

## **Program and Budget Committee**

### **Twenty-Fourth Session Geneva, September 14 to 18, 2015**

#### **PROGRESS REPORT ON THE IMPLEMENTATION OF THE JOINT INSPECTION UNIT (JIU) RECOMMENDATIONS FOR THE REVIEW OF WIPO LEGISLATIVE BODIES**

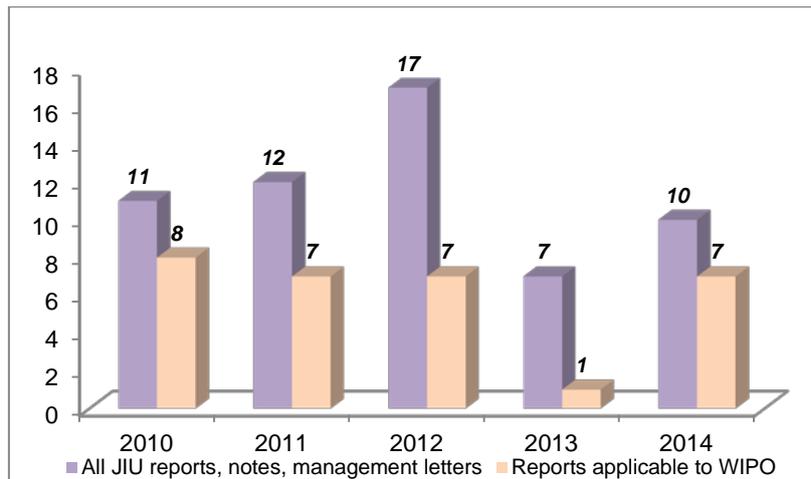
*prepared by the Secretariat*

1. This document provides an overview of the status of implementation of the recommendations to the WIPO legislative bodies resulting from the reviews of the Joint Inspection Unit (JIU) during the period of 2010 to 2014, and includes the recommendations addressed to the WIPO legislative bodies resulting from the Joint Inspection Unit Review of Management and Administration in WIPO (MAR).
2. The status of recommendations vis-à-vis the previous report can now be more easily tracked as a result of the newly introduced comment boxes appearing on the tables.
3. In summary, it is noted that over the past five years, the JIU has issued a total of 57 reports, notes, and management letters, with a reduction in the number of reports in the last two years. Of the 57 documents, 47 were reports, of which 30 were applicable to WIPO. WIPO has made progress over the last three years in closing JIU recommendations, including both those addressed to the Executive Head as well as to Legislative Bodies<sup>1</sup>.

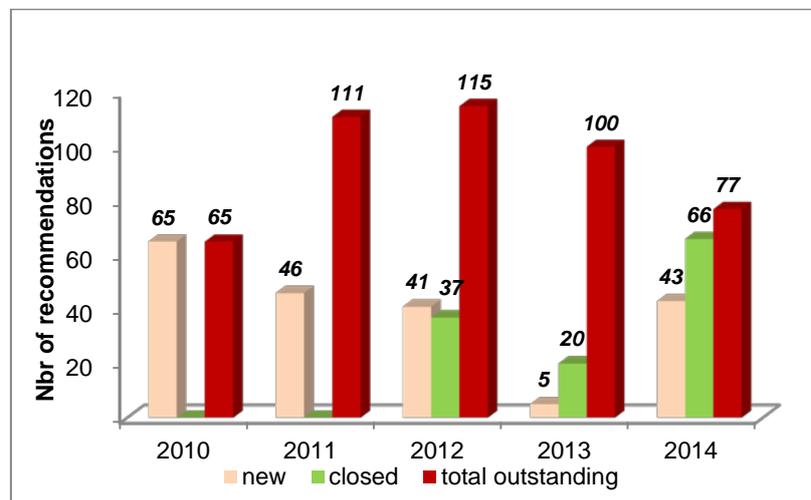
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<sup>1</sup> Status of Legislative Body recommendations is reported before updates as recommended in the current progress report. These will appear as part of the 2015 implementation, following endorsement by Member States.

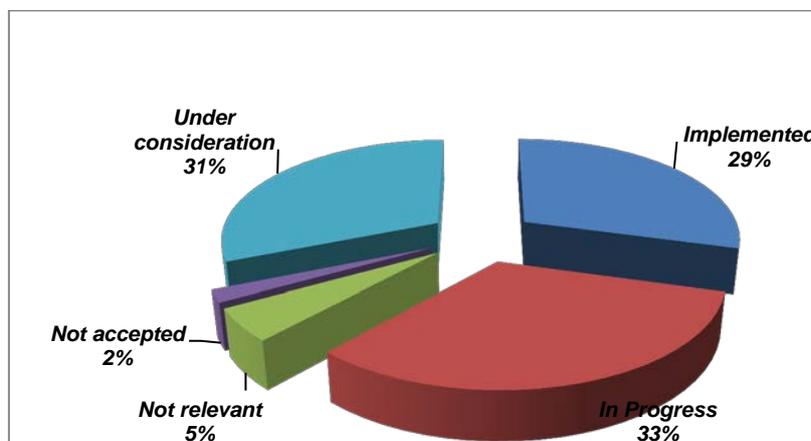
**Chart 1. JIU reports, notes and management letters**



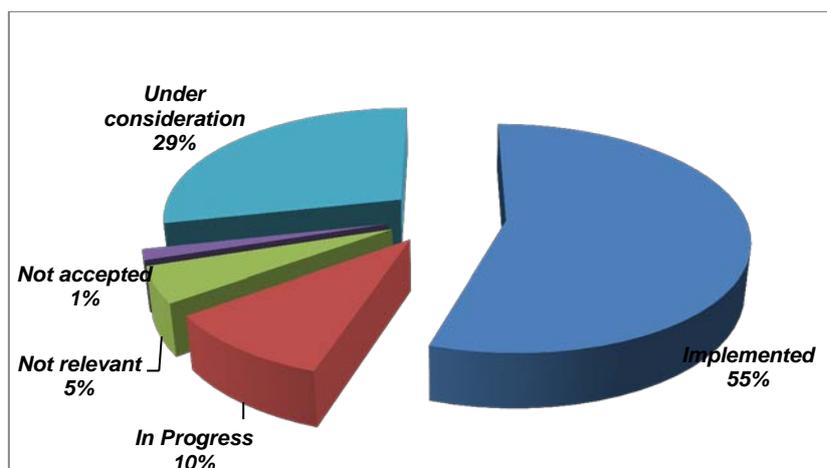
**Chart 2. Number of All JIU Recommendations – new, closed, cumulative outstanding at year end**



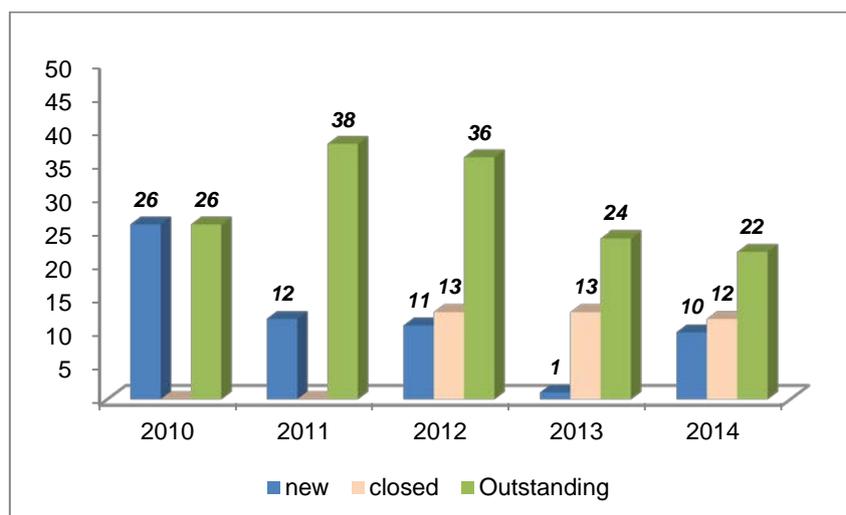
**Chart 3. JIU Recommendations 2010-2013 – Status as at end 2013**



**Chart 4. JIU Recommendations 2010-2014 – Status as at end 2014**



**Chart 5. JIU Recommendations Addressed to Legislative Bodies 2010-2014**



4. WIPO works with the JIU extensively in order to (i) provide input into the reports produced by the JIU; (ii) review draft reports and recommendations and provide feedback and input to these as appropriate; and (iii) implement recommendations as appropriate.

5. The Annex to the present document contains recommendations addressed to the legislative bodies of United Nations system organizations, where these recommendations are marked for action by WIPO. The current status of acceptance/implementation of recommendations reflects the Secretariat's proposals and assessments, where these were possible to provide, for consideration by Member States.

6. Recommendations outstanding as at the date of the current report, as well as those implemented since the last Report on the Implementation of the Joint Inspection Unit Recommendations (WO/PBC/22/23) are presented in the Annex. It is highlighted that the attached table contains only the most recent updates to recommendations. Those

recommendations which were reported on as “implemented” or “not relevant” in the previous report no longer appear in the updated table.

7. To facilitate assessment of progress in the consideration and/or implementation of recommendations, notes have been provided for each recommendation to highlight whether these are new, or updated, or unchanged from the previous report.

8. The last report included 12 recommendations to WIPO’s legislative bodies which were reported on as completed or not relevant, and these therefore no longer appear in the current report. Seven new recommendations have been incorporated into the report, bringing the total number of recommendations in the annex to 20, of which

- (a) Eleven have been accepted and implemented;
- (b) One has been accepted and is in progress;
- (c) Eight remain under consideration.

9. The following decision paragraph is proposed.

*10. The Program and Budget Committee (PBC)*

*(i) took note of the present report;*

*(ii) welcomed and endorsed the implementation of recommendations under JIU/REP/2014/8 (Recommendation 2); JIU/REP/2014/6 (Recommendation 3 and 4); JIU/REP/2014/3 (Recommendation 2); JIU/REP/2014/1 (Recommendation 1 and 2); JIU/REP/2012/10 (Recommendation 8); JIU/REP/2011/4 (Recommendation 12); JIU/REP/2011/1 (Recommendation 2); JIU/REP/2010/3 (Recommendation 6 and 8) as set out in the present report; and*

*(iii) noted the open recommendations made by the Joint Inspection Unit (JIU) for Member States’ consideration in respect of which the Secretariat will provide updates as appropriate at the 25<sup>th</sup> session of the PBC.*

[Annex follows]

## JIU RECOMMENDATIONS ADDRESSED TO THE WIPO LEGISLATIVE BODIES

### I. RECOMMENDATIONS FROM JIU REVIEWS HELD IN 2014

#### 1. JIU/REP/2014/9 “Contract Management and Administration in the United Nations system”

This report was issued by the JIU on March 26, 2015. All recommendations are therefore new within the context of the progress report to Member States.

Recommendations	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
 <p>Rec. 1 The legislative bodies of the United Nations system organizations should direct the executive heads of their organizations to update and, when necessary, develop specific policies, procedures, guidance and follow-up systems to ensure effective and efficient management of post-award contract activities.</p>	Director, Procurement and Travel Division (PTD)	Accepted	In progress	The suppliers that are deemed “strategic” in the annual procurement plan must be met twice a year and a vendor performance review must take place on the basis of pre-determined Key Performance Indicators. A vendor performance template has been developed and the performance review meeting will take place in the course of 2015 as planned.
 <p>Rec. 3 The legislative bodies of the United Nations system organizations should direct the executive heads of their organizations to put in place a system whereby the persons designated to manage contracts after award are notified in writing about their accountability and responsibilities when managing a contract, and possess the required qualifications to manage the contract.</p>	Director, PTD	Under consideration		The Procurement section will consult the different Programs to explain the importance of the role of contract manager and the associated responsibilities, and agree on a formal designation process.

2. JIU/REP/2014/8, “Use of non-staff personnel and related contractual modalities in the United Nations System Organisations”

This report was issued by the JIU on April 20, 2015. All recommendations are therefore new within the context of the progress report to Member States.

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
 Rec. 2 The legislative/governing bodies of the United Nations system organizations should systematically exercise their oversight functions on the use of non-staff personnel through regular reviews of non-staff personnel information/data provided by the respective executive heads.	Director, Program Planning and Finance (DPPF), (Controller)	Accepted	Implemented	Reporting is provided to Member States to enable their oversight function as part of the Financial Management Reporting (FMR), and the Program Performance Report (PPR).

3. JIU/REP/2014/6, “Analysis of the Evaluation Function in the United Nations system”

This report was issued by the JIU on March 31, 2015. All recommendations are therefore new within the context of the progress report to Member States.

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
 Rec. 3 The legislative bodies should request the executive heads of United Nations system organizations to develop comprehensive budget frameworks and resource allocation plans for their respective evaluation functions, based on the cost of maintaining an effective and sustainable evaluation function that adds value to the organization. The plans should be submitted for consideration to the legislative bodies within existing budgetary and reporting mechanisms and processes.	Director, Internal Oversight Division (IOD)	Accepted	Implemented	<p>Paragraphs 40 and 41 of the WIPO Internal Oversight Charter provide: “40. In presenting Program and Budget proposals to the Member States, the Director General shall take into account the need to ensure the operational independence of the internal oversight function and shall provide the necessary resources to enable the Director, IOD to achieve the objectives of his/her mandate. The allocation of financial and human resources including insourcing, outsourcing or co-sourcing of services shall be clearly identified in the Program and Budget proposal, which will take into account the advice of the IAOC.</p> <p>41. The Director, IOD shall ensure that IOD comprises</p>

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
				staff, appointed in accordance with WIPO Staff Regulations and Rules, which collectively possess the knowledge, skills and other competencies needed to perform the internal oversight functions. He/she shall promote continuing professional development to meet the requirements of this Charter. "These provisions address the issues raised in the recommendation on budget and resource allocation. The oversight's budget, which includes resources for evaluation, is reviewed and approved by the Member States."
<p> Rec. 4 The legislative bodies should direct the executive heads of United Nations system organizations to review and revise, as necessary, existing policies for the appointment of the heads of evaluation offices, in order to enhance independence, integrity, ethics, credibility and inclusion, with due regard to the following criteria:</p> <ul style="list-style-type: none"> <li>• Term limits should be established for a single non-renewable term of office of between five and seven years, with no possibility for the incumbent of re-entry into the organization;</li> <li>• The head of evaluation should have qualifications and substantial experience in evaluation, complemented by experience in the related fields of strategic planning, basic and operational research and knowledge management, and should have excellent management and leadership attributes.</li> </ul>	Director, IOD	Accepted	Implemented	<p>The provisions of the Internal Oversight Charter guarantee that the appointment of the Director of Internal Oversight, responsible for evaluation, conforms with the need for independence, integrity, ethics, credibility and inclusion with due regard to term limits and competence. This is recognized by the JIU in its report JIU/REP/2014/6 under paragraph 94 and table 9. The relevant provisions of the Charter are in the following paragraphs:</p> <p>42. The Director, IOD shall be a person with high qualifications and competence in oversight functions. The recruitment of the Director, IOD shall be based on an open, transparent international selection process to be conducted by the Director General in consultation with the IAOC.</p> <p>43. The Director, IOD shall be appointed by the Director General after endorsement by the IAOC and the Coordination Committee. The Director, IOD shall have a non-renewable fixed term of office of six years. On</p>

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
				<p>completion of the fixed term of office he/she shall not be eligible for any further employment in WIPO. Steps should be taken, where possible, to ensure that the start of the terms of the Director, IOD should not be the same as that of a new External Auditor.</p> <p>44. The Director General may dismiss the Director, IOD only on specific and documented grounds and after endorsement by the IAOC and the Coordination Committee.</p> <p>45. The performance appraisal of the Director, IOD shall be made by the Director General after receiving input from and in consultation with the IAOC.”</p>

4. JIU/REP/2014/3 “Capital/refurbishment/construction projects across the United Nations system organizations”

This report was issued by the JIU on September 30, 2014. All recommendations are therefore new within the context of the progress report to Member States.

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
 <p>Rec. 2 Taking into account the high cost and high risk of capital/refurbishment/construction projects, the legislative/governing bodies of the United Nations system organizations should exercise their monitoring and oversight role with regard to their respective projects on an ongoing basis, including during the pre-planning, planning, executing and completing phases, ensuring cost efficiency and the achievement of the overall goals of the projects.</p>	Director, Premises Infrastructure Division (PID)	Accepted	Implemented	Member States review and approve such projects as well as monitor and oversee implementation of the same, both directly, through project progress reports, as well as through relevant reports of the External Auditor, the Internal Oversight Division, and the Independent Advisory Oversight Committee.

5. JIU/2014/2 “Review of Management and Administration in the World Intellectual Property Organization (WIPO)”

Recommendation	Responsible Officer	Acceptance Status*		Management/Focal Point Assessment
		Acceptance	Implementation	
<p>Rec. 1 The WIPO General Assembly should review the WIPO governance framework as well as current practices with a view to strengthen the capacity of the governing bodies to guide and monitor the work of the organization. In doing so, Member States may wish to consider in their deliberations the options suggested in this report.</p>	<p>Assistant Director General and Chief of Staff</p>	<p>Under consideration</p> <p style="text-align: center;"><i>Please refer to document WO/PBC/23/4 and WO/PBC/23/9</i></p>		<p>A letter was sent on May 30, 2014, from the Director General of WIPO to the Chair of the WIPO General Assembly, drawing the Chair's attention to this recommendation. The Director General sent a follow-up letter to the Chair on July 30, 2015, reminding the Chair of this recommendation. Governance was discussed during the 22<sup>nd</sup> session of the PBC in September 2014, as well as at the Assemblies meeting of the same year. The decision of the Member States was to place this item on the agenda of the 23<sup>rd</sup> session of the PBC. The PBC, following its discussions on this agenda item, decided to continue its deliberations at its 24<sup>th</sup> session.</p>
<p>Rec. 6 The Coordination Committee should revisit the present principles concerning geographical distribution in order to ensure broader geographical diversity within the WIPO professional workforce.</p>	<p>Director, Human Resources Management Department (HRMD)</p>	<p>Under consideration</p> <p style="text-align: center;"><i>Please refer to document WO/PBC/23/4</i></p>		<p>A letter was sent on May 30, 2014, from the Director General of WIPO to the Chair of the WIPO Coordination Committee, drawing the Chair's attention to this recommendation. The Director General sent a follow-up letter to the Chair on July 30, 2015, reminding the Chair of this recommendation.</p>

6. JIU/2014/1 “An analysis of the resource mobilization function within the United Nations system”

This report was issued by the JIU on August 5, 2014. All recommendations are therefore new within the context of the progress report to Member States.

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
 <p>Rec 1 The legislative bodies of the United Nations system organizations should periodically review the resource mobilization strategy/policy, including by providing political guidance and oversight of the implementation of the resource mobilization strategy/policy and by ensuring monitoring and the review of regular updates.</p>	Director, PPF (Controller)	Accepted	Implemented	Information is provided regularly to WIPO's legislative bodies, through the Program and Budget Committee as well as the meetings of the Assemblies of Member States on the mobilization as well as utilization of the voluntary contributions provided to the Organization by its donors. This is done through the Program and Budget document, the Financial Management Report, as well as the Program Performance Report.
 <p>Rec. 2 The General Assembly of the United Nations and the legislative bodies of the United Nations system organizations should request member States, when providing specified contributions, to make them predictable, long-term and in line with the core mandate and priorities of the organizations.</p>	Director, External Relations Division (ERD)	Accepted	Implemented	The WIPO Financial Regulations and Rules require that the acceptance of contributions is consistent with the policies, aims and activities of the Organization. In agreeing funding agreements with donors, WIPO links the objectives of the contributions with the relevant Expected Results of the Organization, and where possible seeks to agree on long term funding arrangements.

II. RECOMMENDATIONS FROM JIU REVIEWS HELD IN 2012

1. JIU/REP/2012/12, "Strategic planning in the United Nations system"

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 4 The legislative bodies of the United Nations system organizations should formulate and define relevant system-wide sectorial strategic frameworks through the Economic and Social Council to address the long-term goals established by the 2005 World Summit Outcome, adopted by the General Assembly in resolution 60/1, as well as those established by the missions and mandates of the system organizations as a result of global conferences.	Director, PPF (Controller)	Under consideration		WIPO's current medium term strategic plan (MTSP) covers the 2010-15 time frame and the WIPO Results Framework is developed on a biennial basis. Given the technical and specialized nature of WIPO's work neither of these strategic planning tools are formulated or defined through the UN Economic and Social Council. WIPO remains focused on playing its part in helping to realize the MDGs. Our Development Agenda related activities underline our commitment to assist Member States benefit from the use of the intellectual property system for economic, social and cultural development. While WIPO does undertake important work in this regard, given the nature of our support, it can be difficult to directly plan and attribute this to the achievement of MDGs.
		<i>No change from previous status</i>		

2. JIU/REP/2012/10, "Staff-Management relations in the United Nations specialized agencies and common system"

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 8 The legislative or Governing Bodies of the organizations under review should mandate their Executive Heads to prioritize the development of a burden-sharing formula and agreement with regard to financing all costs associated with the representational function of officials of staff	Director, HRMD	Accepted	Implemented	In accordance with this recommendation, the Chief Executives Board's High Level Committee on Management (HLCM) has been mandated to consider this issue as a matter of priority. The last meeting of the HLCM in March 2015 has taken up this matter and will address it accordingly.
		<i>Previously "under consideration"</i>		

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
federations that are recognized in the ICSC statutes and rules of procedures.				

3. JIU/REP/2012/9 “Lump-sum payments in lieu of entitlements”

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 3 The legislative/governing bodies of United Nations system organizations should request their respective executive heads to suspend, if not already the case, the payment of additional DSA (15 or 40 per cent), to those officials travelling on organizational budgets.	Director, PTD	Under consideration		WIPO is undertaking a benchmark and cost analysis to progress on this item.
		<div style="border: 1px solid black; border-radius: 10px; padding: 5px; width: fit-content; margin: 0 auto;"> <i>No change from previous status Assessment has been updated</i> </div>		

III. RECOMMENDATIONS FROM JIU REVIEWS HELD IN 2011

1. JIU/REP/2011/4, “Multilingualism in the United Nations system: Status of implementation”

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 12 The legislative bodies of the organizations of the United Nations system should direct and approve the necessary support to the executive heads to develop multilingual websites in all their official or working languages, with due attention to the language specificities of the duty stations concerned.	Director, Conference and Language Department (CLD)	Accepted	Implemented	WIPO’s website is available in all official languages of the United Nations.
		<i>Previously “in progress”</i>		

2. JIU/REP/2011/3, “South-South and Triangular Cooperation in the United Nations system”

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 3 The legislative bodies of United Nations system organizations should request the Executive Heads to establish identifiable and dedicated structures, mechanisms and focal points tasked with developing agency-specific corporate policy and support strategy, and ensure coordination on South-South and triangular cooperation within their respective organizations and inter-agencies, through the reallocation of the necessary staff and resources for this purpose, as appropriate.	Director, Development Agenda Coordination Division (DACD)	Under consideration		The Development Agenda project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs was completed by end June 2015. One of the remaining activities that shall provide critical input to the Organization’s policy and support strategy for the promotion of South-South cooperation is the mapping of the existing South-South activities within WIPO and studying good practices within other UN organizations. The conclusion of this activity will enable the Organization to elaborate its approach in this area.
		<i>No change from previous status Assessment has been updated</i>		
Rec. 9 The legislative and governing bodies of the United Nations system organizations should request the Executive Heads to apportion a specific percentage – not less than 0.5 per cent – of core budget resources for the promotion of	Director, DACD	Under consideration		The Development Agenda project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs was completed by end June 2015. One of the remaining activities that
		<i>No change from previous status Assessment has been updated</i>		

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
South-South cooperation (SSC) in their respective areas of competence, in consultation with programme countries; and to agree with donor countries to use a specific portion of extrabudgetary resources to finance SSC and triangular cooperation initiatives.				shall provide critical input to the Organization's policy and support strategy for the promotion of South-South cooperation is the mapping of the existing South-South activities within WIPO and studying good practices within other UN organizations. The conclusion of this activity will enable the Organization to elaborate its approach in this area.

3. JIU/REP/2011/1, "Review of the medical service in the United Nations system"

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 2 The legislative bodies of United Nations system organizations should adopt appropriate standards with regard to Occupational Safety and Health issues, taking into account and ensuring compatibility with emerging modifications to the Minimum Operating Safety and Security Standards.	Director, HRMD	Accepted	Implemented	<p>The Occupational Health and Safety Committee set up in December 2013 meets regularly to consider and make recommendations on matters affecting staff health and safety.</p> <p>Appropriate occupational health and safety standards will be detailed in the policy on the same subject, which has been developed and will be issued in the course of 2015.</p> <p>Furthermore, the Safety and Security upgrade project is nearing completion after four years of work, as a result of which WIPO will meet or exceed UNHMOSS requirements for Headquarters.</p>

#### IV. RECOMMENDATIONS FROM JIU REVIEWS HELD IN 2010

##### 1. JIU/REP/2010/7, "Policies and Procedures for the Administration of Trust Funds in the United Nations System Organizations"

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 7 The legislative bodies of the United Nations system organizations should review the harmonized cost recovery policies and principles for trust funds and activities financed by other extrabudgetary resources, once they have been agreed within the CEB, with a view to updating the cost recovery policies of their organizations accordingly.	Director, PPF (Controller)	Under consideration		This system-wide recommendation is under consideration by the CEB.
		No change from previous status		

##### 2. JIU/REP/2010/3, "Ethics in the United Nations System"

Recommendation	Responsible Officer	Acceptance Status		Management/Focal Point Assessment
		Acceptance	Implementation	
Rec. 6 The legislative bodies should direct their respective executive heads to apply term limits to the appointment of the head of the ethics office, which should be a non-renewable appointment of seven years, or no more than two consecutive appointments of four or five years, with no possibility of re-employment by the same organization.	Chief Ethics Officer	Accepted	Implemented	The Chief Ethics Officer will be appointed for a fixed term of four years, only renewable once, and is not eligible for any further employment at WIPO.
		Previously "under consideration"		
Rec. 8 The legislative bodies should direct their respective executive heads to ensure that the head of the ethics office has informal access to the legislative bodies which is enshrined in writing.	Chief Ethics Officer	Accepted	Implemented	The WIPO Chief Ethics Officer has informal access to the legislative bodies, unless these decide otherwise.
		Previously "under consideration"		

[End of Annex and of document]