

**Council for Trade-Related Aspects
of Intellectual Property Rights
Special Session**

SPECIAL SESSION OF THE COUNCIL FOR TRIPS

Report by the Chairman, Ambassador Manzoor Ahmad,
to the Trade Negotiations Committee

1. The Special Session of the Council for TRIPS has pursued, in formal meetings and informal consultations, its negotiations on the establishment of a multilateral system of notification and registration of geographical indications for wines and spirits, as mandated by the first sentence of paragraph 18 of the Doha Declaration. This report on these negotiations is submitted on the Chairman's own responsibility.

2. There has been some increase in the level of activity in the Special Session in the last few months, as shown by two new submissions spelling out in legal form proposals for a multilateral system of notification and registration of geographical indications for wines and spirits – one a joint proposal by Argentina, Australia, Canada, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Japan, Mexico, New Zealand, Chinese Taipei and the United States; and the other by the European Communities. This has been useful in clarifying to the Special Session the thinking and proposals of the proponents of these documents. In addition, the Special Session has before it a proposal tabled in April 2003 by Hong Kong, China.

3. However, it cannot be claimed that the new submissions and the consideration that the Special Session has given to them have enabled a significant step towards finding agreement to be taken. Differences of view on the merits of the different proposals on the table and on their consistency with the Special Session's mandate as contained in the first sentence of paragraph 18 of the Doha Declaration appear to be as large as ever and not to have narrowed since prior to Cancún.

4. The two key points of difference that continue to impede efforts towards finding agreement are:

- the extent to which legal effects at the national level should be consequent on the registration of a geographical indication in the multilateral system; and
- the extent to which such effects should apply in all WTO Members or only in those opting to participate in the system.

In addition, there are other issues which need further discussion, such as costs and administrative burdens.

5. While there may be scope within the framework of the Special Session for fruitful work of a technical nature on some aspects in the coming months, progress on the key issues will require a significant input of new flexibility on the part of delegations.

6. Two formal meetings have been scheduled for the second half of the year: one on 16 September 2005; and the other for 27-28 October, back-to-back with the regular session of the TRIPS Council scheduled for the two preceding days of that week. In addition, I will hold informal consultations prior to the September meeting on the steps that should be taken to assist progress in these negotiations.
