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**Committee on Development and Intellectual Property (CDIP)**

**Twenty-Second Session**

**Geneva, November 19 to 23, 2018**

MEMBER STATES INPUTS ON THE WAY FORWARD ON THE MODALITIES AND IMPLEMENTATION STRATEGIES OF THE ADOPTED RECOMMENDATIONS OF THE INDEPENDENT REVIEW RECOMMENDATIONS

*prepared by the Secretariat*

 The Committee on Development and Intellectual Property (CDIP) at its 21st session, while discussing the Compilation of Member State Inputs on the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review contained in document CDIP/21/11, decided that “interested delegations may submit additional inputs to the Secretariat before September 10, 2018. Member States which provided inputs contained in the said document were encouraged to discuss the matter among themselves with the view to reconciling their proposals.”

 The annex to this document contains a submission on the above-mentioned subject from the Delegation of Switzerland on behalf of Group B.

 *The Committee is requested to consider the information contained in the annex to the present document.*

[Annex follow]

# Input received by the secretariat from the delegation of switzerland on behalf group b

**The Way Forward with the Member State Inputs on the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review contained in document CDIP/21/11**

**Group B submission**

1. The Committee on Development and Intellectual Property (CDIP) at its 21st session, while discussing the compilation of Member State inputs on the modalities and implementation strategies of the adopted recommendations of the independent review contained in document CDIP/21/11, decided that “Member States which provided inputs contained in the said document were encouraged to discuss the matter among themselves with the view to reconciling their proposals.”

2. Accordingly, the annex to this document contain a possible way forward based on the three submissions from: (i) Group B; (ii) the Delegation of Mexico; and (iii) the Delegation of Peru.

3. The Committee is requested to consider the information contained in the annex to the present document.

**The Way Forward with the Member State Inputs on the Modalities and Implementation Strategies of the Adopted Recommendations of the Independent Review contained in document CDIP/21/11**

1. The recommendations of the Independent Review are, by their very nature, subject to different modalities and implementation strategies. The recommendations are directed to three different groups: (i) to individual Member States; (ii) to the CDIP; and (iii) to the WIPO Secretariat.

2. For the already adopted recommendations, we present, where appropriate, the following specific proposals to the CDIP for consideration.

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| RECOMMENDATIONS | RECONCILIATION OF PROPOSALS |
| **Recommendation 1:** The good progress made in the CDIP needs to be consolidated by introducing a higher level debate to address emerging needs and to discuss the work of the Organization on new emerging issues related to IPRs. The Committee should also facilitate an exchange of strategies and best practices from Member States on their experiences addressing IP and Development Concerns.  | The recently established Agenda Item “Intellectual Property and Development” provides a good platform for a high level debate on emerging issues and an opportunity for Member States to exchange their strategies, best practices and experiences in addressing IP and development concerns. |
| **Recommendation 2**MS should take measures to resolve the outstanding issues related to the mandate of the Committee and the implementation of the Coordination Mechanism. | Resolved; See Appendix to CDIP/19/SUMMARY. |
| **Recommendation 3:** WIPO should continue to ensure an effective coordination, monitoring, reporting, evaluation and mainstreaming of the implementation of the DARs. The role of the DACD in coordinating the DA implementation should be strengthened. | Agree that it is important for WIPO to continue to ensure the effective coordination, monitoring, reporting and evaluation of the DARs. The DACD should continue to build on its valuable work and, where appropriate, adopt an approach that involves greater coordination in the implementation of projects to meet specific objectives; the implementation of monitoring, accountability and evaluation of results; and the multiplier effect of projects. |
| **Recommendation 4:** The CDIP, in implementing the DARs, should consider how best to respond to evolving circumstances and to the emerging development challenges being faced by the IP system. This should be combined with an active involvement with other UN development agencies to benefit from their expertise for the DARs implementation and in advancing the implementation of the SDGs.  | The CDIP should continue its work already underway to implement the DARs and advance the SDGs and, where appropriate, involve other UN development agencies.  |
| **Recommendation 6:** Member States are encouraged to enhance coordination between Geneva-based Missions and their IP Offices and other authorities in capital in order to have a coordinated approach in dealing with the CDIP and raising awareness about the benefits of the DA. Higher level participation of national based experts should be enhanced in the work of the Committee. CDIP should consider modalities related to the reporting on what has been done at the national level towards the implementation of the DARs.  | Recommendation 6 directly involves Member States and indicates the need for better coordination between permanent missions in Geneva, IP offices and authorities in capitals. Member States should consider opportunities where they could provide reports, on a voluntary basis, on their actions taken at the national level to implement the DA. Member States are encouraged to consider the active participation of capital-based experts. This would add practical perspective and pragmatic value to the discussions, notably on topics under the new agenda item “IP and Development”.  |
| **Recommendation 7:** Member States are encouraged, in light with their national needs, to formulate new project proposals for the consideration of the CDIP. They should consider the establishment of a reporting mechanism on the lessons learned and best practices from successfully implemented DA projects and activities. This reporting mechanism should include a periodical review of the sustainability of completed and/or mainstreamed projects, as well as the impact of these projects on the beneficiaries. WIPO should establish a database of the lessons learned and best practices identified in the course of DA projects implementation.  | The implementation of projects in the best way to achieve concrete results in the use of IP for development. It would be useful to have thematic areas that combine the interest of Member States with WIPO’s knowledge and experience. The present practice of sharing information on the lessons learned and best practices from successfully implemented DA projects should be strengthened. This includes, when appropriate, a more systematic treatment of existing information on projects that have been completed and/or mainstreamed into the Committee’s work. Noting that the database format has shown to carry some weaknesses and significant costs in the past, the Secretariat should first elaborate on how the office address issues identified during the evaluations and tailor WIPO’s future interventions to address these in the context of specific needs identified in a country.  |
| **Recommendation 8:** Future work related to the development of new projects should be modular and customizable and should consider the absorption capacity and the level of expertise of the beneficiaries. In the implementation of projects at the national level, WIPO should explore close partnerships with UN agencies and other entities to enhance the effectiveness, comprehensiveness and sustainability.  | Existing approaches to coordinate and set up partnerships with other relevant UN agencies and other entities should be strengthened to enhance the effectiveness, comprehensiveness and sustainability of DA projects. In addition, it is also very important that beneficiaries should be able to replicate project results not only at national level, but also through triangular cooperation activities.  |
| **Recommendation 9:** WIPO should pay more attention to recruiting experts that are very well versed and knowledgeable about the socio-economic conditions of the recipient countries. Beneficiary countries should ensure a high degree of internal coordination amongst its various organs in order to facilitate the implementation and long-term sustainability of a project.  | WIPO’s practice of recruiting experts well versed and knowledgeable about the socio-economic conditions of the recipient countries should be strengthened. Therefore, where appropriate and feasible, project managers should team up with local and international experts. As far as possible, the training given by experts should be replicated through those who benefited from it. […The updating of the expert database and training with a multiplier effect should be taken into account by the Secretariat in carrying out its work. |
| **Recommendation 10:** The Secretariat’s Progress Reports submitted to the CDIP should include detailed information about the utilization of financial and human resources related to the DA projects. Simultaneous assignment of the same project manager to multiple projects should be avoided.  | Regarding the first part, the Secretariat should be entrusted to assess which available financial information could be provided in order to enhance the transparency of the resources related to the DA projects. Regarding the second part, the assignment of projects should be guided by elements related to efficiency and the achievement of established goals. The assessment of the adequate workload for a project manager needs to be made on a case-by-case basis by competent staff within the WIPO Secretariat. An effort should be made to avoid assigning multiple cases to the same project manager (as suggested by the reviewers) whenever possible and practical.  |
| **Recommendation 12:** Member States and the Secretariat should consider ways and means to better disseminate information about the DA and its implementation.  | The approaches already deployed by the Secretariat for the dissemination of information about the DA should be advanced, for example, the use of social media and the WIPO’s webpage, the transmission of DA related events by webcasting, the maintenance of development-related aspects of IP in the WIPO Academy’s training and the support of publications related to the DA. The WIPO Secretariat should be entrusted to improve the tools – such as catalogues and platforms – that are already available to foster collaboration and stakeholder participation.  |

3. The reporting and reviewing of progress in relation to the Independent Review should be included in the annual “Director General’s Report on Implementation of the Development Agenda”. This will allow Member States to have holistic and comprehensive review of the implementation of the Development Agenda in one single report.

[End of Annex and of document]