

Enhancing Market Access using Geographical Indications in Guyana

EDMUND P KALEKYEZI, Hub & Spokes Programme
National Trade Adviser, Guyana

Introduction

The quality of a product can often be determined by where it comes from. Geographical Indications are a sign used to identify a product as originating in a territory of a country, region or locality. The quality of this good and its reputation and distinct characteristics would be attributable to this geographical origin.

In order to function as a GI, a sign must identify a product as originating in a given place.

The WTO TRIPS Agreement requires member countries to enact and enforce geographical indications legislation. Besides the WTO Agreement, Guyana together with other CARIFORUM member countries signed the Economic Partnership Agreement that has obligations related to protection of geographical indications.

For instance, under Article 145 of the CARIFORUM/EC Economic Partnership Agreement (EPA) that was signed at the end of 2008, there is a requirement for parties to identify a list of prospective products to be protected as geographical indications in their respective territories, within six months after the agreement entered into force. Not only did Guyana have no single geographical indication registered in the country, but the whole aspect of geographical indications was particularly new to all the relevant institutions.



Why do geographical indications matter?

Geographical indications are important because of the culture and tradition rooted in certain products. Goods with a culturally, distinctive background can create value for local communities and support local production and development. They are also becoming a beneficial intellectual property right particularly for developing countries.

Geographical names that have considerable business value can often be exposed to misuse and can limit market access for small suppliers. Therefore, the geographical indication is important in protecting both producers and consumers.



Benefits of Geographical indications

Registering products as geographical indications helps in branding products and accessing international markets. Normally, products registered as geographical indications fetch prime prices compared to similar products on the same market.

Research has shown that a product with a protected "Destination of Origin" may attract a premium price of as much as 40% higher than that of a similar product without a GI classification.

The market for geographical indications products is significant, especially in developed countries, where consumers have an interest to know the origin of products they consume and are ready to pay extra for unique products. Geographical Indications also contribute to economic development and enhancement of incomes for rural communities involved in producing the respective products.

What is the case for Guyana?

For Guyana the issue of geographical indications legislation enactment and enforcement relates not only to compliance with international obligations but it is regarded as an opportunity to enhance Guyana's participation and presence on international markets. Unfortunately, compared to some of Guyana's trading partners, Guyana does not have many products registered as geographical indications. This is notwithstanding the fact that the country possesses diverse products that have potential to be traded as geographical indications and earn revenue for the economy.

Under the support of the Hub and Spokes Programme, the regulations to operationalise the legislation for geographical indications were drafted, thus paving way for the implementation of Guyana's geographical indications regime. In accordance with the CARIFORUM/EU Economic Partnership Agreement, products that had potential for registration as geographical indications were identified and private sector stakeholders were brought on board and sensitised about the relevance of geographical indications to their products. For the respective products technical assistance was rendered to enable them prepare the specifications to be registered and protected as geographical indications. The Hub & Spokes Programme facilitated two workshops that were convened to consult and sensitise public and private sector stakeholders on matters pertaining to geographical indications.

For the activities that culminated in the final registration of the geographical indications for the products, the ministry secured further support. The ACP/TBT Programme funded a consultation to finalise the indications for registration and advise on whether they satisfied requirements for registration in EU. The Hub & Spokes II Programme closely worked with the consultant and all the other stakeholders to finalise the process.

Subsequently, further intervention by the Programme, in the process was required when objections were raised by another company against the registration of a name as a geographical indication. The objectors were advised to lodge objections with the Commercial Registry following the stipulated procedure. After the period allowed for objections lapsed, the Commercial Registry had the geographical indications for Demerara sugar, Demerara rum and Demerara molasses registered in Guyana.

Work in this area continues with regard to identifying more products from Guyana that could get registered as geographical indications. The stakeholders who participated at the conference at the end of 2016, expressed interest in having more products protected under the geographical indications system. The indigenous communities were specially mentioned to have unique products that would qualify for protection. This would create opportunity for rural development, as well as product diversification for Guyana and an added source of revenue.