



Promoting Intellectual
Property Rights in the
ASEAN Region

How to Manage GIs as a Tool for Development - Recommendations for Practitioners

Ms. Claire DURAND – GI Expert | 27 January 2022



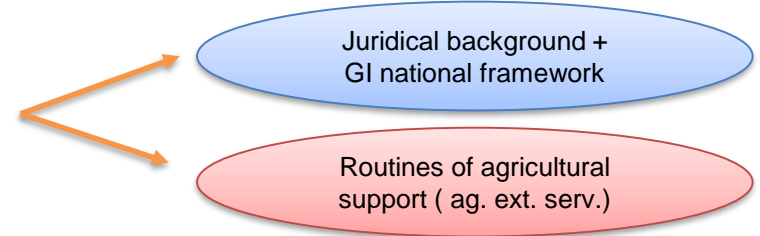
Funded by the European Union



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INTRODUCTION

- Success factors... for what ?
- GIs are embedded in national and local contexts
- Not one best way to implement/manage Geographical Indications



CONTENTS OF THE PRESENTATION

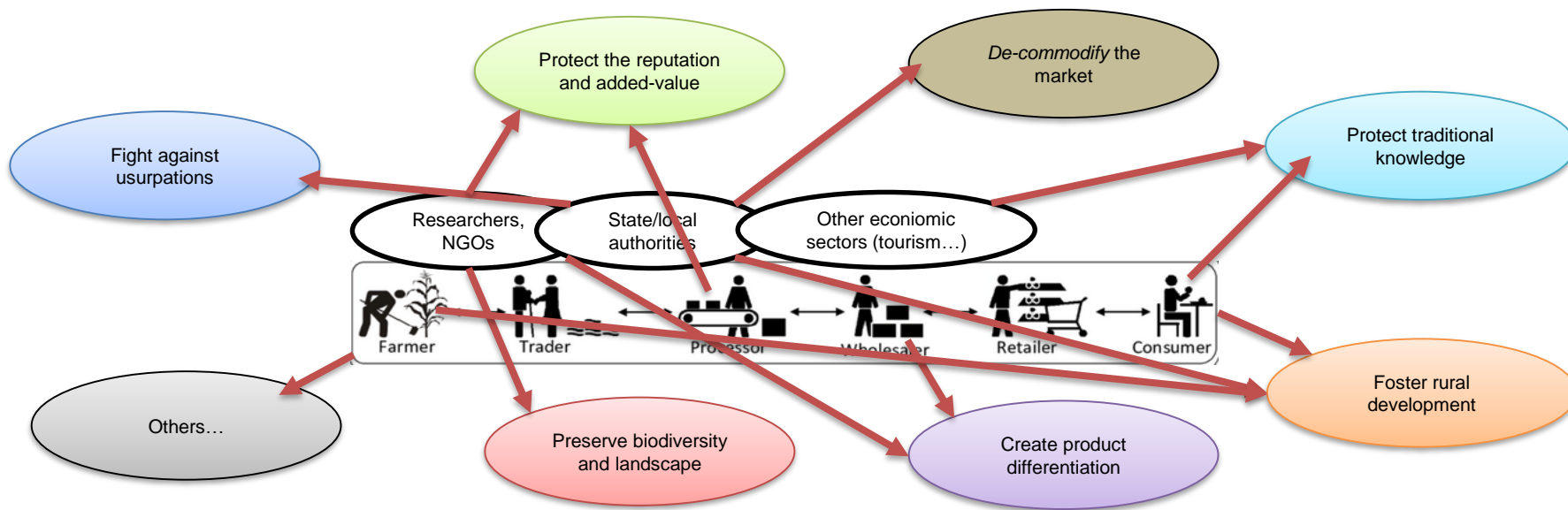
1. Search for a compromise ...
 - 1.1. Compromise on the rationale behind the GI
 - 1.2. Compromise on the definition of the GI Specifications
2. Provide a balanced support to the GI managing group
 - 2.1. Importance of GI Managing groups
 - 2.2. Marketing and Promotion
 - 2.3. Traceability and Quality controls
3. The role of the State at national level

Case study :
Coffee Arabica Kintamani Bali (Indonesia)



1. SEARCH FOR A COMPROMISE...

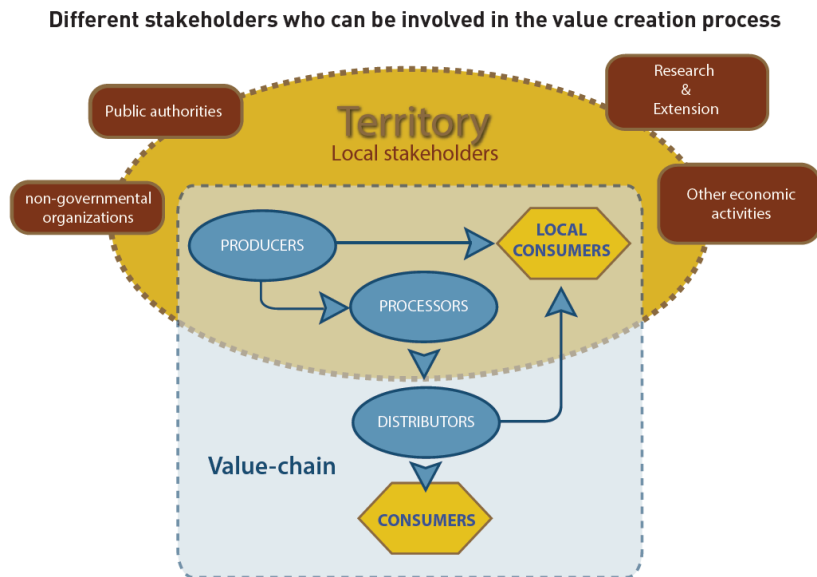
1.1. Compromise on the rationale behind the GI : Elaboration phase before GI registration



1. SEARCH FOR A COMPROMISE...

1.1. Compromise on the rationale behind the GI : Elaboration phase before GI registration

- Identify all the stakeholders that can be interested in the GI project
- Inform them about the beginning of the project and its potential effects
- Invite them to get involved in the elaboration phase :
 - **participatory approach**

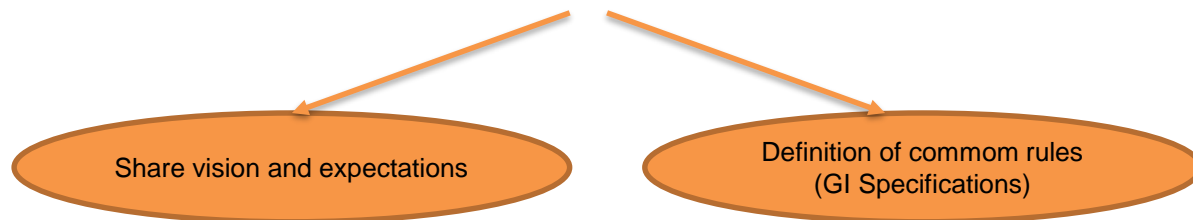


Source : FAO (2013)

1. SEARCH FOR A COMPROMISE...

1.1. Compromise on the rationale behind the GI : Elaboration phase before GI registration

- Practical activities : producers meetings, studies, workshops



- Mediation to reconcile different visions and interests (NGOs, State, researchers)



1. SEARCH FOR A COMPROMISE...

1.1. Compromise on the rationale behind the GI : Elaboration phase before GI registration > Coffee Kintamani Bali

(Some) Objectives	Who ?	When ?
To assist Indonesia in protecting GIs through 1 product that should be successful and become « an example »	French Cooperation (French Embassy, Cirad)	2001/2002
To raise the quality and reputation of the coffee > Get the good reputation of balinese coffee back ! (before Independance of Indonesia « <i>Bali coffee</i> » was used on markets, after « <i>Coffee from Indonesia</i> »)	French Cooperation + ICCRI + Agri.services Bali (+ sensibilized farmers)	2002/2003
To settle an operational protection system (ADPIC) and achieve one first registration	DGIPR	2003-2004
To develop GIs on coffees and raise quality (wet process) + develop markets for indonesian single-origin coffees	ICCRI	2002
To be the 1st Province to host a GI To raise the quality and put Kintamani coffee in a « niche market » To increase farmers incomes	Agricultural services Bali Province	2004
To get more incomes, to reinforce the reputation of Kintamani coffee and attrack new buyers	Famers, <i>subak abian</i>	2005



Challenge : to combine all these rationales in one single pilot project

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1. SEARCH FOR A COMPROMISE...

1.2. Compromise on the definition of the GI Specifications > Coffee Kintamani Bali

What were the points of discussion for the GI specifications ?

- ✓ Name of the product
- ✓ Delimitation of the GI area
- ✓ Agricultural practices
- ✓ Type of product : green beans or roasted coffee
- ✓ Type of processing
- ✓ Who will do the quality control ?
- ✓ Who will pay for the certification fee ?
- ✓ The voting system during the meetings of the GI managing group



1. SEARCH FOR A COMPROMISE...

1.2. Compromise on the definition of the GI Specifications > Coffee Kintamani Bali

✓ Name of the product

« Bali » But the GI area is smaller than the whole island + there are other coffees in Bali (robusta, etc.)

« Kintamani » is less famous than « Bali ». The farmers call themselves « producers from Kintamani ».

Challenge : create a reputation of quality for « Kintamani coffee

« Kintamani Bali » Both names are protected !

« Kopi Kintamani » ... important to mention the word « *Kopi* » (« coffee »)



Compromise of the stakeholders :

Kopi Arabika Kintamani Bali



1. SEARCH FOR A COMPROMISE...

1.2. Compromise on the definition of the GI Specifications > Coffee Kintamani Bali

✓ Delimitation of the GI area

Agricultural extension services Bali (Dinas Perkebunan) : extended area > have a more global strategy of development of Balinese coffee (not only the historic production zone of Kintamani)

Experts : upper lands, above 1100 m (based on organoleptic analysis)

Producers : restriction to the historic area of production (close by Kintamani city) with reasonable conditions regarding altitude :

« The GI area should include the slopes of the mountains where arabica is produced because they are all coffee farmers. Excluding them would be the opposite of their social project »

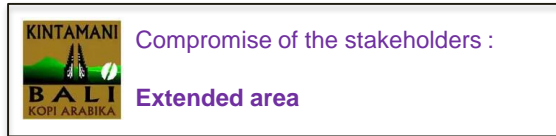
GI area > Number of farmers > total quantity potentially produced



1. SEARCH FOR A COMPROMISE...

1.2. Compromise on the definition of the GI Specifications > Coffee Kintamani Bali

✓ Delimitation of the GI area

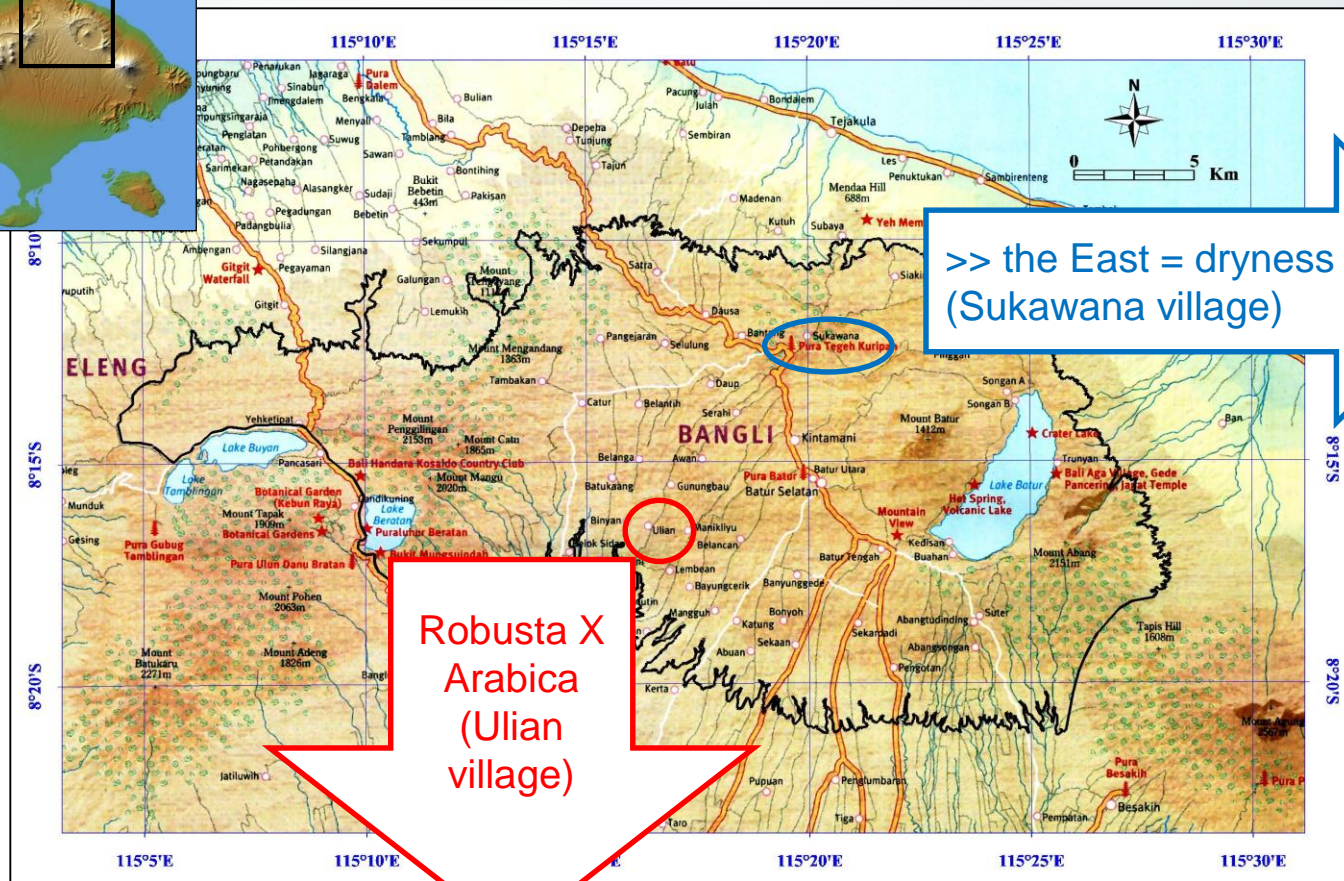


Altitude : the altitude advised by experts was extended to 900 to 1500 m. > satisfy Farmers' demand

Longitude : the Eastern part (after Sukawana village) that suffers from dryness was included in the GI area.
> satisfy the demand of Agri. Services (more quantity and a more global project).

➤ The final GI area is a compromise between expert knowledge, political aspects and social concerns





BoS : "The GI area do not include the mixed arabica / robusta coffee which exists at its borders"

Source : Book of Specifications GI Kintamani Bali Coffee

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2. PROVIDE A BALANCED SUPPORT TO THE GI MANAGING GROUP

2.1. Importance of GI Managing groups

- Design GIs ≠ manage GIs ≠ use GIs
- For each stage, different actors are involved in the governance

- **Elaboration phase**, design of the application > the role of the State is important
- **Management phase**, after registration > importance to establish a local GI Managing group

- GI managing groups in the ASEAN countries : depends on the country

2. PROVIDE A BALANCED SUPPORT TO THE GI MANAGING GROUP

2.1. Importance of GI Managing groups

TABLE 3 Nature of the applicant of GIs

	In the law: Public authority	In the law: Group of producers/processors	Main implementation in practice when the law provides several options
Thailand	x	x	Public authority
Indonesia	x	x	Producers associations → MPIG
Malaysia	x	x	Public authority
Vietnam	x		→ Reg. projects + <u>Management Projects</u>
Cambodia		x	
Laos		x	
Myanmar	x		
Singapore		x	

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2.1. Importance of GI Managing groups

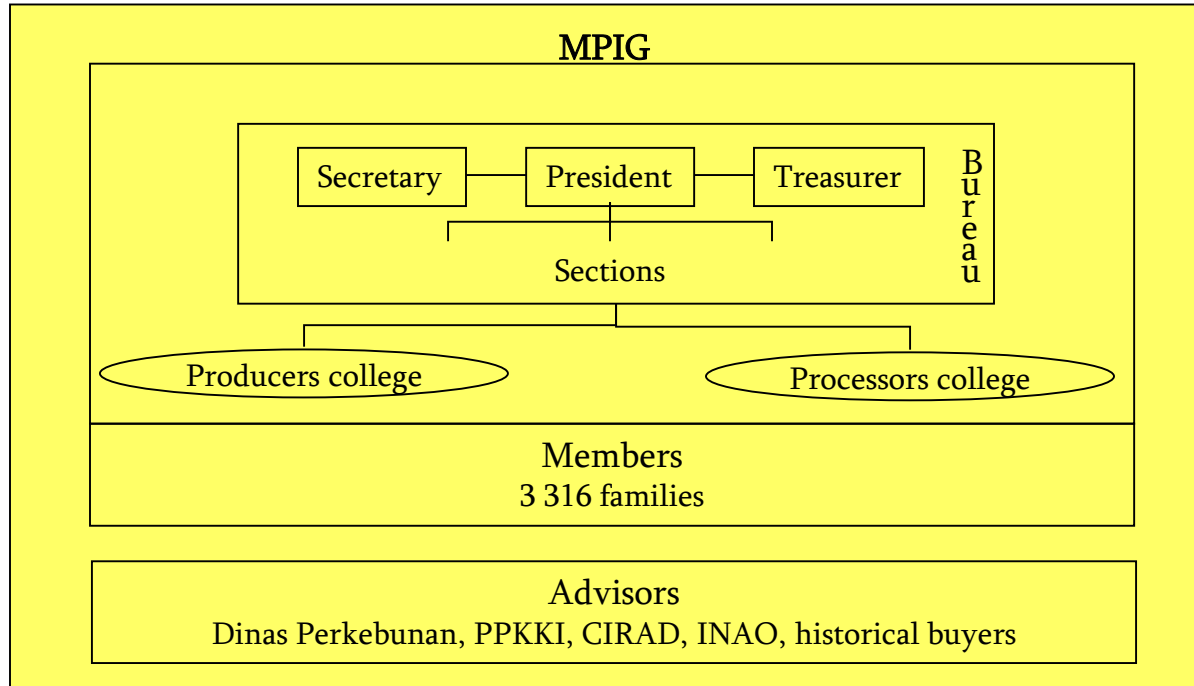
Challenges :

- Empower and train local GI leaders
- Find a balanced and representative composition of GI managing group (farmers, cooperatives, processors, public authorities...)
- Define democratic internal rules for decision-making (secret vote with majority rule in the general assembly...)



GI Managing group Kintamani Bali Coffee + Member cards

Example of GI Managing group Kintamani Bali Coffee (created in 2005)



Votation system :

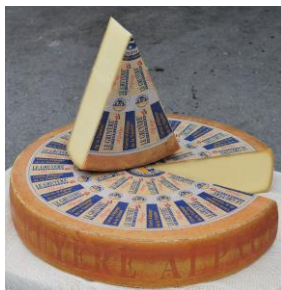
- One man one voice
- Based on the volumes of production

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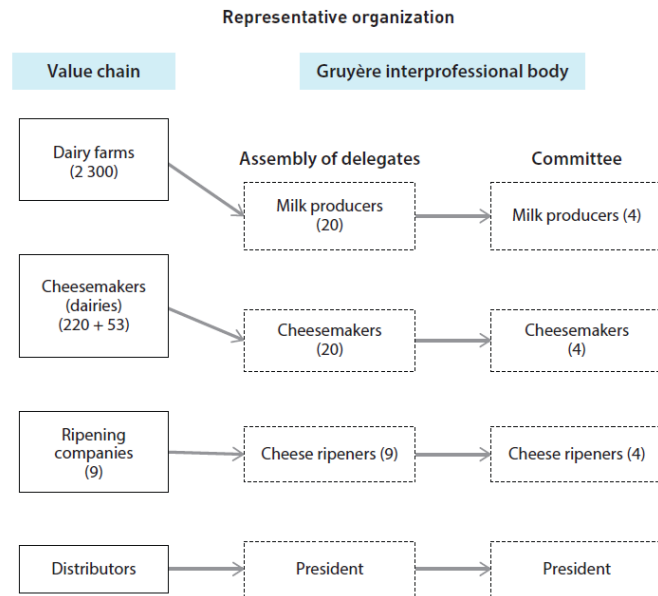
2.1. Importance of GI Managing groups

Many organizational forms are possible

Build up the GI managing group that is adapted to your situation !



Example of GI Managing group
Gruyère cheese (Switzerland)



Source: Agridea, presentation.

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2.1. Importance of GI Managing groups

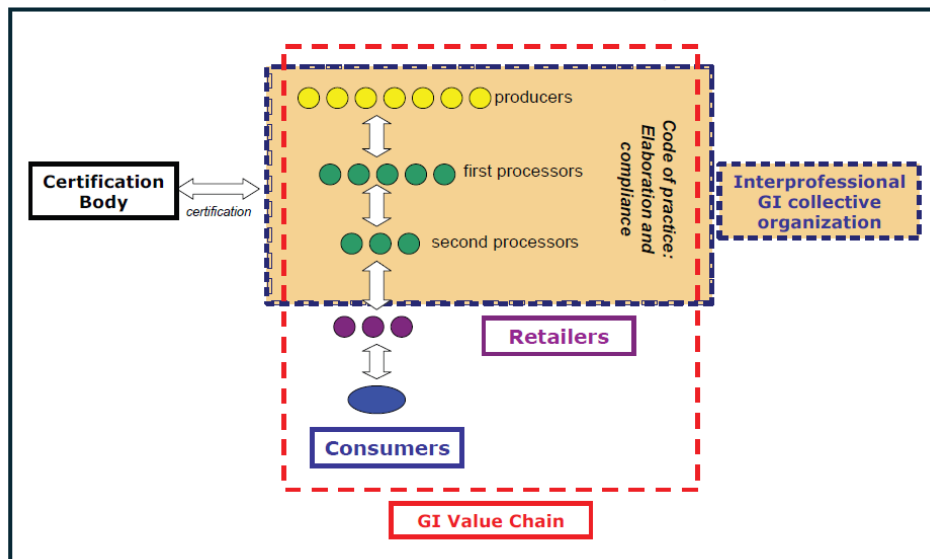
Many organizational forms are possible

Build up the GI managing group that is adapted to your situation !

➤ Essential role of local governments !

➤ Importance of a balanced support

Example of a GI inter professional organization



Source: Linking People, Places and Products

Source : FAO (2013)

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2. PROVIDE A BALANCED SUPPORT TO THE GI MANAGING GROUP

2.2. Marketing and Promotion

Mix situation between cooperation and competition > they share a common resource : the product reputation
> importance to coordinate the promotion

- **Collective promotion** : small-holders can obtain good impact with little investment
- **Reduction of costs** : market research, negotiation with new buyers, other collective certification / label
- Need of a budget !
- **Essential role of local governments !**

2. PROVIDE A BALANCED SUPPORT TO THE GI MANAGING GROUP

2.3. Traceability and Quality controls

Quality controls are essential for ensuring buyers/consumers confidence in the GI

The GI managing group can be **more legitimate and efficient** than any other public or private actor to settle the rules of control and implement them.

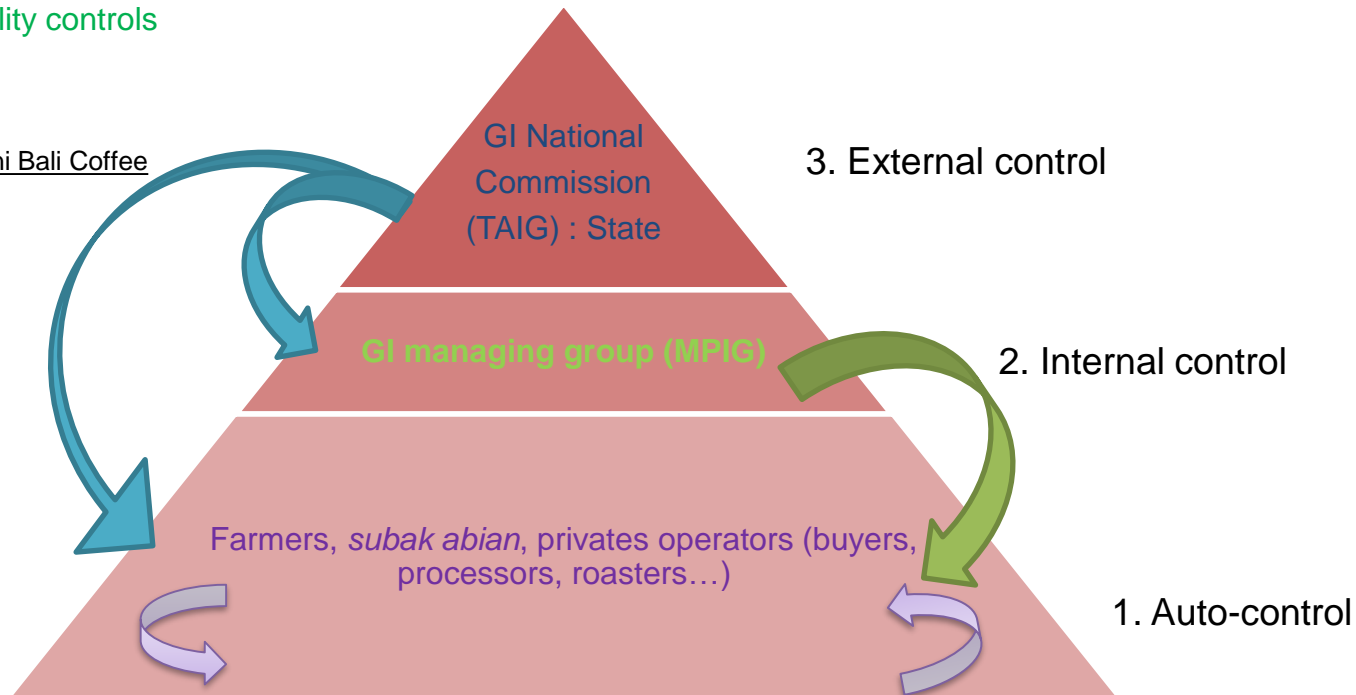
- Flexible approach : it takes time and training
- Implement a doable control plan : the elements to be controlled must be in limited number and clearly described

Possibility to add external controls

2. PROVIDE A BALANCED SUPPORT TO THE GI MANAGING GROUP

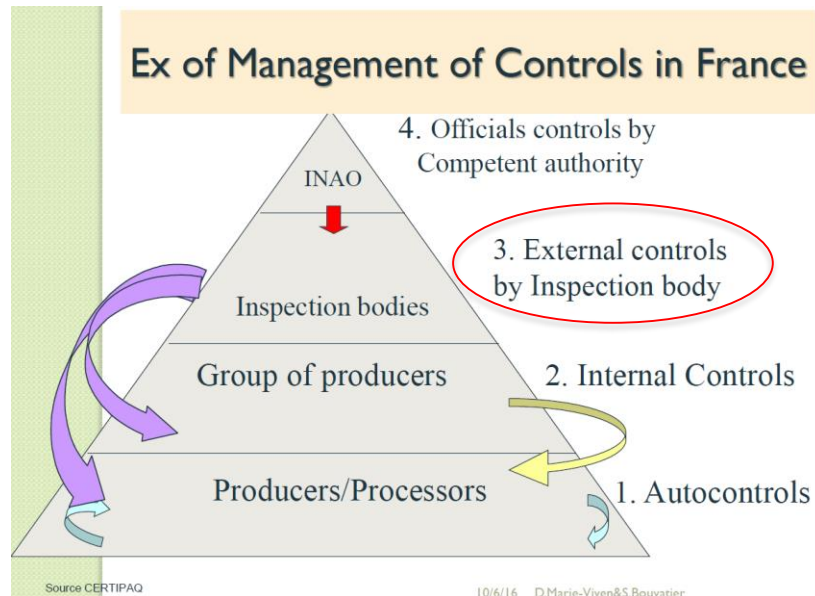
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Quality control plan for Kintamani Bali Coffee



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3. THE ROLE OF THE STATE AT NATIONAL LEVEL

- Funding to local governments for the **support of GI Managing groups**
- Take into account the **transdisciplinary nature of GIs**

GIs are IPR and tools of development  Need to gather competencies from several Ministries

Ex : In Indonesia, TAIG (National GI Commission), created in 2008, “*non structural body*” with representatives of Ministries, research centers...

- **Experience sharing** : seminars on GIs, National association of GIs
- Continue **capacity building at regional level** in the ASEAN

CONCLUSION

- GIs are **embedded in national and local contexts** : not only one best way to manage GIs.
- There are often many options of management. The final decision must be a **compromise** resulting of the **negotiation** of the local actors
- The role of the **GI managing group** is essential. It takes time to build capacity and local legitimacy for the GI leaders
- GIs are complex systems, their **governance** must be regularly **adapted** to the local evolutions (new markets, update of the BoS, change in the buyers' demand...).
- Geographical Indications require institutional innovation at national and local level for public and private actors. It is a **collective learning process** and a fabulous tool for development



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Thank you !

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