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## COVER NOTE

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	21 October 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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No. Cion doc.:	COM(2024) 475 final
Subject:	Recommendation for a COUNCIL DECISION amending the Decision of 30 November 2017 authorising the opening of negotiations with the CARIFORUM States for an agreement on the protection of geographic indications based on Article 145 of the CARIFORUM Agreement, as regards craft and industrial products

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Delegations will find attached document COM(2024) 475 final.

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Encl.: COM(2024) 475 final



EUROPEAN  
COMMISSION

Brussels, 21.10.2024  
COM(2024) 475 final

Recommendation for a

## **COUNCIL DECISION**

**amending the Decision of 30 November 2017 authorising the opening of negotiations  
with the CARIFORUM States for an agreement on the protection of geographic  
indications based on Article 145 of the CARIFORUM Agreement, as regards craft and  
industrial products**

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE PROPOSAL**

#### **• Reasons for and objectives of the proposal**

Article 145 of the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part (hereafter ‘the CARIFORUM-EU EPA’)<sup>1</sup> establishes the level of protection of geographical indications, terms of protection and other parameters. However, no list of protected geographical indications has been established under that Agreement. For this reason, paragraph E of Article 145 sets out a rendez-vous clause requiring the parties to negotiate an agreement on the protection of geographical indications in their respective territories.

On 30 November 2017, the Council authorised the Commission to open negotiations on the protection of geographical indications pursuant to Article 145, point E, of the CARIFORUM-EU EPA and addressed directives to the negotiator. The third paragraph of those directives noted that non-agricultural products were not covered by the directives.

In the course of the negotiations, the EU adopted Regulation (EU) 2023/2411 of the European Parliament and of the Council of 18 October 2023 on the protection of geographical indications for craft and industrial products and amending Regulations (EU) 2017/1001 and (EU) 2019/1753. Moreover, the CARIFORUM countries have expressed interest in negotiations which would include non-agricultural products.

While the Commission is not prevented from negotiating with CARIFORUM with regard to craft and industrial geographical indications, this recommendation seeks to amend the negotiating directives by providing directives on craft and industrial products.

### **2. RESULTS OF STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS**

No impact assessment has been carried out. Through this recommendation, the EU will continue to fulfil the requirements of Article 145 E of the CARIFORUM-EU EPA.

### **3. BUDGETARY IMPLICATIONS**

This initiative does not have any budgetary implication.

### **4. LEGAL ELEMENTS OF THE RECOMMENDATION**

This recommendation is based on Article 218(3) and (4) of the Treaty on the Functioning of the European Union. It seeks to amend the negotiating directives annexed to the Council Decision of 30 November 2017 authorising the opening of negotiations with the CARIFORUM States for an agreement on the protection of geographic indications based on Article 145 of the CARIFORUM Agreement.

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<sup>1</sup> Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, OJ L289/3, 30.10. 2008, p. I/3.

Recommendation for a

## COUNCIL DECISION

**amending the Decision of 30 November 2017 authorising the opening of negotiations with the CARIFORUM States for an agreement on the protection of geographic indications based on Article 145 of the CARIFORUM Agreement, as regards craft and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) The Council Decision of 30 November 2017<sup>1</sup> authorised the Commission to open negotiations with the CARIFORUM States for an agreement on the protection of geographical indications. This Decision was based on Article 145 of the CARIFORUM Agreement<sup>2</sup>.
- (2) Regulation (EU) 2023/2411 of the European Parliament and of the Council<sup>3</sup> lays down a system for the protection of geographical indications for craft and industrial products. That Regulation entered into force on 16 November 2023. The CARIFORUM States have expressed interest in negotiations which would include non-agricultural products.
- (3) The Annex to the Decision of 30 November 2017 should be amended to provide additional negotiating directives on craft and industrial products,

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<sup>1</sup> Council Decision of 30 November 2017 authorising the opening of negotiations with the CARIFORUM States for an agreement on the protection of geographic indications based on Article 145 of the CARIFORUM Agreement, 14072/17.

<sup>2</sup> Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other, OJ L 289, 30.10.2008, p. I/3, ELI: [http://data.europa.eu/eli/agree\\_internation/2008/805/oj](http://data.europa.eu/eli/agree_internation/2008/805/oj).

<sup>3</sup> Regulation (EU) 2023/2411 of the European Parliament and of the Council of 18 October 2023 on the protection of geographical indications for craft and industrial products and amending Regulations (EU) 2017/1001 and (EU) 2019/1753, OJ L 2023/2411, 27.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2411/oj>.

HAS DECIDED AS FOLLOWS:

*Sole Article*

The Annex to the Council Decision of 30 November 2017 authorising the opening of negotiations with the CARIFORUM States for an agreement on the protection of geographic indications based on Article 145 of the CARIFORUM Agreement is amended in accordance with the Annex to this Decision.

Done at Brussels,

*For the Council  
The President*