
Geographical Indications and Sustainable Practices: From Self Regulation to Soft Law to Industry Standards?

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Abstract

Recent discussions on Geographical Indications (GIs) refer to their role in promoting sustainability in the agriculture, food, and handicraft industries. The theme of this Conference is proof of the growing role of GIs in sustainable and ethical development. In particular, while GIs do not inherently mandate sustainable practices, the increasing emphasis on sustainability within GI associations and among supporters suggests a growing recognition of their potential to contribute to sustainable development. Empirical evidence, though limited, confirms that GI products tend to exhibit more eco-friendly characteristics compared to non-GI counterparts. However, it is relevant to remain prudent regarding the impact of GIs on sustainability, considering the lack of rigorous statistical analysis to date. Moreover, the evolving nature of sustainability definitions complicates the establishment of clear and precise standards.

Still, it is again unquestionable that GI producers are increasingly incorporating sustainability requirements into their product specifications, even without legal requirements mandating the same standards for generic products. In turn, this self-regulatory approach, driven by association-based initiatives and focused on increasing the quality and eco-friendliness of GI products, contributes to developing sustainability standards. This paper analyses this growing trend and how, by fostering a dialogue between private and public actors, GIs play a pivotal role in advancing sustainability discourse and promoting sustainable practices. To this end, the paper analyzes several examples of GIs that introduce specific ecofriendly practices in their specifications and the impact of these practices on the GI products and the producers' associations, including the entities in charge of the products' quality control.

Ultimately, while the current focus on self-regulation for sustainable practices related to GI products and associations may have limitations, this paper highlights that it represents a significant step towards integrating sustainability into the fabric of the agriculture, food, and handicraft industries and possibly beyond. In other words, by fostering a dialogue on ethical and sustainable practices, GIs contribute to shaping a more sustainable future by creating voluntary but increasingly more relevant standards not only for a specific GI but often for similar products. As the concept of sustainability continues to evolve, GIs are likely to play an increasingly important role in promoting ethical and environmentally responsible production practices and set industry standards, especially in a time where local, regional, and national governments seem to still lag behind in implementing mandatory standards in this respect. .

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