

EU/China Agreement: cooperation on and protection of geographical indications

2020/0089(NLE) - 27/05/2020

PURPOSE: to conclude the Agreement between the European Union and China on cooperation on, and protection of, geographical indications.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: China is EU's second-biggest trading partner and the EU is China's biggest trading partner. China and Europe trade on average over EUR 1 billion a day. Agri-food trade is an important component of this relation and its balance between the EU and China is clearly positive for the EU.

On 10 September 2010, the Council authorised the opening of negotiations on an Agreement with China with a view to obtaining the highest possible level of protection for geographical indications falling within its scope and to providing instruments to counter deceptive practices and wrongful uses of these indications.

On the basis of these directives, the Commission has negotiated with the People's Republic of China an ambitious and comprehensive agreement on cooperation on, and protection of, geographical indications.

The development of China's middle class, which is expected to reach 500 million people in the next three years, stimulates demand for quality products and thus for those with a European geographical indication. The Agreement shall therefore benefit European producers and should be a boost to rural areas where these products are made.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the Union, the Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications.

The proposed Agreement aims to achieve the highest possible level of protection for geographical indications and to provide instruments to counter deceptive practices and wrongful uses of these indications.

In accordance with the negotiating directives, the Commission has obtained:

- a TRIPS+ level of protection on the Chinese market for EU geographical indications following the entry into force of the Agreement;
- the protection of an additional 175 GIs within four years of entry into force and a mechanism to add more GIs at a later stage;
- the coexistence of GIs with legitimate earlier trademarks, the vast majority of which belong to their legitimate owners in Europe.

The Agreement includes institutional provisions for the establishment of a Joint Committee to monitor the implementation of the Agreement and to intensify cooperation and dialogue in the field of geographical indications. The Council shall authorise the Commission to approve, on the Union's behalf, the position to be adopted in the Joint Committee on proposed modifications to Annexes I and III to VI of the Agreement.