

Committee on Development and Intellectual Property (CDIP)

Eleventh Session
Geneva, May 13 to 17, 2013

AFRICAN GROUP AND DEVELOPMENT AGENDA GROUP JOINT PROPOSAL ON TERMS OF REFERENCE AND METHODOLOGY FOR THE INDEPENDENT REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

1. By way of a communication dated May 14, 2013, the Republic of Algeria has sent to the Secretariat a joint proposal on Terms of Reference and Methodology for the Independent Review of the Implementation of the Development Agenda Recommendations with the request that this proposal be circulated as an official document to the eleventh session of the Committee on Development and Intellectual Property (CDIP).

2. The above-mentioned communication from the Republic of Algeria, together with its enclosures, is contained in the Annex to this document.

3. *The CDIP is invited to take note of the information contained in the Annex to this document*

[Annex follows]

African Group and Development Agenda Group

Joint Proposal on Term of Reference and Methodology for the Independent Review of the implementation of the Development Agenda Recommendations

Background:

The Coordination Mechanism was adopted in 2010 with the aim of mainstreaming development agenda across all WIPO bodies as well as to monitor and assess implementation of the WIPO Development Agenda. The full agreed decision on the Coordination Mechanism is attached as Annex III.

As part of the decision the following was agreed: “To request the CDIP to undertake an independent review of the implementation of the Development Agenda Recommendations at the end of the 2012-2013 biennium. Upon consideration of that review, the CDIP may decide on a possible further review. The Terms of Reference and the selection of independent IP and development experts will be agreed by the CDIP.”

At the last 10th CDIP session, and following the request of some delegations to begin the discussions on the Independent Review, it was agreed that an agenda item on the Independent Review will be included for the 11th session to allow for initial discussions to take place with the purpose of providing guidance to the Secretariat.

According to the decision, the review is to begin at the end of the 2012/2013 biennium. This means that by the 12th CDIP session, the ToRs as well as the list of available IP and development experts should be agreed upon. In this regard, the African Group is of the view that it is important for the CDIP, at this session, to agree to a clear road-map, with appropriate timelines.

The following are proposed elements for drafting the Terms of Reference:

(1) *Scope & Purpose:* The purpose of the Review is to conduct an independent, thorough and in-depth review of the implementation of the Development Agenda recommendations adopted in 2007 in particular:

- (a) Examine the appropriateness, utility, relevance, effectiveness and adequacy of the activities undertaken to implement the relevant Development Agenda recommendations;
- (b) Examine the development impact and orientation of the activities undertaken to implement the relevant Development Agenda recommendations and assess the extent to which the objectives of the Development Agenda recommendations have been achieved;
- (c) Assess the adequacy including scope and methodology of the evaluations undertaken of the Development Agenda projects.
- (d) Assess the appropriateness, adequacy, effectiveness, and impact of the project-based approach to the implementation of Development Agenda recommendations;
- (e) Evaluate the overall impact of Development Agenda implementation especially in mainstreaming development orientation across all WIPO bodies, programs and staff.
- (f) Identify the challenges, gaps, opportunities in the implementation of the WIPO Development Agenda recommendations;
- (g) Make recommendations on how to further implementation of Development Agenda recommendations as well as with regards to paragraphs (a) to (f).

(2) *Methodology*: The assessment should include a desk review of all the relevant documents within the relevant WIPO Programs, interviews, field visits and surveys. Feedback should be sought from Member states and other stakeholders such as the beneficiaries of activities undertaken in connection with the Development Agenda recommendations.

(3) *Expert Team*: The expert team should possess the requisite skills and knowledge to conduct the review in a credible and independent manner. The team of reviewers should be leading experts in the field of IP and development, interdisciplinary, and include IP experts with academic background in economics and law. The team of reviewers should also have a good understanding of the development challenges facing developing countries and LDCs.

(4) *Budget*: The ToRs should clearly spell out the budget that will be allocated for the preparation of the External Review. It is important to ensure that sufficient budget is allocated for the experts to have face-to-face meetings.

(5) *Expected Outputs and Timeline*: The ToRs should also clearly outline the timeline for the review and outputs that are to be expected.

[End of Annex and of document]