

Agreements under negotiation

- Azerbaijan
- Caribbean
- Central Africa
- Chile
- China
- Eastern and Southern Africa
- India
- Indonesia
- Malaysia
- Mercosur
- Mexico
- Philippines
- Thailand
- Tunisia
- United States

Agreement type	Country	General overview		Aspects related to GIs
		Launching of negotiations	Key issues	GIs issues
COMPREHENSIVE AGREEMENT	Azerbaijan	<ul style="list-style-type: none"> - Directives for the negotiation of a Comprehensive Agreement between the EU and Azerbaijan were adopted by the Council on 7 November 2016, to enhance and replace the current Partnership and Cooperation Agreement (PCA) in force. - Negotiations were launched in February 2017. 	<p>Negotiations are ongoing. The next round of negotiations is planned for first quarter of 2018.</p>	<p>All EU GIs will be covered by this agreement.</p>
ECONOMIC PARTNERSHIP AGREEMENT	Caribbean¹	<ul style="list-style-type: none"> - The Agreement was signed in 2008. The European Parliament approved the text in 2009. 	<ul style="list-style-type: none"> - Liberalisation of trade in services and goods; <p>The EPA joint institutions have met regularly since 2010 :</p> <ul style="list-style-type: none"> - The Joint CARIFORUM-EU Council (ministers) held its 4th meeting in Brussels in November 2017. - The Trade and Development Committee (senior officials) held its seventh meeting in Brussels in November 2017 	<ul style="list-style-type: none"> - Article 145 is devoted to GIs; - According to the EPA (article 145 - E), the EU and the Caribbean countries shall start negotiations aimed at an agreement to protect GIs. There have been contacts between both sides in order to prepare such negotiations. - They are now working on shortlists of GIs. The EU list will cover around 200 names and the Caribbean one around 20. They will add provisions on the protection of GIs in the existing EPA.
ECONOMIC PARTNERSHIP AGREEMENT	Central Africa²	<ul style="list-style-type: none"> - Central African countries updated their negotiation mandate in March 2014; - The only country which has ratified the interim EPA for Central Africa is Cameroon. It entered into provisional application on August 2014. - Contacts are ongoing between the region and the EU on accession to this EPA by other Central African countries. 	<p>The third EPA Committee between Cameroon and the EU took place on 7 and 8 December 2017. It discussed the state of play of implementation and related issues (liberalization state of play, updating of the liberalization timetable, rules of origin, accompanying measures, fiscal impact, rendez-vous clauses, etc.). The fourth meeting will take place in Yaoundé in December 2018.</p>	<p>The interim EPA does not cover GIs. However, article 58 calls for cooperation on IPRs.</p>

¹ <http://ec.europa.eu/trade/policy/countries-and-regions/caribbean>

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MODERNISATION OF THE ASSOCIATION AGREEMENT	Chile	<ul style="list-style-type: none"> - Negotiations were launched on 16 November 2017. - The first round of substantive discussions took place on 15-19 January 2018 	<ul style="list-style-type: none"> - The facilitation of customs procedures, trade in services, investment, competition, rules of origin, and intellectual property. - The European Commission released its negotiating textual proposals. 	<ul style="list-style-type: none"> - The proposal of the EU on intellectual property rights was published. - During this round, Chile and the EU had a constructive discussion on the textual proposal on GIs for agricultural products, which also gave the opportunity to ask questions, exchange preliminary views and to highlight some of the relevant areas of further work.
STAND-ALONE GI AGREEMENT	China ³	<ul style="list-style-type: none"> - Negotiations were launched in 2010. - The last round took place in January 2018. The EU and China are discussing the opposition files they received during the opposition procedure. 	<ul style="list-style-type: none"> - High level of protection for GIs in the EU and in China 	<ul style="list-style-type: none"> - The coexistence between GIs and existing trademarks, - A high level of protection of GIs - The possibility for Chinese GIs protected under the Agreement to use the EU logos on the Chinese market as well; - The agreement covers agricultural products, wine and spirits. The parties are discussing some flexibility in the language that could allow in the future the protection of non-agricultural GIs; - Both sides have exchanged textual proposals on GIs (including lists). List of EU GIs to be protected in China
POSSIBLE DEEPENING OF THE CURRENT ECONOMIC PARTNERSHIP AGREEMENT	Eastern and Southern Africa (ESA) ⁴	<ul style="list-style-type: none"> - Mauritius, Seychelles, Zimbabwe and Madagascar signed the interim EPA in 2009. The European Parliament gave its consent in January 2013. 	<ul style="list-style-type: none"> - Dedicated meeting of the Parties to discuss the proposal of each Party on the scope and objectives of a possible deepening of the current agreement: The meeting will take place in the first quarter of 2018. 	<ul style="list-style-type: none"> - The interim EPA calls for cooperation and further negotiations on IPRs (article 53).

² Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo Democratic Republic of (Kinshasa), Equatorial Guinea, Gabon, São Tomé & Príncipe : <http://ec.europa.eu/trade/policy/countries-and-regions/regions/central-africa/>

³ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/china/>

⁴ Comoros, Djibouti, Eritrea, Ethiopia, Madagascar, Malawi, Mauritius, Seychelles, Sudan, Zambia, Zimbabwe : <http://ec.europa.eu/trade/policy/countries-and-regions/regions/esa/>

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FREE TRADE AGREEMENT	India ⁵	<ul style="list-style-type: none"> - Negotiations for an ambitious and broad-based FTA were launched in June 2007 but stopped in 2013. - At the EU-India Summit of 30 March 2016, President Juncker took a clear stance in favour of tangible progress in the negotiations provided there is movement on the outstanding issues. - Chief Negotiators met in October 2017. They are now assessing which chapters are problematic to see if the negotiations can proceed. - The Chief Negotiators' meeting will take place towards the end of first quarter of 2018. 	<p>The main focus of negotiations included: market access for goods, services, public procurement and sustainable development.</p>	<ul style="list-style-type: none"> - The EU seeks protection of a list of EU GIs; - India seeks protection for its long list of non-agricultural GIs. This is one of the stumbling block of the negotiations.
FREE TRADE AGREEMENT	Indonesia ⁶	<ul style="list-style-type: none"> - The Council gave the Commission the green light to start negotiations for an FTA with Indonesia on 18 July 2016. - The 4th round of negotiations will be held from 5 to 9 February 2018 		<ul style="list-style-type: none"> - GI protection should go beyond TRIPS obligations and provide for the extension of the protection of TRIPS article 23 level (referred to as TRIPS +) to all GIs". - The EU and Indonesia have almost agreed on the GI chapter and exchanged in June 2017. Indonesia has around 50 GIs. They are screening the files in order to publish the lists for opposition in 2018.

⁵ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/india/>

⁶ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/indonesia/>

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FREE TRADE AGREEMENT	Malaysia ⁷	<ul style="list-style-type: none"> - Negotiations were launched in October 2010. - After seven rounds, negotiations were put on hold in April 2012 at Malaysia's request. The EU has reached the half-way point of the FTA negotiations with Malaysia. However, the most difficult issues remain to be resolved. - In 2016, a stocktaking exercise was initiated to assess the prospect to resume negotiations. Both sides are currently assessing whether there is enough common ground to re-launch the negotiations in due course. The EU is looking for a comprehensive and ambitious FTA, as was reached with Singapore and Vietnam. 	<ul style="list-style-type: none"> - Negotiations cover the following fields: IPRs (including GIs), market access for goods, services and investment, customs and trade facilitation, rules of origin, SPS and TBT measures, trade remedies, public procurement, sustainable development, dispute settlement and institutional issues; - A Partnership and Cooperation Agreement is being negotiated in parallel. 	<ul style="list-style-type: none"> - Negotiators have already discussed in a preliminary way the protection of GIs.
FREE TRADE AGREEMENT	Mercosur ⁸	<ul style="list-style-type: none"> - After the suspension of negotiations in 2004, negotiations with Mercosur were officially re-launched at the EU-Mercosur summit in Madrid in May 2010. - Negotiations rounds were resumed in 2016 after an exchange of market access offers took place in May 2016. A ministerial meeting will take place on the 30th of January 2018. 	<ul style="list-style-type: none"> - The goal is to cover trade in industrial and agricultural products, services, government procurement, IPRs (including GIs), customs, trade facilitation and the removal of TBT; - At this stage, the priority is to finalise market access offers. 	<p>The EU seeks a high level of protection for GIs.</p> <p>Shortlists were exchanged, and the opposition procedures were undertaken in 2017. The EU and Mercosur will now assess the opposition files they received.</p>

⁷ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/malaysia/>

⁸ <http://ec.europa.eu/trade/policy/countries-and-regions/regions/mercosur/>

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MODERNISATION OF THE GLOBAL AGREEMENT	Mexico	<ul style="list-style-type: none"> - The EU and Mexico met in June 2016 to start the negotiation process for the modernisation of the EU-Mexico Global Agreement. - The third negotiating round, which took place in Brussels in April 2017, was preceded by the exchange of textual proposals in almost every chapter. - The next round will take place from 12 to 16 February 2018. 	<ul style="list-style-type: none"> - The European Commission has published a series of textual proposals from the negotiations. 	<p>The EU seeks a high level of protection for GIs.</p> <p>Shortlists were exchanged, and the opposition procedures were undertaken in 2017. The EU and Mexico will now assess the opposition files they received.</p>
FREE TRADE AGREEMENT	Philippines⁹	<ul style="list-style-type: none"> - Negotiations were launched in December 2015. - Two rounds of negotiations took place in 2016 and 2017. - No date has been set yet for the next round of negotiations 	<ul style="list-style-type: none"> - This agreement covers a broad range of issues, including elimination of customs duties and other barriers to trade, services and investment, access to public procurement markets, as well as additional disciplines in the area of competition and protection of intellectual property rights. - The prospective agreement will also include a comprehensive chapter that will ensure that closer economic relations between the EU and the Philippines go hand in hand with environmental protection and social development. 	<p>The article 19.3 of the Agreements settles that the Parties agree to enhance cooperation on GIs.</p>

⁹ http://www.eeas.europa.eu/archives/delegations/philippines/documents/eu_philippines/eu_philippines_pca_20120712.pdf

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FREE TRADE AGREEMENT	Thailand¹⁰	<ul style="list-style-type: none"> - Negotiations were launched in March 2013. 	<p><u>Issues addressed:</u></p> <ul style="list-style-type: none"> - Draft text proposals have been submitted; - Negotiators have addressed issues related to goods, rules of origin, services, investment, public procurement, intellectual property (including GIs), trade remedies and trade and sustainable development; <p><u>Controversial issues:</u></p> <ul style="list-style-type: none"> - Since the military takeover in Thailand in May 2014 no further FTA rounds have been scheduled. 	<ul style="list-style-type: none"> - Negotiators have already addressed aspects related to the protection of GI; - European negotiators have submitted a list of 171 EU GIs to be protected in the context of the FTA (same list submitted in the context of the FTA with Vietnam); - Some Thai GIs are already protected in the EU (direct registration); - For the time-being, the level of protection sought by EU is more ambitious than the one sought by Thailand.
DEEP AND COMPREHENSIVE FREE TRADE AGREEMENT	Tunisia¹¹	<ul style="list-style-type: none"> - The first negotiating round for a DCFTA between the EU and Tunisia took place in April 2016. - The second round is planned for early 2018. 	<ul style="list-style-type: none"> - The objective of the DCFTA negotiations is to extend the scope of the existing Association Agreement and bring about the better integration of Tunisia's economy into the EU single market. - An important objective of the DCFTA is to support ongoing economic reforms in Tunisia and bring Tunisian legislation closer to that of the EU in trade-related areas. 	<ul style="list-style-type: none"> - This Agreement shall apply to the recognition and protection of the GIs) originating in the territory of the parties in the articles 7 and the Annex III

¹⁰ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/thailand/>

¹¹ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/tunisia/>

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FREE TRADE AGREEMENT	United States ¹²	<ul style="list-style-type: none"> - Negotiations were launched in February 2013. - Negotiations were stopped until further notice at the end of 2016. Both sides need to clarify if there is a sufficient level of shared ambition and common ground before deciding whether and how to proceed with new negotiations. 	<p><u>Issues addressed:</u></p> <ul style="list-style-type: none"> - In 2014, discussions moved into textual proposals; - Negotiators mainly deal with regulatory aspects (TBT, SPS and specific sectors), rules pillars (IPRs, energy, SMEs) and services; - Preliminary discussions on GIs. <p><u>Controversial issues:</u></p> <ul style="list-style-type: none"> - Agriculture: MEPs and the civil society fear that the TTIP will change EU's legislation on GMOs; - European standards: There is concern about a potential reduction of the level of protection of EU environmental and public health; - Transparency: The EU negotiation mandate was made public on the 9 October 2014; - Investments protection: Strong division concerning the need to include the ISDS mechanism within the TTIP; - GIs. 	<ul style="list-style-type: none"> - European Commission's mandate on GIs mentions the need to seek a high level of protection for European GIs; - The US opposes the phasing out of semi-generic names as defined in the EC/USA 2006 Agreement on trade in wine (which affects 16 EU GIs wines); - The US, which protects GIs through trademarks, offers GI protection compatible to the US TM system and refuses to recognise a list of EU GIs without national scrutiny. Moreover, the US refuses the principle of coexistence between a GI and an existing TM and considers that a number of EU GIs are generic in the US. - The EU published an outline of text on GIs, as well as lists of EU GIs for foodstuffs and sprints.

¹² <http://ec.europa.eu/trade/policy/countries-and-regions/countries/united-states/>