

Perspectives mondiales sur les indications géographiques

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LINK TO ORIGIN: TRADITIONAL KNOW-HOW OR INNOVATION?

Geographical indications as the engine of traditional communities' rights.

Astrid Wiedersich Avena

Background & Main issues

Geographical indications have often been pointed out as the legal instrument which more than others could be able to protect traditional knowledge and contribute to the growth of local communities.

While socio-economic advantages of GIs have been widely explored by IP literature, less attention has been given to **environmental sustainability effects** arising from GIs policies.

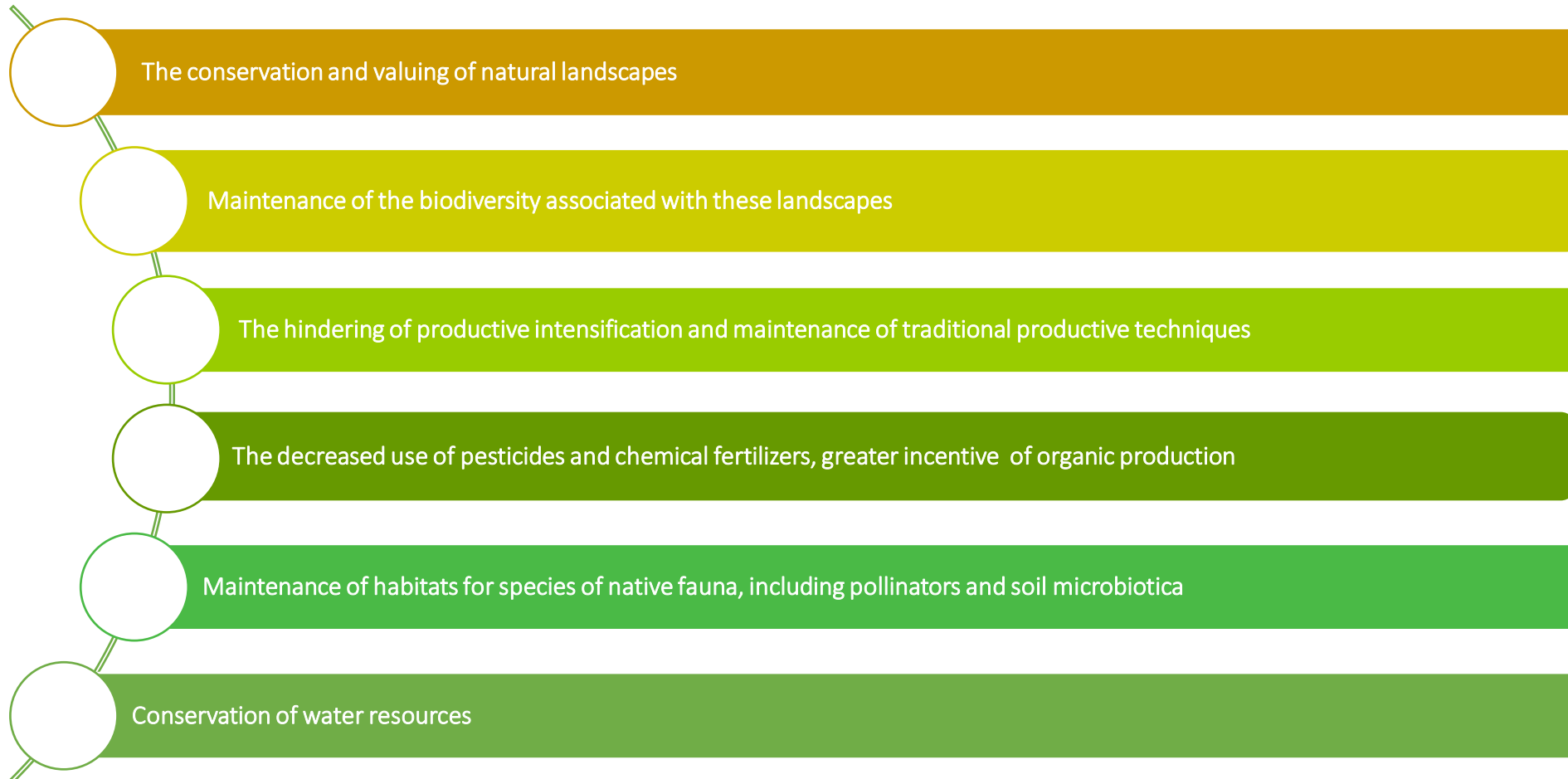
The hypothesis that GIs are a tool for enhancing environmental-friendly production rules is mainly based on theoretical assumptions but not always supported by empirical evidence.

A study conducted on the Japanese case of “Mishi-ma Bareisho Potato” GI has evidenced that a GI can contribute to several Sustainable Development Goals (SDGs), among which also environmental ones.

Are these assumptions also applicable to GIs of developing countries? **May GIs sui generis systems support the preservation of natural resources and conditions in the global south? Upon which conditions?**

State of the art

It is widely accepted in literature that GIs have a positive influence on **environmental sustainability**. the main identified positive effects are:



Three practical cases: «Madd de Casamance»(Senegal), «Tequila» (Mexico) and «Cao Phong Orange» (Vietnam).



Empirical cases

Tequila case

- Useful lesson on how GI protection may not lead to positive positive environmental effects if

Madd de Casamance case

- An interesting example of how GIs can can positively impact on environmental environmental sustain-ability. In order to order to register the GI, local producers producers established a formal association to develop and implement a implement a quality assurance scheme, to scheme, to ensure that the fruits are are harvested under specific conditions conditions and meet certain required required standards. In this case, local local producers acknowledged the importance of preserving the environment in which the fruits grow and grow and have agreed on clear methods methods of land exploitation to maintain maintain the integrity of the original original forest ecosystem

Cao Phong Orange case

- The analysis of qualitative data on data on the “Cao Phong Orange” GI, Orange” GI, carried out by Hoang et Hoang et al. (2020), revealed that that the natural environmental condition of the production area area improved since the GI registration. The lobbying activities activities of the local authorities in authorities in the Hoah Binh province succeeded in raising the the awareness among orange growers that the quality of the products is intertwined with the the conservation of natural resources – thus stimulating conservation of landscape properties.

Conclusions

If implemented through **appropriate public policies** that ensure the **primary role of local communities** in the elaboration of sustainability standards, GIs could play a pivotal role in traditional communities' rights. .

The following aspects emerged with respect to **GIs in the global south**:

1

- GIs are a valuable tool to sustain efforts to increase environmentally sustainable practices, which might normally be difficult to achieve

2

- The empirical analysis shows that if product specifications do not provide for explicit terroir preservation and cultivation requirements, GI protection may have not only a limited impact on environmental sustainability, but could also harm traditional communities' interests

3

- Producers of GIs in developing countries face different constraints than actors of European GIs production chains, due to fragile institutional settings.

Could GIs represent the engine of traditional communities' rights?

- Even if GIs are not an environmental tool per se, they can play an important role in preserving natural resources where traditional communities have developed their knowledge.
- Such preservation goes hand in hand with GI policies that promote awareness and participation of local farmers.
- Therefore, local legislators should take these elements into consideration in order to develop a sustainability strategy able to render GIs a valuable engine for traditional communities' rights and the preservation of their ecosystems.

THANK YOU FOR THE ATTENTION!

Astrid Wiedersich Avena, De Tullio & Partners

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