenous product quality than a larger one) and quantity of the GI product (a wider production area can guarantee product quantities that fit with market requirements)

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

- Technical assistance in order to support decisions on definition of the production area with scientific knowledge and marketing-related concerns

d) National

- Support decisions on definition of the production area with scientific knowledge and marketing-related concerns
- Make explicit the evaluation criteria in the recognition process

e) Regional / Local

- Give room to discuss these issues to all categories of producers
- Choose a “meaningful” geographical name for consumers but also for producers

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Critical area

2) RULES-SETTING PROCESS (at GI product system level)

Policy Recommendation

2.7) Try to balance the need for keeping the identity of the GI product and the need for extend the expected positive effects (quantity/quality dilemma)

Justification

The need to keep high quality levels and a good image/reputation of the product often contrasts with the need to include producers/places in the access to the use of the geographical name

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Consider carefully positive and negative effects of the registration of too wide GIs or "national GIs"
- Stop the trend of loosening the contents of Code of practices, which is weakening the PDO-PGI system

c) EU and Member States / cooperation accompanying policies

- Link rule-setting to dedicated innovation (research, extension and training)

d) National

- Make explicit the evaluation criteria in the recognition process
- Avoid to be generic in the Code of Practices

e) Regional / Local

- Give room to discuss these issues to all categories of producers
- Avoid to be generic in the Code of Practices

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Critical area

3) ROLE OF LOCAL RESOURCES

Policy Recommendation

3.1) Refine the knowledge of specific local resources (biodiversity, human capabilities, ...) for GI specificities (characterization)

Justification

Local specific resources give more or less specificity to GI product and differentiate it on the market

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Embodying the concept of carrying capacity of the territory

c) EU and Member States / cooperation accompanying policies

- Support technical assistance and research programmes devoted to the analysis of the role of specific local resources for the quality of the GI product

d) National

- Support studies to analyse the role of specific local resources for the quality of the GI product
- Consider GI strategy to redefine the use of local resources, sustainable agriculture and food production in mountainous and other less favoured areas.

e) Regional / Local

- Stimulating reflexion of local actors about the specificities of the product in relation to specific local resources, from a technical but also social and

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cultural point of view

Critical area

3) ROLE OF LOCAL RESOURCES

Policy Recommendation

3.2) Carefully consider in the design of the Code of practice how local resources (and in particular local plant varieties or animal breed) have to be used. Support initiatives that favour the preservation and improvement of specific local resources (biodiversity, human capabilities, ...) and the defence of traditional systems of production

Justification

When the reputation of the product is closely related to the use of certain plant variety, the specification should focus on the varieties that were the basis of the reputation .

The way the use of local resources is regulated affects the possibility to reproduce and improve the stock and the quality of the resources

Local specific resources are often menaced by modern/external resources

Policy actions

a) International GI negotiations

- Enhance GI use as a tool for the negotiations between TRIPS and Convention on Biodiversity on the point of preserving genetic resources
- Enhance GI use as a tool for the negotiations between protection of cultural diversity (Unesco) and TRIPS

b) EU 510 implementation

- Insist on the cultural dimension and the know-how associated to GIs to reinforce their credibility, legitimacy and coherence

c) EU and Member States / cooperation accompanying policies

- Try to identify the relationship between GI and local resource to see what are the connections
- Support national policies and procedures

d) National

- Favour the inclusion of norms devoted to the regulation and reproduction of

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local specific resources in the Code of practices

- Understand and valorise the role of biodiversity and cultural diversity in product specificity linked to the origin
- Technical assistance, research programmes, training courses

e) Regional / Local

- Stimulate the debate between local actors on the role of local resources for GI specificity
- Favour the inclusion of norms devoted to the regulation and reproduction of local specific resources in the Code of practices
- Promote the identification and characterization of local production practices
- Technical assistance, research programmes, training courses

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Critical area

3) ROLE OF LOCAL RESOURCES

Policy Recommendation

3.3) Support the inclusion of the producers of the raw material and ingredients in the GI system, in particular for GIs on processed product

Justification

If a desired effect of the GI is linked to the remuneration and preservation of the local specific resources involved in the GI production process, it is very important the involvement of the producers involved in the use of these resources in the building of the Code of practices.

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Highlight the role of farmers and their local and traditional resources when examining foreign GI, in particular when this gives the reputation
- Support the use of the local raw materials in order to better integrate local farmers

c) EU and Member States / cooperation accompanying policies

d) National

- GI shall be authorised for local resources which are not registered for commercialisation as seed coming from breeding industry

e) Regional / Local

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- Stimulate farmers' participation in the process of GI setting, and empower them
- Use training centres for the dissemination of practical skills related to GI product

Critical area

4) ORGANIZATION AND GOVERNANCE

Policy Recommendation

4.1) Promote a collective organisation of the GI system

Justification

Poor quality relationships between key GI system actors (either horizontal or vertical) may cause problems in countries/regions with no 'collectivist' cultural tradition

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Allow many different type of applicant, which could be government agency, but check whether they represent the producers and how the producers are involved and whether they can use the GI

c) EU and Member States / cooperation accompanying policies

- Promoting exchanges of experiences between groups of producers involved in different GIs
- Help the local groups to enhance their organisational skills (education)

d) National

- National GIs Guidelines should require applicants to set up a representative association or interprofessional body, also after obtaining the GI recognition
- National GIs guidelines should require democratic principles in functioning of collective organisations
- National authorities should give some "public functions" to representative organisations (e.g. controls, promotional activities)
- Impose some criteria to the GI governance (information of all stakeholders, representativeness, democracy...) for the registration
- Support the creation of an alliance between GI products but avoid

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corporativism

e) Regional / Local

- Giving support to GI collective organisations: education, technical assistance

Critical area

4) ORGANIZATION AND GOVERNANCE

Policy Recommendation

4.2) Support the 'scaling up' process of the GI system

Justification

The scaling-up of the system (increase of quantities and number of producers, changes in the marketing channels used) may alter the structure and characteristics of the system, altering the product nature and the distribution of the benefits along the chain, and pushing towards a change in the production techniques used (more "industrialized"), thus risking to affect economic, social and environmental sustainability

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Monitoring and assessment (on market share...)

c) EU and Member States / cooperation accompanying policies

d) National

- Monitoring effects of strong increases in production on different aspects of local production systems
- Consider carefully proposals of modification of Code of practices aiming at lower rules

e) Regional / Local

- Carefully consider proposals of modification of the Code of Practices aiming at

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loosening the rules

Critical area

4) ORGANIZATION AND GOVERNANCE

Policy Recommendation

4.3) Reduce the cost of control

Justification

Too high control costs may generate exclusion effects

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Allow for internal systems of control (to facilitate the third-party control).

c) EU and Member States / cooperation accompanying policies

d) National

- Allow for internal systems of control (to facilitate the third-party control).

e) Regional / Local

- Develop an internal system of control (to facilitate the third-party control).
- Integrate the GI control system with others certification (like Organic and Fair trade standards) (eventually).

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Critical area

5) HORIZONTAL-VERTICAL DISTRIBUTION OF THE GI BENEFITS (equity)

Policy Recommendation

5.1) Ease the use of GI protection scheme by all categories of local producers

Justification

Power imbalances between small and large firms. Risk of economic exploitation and/or exclusion of most 'deserving' firms from GI system – only the larger, well-organised actors benefit – or of some phases of the system (agricultural vs processing vs commercial phases)

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Thinking about a "lighter" control system for small GI products

c) EU and Member States / cooperation accompanying policies

d) National

- Ask for the participation of all phases and categories of firms in the definition of the Code of practice (prevention)
- Role of national and regional authorities in mediation between needs of different stakeholders
- Allow the weakest actors to be able to comply with the Code of practices and to make an effective use of the GI
- Financial support programmes for (smaller) producers entering the GI control system
- Include the producers of the raw material

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e) Regional / Local

- Specific actions of empowerment of smallest or most marginalised producers, in complying with Code of practices and in enter in the control system (if any): information, technical assistance, financial temporary provisions
- Think on if and how to allow some prices and volumes agreements
- Monitor the functioning of local actors groups

Critical area

5) HORIZONTAL-VERTICAL DISTRIBUTION OF THE GI BENEFITS (equity)

Policy Recommendation

5.2) Support equitable distribution of GI scheme effects among different categories of actors in the supply chain and inside each sector

Justification

Economic and social sustainability of the GI scheme can be seriously endangered by a non equitable distribution of benefits, mainly when there are unbalances in power between different phases of the supply chain and between different categories of actors inside single phases of the supply chain.

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

d) National

- Encourage agreements inside the supply chain, also by means of interprofessional agreements

e) Regional / Local

- Encourage constitution of interprofessional bodies able to negotiate between

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system actors fairly and efficiently

- Allow the producers to open new channels and escape from local buyers (maybe through producers' associations)
- Give the weakest actors an access to information, technical assistance, credit, and organization

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Critical area

5) HORIZONTAL-VERTICAL DISTRIBUTION OF THE GI BENEFITS (equity)

Policy Recommendation

5.3) Consider structural bottlenecks in the GI product supply chain

Justification

When GI initiative is a tool of local firms for escaping from power unbalances, very often the GI recognition per se is not sufficient

Policy actions

a) International GI negotiations

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b) EU 510 implementation

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c) EU and Member States / cooperation accompanying policies

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d) National

- Credit programmes for structural investments in processing

e) Regional / Local

- Support local cooperatives and other collective local actors able to solve structural problems

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Critical area

6) MARKET

Policy Recommendation

6.1) Support marketing- oriented logics

Justification

Per se, GI recognition doesn't change the marketing of the product, but it creates important basis allowing collective marketing strategies or new individual ones.

GI can inhibit market orientation – GI system becomes very 'product push' deterministic. When stimulus for system development comes from local actors who are not market focused, but assume 'demand will come', then the systems risks developing in an un-market oriented way. Also, very strict codes of practice in a GI may create loss of flexibility of actors to adapt to changing market demands

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

- Provide expertise in view of securing an export market in Europe
- Facilitate quality products imports in Europe in order to support the "quality turn"

d) National

- Support (financial and technical assistance) marketing collective initiatives around the GI product
- Impose the existence of a coherent marketing plan in the requirements to register a GI

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e) Regional / Local

- Support engagement of GI producers in alternative and shorter distribution channels (direct sales, local markets) rather than low value, bulk commodity channels
- Develop a regional market based on tourism activity and local restaurants
- Help the stakeholders to be conscious of the importance to have a clear marketing strategy

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Critical area

6) MARKET

Policy Recommendation

6.2) Promote vertical relationship between firms of the GI system

Justification

Local alliance within the GI system help consolidating solidarity between actors along the chain, and stabilize production activity

Policy actions

a) International GI negotiations

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b) EU 510 implementation

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c) EU and Member States / cooperation accompanying policies

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d) National

- Encourage the constitution of interprofessional bodies

e) Regional / Local

- Encourage the constitution of interprofessional bodies

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Critical area

6) MARKET

Policy Recommendation

6.3) Support information system on market intermediate and final demand, prices, marketing channels, etc.

Justification

Information on consumers and clients characteristics is of fundamental importance to manage the system and the firm

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Reports on monitoring and assessment

c) EU and Member States / cooperation accompanying policies

- Provide information on internal markets characteristics

d) National

- In guidance material for applicants, give links to sources of information on markets and marketing, also how to get funding for specific market research studies
- Promote market and consumer surveys

e) Regional / Local

- Encourage actors to undertake market analysis as part of early development activities, and to develop a marketing plan

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Critical area

6) MARKET

Policy Recommendation

6.4) Support joint (collective) marketing initiatives

Justification

Collective marketing initiatives are needed whenever the scale (financial resources) and the competencies (know-how, skills) are low at individual (single firm) level

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

- Provide specific technical assistance

d) National

- Promote a clear communication, otherwise the big distribution firms use the GIs to favour their own brands
- Create specific learning institutions dedicated to marketing

e) Regional / Local

- support collective promotion initiatives coherent with the values the product wants to communicate

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Critical area

6) MARKET

Policy Recommendation

6.5) Make special market access provision for GI products (i.e, lower tariffs, tariff quotas, etc.)

Justification

The import protection is generally higher for value-added products.

Policy actions

a) International GI negotiations

- Negotiate special tariff dispensation for GI products

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

- Implement the special dispensation for GI in tariff regime.

d) National

- Implement the special dispensation for GI in tariff regime.

e) Regional / Local

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Critical area

6) MARKET

Policy Recommendation

6.6) Encourage GI for domestic market.

Justification

Very often GI initiatives think only to export niche markets, but there are many interesting opportunities also on national and local markets. Also "normal" local market can be interesting for GI producers, compensating lower prices with higher volumes

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Encourage third country countries to register GI also for their domestic market

c) EU and Member States / cooperation accompanying policies

d) National

- Think to GIs not only as a tool aiming at enhancing export on developed countries. Do not forget the importance of local markets
- Support market for traditional handicraft products in countries more and more attracted by modern western items

e) Regional / Local

- Support local actors in identifying coherent strategies on different market segments

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Critical area

7) CONSUMERS AND CITIZENS

Policy Recommendation

7.1) Inform consumers on GI product and process characteristics and give real guarantee to the consumer that each GI product comply with them

Justification

GI schemes should be not only in favour of producers but they have to be also clearly in favour of consumers

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Include GI aspect in sustainable food provision, RD, public health and other discourses through the discussion process and deliberation

c) EU and Member States / cooperation accompanying policies

- Support special consumer awareness rising programmes about GI

d) National

- Provide mandatory information on code of practice
- National information campaigns
- Educate consumers to tasting
- Assess the relevance of establishing a specific logo and signalling system for GI products at national level
- Create a more articulated labelling system supported by traceability allowing consumers to actually choose between different products

e) Regional / Local

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- Emphasize the positive impact on the consumer of the consumption of GI product
- Make websites and other information tools accessible for GI representative associations
- Educate consumers to tasting

Critical area

7) CONSUMERS AND CITIZENS

Policy Recommendation

7.2) Make more evident the impact of GI policies on consumers and citizens

Justification

GI products often have specific features closer to consumers' desires and culture (organoleptic, chemical, cultural, access to food)

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Monitoring and evaluation

c) EU and Member States / cooperation accompanying policies

- Monitoring and evaluation

d) National

- Monitoring and evaluation

e) Regional / Local

- Strengthening ties and common goals between consumers and producers: preservation of the environment, improving the greeting of the local population
- Monitoring and evaluation

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Critical area

7) CONSUMERS AND CITIZENS

Policy Recommendation

7.3) Support a higher consumption of GI products at local level

Justification

GI products are often "local" products, at the basis of local population food culture and habits, and diet.

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

- Give support to local food consumption

d) National

- Front the problem of local population access to food: different prices for the domestic market?

e) Regional / Local

- Front the problem of local population access to food: different prices for the domestic market?

Critical area

8) ENVIRONMENTAL ISSUES

Policy Recommendation

8.1) Integrate GI schemes with elements linked to protection of biodiversity, preservation of the environment and of typical landscapes

Justification

Local biodiversity, environment and landscape are important elements for the quality of life of local people, but they can become important elements in order to differentiate the GI product on the market. In this way, GI product valorization could support the environmental local quality

Policy actions

a) International GI negotiations

- Link the TRIPS negotiations and the Convention on Biodiversity through GI protection
- Negotiate the inclusion of environmental elements in GI product description

b) EU 510 implementation

- Consider the link with the ecosystem as one criteria to document GI recognition

c) EU and Member States / cooperation accompanying policies

- Adapt GI Systems to make provision for the inclusion of environmental aspects in the product description
- Taking into account the (positive and negative) environmental externalities of the GI to take decisions on the public support given to the GI (and eventually on the registration)

d) National

- Consider the link with the ecosystem as one criteria to document GI recognition
- Support from technical and economic point of view the inclusion of environmental aspects in GI Code of Practices
- Taking into account the (positive and negative) environmental externalities of

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the GI to take decisions on the public support given to the GI (and eventually on the registration)

- Consider the possibility to creating a quality hallmark to identify "good, clean and fair" GI products

e) Regional / Local

- Include norms on environmental issues in the Code of practices in order to improve sustainability of local production system

Critical area

8) ENVIRONMENTAL ISSUES

Policy Recommendation

8.2) Encourage more ecologically sustainable production practices into the GI local production systems

Justification

Through GI production being based on extensive agriculture, low inputs, artisan rather than industrial methods, rare or threatened varieties or species (preservation of biodiversity), maintaining traditional landscapes and habitats

Policy actions

a) International GI negotiations

b) EU 510 implementation

- Guidelines to environmental-friendly rule-setting

c) EU and Member States / cooperation accompanying policies

- Support research in order to clarify relationships between the GI product and environmental aspects
- Support integration between Organic and Low input schemes, and GI certification systems

d) National

- Support integration between organic practices and certification system, and GI certification system
- Incorporate rules of sustainability inside the Code of practices: packaging, energy, transport, etc.
- Monitoring and evaluation, and link monitoring and evaluation to changes to codes of practices

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e) Regional / Local

- Encourage GI system actors to develop ecological practices by identifying and 'celebrating' them
- Link to product quality attributes and use as marketing resource, where relevant
- Monitoring and evaluation
- Link monitoring and evaluation to changes to codes of practices

Critical area

9) SOCIAL AND CULTURAL ISSUES

Policy Recommendation

9.1) Strengthen the role of GI as potential mechanism to prevent the expropriation of local cultural and intellectual property from outside the area, considering the importance of human factors (history, cultural and religious context)

Justification

Local culture, religion and people identity are important elements for the quality of life of local people, but they can become important elements in order to differentiate the GI product on the market. In this way, GI product valorization could support the socio-cultural local quality

Policy actions

a) International GI negotiations

- Strengthen the role of GI as a way of protecting local cultural and intellectual property.
- Include cultural aspects in the global debate about GIs

b) EU 510 implementation

- Negotiate the inclusion of social elements in GI product description .
- Historical proof could be more considered in recognition of GIs
- Monitoring and assessment

c) EU and Member States / cooperation accompanying policies

d) National

- Establish social elements as a standard part of GI product description
- Historical proof could be more considered in the decision to register GIs
- Taking into account the (positive and negative) social externalities of the GI to take decisions on the public support given to the GI (and eventually on the

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registration)

- Consider GI as a tool to maintain skilled people of sophisticated handicraft
- Adapt GI Systems to make provision for the inclusion of social aspects in the product description

e) Regional / Local

- Ensure that Social aspects be included in GI product description
- Promote scientific research that identify local knowledge concerning the transformation, preparation and tasting GI product
- Include norms on social issues in the Code of practices in order to improve sustainability of local production system. A strong version is to develop context-specific norms (whereas only copying general schemes, as Fair Trade)

Critical area

9) SOCIAL AND CULTURAL ISSUES

Policy Recommendation

9.2) Encourage more socially sustainable production practices into the GI local production systems

Justification

Very often GI products involve small firms, artisanal and labor intensive methods, women workforce. GI products can give interesting opportunities in order to improving social welfare.

Policy actions

a) International GI negotiations

- Focus on relevance of local resources, local knowledge and know-how practices, territorial self-esteem, tradition and other elements of culture to widen the scope of debate about GIs and reformulate arguments.

b) EU 510 implementation

- Monitoring and evaluation
- More research is needed on the social and cultural aspects and embeddedness of GIs.

c) EU and Member States / cooperation accompanying policies

- Support integration between Fair trade schemes and GI certification systems
- Monitoring and evaluation
- Support research on inter-linkage between GIs and quality of life, livelihood assets in rural area

d) National

- Support integration between Fair trade practices and certification system, and GI certification system
- Create a quality hallmark to identify "good, clean and fair" products
- Monitoring and evaluation
- Aware dangers of social exclusion, prevent exclusion of weaker producers

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groups

e) Regional / Local

- Encourage GI system actors to develop socially sustainable practices by identifying and 'celebrating' them
- Strengthen cultural and symbolic values associated to the GI product to keep local traditions and reinforce self-esteem and proudness of producers and local population
- Monitoring and evaluation
- Employ cultural resources (history, traditions, identity, cultural capital) in setting the product definition, standards, the codes of practice. Emphasise cultural uniqueness of each code of practice.

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Critical area

10) COMPREHENSIVE STRATEGY

Policy Recommendation

10.1) Enhancing community vibrancy around the GI product

Justification

Process of GI application itself may stimulate new social networks, which can be the basis for larger initiatives inside the local area

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

d) National

- Take in account cultural aspects in recognition process

e) Regional / Local

- Valorising culturally significant practice, e.g. via festivals, educational events, etc.
- Strengthen popular festivities associated with GI product

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Critical area

10) COMPREHENSIVE STRATEGY

Policy Recommendation

10.2) Valorise “panier des biens” dynamics, favoring a comprehensive valorization of the territory mobilizing the image of the GI product

Justification

GI recognition alone is insufficient to generate ‘virtuous circle’. Through GI system becoming focus for ‘extended territorial strategy’ (panier de biens logic and endogenous development theory) – stimulating and supporting activities in tourism, craft, services.

Policy actions

a) International GI negotiations

b) EU 510 implementation

c) EU and Member States / cooperation accompanying policies

d) National

- Elaboration of comprehensive and coherent development policy in which GI regulation plays a role.
- Need for public information campaigns to make consumers aware of designations and give them knowledge to make informed choices in the marketplace
- Encourage ecotourism for GIs on commodities .

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e) Regional / Local

- Encourage GI system actors to make synergistic links with complementary industries and other GI product
- Also source raw materials, inputs and other supplies from local/regional businesses
- Creation of "GI product" routes
- Encourage the development of tourism circuits in which value cultural elements associated with traditional methods

3.4. Analysis for the main areas of intervention

Some key issues emerge considering the 10 different areas of intervention of a GI-oriented public policy. Of course, some of the policy recommendations and policy actions needed are common to more than one critical areas.

The area of GI POLICY AND LEGAL FRAMEWORK encompasses many different recommendations aiming at building a favourable legal framework for GI products, and more in general a good institutional context and a sound GI policy.

The existence of a good (clear, efficient, transparent) legal framework for the protection of GI-related intellectual property rights, both inside the country and at international level, is a preliminary and fundamental condition, and asks for an integration of many different policy levels (from international up to the local one).

Having a clear registration procedure would help to balance between the development of meaningful designation criteria and the need for simplicity in application process. Actually, highly technical, bureaucratic, complex registration procedures are likely to dissuade small producers, and therefore to benefit larger firms; producers who may benefit from registration do not apply, or may cause unsatisfactory economic returns.

The access and use to GI scheme should be regulated, in order to guaranteeing the respect of the Code of practices by all producers and provide a product complying with the common rules.

For attaining sustainable GI systems, it is also recommended to prevent individual appropriation of geographical names, that could be detrimental to future possibilities for collective initiatives and menace GI systems sustainability.

Misuse and abuses of the GIs may impede local actors to activate valorisation initiatives, thus resulting in the under-exploitation of the potentialities of GI systems to exert positive effects on sustainability. Differences in the way GIs are protected in each country increase protection costs and limit the marketing of GIs products.

In order to become effective, this legal framework should be accompanied with a good information provision on the objectives and characteristics of the normative framework, and focus on capabilities-building, both inside public institutions and in the production systems. Indeed, the lack of basic awareness amongst public authorities and local actors (farmers/processors) of the meaning, characteristics, and evolution of GI systems, and on how GI are regulated at national level, may pose serious obstacle for whatever GI policy had to be implemented

The search for coherence between different institutional actors and different tools of a “food quality policy” is another fundamental aspect of the GI framework. The multidimensionality of GI products implies the involvement of different public competencies, from economic to social and health & food safety aspects.

Critical area “GI policy and legal framework” – Policy recommendations

- | | |
|----|--|
| 1. | Improving knowledge on GI products and systems |
| 2. | Improving knowledge on GI protection schemes and reduce the confusion between different legal tools that use geographical names (GI, indication of provenience, trademarks...) |
| 3. | Extend GI protection worldwide |
| 4. | Prevent individual appropriation of geographical names |
| 5. | Having a clear registration procedure, with clear criteria, helping to balance between the |

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| | |
|-----|---|
| | development of meaningful designation criteria and the need for simplicity in application process |
| 6. | Set-up "appropriate" and equal certification systems |
| 7. | Improve the transparency during the EU-procedure for recognition of non-EU Geographical Indications as PDO or PGI necessary to protect the buyers but also the producers (threatened by the free-riding of others producers). |
| 8. | Strengthen institutional capacities for the protection of GI at national and international level |
| 9. | Improve coordination between different authorities concerned with economic, social, health and food safety aspects, and allow the possibility to have "sui generis" food safety norms in the case of traditional GI products |
| 10. | Insert GI products and GI schemes in a "comprehensive policy of quality products" in order to have a coherence between Intellectual Property Rights policy and Sustainable agriculture and rural development policy |
| 11. | Improve the coordination between the different initiatives (at country level) using geographical names for promotion |

The second critical area was identified in the RULES-SETTING PROCESS. The need to achieve a clear and participatory process for the definition of the rules (Code of practices) is crucial in the light of GI system sustainability.

First of all it is recommended to improve producers' and other local actors' awareness on GI characteristics and potentiality. Indeed, very often public authorities and local actors are not aware of GI products potentialities and of the "values" they incorporate. The lack of awareness may impede GI products to turn into a resource for local economy and social development.

Once considering the hypothesis of applying for a GI registration, it should be taken in consideration all the different available tools for the valorisation of the GI product and allow for their integration, as there would be a risk of taking into account only the protection of GI as a tool to support the GI system, forgetting other tools such as marketing initiatives, rural animation, research, collective organisation.

The rules-setting process should be as much as possible inclusive. Therefore, a need to support local animation and build up knowledge about GI within the NGOs is evidenced.

All the categories of local actors should participate in the definition of the GI common rules on product and process characteristics, and of the geographical area of production. Particularly in developing countries, GI can easily become a useful weapon for stronger actors' categories of the GI. The process that leads to apply for the protection of the GI, and the very registration, may create social conflicts or problems between the actors of the system. Where GI system actors are heterogeneous in profile, with different motivations and approaches to GI production and marketing, GI registration can raise disputes, especially on the definition of the geographical boundaries, the production practices, the final quality levels. This point is important because so far, there is often a trade-off between high-quality and social inclusion.

Possible conflicts in the definition of the Code of Practices should be seriously and carefully taken into account, especially by local and national public institutions, to avoid unfair exclusion of producers and a dilution of the product identity.

Critical area "Rules-setting process" – Policy recommendations

| | |
|----|---|
| 1. | Improving producers' and other local actors' awareness on GI characteristics and potentiality |
| 2. | Consider all different tools for the valorisation of the GI product and allow for their integration (before GI recognition) |

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3. Support local initiatives to apply for the GI protection/recognition – Support local animation and build up knowledge about GI within the NGOs
4. Allow the participation of all the categories of local actors in the definition of the GI common rules on product and process characteristics, and of the geographical area of production (Code of practice)
5. Carefully consider possible conflicts between “traditional” and “modern” ways of making GI product
6. Carefully consider possible conflicts between “large” and “strict” production area for the GI product
7. Try to balance the need for keeping the identity of the GI product and the need for extend the expected positive effects (quantity/quality dilemma)

The ROLE OF LOCAL RESOURCES is of paramount importance for GI product specificity. The link of the GI product with local specific resources should be enhanced on the basis of a better knowledge by means of support to research activities and protection tools.

Public policies should support Code of Practices in which local resources are carefully considered and included, and favour the preservation and improvement of specific local resources (specific plant varieties and animal breed, specific agro-systems, local human capabilities, ...) and the defence of traditional systems of production, often menaced by the easier use of modern/external resources.

The inclusion of the producers of the raw material and ingredients in the GI system, in particular for GIs on processed product.

Critical area “Role of local resources” – Policy recommendations

1. Refine the knowledge of specific local resources (biodiversity, human capabilities, ...) for GI specificities (characterization)
2. Carefully consider in the design of the Code of practice how local resources (and in particular local plant varieties or animal breed) have to be used. Support initiatives that favour the preservation and improvement of specific local resources (biodiversity, human capabilities, ...) and the defence of traditional systems of production
3. Support the inclusion of the producers of the raw material and ingredients in the GI system, in particular for GIs on processed product

Case study analysis and literature review clearly evidenced that ORGANIZATION AND GOVERNANCE issues are at the basis of the good functioning of the GI system and the protected GI regulation. Public policy should support and promote collective organisations which operate allowing all categories to participate and be represented, in order to reach a fair benefits distribution. Indeed, poor quality relationships between key GI system actors (either horizontal or vertical) may cause problems, particularly in countries/regions where no ‘collectivist’ cultural tradition exists.

It is also recommended that public intervention support the ‘scaling up’ process of the GI system along time. As a matter of fact, the increase of quantities and number of producers, changes in the marketing channels used, pressure for modifying the Code of Practices, are all factors that may alter the structure and characteristics of the system, altering the GI product nature and the distribution of the benefits along the chain, and pushing towards a change in the production techniques towards more “industrialized” ones, thus risking to affect economic, social and environmental sustainability.

Critical area “Organization and governance” – Policy recommendations

1. Promote a collective organisation of the GI system
2. Support the “scaling-up” process of the GI system
3. Reduce the cost of controls

In the light of sustainability, public policies should take care of the HORIZONTAL-VERTICAL DISTRIBUTION OF THE GI BENEFITS. All categories of GI actors should participate to the rule-setting process and to the management of the GI system, as power imbalances between small and large firms may cause the risk of economic exploitation and/or exclusion of most ‘deserving’ firms from GI system – only the larger, well-organised actors benefit – or of some phases of the system (agricultural vs processing vs commercial phases).

Equitable distribution of GI scheme effects among different categories of actors in the supply chain and inside each sector should be supported. Economic and social sustainability of the GI scheme can be seriously endangered by a non equitable distribution of benefits, mainly when there are unbalances in power between different phases of the supply chain and between different categories of actors inside single phases of the supply chain.

Critical area “Horizontal-vertical distribution of the GI benefits” – Policy recommendations

1. Ease the use of GI protection scheme by all categories of local producers
2. Support equitable distribution of GI scheme effects among different categories of actors in the supply chain and inside each sector
3. Consider structural bottlenecks in the GI product supply chain

MARKET. Marketing-oriented logics should be supported by public policies. Obtaining the protection of the GI is not a condition for GI sustainability.

Actually, GI recognition doesn’t change the marketing of the product. On the contrary, GI can inhibit market orientation when GI system becomes very ‘product push’ deterministic. When stimulus for system development comes from local actors who are not market focused, but assume ‘demand will come’, then the systems risks to develop without looking at the market. Besides, very strict codes of practices may create a loss of actors’ flexibility to adapt to changing market demands, too.

On the other side, GI protection creates important basis allowing collective marketing strategies or new individual ones.

Therefore, an effort towards a more market-oriented vision should be encouraged, as well as support to collective marketing initiatives, that are needed whenever the scale (financial resources) and the competencies (know-how, skills) are low at individual (single firm) level.

Vertical relationships between firms of the GI system should be prompted, as local alliances within the GI system help consolidating solidarity between actors along the chain, and stabilize production activity.

Market orientation asks for information availability on consumers and clients characteristics. Public policies should therefore encourage and/or directly set-up information systems on intermediate and final demand, prices, marketing channels, etc.

Especially in developing countries, often GI products and protection schemes are conceived as marketing tools for capturing international market attention. In the light of GI sustainability,

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local/domestic market should be taken into account, as “normal” local market too can be interesting for GI producers, compensating lower prices with higher volumes

Critical area “Market” – Policy recommendations

1. Support marketing- oriented logics
2. Promote vertical relationship between firms of the GI system
3. Support information system on market intermediate and final demand, prices, marketing channels, etc.
4. Support joint (collective) marketing initiatives
5. Make special market access provision for GI products (i.e, lower tariffs, tariff quotas, etc.)
6. Encourage GI for domestic market

CONSUMERS AND CITIZENS needs should be carefully evaluated. Even inside the European Union, consumers’ knowledge on GI and GI protection schemes seem to be very low. GI schemes should be not only in favour of producers but they have to be also clearly in favour of consumers. Therefore, a need to inform consumers on GI product and process characteristics and to give real guarantee to the consumer that each GI product comply with them should be pursued, provided that the impact of GI products and production methods on consumers and citizens is made more evident.

As GI products are often “local” products, at the basis of local population food culture and habits, and diet, a stronger support for a higher consumption of GI products at local level should be given.

Critical area “Consumers and citizens” – Policy recommendations

1. Inform consumers on GI product and process characteristics and give real guarantee to the consumer that each GI product comply with them
2. Make more evident the impact of GI policies on consumers and citizens
3. Support a higher consumption of GI products at local level

Concerning ENVIRONMENTAL ISSUES, a need to integrate GI schemes with elements linked to protection of biodiversity, preservation of the environment and of typical landscapes clearly emerged to foster GI system sustainability. Local biodiversity, environment and landscape are important elements for the quality of life of local people, and they can become important elements to differentiating GI products on the market.

Public policy should encourage more ecologically sustainable production practices into the GI local production systems, supporting GI production based on extensive agriculture, low inputs, artisan rather than industrial methods, rare or threatened varieties or species (preservation of biodiversity), maintaining traditional landscapes and habitats

Critical area “Environmental issues” – Policy recommendations

1. Integrate GI schemes with elements linked to protection of biodiversity, preservation of the environment and of typical landscapes
2. Encourage more ecologically sustainable production practices into the GI local production systems

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Public policy should also take into account SOCIAL AND CULTURAL ISSUES, and particularly the effects of the GI production process on social and cultural aspects, strengthening the role of GI as potential mechanism to prevent the expropriation of local cultural and intellectual property from outside the area, considering the importance of human factors (history, cultural and religious context). Local culture, religion, and people identity are important elements for the quality of life of local people, and they can become important elements to differentiating the GI product on the market.

Encouraging more socially sustainable production practices into the GI local production systems and in the Codes of practices could attain social positive effects. Very often GI products involve small firms, artisanal and labor intensive methods, women workforce. GI products can give interesting opportunities in order to improving social welfare.

Critical area "Social and cultural issues" – Policy recommendations

1. Strengthen the role of GI as potential mechanism to prevent the expropriation of local cultural and intellectual property from outside the area, considering the importance of human factors (history, cultural and religious context)
2. Encourage more socially sustainable production practices into the GI local production systems

COMPREHENSIVE STRATEGY: GI policy should consider the GI product as a pivot for an enlarged territorial development strategy, and take GI legal protection schemes as one of a set of tools to valorise the Origin Products.

The process of GI application itself may stimulate new social networks, which can be the basis for larger initiatives inside the local area but outside the GI product supply-chain. GI product spillover effects at local level, synergies between different local products, tourism, handicraft activities, networking initiatives inside the GI production area, should be supported, valorising "basket of goods" dynamics, favouring a comprehensive valorization of the territory, and mobilizing the image of the GI product.

Critical area "Comprehensive strategy" – Policy recommendations

1. Enhancing community vibrancy around the GI product
2. Valorise "basket of goods" dynamics

3.5. Synthesis of different policy levels

3.5.1. Recommendations at international level

3.5.1.a. The continuation of the negotiations within the framework of TRIPS

In the WTO context, GIs have become more a money of exchange than a topic discussed per se. In other words, all the debates until now are on if GIs should be included in the negotiations of the Doha Round. The negotiations on the multilateral register are blocked by the debates to decide if all GIs, and not only those of wines and spirits, should benefit from this register. As long as some countries will not consider GIs as a legitimate topic of negotiation, it will be difficult to make any substantive progress at the international level. In that perspective, even a concession (in exchange on concessions from GIs-Friends countries on other issues) from these countries on the extension of the additional protection is likely to limited, unsatisfactory or unforeseen effects. These unwanted effects could occur in relation with the implementation of the legal protection itself, but also with the status of the GI products amongst quality products, the evolution of markets, etc. As an example, the implementation of the protection of European wine GIs through bilateral agreements with new wine producing countries had the unforeseen effect of re-orienting these New World wines towards a more promising market for wines designated by their grape variety.

Notwithstanding the aspects of trade-off that are central in the WTO negotiations, GIs-Friends countries should make more efforts to bring their opponents to consider that GIs are interesting also for them and that the negotiations should rather be on "what for" and "how" than on "yes or no". That means negotiating a commonly agreed role for GIs both in the international trade and on the local markets, and a common understanding of the category of products concerned, beyond the mere legal protection of geographical names. The globalization process needs, even to progress, counter-forces or compensatory elements to its negative impacts: GIs could surely assume such a role. In order to reach this favourable framework of negotiations, efforts could be made on demonstrating:

- that GIs have not protectionist effects
- that the prevention of the use of GIs for products not originating from the designated geographical area has not necessarily negative impacts for the firms concerned
- the opportunities of development for GI products originating from countries which are opposed to the protection of GIs at the WTO
- the limited importance of GI products in the global world trade, but their specific role for the integration of the regions concerned in international trade
- the relations between GI products and international preservation frameworks (CBD, UNESCO, etc.), and how to systematize and enhance these relations
- that the burden of costs related to the protection of GIs may be balanced between the organisations of producers of GIs which suffer from large usurpations and imitations, countries where GIs are particularly numerous and economically important, either on the production or on the consumption side, and developing countries.

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Once all countries would agree on this common basis, then it would appear as obvious that GIs, as an IP category, should not be weakened by limitations such as different levels of protection or restrictions on the range of products concerned.

3.5.1.b The implementation of EU Reg.510/2006 with regard to 3rd countries / Strengthening the European system as a quality forum

(D. Sautier, CIRAD and G. Allaire, INRA Toulouse)

EU510/2006 Regulation and Third countries

SINER-GI results worldwide indicate that although the number of established GIs in third (non EU) countries remains relatively low, it is growing steadily and many additional processes of defining and establishing GIs are currently under way in Asia, the Americas and to some extent in Africa. Most policy initiatives have been taken in line with the national strategies to ensure WTO TRIPS compliance. Other initiatives in Third countries stem from local initiatives or from the influence of extension, research or development projects. Although it remains unclear which proportion of these initiatives will actually lead to established recognition, it must be acknowledged that GIs represent nowadays a worldwide notion. It is increasingly being identified and targeted by states and economic actors when dealing with original local products with market potential. It is therefore no longer possible to say that GI is a Europeo-centric topic or Europe-restricted reality.

Within this emerging international GI framework, the EU regulation is assuming a growing role. In spite of - or rather because of -, the absence of a multilateral register (still under negotiation at international level), EU 510 constitutes a goal for many producers in many countries. The European register is an important reference, even for producers in those countries which oppose EU positions on GIs in international negotiations.

Although third country registration was already possible under former EU regulation 2081/92, an important modification was included in the EU Council regulation 510/2006 of 20 March 2006, as third countries may apply at the level of EU Commission directly, not necessarily through their governments. The modalities required are the same as intra-EU applications, plus the proof that the GI is protected in its country of origin. Certifying bodies are submitted to the same norms as for European GIs. The new regulation is stimulating third country applications. On September 27, 2007, "café de Colombia" became the first non EU product to be granted the EU recognition as a PGI,.

The SINER-GI set of national and case studies have identified the access to EU market as one of the main driving forces in the national dynamics regarding GIs

We observe a rapidly growing number of GI applications in the world, with a heterogeneity in terms of requirements and control procedures.

For example, the protection of Geographical Indications for Goods is an emerging topic in India with 116 applications received in January, 2008, out of which 40 geographical indications have been registered. This shows a wide implementation of the recent legal framework built especially for the protection of geographical indications. The Geographical Indications of Goods Act (1999) entered into force in September 2003. The increase of GI applications is sharp. Indeed, 15 applications were filed in 2004, 26 in 2005, 31 in 2006 and already 37 for the only half of 2007.

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The objective is the reservation of names of local goods names, either agricultural or handicraft or even industrial².

EU regulation will therefore not be a model, but rather one of the main references, in a GI world with several and probably diverse "quality fora"

In this context, several scenarios exist as to the future relation of EU510 with third countries applications. How will the EU handle the probable increase in number of applications ?

- EU can set requirements such as a strong control plan. The new regulation (art.10 and 11) foresees that for third countries, the control of the code of practices can be done through competent authorities which can be either official institutions or a certifying body as defined by regulation n°882/2004. It also states that these controls must take place before the marketing of the product. Still a question may be raised as to where the control will apply: at the entry point into the EU market or in the places of production and processing. Concerning the guarantees of objectivity and impartiality of the controls, the EN 45 001 norm is now required from all certifying bodies, either European or from third countries (art 11).
- Will the in depth examination of the applications be conducted in the long run, by EC commission services or through the EU Food quality agency?
- Will the applications be received and treated independently from other international policies, or will it be linked to some initiatives on Policy dialogue and deliberation with the third countries concerned (which co-ordination with DG Trade or Europaid?

For example, the Santiago FAO-SINERGI joint meeting on Geographical indications in Latin America (Santiago, Dec. 11-14, 2007) with officials from 10 countries, showed a strong demand and potential for a policy forum on management of GI and linking GIs to rural and local development.

- What kind of GI model is and will be promoted through the EU regulation ?

Strengthening the European system as a quality forum

SINER-GI project has built a large network of scholars and associated researchers worldwide, involved and interested in discussing and searching the matter further.

This network has a strong potential to bring inputs into several follow-up activities such as:

² Around 30 applications are in agricultural/horticulture goods; 35 in textile and embroidery; and around 35 in other handicraft, whether of wood, stone, leather, painting and few in other products like oil, soap, and incense stick...There is one foreign GI application on Pisco wine.

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- Observatory of GIs worldwide
- Harnessing a policy dialogue on GI with participation of economic and civil society actors
- Implementation tools (in the sequence of the SINER-GIWP8 strategic guide on GIs)
- Assessment tools and strengthening assessment capacity (for in-country monitoring of GI effects)

Finally, there is also a need to seek more coordination between member states and EC levels, in order to enhance the consistency of EU-driven GI related international policies and initiatives.

3.5.2. Policy recommendations: National and regional levels

The quality and the effectiveness of the national legal framework (that encompasses a special protection scheme), and of the related implementation procedures, are fundamental elements in generating positive effects of the GI products, both on the production system and on the wider local system. Quality and effectiveness – as clarified in the paragraph 3.1 – have to be evaluated in the perspective of economic, social, and environmental sustainability.

But the role of national and regional public institutions is much wider than making a (good) property rights law. From the analysis made during Sinergi research, it is clear that the registration and protection of a GI according to a special protection scheme cannot grant an effective contribution to supply chain and to rural development processes in their different aspects. On the contrary, GI recognition schemes policies should be considered as a part of a more comprehensive policy that, at the relevant territorial level (municipality, region, small area ...), encompasses all the relevant aspects for maximising the desirable effects of the GI product on the rural system.

Sinergi analysis put in evidence the very different roles GI products, and GI schemes initiatives, can play in different contexts. These differences depend on many factors, but in particular on the embeddedness level of the GI product in the local system. The strength of the link to local specific resources and to the local community, the economic significance the GI product has in the local system, the power structure of the GI product supply chain, and in particular the typologies of firms involved in it, the reputation the GI product has acquired on the market, are all factors that justify these differences.

Different actors involved in the GI product and in the wider national/regional context show diversified interests. National, regional and local public institutions play a fundamental role inside the comprehensive “integrated GI policy” aiming at supporting positive influences of GI valorisation on local sustainable dynamics (economic, social and environmental) and fronting possible negative effects.

There is not one “good policy” for all GI products, but different types of GIs ask for different supporting policies, along a continuum going from highly reputed GIs (where protection of IPR is the greatest stake) up to “new” GIs (where the main need is the solicitation of stakeholders to gather around a common name and product, and a common project).

National and regional public institutions have to consider all the positive contributions GI products can give to sustainability, but at the same time they have to avoid to overcharge the GI protection schemes with too many aims and responsibilities.,

In all these different kinds of GI policies, different level of intervention, from the international to the local one, are needed, even if with different intensity for each of them.

NATIONAL LEVEL

National level includes different aspects of the GI policy, from strictly legal aspects to policies accompanying all the steps of the GI product “virtuous circle”. The main areas of involvement are:

- the design of the national legal framework, on the basis of international principles on Geographical indications
- the design of the institutional framework for making the GI schemes working and effective, also by means of devolving some competences to “local levels”, both public and collective producers or interprofessional organisations

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- the coordination between different institutions that hold some competencies on the GI products: Intellectual property rights institutions, but also Agricultural, Rural development, Trade, Hygiene and food Safety authorities, ...
- the definition of GIs role in the “national quality strategy”, the coordination of different tools in a comprehensive strategy, and the integration of different policies and tools around the GI products initiatives
- the improvement of the knowledge on GIs (scientific research), of human capital (education and training, both toward public sector and the private one), and consumers and citizens awareness of GI products and GI production systems.

In particular, in the perspective of sustainability GI protection schemes should be designed at national level on the basis of some *key principles*:

- protecting the collective nature of GIs, avoiding individual appropriation of these special kind of collective goods (intellectual property rights)
- insertion of GIs in a coherent and complete legal framework, considering also application and administrative procedures
- transparency of the GI system and of the GI products, based on collectively defined written and clear rules (Code of practices)
- inclusion of all interested parties in the process of the GI application for legal protection
- once the GI legal protection obtained, guarantee the free access to the use of the GI to all producers complying with the rules contained in the Code of practices
- guarantee consumers (and honest producers) by means of a mandatory and reliable Control systems
- guarantee an effective system able to avoid incorrect uses of the GI protected name on the market, both inside and outside the country (enforcement).

REGIONAL AND LOCAL LEVELS

The “success” of a GI protection scheme and of a GI valorisation initiative (from whatever perspective we evaluate it) depends on the quality of the process of constitution of the GI protection scheme (rules design), and on how the GI is managed after the legal recognition. The structure of this process and management is designed at national level, but regional and local public institutions play a very important role in the design and management of these policies.

In the perspective of rural development and of sustainability, the process of constitution, recognition and functioning of a GI should be driven by a “bottom-up” approach. As a consequence, the GI should be the result of a collective action of different actors (firms, persons, groups, public and private organisations) for joining one or more common aims.

The goal of this process is not – in Sinergi perspective – the formal recognition of the GI, but its real use by local actors in order to improve economic, social and environmental sustainability. As a consequence, the involvement of local actors (the stakeholders of the GI product) and their participation on a democratic basis are very important meta-goals to be pursue – both before and after the GI recognition.

All the above-mentioned points ask for an important role to low administrative levels, due to their proximity to local actors involved in the GI product supply chain.

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In addition, local institutions can be conceived *per se* as actors of the GI product system, having their own vision of the GI product and of the role this product can play in local system (production system, social system, environmental system).

The management of the differences between the various stakeholders involved, and at the same time the definition of the different roles these actors can play (included the public actors), is a very important step for the success of the GI.

The main roles local institutions should play are:

- supporting to empowerment of different categories of local actors involved in the GI system, both inside the supply chain (in particular, small and big firms, different stages of the supply chain – agriculture, processing, etc.) and outside the supply chain
- regulating the process of constitution of the GI protection, mediating possible conflicts in the light of general aims, or also orientating the collective choices if needed
- encourage actors (or, in some specific situations, oblige) to taking in account local specific resources linked to the environment
- supporting the post-recognition functioning of the GI scheme, allowing the increase of the actors' capability of using the GI schemes and the full exploitation of the potentialities of the GI product.

PUBLIC ACTORS AND PRIVATE-PUBLIC COHERENCE: BUILDING A GI GOVERNANCE SYSTEM

National, regional and local levels are very important for the effectiveness of GIs. In fact, these levels define the framework (legal, but non only legal) for the recognition and functioning of GIs.

The distribution of public functions within vertical levels (national, regional, local), and the integration and harmonization of these different levels, are very relevant matters. The success of a GI policy, and of a GI initiative, strongly relies on the quality of the cooperation of the different institutions involved, into a coherent national framework.

At the same time, it is very important to get the right mix of public and private initiative. As a matter of fact, direct intervention of public institutions can be irreplaceable for attaining some aims, but in other situations indirect intervention of public authorities can be more effective. Indirect intervention encompasses different approaches, but in general it is based on the support to collective intermediate institutions (as interprofessional bodies) capable to represent interests of relevant parties involved in the GI system. Public institutions can devolve some functions of public interest to these collective intermediate institutions, if representative and fair.

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Annex 1 – Synthesis Policy Recommendations Matrix

Filled by: Giovanni Belletti, Andrea Marescotti on the basis of all Matrices and of discussions during Sinergi meetings.

| CRITICAL AREAS to front in the light of GI systems sustainability | POLICY RECOMMENDATIONS | a) International GI negotiations | b) EU 510 implementation | c) EU and Member States / cooperation accompanying policies | d) National | e) Regional / Local |
|---|---|--|---|--|--|---|
| 1) GI POLICY AND LEGAL FRAMEWORK | <p>1.1) Improving knowledge on GI products and systems</p> <p>WHY? Lack of basic awareness amongst public authorities and local actors (farmers/processors) of the meaning, characteristics, and evolution of GI systems</p> | <ul style="list-style-type: none"> - Clarify difference with other kind of quality products | <ul style="list-style-type: none"> - Promote tools for monitoring and assessing GIs (databases, regional observatories) - Clarify the difference between GIs and other kind of quality products | <ul style="list-style-type: none"> - Support research on GI products and systems, and relationships with sustainability issues - Support information and experiences exchanges between (public and private) actors - Clarify difference with other kind of quality products | <ul style="list-style-type: none"> - Make inventories of (also potential) GI products - Support research on GI products and systems - Support information and experiences exchanges between (public and private) actors - Clarify difference with other kind of quality products | <ul style="list-style-type: none"> - Raise awareness of GI products in the Administrations - Organise exchange-study visits - Make links with other support bodies to share best practices - Support inventories of GI products - Support local discussion fora on GI and quality products |

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| | <p>1.2) Improving knowledge on GI protection schemes and reduce the confusion between different legal tools that use geographical names (GI, indication of provenience, trademarks...)</p> <p>WHY? Lack of basic awareness amongst public authorities and local actors (farmers/processors) of what are GI protection schemes and other ways to protect the name of GI products, and of which benefits can come from.</p> | <ul style="list-style-type: none"> - Clarifying the differences between the legal tools that use geographical name | <ul style="list-style-type: none"> - Support national information campaigns on GI protection schemes for producers and consumers - Refine and disseminate practical guides for applicants - Support 3rd countries public authorities to set-up and manage GI protection schemes | <ul style="list-style-type: none"> - Promote information campaigns - Stimulate discussion fora involving 3rd countries authorities and other stakeholders - Support 3rd countries public authorities to set-up and manage GI protection schemes - Develop clear logos and give consumers the right information on the differences between the legal tools that use geographical name | <ul style="list-style-type: none"> - Provide clear information on GI protection schemes and their benefits/risks - Provide guidance on how to apply to regional/local authorities and Producers organizations (booklets, websites, training courses) - Provide training for national public agents involved in GI registry. - Develop clear logos and give information to the consumers about the differences between the legal tools that use geographical name | <ul style="list-style-type: none"> - Provide clear information on GI protection schemes and their benefits/risks - Provide education of the local administration staff to increase the consulting quality - Show to GI local actors practical examples or cases of related GI systems and how actors benefited. - Make links with other support bodies to share best practice |
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| | <p>1.3) Extend GI protection worldwide WHY? Misuse and abuses may impede local actors to activate valorisation initiatives, thus resulting in the underexploitation of the potentialities of GI systems to exert positive effects on sustainability. Differences in the way GIs are protected in each country increase protection costs and limit the marketing of GIs products</p> | <ul style="list-style-type: none"> - Build an international register of GIs - Extend the level of protection to the additional protection in all products - Extend GI regulation to non food handicraft products based on local culture - Negotiate at all levels, also with popular mobilization | <ul style="list-style-type: none"> - Allow the protection of GI in EU countries even if not protected in the country of origin - Increase the protection through bilateral agreements EU - 3rd countries - Accept that a globally accepted framework could be different from the EU one | | <ul style="list-style-type: none"> - Allow transborder application even if not protected in the country of origin - The government could notify the goods having the additional protection in the official gazette to encourage the international negotiations | |
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| | <p>1.4) Prevent individual appropriation of geographical names</p> <p>WHY? individual appropriation of geographical names can be detrimental to future possibilities for collective initiatives and menace GI systems sustainability</p> | <ul style="list-style-type: none"> - Assume as general principle that GIs are collective “by nature” and, as a consequence, they can not be privately protected - Deepen research and exchange results on effects of individual appropriation on local development dynamics | <ul style="list-style-type: none"> - Ask for representativeness of collective bodies applying for the GI registration/protection - When applicant is not a group of producers, check how the producers are represented and which documentation was used by the applicant - Make specific controls on this aspect and avoid registration inside EU of “expropriated” collective names” - Recognise only “opened” GIs from extra-UE country (“opened” meaning that everybody complying with the code of practice can use the name) | <ul style="list-style-type: none"> - Help other countries to develop GIs only when those GIs are “opened” (“opened” meaning that everybody complying with the code of practice can use the name) - Make specific controls on this aspect and avoid registration inside EU of “expropriated” collective names - Recognise only “opened” GIs from extra-UE country (“opened” meaning that everybody complying with the code of practice can use the name) | <ul style="list-style-type: none"> - Inhibit registration of GIs by individuals, as private trademarks or other - Create “lists” of not-registrable names - Approve National laws asking for representativeness of collective bodies and guarantee right of opposition - Allow any producer to use the GI if complying with the specification (recognise only “opened” GIs) | <ul style="list-style-type: none"> - Support local collective action and ask for the maximum participation of stakeholders in order to register GIs - Keep informed interested parties on GI registration applications |
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| | <p>1.5) Having a clear registration procedure, with clear criteria, helping to balance between the development of meaningful designation criteria and the need for simplicity in application process</p> <p>WHY? Highly technical, bureaucratic, complex registration procedures are likely to dissuade small producers, and therefore to benefit larger firms; producers who may benefit from registration do not apply, or if the system is developed, may lead to unsatisfactory economic returns</p> | | <ul style="list-style-type: none"> - Create a <i>light</i> kind of designation of origin for small local products, with low cost - Speed-up changes of Code of practices - Simplify procedures - Avoid loosening the Code of practices, which weakens the PDO-PGI system - Recognise GIs from extra-UE country with a clear procedure that guarantee the rights of opposition - Recognise GIs from extra-UE country only when the rules-setting process satisfies some condition on information of all stakeholders, representativeness, democracy | <ul style="list-style-type: none"> - Help extra-UE country to design with a clear registration procedure for GIs that guarantee the rights of opposition | <ul style="list-style-type: none"> - Take in account the concrete situation of the country (and producers) when building GI regulation - Try to lower control and certification costs - Promote a participatory certification, in order to certify organic, fairtrade and GI, and lower certification costs | |
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| | <p>1.6) Set-up “appropriate” and equal certification systems</p> <p>WHY? The access and use to GI scheme should be regulated, in order to guaranteeing the respect of the Code of practice by all producers and provide a product complying with the common rules</p> | | <ul style="list-style-type: none"> - Ask for appropriate forms of control (adapted to the socio-economical characteristics of applicants) - Increase of human resources for enquiry process - Strengthening monitoring and evaluation activity | <ul style="list-style-type: none"> - Give technical assistance to implement efficient control systems - Strengthening monitoring and evaluation activity | <ul style="list-style-type: none"> - Provide clear rules for control - Support creation of efficient and transparent control bodies (public or private) - Foster the development of third-party control - Strengthening monitoring and evaluation activity | <ul style="list-style-type: none"> - Support producers (in particular the smallest ones) to comply with codified control systems - Strengthening monitoring and evaluation activity - Set up code of practices according to control issues |
| | <p>1.7) Improve the transparency during the EU-procedure for recognition of non-EU Geographical Indications as PDO or PGI necessary to protect the buyers but also the producers (threatened by the free-riding of others producers).</p> <p>WHY? Clear and transparent rules should be the basis for (intermediate and final) consumers interest and trust in GIs</p> | | <ul style="list-style-type: none"> - Put the existence of norms on the product and process, their implementation (control), and their publicity as a requirement for the recognition of extra UE GIs. | | <ul style="list-style-type: none"> - Put the existence of norms on the product and process, their implementation (control), and their publicity as a requirement for GIs in order to allow the buyers to know them. - Provide clear justification to rejections | |

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| | <p>1.8) Strengthen institutional capacities for the protection of GI at national and international level</p> <p>WHY? Institutional capacity is of paramount importance to support GI schemes diffusion and local actors dynamics</p> | <ul style="list-style-type: none"> - Strengthen the institutional capacity at WIPO through multi-lateral agreement. | <ul style="list-style-type: none"> - Ensure EU national institutions capacity to protect efficiently non EU GI (capacity to enforce control for non EU GI) | | <ul style="list-style-type: none"> - Establish and strengthen GI supporting capacity at national level. - Assess the distribution of skills between the public and the private sector (included certification bodies) - Invest in capacity building where gaps are identified | <ul style="list-style-type: none"> - Establish and strengthen (auditing) GI capacity at local/regional level |
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| | <p>1.9) Improve coordination between different authorities concerned with economic, social, health and food safety aspects, and allow the possibility to have “sui generis” food safety norms in the case of traditional GI products</p> <p>WHY? Conflicts between traditional/artisan practices of GI system and modern food quality/safety norms. Producers who may benefit from registration do not apply</p> <p>In some cases too strict and “modern” food safety regulations may cause a loss of authenticity in the GI product, and severe obstacles for smaller firms to comply with the norms, without resulting in a real increase in food safety</p> | | <ul style="list-style-type: none"> - Erection of an independent PDO/PGI agency | <ul style="list-style-type: none"> - support research on links between food safety and GI products characteristics and specificity | <ul style="list-style-type: none"> - Improve coordination between ministerial sectors - Better coordination and reconciliation of the different regulations and laws - Create a discussion forum in each country with the stakeholders that use geographical names for promotion. support research on links between food safety and GI products characteristics and specificity - develop “sui generis” regulations - training course and homogenization of behaviours within sanitary personnel charged of supporting and controlling food safety norms | <ul style="list-style-type: none"> - Improve coordination between local authorities involved in different aspects - Need for ‘joined up government’ and cross-departmental policies– agreements between agriculture, development, sanitary authorities - support research on links between food safety and GI products characteristics and specificity |
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| | <p>1.10) Insert GI products and GI schemes in a “comprehensive policy of quality products” in order to have a coherence between Intellectual Property Rights policy and Sustainable agriculture and rural development policy</p> <p>WHY? Avoid the risk of reciprocal jeopardization and market confusion between different quality signs systems</p> | <ul style="list-style-type: none"> - Involve more interdisciplinary perspectives (legal, economic, sociological, political science, anthropological) in the political debate . | <ul style="list-style-type: none"> - Make explicit the link between GIs policies and innovation policies - Balance GI support policies vis-à-vis organic, quality production, food safety policies within the framework of CAP | <ul style="list-style-type: none"> - Stimulate the emergence of alternative paradigms - Promote partnerships to govern GI | <ul style="list-style-type: none"> - Build on national coherent quality policies, avoiding overlapping also in the use of geographical names - Create the framework for supporting alternative paradigms - Integrate local, regional and national GI policies, institutions and actions. | <ul style="list-style-type: none"> - Give to producers information about different quality schemes available - Supporting and initiating networks based on alternative paradigms - Contextualise the costs and benefits of GI systems and applications at local level vis-à-vis other producers’ strategies |
| | <p>1.11) Improve the coordination between the different initiatives (at country level) using geographical names for promotion</p> <p>WHY? To avoid confusion for the buyers. It is more necessary for exported products (when production zones are less known by the buyers), especially when – like for coffee- they exist different levels of promotion actions (firms, local and national)</p> | | | | <ul style="list-style-type: none"> - Create a discussion forum in each country with the stakeholders that use geographical names for promotion. | |

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| <p>2) RULES-SETTING PROCESS (at GI product system level)</p> | <p>2.1) Improving producers' and other local actors' awareness on GI characteristics and potentiality</p> <p>WHY? Very often public authorities and local actors are not aware of GI products potentialities and of the "values" they incorporate. The lack of awareness may impede GI products to turn into a resource for local economy and social development</p> | | | <ul style="list-style-type: none"> - Supporting technical and management assistance programmes for GI product characterization | <ul style="list-style-type: none"> - Designing technical and socio-economic assistance programmes for GI product characterization | <ul style="list-style-type: none"> - Raise awareness of GI products in the Public Administrations - Supporting local actors involvement (also by means of producer and consumers associations, ...) in national inventories - Supporting the setting-up of "GI local groups" for discussing about GI products specificities and their links with the territory |
| | <p>2.2) Consider all different tools for the valorisation of the GI product and allow for their integration (before GI recognition)</p> <p>WHY? There is a risk of taking into account only the protection of GI for the valorisation of the GI product, forgetting other tools such as marketing initiatives, rural animation, research, collective organisation</p> | | | | <ul style="list-style-type: none"> - Making available different tools able to valorise GI products according to different typologies (dimension, market, etc.): collective marks, etc. - Supporting integration of different control systems | <ul style="list-style-type: none"> - Increase information of local actors about different possibilities - Support access of local actors to different possibilities |

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| | <p>2.3) Support local initiatives to apply for the GI protection/recognition – Support local animation and build up knowledge about GI within the NGOs</p> <p>WHY? Very often the “poorest” GI producers don’t reach the protection</p> | <ul style="list-style-type: none"> - Develop programs around GI in the developing countries (WIPO, WTO, CNUCED, FAO, etc.) | | <ul style="list-style-type: none"> - Link rule-setting to dedicated innovation (research, extension and training) policy | <ul style="list-style-type: none"> - Think about a national policy in order to support GI initiatives, eg a public office devoted to support them - Guidelines to code of practices change - Dedicated innovation policies | <ul style="list-style-type: none"> - Stimulate collective action and interprofessions - Providing financial means to undertake the application - Providing technical assistance to undertake the application - Use local and regional discussion forums to evaluate the strengths and weaknesses of GI schemes and applications - Dedicated innovation policies |
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| | <p>2.4) Allow the participation of all the categories of local actors in the definition of the GI common rules on product and process characteristics, and of the geographical area of production (Code of practice)</p> <p>WHY? GI can become a useful weapon for stronger actors' categories of the GI. The process that leads to apply for the protection of the GI, and the very registration, may create social conflicts or problems between the actors of the system. Where GI system actors are heterogeneous in profile, with different motivations and approaches to GI production and marketing, GI registration can raise disputes, especially on the definition of the geographical boundaries, the production practices, the final quality levels.</p> <p>This point is important because so far, there is often a trade-off between high-quality and social inclusion.</p> | | <ul style="list-style-type: none"> - Asking for "democracy" in the definition of GI rules - Verify the participation of local actors in the application process - Integration of consumers expectations in the concept of defining PDO-PGI products - Embodying impact analysis of changes in the codes of practices - Guidelines to code of practices setting and modifications - Find a procedure to negotiate when conflicts happen during the registration between two different countries (right to oppose) | | <ul style="list-style-type: none"> - Designing appropriate recognition schemes, to stimulate a discussion between different positions - Supporting bodies may play a crucial role as mediators in the disputes. But to be effective, they have to be seen as fair and inclusive, and have the trust from the different actors' categories - Give room to regional/local public institutions in the recognition process - Let local consumers' and connoisseurs' knowledge to be taken into account in the definition of the rules - Build-up procedures to publish the Code of practices and to negotiate the conflicts (open procedure) - Allow publication of the present application to start the opposition procedure and then the debate | <ul style="list-style-type: none"> - Empowering of local actors: giving accessible information - Creating local forums for discussion about GI and encourage active participation of actors, in particular of small producers - Stimulate local consumers' participation - Carefully consider the effects generated by the contents of the Code of practices on the distribution of benefits between actors - Promote the involvement of politicians of provincial and municipal level in the formation of a committee product |
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| | <p>2.5) Carefully consider possible conflicts between “traditional” and “modern” ways of making GI product</p> <p>WHY? Technical innovation sometimes risks to deeply affecting the very nature of the GI product, thus changing also the cultural and symbolic value of the product. The introduction of innovations should be carefully analysed and discussed within the system, with the participation of consumers representatives</p> | | <ul style="list-style-type: none"> - Carefully consider traditional vs modern techniques and quality aspects in the recognition of non-EU GIs - Stop the trend of loosening the contents of Code of practices, which is weakening the PDO-PGI system | <ul style="list-style-type: none"> - Link rule-setting to dedicated innovation (research, extension and training) policy | <ul style="list-style-type: none"> - Make explicit the evaluation criteria in the recognition process - Embodying impact analysis of changes in the codes of practices - Take into consideration rural innovation processes; promote social, technical, economic and organisational innovations, that enhance effectiveness of GI system. | <ul style="list-style-type: none"> - Give room to discuss these issues to all categories of producers |
| | <p>2.6) Carefully consider possible conflicts between “large” and “strict” production area for the GI product</p> <p>WHY? There are contrasting issues in this choice, regarding both quality of the GI product (a smaller production area can support a more homogenous product quality than a larger one) and quantity of the GI product (a wider production area can guarantee product quantities that fit with market requirements)</p> | | <ul style="list-style-type: none"> - Technical assistance in order to support decisions on definition of the production area with scientific knowledge and marketing-related concerns | <ul style="list-style-type: none"> - Support decisions on definition of the production area with scientific knowledge and marketing-related concerns - Make explicit the evaluation criteria in the recognition process | <ul style="list-style-type: none"> - Give room to discuss these issues to all categories of producers - Choose a “meaningful” geographical name for consumers but also for producers | <ul style="list-style-type: none"> - Give room to discuss these issues to all categories of producers - Choose a “meaningful” geographical name for consumers but also for producers |

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| | <p>2.7) Try to balance the need for keeping the identity of the GI product and the need for extend the expected positive effects (quantity/quality dilemma)</p> <p>WHY? The need to keep high quality levels and a good image/reputation of the product often contrasts with the need to include producers/places in the access to the use of the geographical name</p> | | <ul style="list-style-type: none"> - Consider carefully positive and negative effects of the registration of too wide GIs or “national GIs” - Stop the trend of loosening the contents of Code of practices, which is weakening the PDO-PGI system | <ul style="list-style-type: none"> - Link rule-setting to dedicated innovation (research, extension and training) policy | <ul style="list-style-type: none"> - Make explicit the evaluation criteria in the recognition process - Avoid to be generic in the Code of Practices | <ul style="list-style-type: none"> - Give room to discuss these issues to all categories of producers - Avoid to be generic in the Code of Practices |
| <p>3) ROLE OF LOCAL RESOURCES</p> | <p>3.1) Refine the knowledge of specific local resources (biodiversity, human capabilities, ...) for GI specificities (characterization)</p> <p>WHY? Local specific resources give more or less specificity to GI product and differentiate it on the market</p> | | <ul style="list-style-type: none"> - Embodying the concept of carrying capacity of the territory | <ul style="list-style-type: none"> - Support technical assistance and research programmes devoted to the analysis of the role of specific local resources for the quality of the GI product | <ul style="list-style-type: none"> - Support studies to analyse the role of specific local resources for the quality of the GI product - Consider GI strategy to redefine the use of local resources, sustainable agriculture and food production in mountainous and other less favoured areas. | <ul style="list-style-type: none"> - Stimulating reflexion of local actors about the specificities of the product in relation to specific local resources, from a technical but also social and cultural point of view |

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| | <p>3.2) Carefully consider in the design of the Code of practice how local resources (and in particular local plant varieties or animal breed) have to be used. Support initiatives that favour the preservation and improvement of specific local resources (biodiversity, human capabilities, ...) and the defence of traditional systems of production</p> <p>WHY? When the reputation of the product is closely related to the use of certain plant variety, the specification should focus on the varieties that were the basis of the reputation .</p> <p>The way the use of local resources is regulated affects the possibility to reproduce and improve the stock and the quality of the resources</p> <p>Local specific resources are often menaced by modern/external resources</p> | <ul style="list-style-type: none"> - Enhance GI use as a tool for the negotiations between TRIPS and Convention on Biodiversity on the point of preserving genetic resources - Enhance GI use as a tool for the negotiations between protection of cultural diversity (Unesco) and TRIPS | <ul style="list-style-type: none"> - Insist on the cultural dimension and the know-how associated to GIs to reinforce their credibility, legitimacy and coherence | <ul style="list-style-type: none"> - Try to identify the relationship between GI and local resource to see what are the connections - Support national policies and procedures | <ul style="list-style-type: none"> - Favour the inclusion of norms devoted to the regulation and reproduction of local specific resources in the Code of practices - Understand and valorise the role of biodiversity and cultural diversity in product specificity linked to the origin - Technical assistance, research programmes, training courses | <ul style="list-style-type: none"> - Stimulate the debate between local actors on the role of local resources for GI specificity - Favour the inclusion of norms devoted to the regulation and reproduction of local specific resources in the Code of practices - Promote the identification and characterization of local production practices - Technical assistance, research programmes, training courses |
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| | <p>3.3) Support the inclusion of the producers of the raw material and ingredients in the GI system, in particular for GIs on processed product</p> <p>WHY? If a desired effect of the GI is linked to the remuneration and preservation of the local specific resources involved in the GI production process, it is very important the involvement of the producers involved in the use of these resources in the building of the Code of practices.</p> | | <ul style="list-style-type: none"> - Highlight the role of farmers and their local and traditional resources when examining foreign GI, in particular when this gives the reputation - Support the use of the local raw materials in order to better integrate local farmers | | <ul style="list-style-type: none"> - GI shall be authorised for local resources which are not registered for commercialisation as seed coming from breeding industry | <ul style="list-style-type: none"> - Stimulate farmers' participation in the process of GI setting, and empower them - Use training centres for the dissemination of practical skills related to GI product |
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| <p>4) ORGANIZATION AND GOVERNANCE</p> | <p>4.1) Promote a collective organisation of the GI system</p> <p>WHY? Poor quality relationships between key GI system actors (either horizontal or vertical) may cause problems in countries/regions with no 'collectivist' cultural tradition</p> | | <ul style="list-style-type: none"> - Allow many different type of applicant, which could be government agency, but check whether they represent the producers and how the producers are involved and whether they can use the GI | <ul style="list-style-type: none"> - Promoting exchanges of experiences between groups of producers involved in different GIs - Help the local groups to enhance their organisational skills (education) | <ul style="list-style-type: none"> - National GIs Guidelines should require applicants to set up a representative association or interprofessional body, also after obtaining the GI recognition - National GIs guidelines should require democratic principles in functioning of collective organisations - National authorities should give some "public functions" to representative organisations (e.g. controls, promotional activities) - Impose some criteria to the GI governance (information of all stakeholders, representativeness , democracy...) for the registration - Support the creation of an alliance between GI products but avoid corporativism | <ul style="list-style-type: none"> - Giving support to GI collective organisations: education, technical assistance |
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| | <p>4.2) Support the ‘scaling up’ process of the GI system</p> <p>WHY? The scaling-up of the system (increase of quantities and number of producers, changes in the marketing channels used) may alter the structure and characteristics of the system, altering the product nature and the distribution of the benefits along the chain, and pushing towards a change in the production techniques used (more “industrialized”), thus risking to affect economic, social and environmental sustainability</p> | | <ul style="list-style-type: none"> - Monitoring and assessment (on market share...) | | <ul style="list-style-type: none"> -Monitoring effects of strong increases in production on different aspects of local production systems - Consider carefully proposals of modification of Code of practices aiming at lower rules | <ul style="list-style-type: none"> - Carefully consider proposals of modification of the Code of Practices aiming at loosening the rules |
| | <p>4.3) Reduce the cost of control</p> <p>WHY? Too high control costs may generate exclusion effects</p> | | <ul style="list-style-type: none"> - Allow for internal systems of control (to facilitate the third-party control). | | <ul style="list-style-type: none"> - Allow for internal systems of control (to facilitate the third-party control). | <ul style="list-style-type: none"> - Develop an internal system of control (to facilitate the third-party control). - Integrate the GI control system with others certification (like Organic and Fair trade standards) (eventually). |

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| <p>5) HORIZONTAL-VERTICAL DISTRIBUTION OF THE GI BENEFITS (equity)</p> | <p>5.1) Ease the use of GI protection scheme by all categories of local producers</p> <p>WHY? Power imbalances between small and large firms. Risk of economic exploitation and/or exclusion of most 'deserving' firms from GI system – only the larger, well-organised actors benefit – or of some phases of the system (agricultural vs processing vs commercial phases)</p> | | <ul style="list-style-type: none"> - Thinking about a "lighter" control system for small GI products | | <ul style="list-style-type: none"> - Ask for the participation of all phases and categories of firms in the definition of the Code of practice (prevention) - Role of national and regional authorities in mediation between needs of different stakeholders - Allow the weakest actors to be able to comply with the Code of practices and to make an effective use of the GI - Financial support programmes for (smaller) producers entering the GI control system - Include the producers of the raw material | <ul style="list-style-type: none"> - Specific actions of empowerment of smallest or most marginalised producers, in complying with Code of practices and in enter in the control system (if any): information, technical assistance, financial temporary provisions - Think on if and how to allow some prices and volumes agreements - Monitor the functioning of local actors groups |
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| | <p>5.2) Support equitable distribution of GI scheme effects among different categories of actors in the supply chain and inside each sector</p> <p>WHY? Economic and social sustainability of the GI scheme can be seriously endangered by a non equitable distribution of benefits, mainly when there are unbalances in power between different phases of the supply chain and between different categories of actors inside single phases of the supply chain.</p> | | | | <ul style="list-style-type: none"> - Encourage agreements inside the supply chain, also by means of interprofessional agreements | <ul style="list-style-type: none"> - Encourage constitution of interprofessional bodies able to negotiate between system actors fairly and efficiently - Allow the producers to open new channels and escape from local buyers (maybe through producers' associations) - Give the weakest actors an access to information, technical assistance, credit, and organization |
| | <p>5.3) Consider structural bottlenecks in the GI product supply chain</p> <p>WHY? When GI initiative is a tool of local firms for escaping from power unbalances, very often the GI recognition per se is not sufficient</p> | | | | <ul style="list-style-type: none"> - Credit programmes for structural investments in processing | <ul style="list-style-type: none"> - Support local cooperatives and other collective local actors able to solve structural problems |

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| <p>6) MARKET</p> | <p>6.1) Support marketing- oriented logics</p> <p>WHY? Per se, GI recognition doesn't change the marketing of the product, but it creates important basis allowing collective marketing strategies or new individual ones.</p> <p>GI can inhibit market orientation – GI system becomes very 'product push' deterministic. When stimulus for system development comes from local actors who are not market focused, but assume 'demand will come', then the systems risks developing in an un-market oriented way. Also, very strict codes of practice in a GI may create loss of flexibility of actors to adapt to changing market demands</p> | | | <ul style="list-style-type: none"> - Provide expertise in view of securing an export market in Europe - Facilitate quality products imports in Europe in order to support the "quality turn" | <ul style="list-style-type: none"> - Support (financial and technical assistance) marketing collective initiatives around the GI product - Impose the existence of a coherent marketing plan in the requirements to register a GI | <ul style="list-style-type: none"> - Support engagement of GI producers in alternative and shorter distribution channels (direct sales, local markets) rather than low value, bulk commodity channels - Develop a regional market based on tourism activity and local restaurants - Help the stakeholders to be conscious of the importance to have a clear marketing strategy |
| | <p>6.2) Promote vertical relationship between firms of the GI system</p> <p>WHY? Local alliance within the GI system help consolidating solidarity between actors along the chain, and stabilize production activity</p> | | | | <ul style="list-style-type: none"> - Encourage the constitution of interprofessional bodies | <ul style="list-style-type: none"> - Encourage the constitution of interprofessional bodies |

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| | <p>6.3) Support information system on market intermediate and final demand, prices, marketing channels, etc.</p> <p>WHY? Information on consumers and clients characteristics is of fundamental importance to manage the system and the firm</p> | | <ul style="list-style-type: none"> - Reports on monitoring and assessment | <ul style="list-style-type: none"> - Provide information on internal markets characteristics | <ul style="list-style-type: none"> - In guidance material for applicants, give links to sources of information on markets and marketing, also how to get funding for specific market research studies - Promote market and consumer surveys | <ul style="list-style-type: none"> - Encourage actors to undertake market analysis as part of early development activities, and to develop a marketing plan |
| | <p>6.4) Support joint (collective) marketing initiatives</p> <p>WHY? Collective marketing initiatives are needed whenever the scale (financial resources) and the competencies (know-how, skills) are low at individual (single firm) level</p> | | | <ul style="list-style-type: none"> - Provide specific technical assistance | <ul style="list-style-type: none"> - Promote a clear communication, otherwise the big distribution firms use the GIs to favour their own brands - Create specific learning institutions dedicated to marketing | <ul style="list-style-type: none"> - support collective promotion initiatives coherent with the values the product wants to communicate |
| | <p>6.5) Make special market access provision for GI products (i.e, lower tariffs, tariff quotas, etc.)</p> <p>WHY? The import protection is generally higher for value-added products.</p> | <ul style="list-style-type: none"> - Negotiate special tariff dispensation for GI products | | <ul style="list-style-type: none"> - Implement the special dispensation for GI in tariff regime. | <ul style="list-style-type: none"> - Implement the special dispensation for GI in tariff regime. | |

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| | <p>6.6) Encourage GI for domestic market.</p> <p>WHY? Very often GI initiatives think only to export niche markets, but there are many interesting opportunities also on national and local markets. Also “normal” local market can be interesting for GI producers, compensating lower prices with higher volumes</p> | | <ul style="list-style-type: none"> - Encourage third country countries to register GI also for their domestic market | | <ul style="list-style-type: none"> - Think to GIs not only as a tool aiming at enhancing export on developed countries. Do not forget the importance of local markets - Support market for traditional handicraft products in countries more and more attracted by modern western items | <ul style="list-style-type: none"> - Support local actors in identifying coherent strategies on different market segments |
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| <p>7) CONSUMERS AND CITIZENS</p> | <p>7.1) Inform consumers on GI product and process characteristics and give real guarantee to the consumer that each GI product comply with them</p> <p>WHY? GI schemes should be not only in favour of producers but they have to be also clearly in favour of consumers</p> | | <ul style="list-style-type: none"> - Include GI aspect in sustainable food provision, RD, public health and other discourses through the discussion process and deliberation | <ul style="list-style-type: none"> - Support special consumer awareness rising programmes about GI | <ul style="list-style-type: none"> - Provide mandatory information on code of practice - National information campaigns - Educate consumers to tasting - Assess the relevance of establishing a specific logo and signalling system for GI products at national level - Create a more articulated labelling system supported by traceability allowing consumers to actually choose between different products | <ul style="list-style-type: none"> - Emphasize the positive impact on the consumer of the consumption of GI product - Make websites and other information tools accessible for GI representative associations - Educate consumers to tasting |
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| | <p>7.2) Make more evident the impact of GI policies on consumers and citizens</p> <p>WHY? GI products often have specific features closer to consumers' desires and culture (organoleptic, chemical, cultural, access to food)</p> | | <ul style="list-style-type: none"> - Monitoring and evaluation | <ul style="list-style-type: none"> - Monitoring and evaluation | <ul style="list-style-type: none"> - Monitoring and evaluation | <ul style="list-style-type: none"> - Strengthening ties and common goals between consumers and producers: preservation of the environment, improving the greeting of the local population - Monitoring and evaluation |
| | <p>7.3) Support a higher consumption of GI products at local level</p> <p>WHY? GI products are often "local" products, at the basis of local population food culture and habits, and diet.</p> | | <ul style="list-style-type: none"> - Give support to local food consumption | <ul style="list-style-type: none"> - Front the problem of local population access to food: different prices for the domestic market? | <ul style="list-style-type: none"> - Front the problem of local population access to food: different prices for the domestic market? | <ul style="list-style-type: none"> - Front the problem of local population access to food: different prices for the domestic market? |

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| <p>8) ENVIRONMENTAL ISSUES</p> | <p>8.1) Integrate GI schemes with elements linked to protection of biodiversity, preservation of the environment and of typical landscapes</p> <p>WHY? Local biodiversity, environment and landscape are important elements for the quality of life of local people, but they can become important elements in order to differentiate the GI product on the market. In this way, GI product valorization could support the environmental local quality</p> | <ul style="list-style-type: none"> - Link the TRIPS negotiations and the Convention on Biodiversity through GI protection - Negotiate the inclusion of environmental elements in GI product description | <ul style="list-style-type: none"> - Consider the link with the ecosystem as one criteria to document GI recognition | <ul style="list-style-type: none"> - Adapt GI Systems to make provision for the inclusion of environmental aspects in the product description - Taking into account the (positive and negative) environmental externalities of the GI to take decisions on the public support given to the GI (and eventually on the registration) | <ul style="list-style-type: none"> - Consider the link with the ecosystem as one criteria to document GI recognition - Support from technical and economic point of view the inclusion of environmental aspects in GI Code of Practices - Taking into account the (positive and negative) environmental externalities of the GI to take decisions on the public support given to the GI (and eventually on the registration) - Consider the possibility to creating a quality hallmark to identify "good, clean and fair" GI products | <ul style="list-style-type: none"> - Include norms on environmental issues in the Code of practices in order to improve sustainability of local production system |
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| | <p>8.2) Encourage more ecologically sustainable production practices into the GI local production systems</p> <p>WHY? Through GI production being based on extensive agriculture, low inputs, artisan rather than industrial methods, rare or threatened varieties or species (preservation of biodiversity), maintaining traditional landscapes and habitats</p> | | <ul style="list-style-type: none"> - Guidelines to environmental-friendly rule-setting | <ul style="list-style-type: none"> - Support research in order to clarify relationships between the GI product and environmental aspects - Support integration between Organic and Low input schemes, and GI certification systems | <ul style="list-style-type: none"> - Support integration between organic practices and certification system, and GI certification system - Incorporate rules of sustainability inside the Code of practices: packaging, energy, transport, etc. - Monitoring and evaluation, and link monitoring and evaluation to changes to codes of practices | <ul style="list-style-type: none"> - Encourage GI system actors to develop ecological practices by identifying and 'celebrating' them - Link to product quality attributes and use as marketing resource, where relevant - Monitoring and evaluation - Link monitoring and evaluation to changes to codes of practices |
| <p>9) SOCIAL AND CULTURAL ISSUES</p> | <p>9.1) Strengthen the role of GI as potential mechanism to prevent the expropriation of local cultural and intellectual property from outside the area, considering the importance of human factors (history, cultural and religious context)</p> <p>WHY? Local culture, religion and people identity are important elements for the quality of life of local people, but they can become important elements in order to differentiate the GI product on the market. In this way, GI product valorization could support the socio-cultural local quality</p> | <ul style="list-style-type: none"> - Strengthen the role of GI as a way of protecting local cultural and intellectual property . - Include cultural aspects in the global debate about GIs | <ul style="list-style-type: none"> - Negotiate the inclusion of social elements in GI product description . - Historical proof could be more considered in recognition of GIs - Monitoring and assessment | | <ul style="list-style-type: none"> - Establish social elements as a standard part of GI product description - Historical proof could be more considered in the decision to register GIs - Taking into account the (positive and negative) social externalities of the GI to take decisions on the public support | <ul style="list-style-type: none"> - Ensure that Social aspects be included in GI product description - Promote scientific research that identify local knowledge concerning the transformation, preparation and tasting GI product - Include norms on social issues in |

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| | | | | | <p>given to the GI (and eventually on the registration)</p> <ul style="list-style-type: none"> - Consider GI as a tool to maintain skilled people of sophisticated handicraft - Adapt GI Systems to make provision for the inclusion of social aspects in the product description | <p>the Code of practices in order to improve sustainability of local production system. A strong version is to develop context-specific norms (whereas only copying general schemes, as Fair Trade)</p> |
| | <p>9.2) Encourage more socially sustainable production practices into the GI local production systems</p> <p>WHY? Very often GI products involve small firms, artisanal and labor intensive methods, women workforce. GI products can give interesting opportunities in order to improving social welfare.</p> | <ul style="list-style-type: none"> - Focus on relevance of local resources, local knowledge and know-how practices, territorial self-esteem, tradition and other elements of culture to widen the scope of debate about GIs and reformulate arguments. | <ul style="list-style-type: none"> - Monitoring and evaluation - More research is needed on the social and cultural aspects and embeddedness of GIs. | <ul style="list-style-type: none"> - Support integration between Fair trade schemes and GI certification systems - Monitoring and evaluation - Support research on inter-linkage between GIs and quality of life, livelihood assets in rural area | <ul style="list-style-type: none"> - Support integration between Fair trade practices and certification system, and GI certification system - Create a quality hallmark to identify "good, clean and fair" products - Monitoring and evaluation - Aware dangers of social exclusion, prevent exclusion of weaker producers groups | <ul style="list-style-type: none"> - Encourage GI system actors to develop socially sustainable practices by identifying and 'celebrating' them - Strengthen cultural and symbolic values associated to the GI product to keep local traditions and reinforce self-esteem and proudness of producers and local population - Monitoring and evaluation - Employ cultural resources |

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| | | | | | | (history, traditions, identity, cultural capital) in setting the product definition, standards, the codes of practice. Emphasise cultural uniqueness of each code of practice. |
| 10) COMPREHENSIVE STRATEGY | <p>10.1) Enhancing community vibrancy around the GI product</p> <p>WHY? Process of GI application itself may stimulate new social networks, which can be the basis for larger initiatives inside the local area</p> | | | | <ul style="list-style-type: none"> - Take in account cultural aspects in recognition process | <ul style="list-style-type: none"> - Valorising culturally significant practice, e.g. via festivals, educational events, etc. - Strengthen popular festivities associated with GI product |

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| | <p>10.2) Valorise “panier des biens” dynamics, favoring a comprehensive valorization of the territory mobilizing the image of the GI product</p> <p>WHY? GI recognition alone is insufficient to generate 'virtuous circle'. Through GI system becoming focus for 'extended territorial strategy' (panier de biens logic and endogenous development theory) – stimulating and supporting activities in tourism, craft, services.</p> | | | | <ul style="list-style-type: none"> - Elaboration of comprehensive and coherent development policy in which GI regulation plays a role. - Need for public information campaigns to make consumers aware of designations and give them knowledge to make informed choices in the marketplace - Encourage ecotourism for GIs on commodities . | <ul style="list-style-type: none"> - Encourage GI system actors to make synergistic links with complementary industries and other GI product - Also source raw materials, inputs and other supplies from local/regional businesses - Creation of “GI product” routes - Encourage the development of tourism circuits in which value cultural elements associated with traditional methods |
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Annex 2 - List of Matrices filled during WP7 SINERGI

a) General WP7 Matrix

Matrices received from Sinergi researchers and associated researchers:

- Barjolle Dominique (Switzerland)
- Belletti Giovanni & Marescotti Andrea (Italy)
- Cerdan Claire – Vitrolles Delphine – Pimentel Louis (Brasil)
- Delphine Marie Vivien (France)
- Frayssignes Julien (France)
- Olivier Valérie (France)
- Paus Marguerite (Switzerland)
- Sautier Denis (France)
- Tisenkopfs Talis (Latvia)
- Vakoufaris Hristos & Thanasis Kizos (Greece)

Matrices received from other Sinergi meeting participants:

- Brunori Gianluca (Italy)
- Giovannucci Daniele (USA)
- Schiavone Elena (Argentina)

Matrices received from PAB members:

- Balling Richard (Germany)
- Bérard Laurence (France)
- Cerjak Marija (Croatia)
- Geuze Mathias (WIPO)
- Kovacs Barna (Hungary)
- Sardo Piero (Slow Food, Italy)

b) Case-study WP7 Matrix

| | |
|-------------------|--------------------------|
| Case study | Matrix filled by: |
|-------------------|--------------------------|

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| | |
|---|---|
| ² Dominican Republic Coffee | Franck Galtier (CIRAD) |
| Basmati Rice from Pakistan and India | Delphine Marie-Vivien (CIRAD) |
| Rooibos Tea (South Africa) | Dirk Troskie, Estelle Biénabe & Johann Kirsten (Western Cape Department of Agriculture, South Africa) |
| Jin Hua Ham from China | Frédéric Wallet (INRA) |
| Argentinean Pampean beef | Champredonde Marcelo (Instituto Nacional de Tecnología Agropecuaria, ARGENTINA) |
| Cheese Kajmak from Serbia | Margherite Paus (IAW, ETH Zurich (CH) |
| Pampa Gaucha da Campanha Meridional Meat | Claire Cerdan & Delphine Vitrolles |
| Pampa Gaucha da Campanha Meridional Meat | Requier-Desjardins Denis |
| Chontaleno cheese (Nicaragua) | Filippo Arfini, Sabrina Cernicchiaro, Cecilia Mancini |
| Tequila (Mexico) | Sarah Bowen (USA) and Hielke van der MEULEN, University of Wageningen (NL) |
| Paprika (Hungary) | Talis Tisenkopfs (Latvia University) |

Annex 3 - WP7 in Technical Annex

WP 7 – Potential strategies and recommendations

| | | | | | | | | | | | |
|---------------------------------------|----------------------------------|--------------------------------|----------|----------|----------|----------|----------|----------|------------------|-------------|-----------------|
| Workpackage Number | WP 7 | Start or starting event | | | | | | | | | Month 30 |
| Activity type | RTD / Innovation activity | | | | | | | | | | |
| Participant id | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Person-months per participants | 5 | 4 | 2 | 2 | 1 | 1 | 1 | 1 | 0.2 5 | 0.25 | 3 |

Objectives

- Identification of realistic and context sensitive scenarios of GI implementation and evolution, incorporating the baseline scenarios developed in WP6, with the case study relevant knowledge generated from Task 2.
- Identification of potential alternative strategies adopted by GI relevant actors in light of possible scenarios, and evaluation of the effects of these strategies on rural and regional development aspects, supply chain evolution; competition and trade; institutional support and juridical processes.
- Formulation of policy recommendations on GIs, based on the developed scenarios and identified strategies, that will maximise the strengths and minimise the weaknesses of GI usage with respect to rural and regional development, and product valorisation, supply chain and competitive processes.

Description of work

- The work will begin with a systematic review of key material from the case study analysis (Task 2) and the 'invariant effects' scenarios (WP6). A synthesis of this material will be performed, combining the firm parameters of the WP6 scenarios with the deep and context-sensitive information from the case studies, leading to more equilibrated scenarios than those previously characterised, based on identified success and failures factors for implementing GIs. Frequent exchanges will take place between relevant partners in the development of scenarios in order to specify the most relevant axes.
- The work will continue with identification of possible and likely strategies for action by actors involved in implementing and using GIs, in light of the identified scenarios. A matrix of factors influencing strategy choice will be developed, in consultation with partners and case study participants, to systematise the analysis. An evaluation will be made of the likely effects of the pursuit of different strategies by GI actors, on crucial aspects such as rural and regional development, supply chain dynamics, and competition and trade. The implications for institutional roles and juridical processes will also be identified.
- The final part of the work will involve formulation of policy recommendations on GIs, designed to maximise the legitimacy and rural/regional development impacts, whilst minimising threats with respect to competition and trade. The recommendations developed through interaction with project partners will be refined via a consultation meeting with policy actors (Regional Workshops at Month 30) , where expert knowledge and feedback can be gained.

Responsible partners : 11 (University of Edinburgh), assistants: 5 (University of Newcastle), 1 (INRA) and 3 (University of Florence)

As assistant for this task and in strong coordination with partners 11, 5 and 3, partner 1 will devote time to make up relevant recommendations for EU, which requires to keep being informed of the changes in the regulations and policy, to remain in close contact with officials and to end up the project in good conditions.

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Inputs: Baseline scenarios description. Proceedings of the Regional Meetings at Month 30.

Outputs: realistic and context sensitive scenarios, policy recommendations.

Deliverables

D10 Proceedings of the Meeting on policy recommendations (month 35)

D12 Strategies and policy recommendations Report (month 36)

Milestones and expected result

- M20 – Regional meetings on case studies (month 30)
- M21 – International meeting on policy recommendations (month 30)
- M21 – Advisory Board Meeting on GI policy recommendations (month 30)
- M26 – Delivery of the Report D10 on policy recommendations (month 35)
- M28 – Delivery of the Report D12 about the recommendations (month 36)