

**From Europe to the World  
EU Craft and Industrial GIs  
as an Indirect Tool for Expansion of  
Sustainability in Agricultural  
and non-Agricultural GIs**

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*Worldwide Perspectives on GIs  
FAO, Rome, Italy, 19 February 2025*

## OUTLINE

### **1- The recent expansion of European Union Geographical Indications in scope**

- **Not only the GICI Regulation....**
- **... But also the European Court of Justice**

### **2- The EU Sustainable Development Objectives and its Combination with its GI Policy**

- **An approach much appreciated by Developing Countries +++**
- **A few necessary steps to translate the objectives into reality**

## THE EXPANDING EU GIs: NOT ONLY GICIs!

- With the European Union Craft and Industrial Geographical Indications (CIGI) Regulation (EU) 2023/241, establishing a unified EU title for the protection of craft and industrial product names across all EU countries, **one of the main trade blocs in the world considerably expanded the subject matter of geographical indications**
- This major innovation in policy, regulatory framework and GI protection, follows **major legal innovations driven by the Court of Justice of the EU (CJEU) over the last decade, with the constant expansion of the scope in the EU of protection of agricultural GIs (actually acknowledged in the Recital of the CIGI Regulation) such as evocation, image etc... even in economic fields different from the protected GIs (Cf Morbier + Queso Manchego ++ cases)**

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## **An alliance between the concepts of GIs and of Sustainable Development?**

**Parallel to GI expansion in **subject matter** and **scope**,**

**The EU reaffirmed, over the last decade, its objectives to promoting sustainable development, including through dedicated sustainable development provisions in the Economic Partnership agreements (EPAs) that the EU signed or negotiates with Developing Countries.**

**The list of Treaties containing sustainable development commitments is impressive**

## **EU Trade Agreements that contain sustainable development provisions** (source: European Commission)

**EU trade agreements in force:** [Canada – Chapters 22, 23, 24](#), [Central America – Title VIII](#), [Colombia, Peru, and Ecuador – Title IX](#), [Georgia – Chapter 13](#), [Japan – Chapter 16](#), [Kenya – Annex V](#), [Moldova – Chapter 13](#), [New Zealand – Chapter 19](#), [Singapore – Chapter 12](#), [South Korea – Chapter 13](#), [Ukraine – Chapter 13](#), [United Kingdom – Chapters 6, 7, 8](#), [Vietnam – Chapter 13](#)

**EU trade agreements awaiting ratification:** [Chile – Chapter 26](#), [China - Section IV](#), [Mercosur – TSD Chapter](#), [Mexico – TSD Chapter](#)

**Ongoing trade negotiations:** [Eastern and Southern Africa \(ESA 5\)](#), [India](#), [Indonesia](#) , [Thailand](#)

**Other EU agreements with sustainable development commitments adapted to the more restricted scope of the agreements:**[Armenia – Chapter 9](#) – in force, [Angola Sustainable Investment Facilitation Agreement – Chapter V](#) – in force, [Kyrgyzstan Enhanced Bilateral Partnership and Cooperation Framework \(EPCA\) – Chapter 10](#) – awaiting ratification, [Uzbekistan Partnership and Cooperation Agreement \(PCA\) – Chapter 9](#) – awaiting ratification, [Tajikistan EPCA](#) – negotiations ongoing, [Azerbaijan EPCA](#) – negotiations ongoing

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## **An alliance between the concepts of GIs and of Sustainable Development?**

**THIS IS THE MAIN ISSUE AT STAKE:**

**Further to the CIGI Regulation, should and how the two issues of sustainable development and GI expansion be linked?**

**A strong interest from Developing Countries in protecting both agricultural and CIGs with a sustainable development approach**

**This is based, among others:**

- on initiatives, developed more than 20 years ago by Developing Countries within the Organisation Internationale de la Francophonie (OIF) for the development of a Francophone Label on Handicraft**
- on the Regional Comprehensive Economic Partnership (RCEP) provisions on Traditional Knowledge that:**
  - boost interest on tradition**
  - create bridges for larger acceptance of tradition, quality and origin as key concepts for protection contributing at the end to influence positively the development of geographical indication systems**
- on recent efforts, in WIPO fora, for protection of Traditional Knowledge, including the new WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge**

## Meeting Partner Countries and EU Expectations

**1- The Sections dedicated to Geographical Indications in the International Trade Agreements already into force between the EU and numerous trade partners may need to be updated or simply clarified in terms of subject matter and scope, to clearly meet the CIGI Regulation and permit to serve at the same time the sustainable development objectives of **nature conservation, economic and social considerations** supported by the EU**

**2- The Sections dedicated to GIs in the International Trade Agreements currently under negotiation between the EU and numerous trade partners are to be more clearly shaped in this broader twofold context**



## **What in the meantime?**

**Despite profound differences between agricultural and non-agricultural GIs' mechanisms, the parallel inclusion of provisions related to a “sustainable development package” in new EPAs negotiated by the EU**

- works as a convergence factor**
- leads to further dynamic and positive consideration of both agricultural and non-agricultural GIs in existing, revised and future Trade Agreements**
- shall facilitate the worldwide expansion of GIs and their understanding as a sustainable tool for sustainable development**

**This is already a much appreciated result**

**Conclusion:**

**A complex, but necessarily constructive agenda**

**Even if**

- **convergence factors between GIs and Sustainable Development are by far more numerous than non-convergence factors**
- **the two legal concepts, due to their social scope, present synergies**

**There may still be non- convergence local interests that may occasionally be vocal**

**Yet, due to the social scope of both legal concepts, there is and will be a common medium-long term interest of both the EU and Developing Countries for parallel inclusion of both concepts in FTAs and in National Laws**

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