PROGRAM 3 COPYRIGHT AND RELATED RIGHTS EVALUATION 2010-2015

Internal Oversight Division
EVAL 2015-01
December 18, 2015

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Level 6: Assistance to right holders and end users

There is direct support and collaboration with Copyright holders and end users

Level 1: Normative Development

WIPO is providing effective and successful norm-setting and legislative advice, with the establishment of new Treaties

Level 5: Awareness Raising

Awareness raising activities are well valued by Member States as a platform for widening the understanding and use of Copyright and Related Rights

Level 2: Infrastructure Development

Technical development and upgrade of Copyright Offices and Collective Management Organization is achieved

Level 4: Studies and Publications

Studies and Publications are considered essential tools for spreading the knowledge on how creative industries can contribute to a country's development

Level 3: Building National Capacities

National capacity building and particularly institutional development services are categories in which the support is needed over time

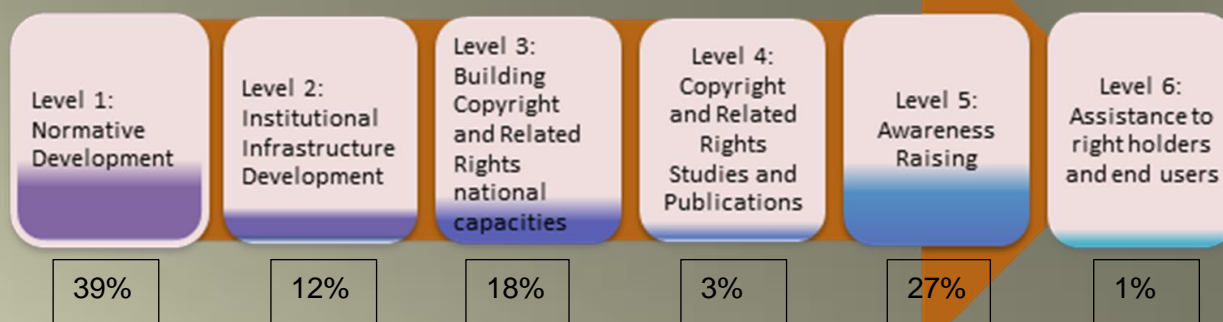## Share of expenditures at each level

Level 1: Normative Development	Level 2: Institutional Infrastructure Development	Level 3: Building Copyright and Related Rights national capacities	Level 4: Copyright and Related Rights Studies and Publications	Level 5: Awareness Raising	Level 6: Assistance to right holders and end users
39%	12%	18%	3%	27%	1%

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LIST OF ACRONYMS

ABC	Accessible Book Consortium
CDD	Copyright Development Division
CID	Copyright Infrastructure Division
CLD	Copyright Law Division
CMO	Collective Management Organization
CROs	Copyright Offices
CRR	Copyright and Related Rights
GDA	Gestión de Derecho de Autor
IFFRO	International Federation of Reproduction Rights Organizations
IOD	Internal Oversight Division
IT	Information Technology
ITA	International Trade Association
LDCs	Least Developed Countries
MS	Member States
NORCODE	Norwegian Copyright Development Association
OECD	Organization for Economic Co-operation and Development
P&B	Program and Budget
PM	Program Manager
SCCR	Standing Committee on Copyright and Related Rights
SG / SGs	Strategic Goals
SM	Senior Managers
SWOT	Strengths, Weaknesses, Opportunities, Threats
TAG	A voluntary international quality assurance standard (Transparency, Accountability and Governance)
TIGAR	Trusted Intermediaries Global Accessible Resources
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNESCO	United Nations Educational, Scientific and Cultural Organization
WCC	WIPO Connect
WCT	WIPO Copyright Treaty
WIPO	World Intellectual Property Organization
WIPOCOS	Software for Collective Management of Copyright and Related Rights
WPPC	WIPO Performances and Phonogram Treaty
WTO	World Trade Organization

EXECUTIVE SUMMARY

1.   This evaluation presents results of the World Intellectual Property Organization (WIPO) Program 3 activities implemented between 2010 and 2015. The evaluation was conducted between March and December 2015 and came up with the following findings, conclusions and recommendations:

   A. Key results achieved:

   (a)   WIPO is perceived as key and unique in the provision of services in the area of CRR (Copyright and Related Rights) and is considered to be a vital forum for discussion and consensus building;

   (b)   WIPO adequately address needs of member States, right holders and end users when providing tailored services;

   (c)   The Program is contributing to four out of nine WIPO Strategic Goals;

   (d)   Coordination mechanisms within each division work well although collaboration among the three Program 3 divisions could be enhanced. Coordination with other WIPO programs and external partners is overall positive;

   (e)   The Program has been highly efficient in providing satisfactory services with a limited amount of resources; and

   (f)   The Program takes into consideration some strategies to ensure sustainable effects, such as training of trainers and distance learning tools.

   B. The following areas for improvement were identified:

   (i)   Development of CRR systems

2.   The Programs needs to continue the work in the proactive identification of stakeholders' needs to set up a roadmap of WIPO's country services. In operational terms, this requires:

   (a)   The conduct of assessments of national stakeholders' needs jointly with national counterparts and endorsed by them to further develop national copyright systems; and

   (b)   The increase of awareness among stakeholders on the equity issues and the assessment of discriminating factors regarding equal access to CRR for both men and women, for people with disabilities, from lower social classes and from different geographical origins.

   (ii)   Program's results-based framework

3.   The information made available through existing indicators does not provide enough evidence on the positive or negative evolution in the achievement of the expected results to which indicators are associated. Current indicators are designed to quantitatively measure only targets of the Program and Budget (P&B) and do not capture information on the extent interventions are triggering the achievement of expected results. Therefore:

   (a)   It is recommended that performance indicators should be revised to better enable precise assessments of Program trends for reaching expected results.

(iii) Efficiency gains

4.   By the time the evaluation was conducted, twenty-one professionals were covering interventions in more than 150 countries. The increasing portfolio of activities combined with the time spent by staff in administrative work rather than on CRR substance is challenging the Program's capacity to continue providing essential services with high quality. Constraints regarding information sharing within the Program have resulted in efficiency loss. Therefore the following is recommended:

(a)   The periodical conduct of efficiency analysis to balance the allocation of resources between categories of services and to anticipate workloads;

(b)   Improvement of information sharing internally (within the Program 3 divisions and other WIPO Programs) and externally.

(iv) Long-term sustainability

5.   Categories of activities where self-sustainability can be very difficult to reach (e.g. capacity building and institutional development) require mid and long-term support to produce sustainable results. The lack of sustainability definitions and exit strategies agreed with Member States affects the extent to which results of an intervention last over time, especially once support is withdrawn. Therefore it is recommended that:

(a) The Program should integrate sustainability criteria in interventions by conducting periodic revisions of country plans and by defining sustainability and exit strategies.

1.   BACKGROUND

(A)   INTRODUCTION

6.   This report documents the results of the evaluation of WIPO Program 3 - Copyright and Related Rights, which includes all activities and services provided for the period 2010 – 2015. Conclusions and recommendations for improvement based on good practices and lessons learned constitute the integral part of this report. The Internal Oversight Division (IOD) conducted this evaluation from March to September 2015.

(B)   WHY PROGRAM 3?

7.   Program 3 was included in IOD's work plan for 2015 after a comprehensive analysis, based on criteria such as: risk assessment, relevance, oversight coverage and input provided by WIPO management and Member States (MS). In this case, a significant factor was the fact that Program 3 had not yet been evaluated.

(C)   OVERVIEW

8.   Program 3 was -revised in 2010 as a substantive Program with its own resources. In December 2014 a new Senior Manager (SM) was appointed to take over the management of Program 3.

9.   The objectives of Program 3 are to update, develop and promote the normative copyright and related rights framework and to foster an infrastructure for creativity in order to encourage innovation and creativity in the context of a rapidly evolving technological, geo-economic, social and cultural environment. This work has been undertaken through normative and policy related work, technical assistance to developing countries and Least Developed Countries (LDCs) and provision of infrastructure.

10.   The critical challenge for the area of CRR is to develop effective tools for the stimulation and diffusion of creativity. In this line, Program 3 has focused its work on the following aspects:

(a)   Normative and policy related work: WIPO administers multiple international treaties in the area of copyright and related rights and advises Member States at their request on the development of national copyright laws.

(b)   Technical assistance to developing countries and least developed countries: Program 3 leads a range of practical initiatives to assist in the effective management of copyright, and to ensure that copyright law focuses on initiatives aimed to reward creators and support cultural production.

(c)   Advancing the development of copyright and related rights infrastructure, which also includes the development of collective management organizations that embody transparency, accountability, and good governance practices, as well as the Accessible Book Consortium Initiative[1] (ABC).

11.   The results framework has evolved over the evaluation period (2010-2015) and indicators have been refined to better reflect the Program objectives.

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[1] The Accessible Book Consortium encompasses the three activities to benefit persons who are print disabled: the ABC Book Service (or Trusted Intermediaries Global Accessible Resources – TIGAR), Inclusive Publishing, and Capacity Building.

## 2. WHAT IS BEING EVALUATED?

(A) EVALUATION OBJECTIVES

12. The evaluation provides decision-makers in WIPO with:

(a) An assessment about the Program's performance, paying particularly attention to the relevance and sustainability of the Program results against its objectives for each relevant period;

(b) An assessment of the contribution of Program 3 towards the achievement of Strategic Goals (SG) I, III, IV and V as well as its efficiency; and

(c) The identification of key factors and lessons, as well as practical recommendations for follow-up actions.

(B) SCOPE, METHODOLOGY AND LIMITATIONS OF THE EVALUATION

13. The evaluation covers the full amount of initiatives undertaken by Program 3 worldwide for the period of 2010-2015.

14. The evaluation applies the Organization for Economic Co-operation and Development (OECD) criteria of efficiency, effectiveness, sustainability and relevance.

15. The evaluation reconstructed the program logic of WIPO activities in the area of copyright and related rights for 2010-2015. The program logic adds value to the evaluation analysis by identifying the implicit rationale of why and how a program works. The program logic is thus assessed against the effectiveness and efficiency evaluation criteria.

16. For the purpose of assessing the contribution of Program 3 to Strategic Goals, WIPO's support has been regrouped into the following 6 categories of services that correspond to the various stages required to develop CRR systems (see Figure 1). Categories of activities are:

(a) Normative development, including all activities and services provided to develop the normative agenda on CRR, facilitating treaty negotiations through the Standing Committee on Copyright and Related Rights (SCCR) and Diplomatic Conferences. This category also includes all the support provided for the legal aspects of setting up a legal and regulatory system in which to base the CRR system in a given country, linking it to national development strategies;

(b) Institutional development, covering all support designed to help Member States to exploit the economic potential of CRR industries through the automation and development of copyright related institutions;

(c) Capacity building, covering all support provided for strengthening the capacities of national institutions and individuals dealing with CRR issues;

(d) Studies and Publications includes studies on the economic impact of copyright-based industries, as well as publications in practical management of copyright and related rights for creators and other users of the copyright system;

(e) Awareness raising activities aimed at enhancing the access and use of copyright-related information by copyright institutions, policy-makers, creators and users to benefit from copyright-based assets, build a greater respect for CRR and promote a better access to WIPO's services; and

(f)   Assistance for right holders and end users, which includes interventions aimed to provide assistance to right holders and access to copyrighted materials to end users.

**Figure 1. Programmatic approach to develop copyright and related rights systems**
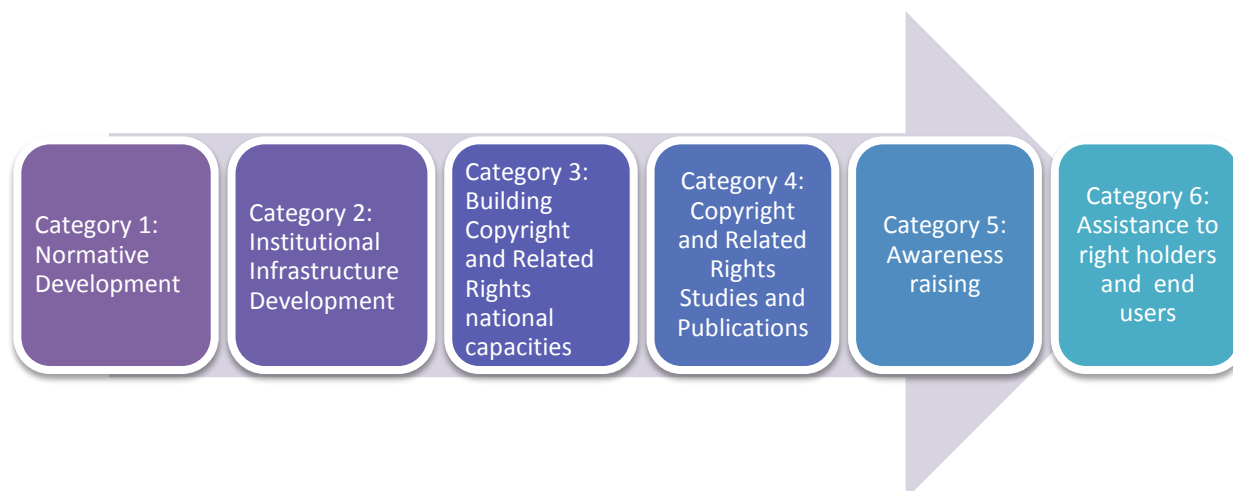
17.   A purposive sampling[2] of countries has been applied for the evaluation. Countries were selected from the exhaustive list of all activities undertaken by the Program around the world. The following selection criteria were applied to select the sample and to ensure that it is representative to support the evaluation results:

(a)   Countries where activities have been undertaken at least in one of the above categories and where time-progression was a key factor to assess the contribution of certain category of activities; these countries present information-rich cases that manifest the effects of WIPO's support in one area of work intensively;

(b)   Countries where all categories of services were implemented and thus the overall programmatic approach to develop CRR systems can be examined; and

(c)   Countries recommended by Program 3 to focus on based on the particular nature of the initiative(s) undertaken, including both typical (average) and unusual cases.

18.   Figure 2 shows all countries where Program 3 activities and services are provided, specifying the countries selected as a sample for the evaluation. The figure also represents the sample coverage per region.

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[2] Patton, M.Q. (1990)

Figure 2. Evaluation coverage (share by regions)
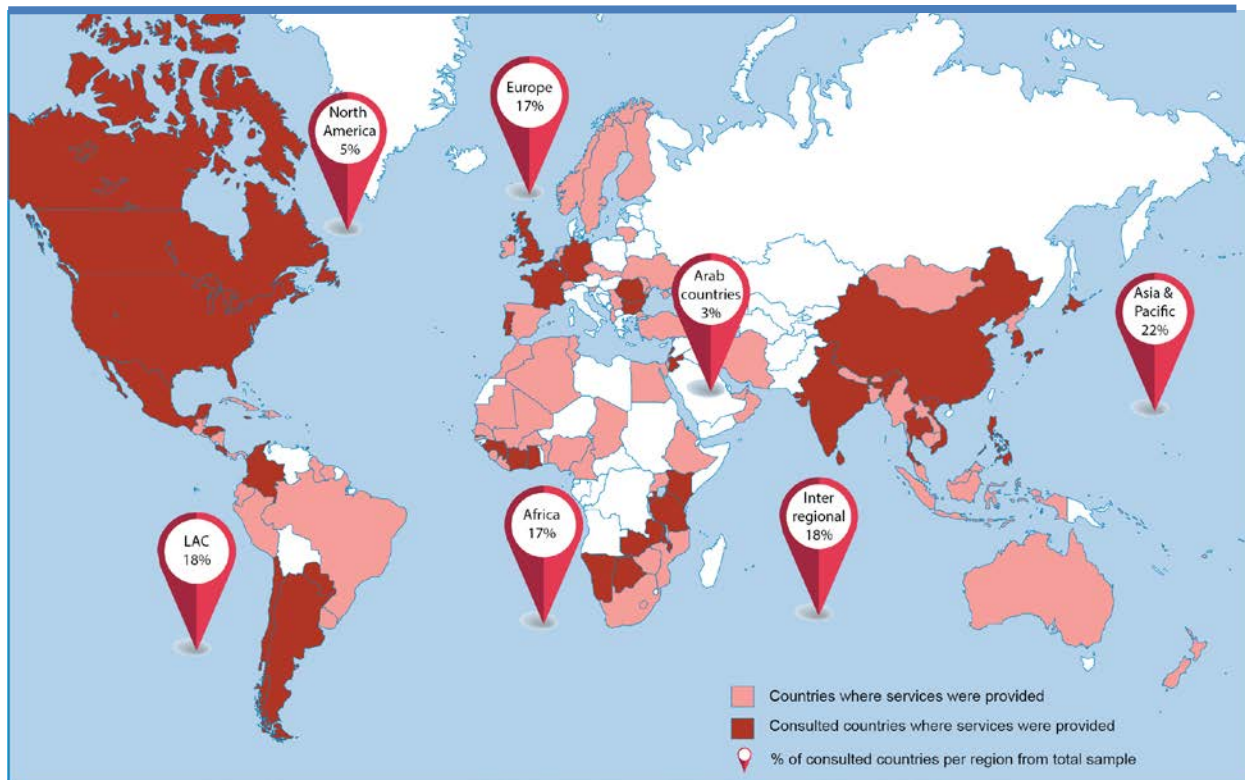
19.   Different qualitative and quantitative tools are used to ensure an evidence-based assessment, where particular attention is given to cross-validation of data. Desk review of existing literature, structured and semi-structured individual interviews, and workshops with focal groups, as well as a survey were mainly applied. These methods were complemented by interviews and a survey to stakeholders from outside the sample of countries to reflect the maximum variation of cases.

20.   A detailed evaluation questions matrix can be found in Annex 4 of this report. Questions have been further customized for each stakeholder group through protocols and surveys.

21.   Regarding limitations of the evaluation, the data gathering process did not include country visits. Although this could be considered at first as a limitation to the evaluation, it was not considered necessary given the diversity of contexts and regions where activities were carried out. The option of conducting case studies was finally rejected in favor of a more balanced and representative sample of countries and informants.

22.   Although a regionally balanced selection of countries was the basis for the evaluation sample, the final coverage illustrated in Figure 2 above was subject to the availability of stakeholders to participate in the evaluation process.

    (C)   KEY STAKEHOLDERS

23.   The following groups of stakeholders were identified:

    (a)   Member States: including all Member States representatives directly involved with CRR issues within the Permanent Missions in Geneva.

(b)   Direct Beneficiaries: copyright offices, collective management organizations and other organizations or federations that have directly benefited from activities or services provided by WIPO's Program 3.

(c)   Other organizations / partners: comprising any other organization or partner that has been involved in activities with Program 3. It also includes external consultants / experts that provided services to direct beneficiaries through WIPO.

(d)   WIPO staff: includes WIPO staff members that have been involved in activities related to Program 3. This includes staff from Program 3 divisions (Copyright Development Division, Copyright Law Division and Copyright Infrastructure Division) and other personnel within the Culture and Creative Industries Sector.

(e)   UN partners: UN agencies working in Copyright and Related Rights and that have undertaken joint activities with WIPO's Program 3.

24.   Primary users of the evaluation results are the Program Managers (PM) and program staff implementing the various activities, as well as the WIPO Director General.

25.   A list of stakeholders consulted during the evaluation can be found in Annex 3.

FINDINGS AND ASSESSMENTS

(A)   IS WIPO ADDRESSING THE NEEDS IN THE AREA OF CRR?

26.   This section illustrates the extent to which:

(a)   WIPO has positioned itself as a strategic partner;

(b)   WIPO responds to needs and priorities of countries, institutions, right holders and end-users; and

(c)   There is still work that remains to be done by WIPO to respond to identified needs, including in the area of equity.

Finding 1: WIPO is perceived as key player for the provision of services in the area of copyright and related rights and for the facilitation of a neutral and multilateral forum for CRR discussions and consensus building.

(Linked to Conclusion 1)

(i)   <u>Has WIPO positioned itself as a strategic copyright and related rights partner?</u>

27.   WIPO is recognized[3] to be:

(a)   at the heart of promoting copyright and related rights;

(b)   a unique platform to exchange and discuss on international-nature information in the area of copyright;

(c)   the only international organization with the capacity and ability to assemble countries to exchange experiences and to build consensus upon complex copyright matters; and

(d)   uniquely positioned to promote a greater respect for copyright and to get stakeholders stay abreast of copyright developments.

Story 1: WIPO as Strategic Partner

"WIPO is the point of reference for copyright issues. The particularity of WIPO is that it assists the beneficiaries in everything concerning IP and copyright issues. One of the features that makes WIPO unique is the brand: it is well known and when it comes to have studies or comments WIPO is always taken very seriously"

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28.   The role of WIPO is well distinguished from those of other Organizations that play a role in the area of copyright and related rights, such as United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Trade Organization (WTO). WIPO is still perceived as the key player in providing basic core services in the area of copyright and related rights when compared to private organizations that provide support internationally, such as the International Federation of Reproduction Rights Organizations (IFFRO) or the Norwegian Copyright Development Association (NORCODE),. Some of these activities could then be complemented by other institutions.

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[3] Patterns identified through qualitative analysis of direct interviews with stakeholders and responses to the survey.

29.   Figure 3 below illustrates which copyright and related rights services are essential and unique to WIPO based on inputs from stakeholders consulted through direct interviews and the survey. The size of the pieces represents the number of mentions by respondents.

Figure 3. Essential CRR services provided by WIPO

30.   Closely related to the above, main counterparts in the area of copyright and related rights perceive the following group of WIPO activities as useful but not unique, since they can also be provided by other international organizations:

        (a)   Training programs and workshops related to CRR;

        (b)   Study visits and general information exchange in the area of CRR; and

        (c)   Technical support for collective management business operations.

Conclusion 1: WIPO's unique expertise in the provision of services in the area of copyright and related rights has positioned the Organization as a strategic partner for Member States, right holders and UN Agencies. The Program's efforts to develop services to end users represent a new direction towards a balanced and inclusive approach for the development of the CRR system.

(Linked to Finding 1)

(ii)   Is WIPO's support relevant to Member States, right holders and end users?

Finding 2: Member States, right holders and end users overall perceive that WIPO adequately addresses their needs when providing tailored services. Further efforts have been highlighted as required in specific areas such as the ratification of treaties, law enforcement, awareness raising, and the development of national copyright systems.

(Linked to Conclusion 2 and Recommendation 1)

(a) Norm setting and legislative advice

31.   Member States are satisfied with the seriousness and professionalism with which the Secretariat designs and delivers services in response to their needs (see Graph 1). Examples are the services provided in the area of norm setting and legislative advice, which comprises the development of copyright law, the revision of legal texts and the advice on the adequate establishment of legal CRR national frameworks. The main reasons for this satisfaction are the extent to which these services are substantial, neutral and of high quality, and enable Member States to make informed decisions.

Graph 1. Program 3 response to Member States needs

- Strongly Agree — 37%
- Agree — 46%
- Disagree — 7%
- Strongly Disagree
- NA — 10%

32.   In terms of the normative agenda, Member States consulted are of the opinion that the Beijing and the Marrakesh Treaties are important milestones for their contribution to offer guidance to national legislative agendas in these complex areas. The capacity of the Secretariat for facilitating an agreement through copyright related treaties is also perceived as a first step towards granting the exercise of the rights.

33.   Outcomes of legislative advice services at the level of right holders and end users are also positively valued by these groups since these services ensure the establishment of necessary good conditions for the implementation of treaties at the local level. A pattern among the majority of stakeholders consulted shows the positive role of the Secretariat in strenghtening multilateral norm setting processes that enable all perspectives to be brought on board. Nonetheless, some stakeholders highlight the strong nature of the political environment, which sometimes can divert the technical focus of related discussions.
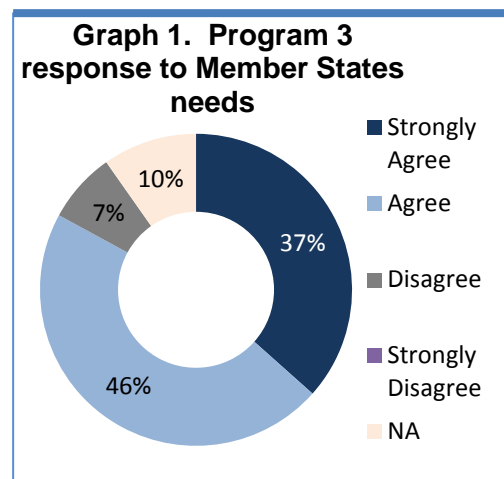
(b) Institutional infrastructure development

34.   Program 3 services oriented towards developing the infrastructure[4] of collective management organizations (CMOs) are also responding to the needs of Member States. A pattern identified among this group attributes this fact to the priority set to equip the CMOs with efficient information technology (IT) solutions, especially in developing countries and least developed countries (LDCs). The systematization of internal processes for the collection and distribution of copyright that Software for Collective Management CRR (WIPOCOS) provides are highlighted as essential in order for CMOs to comply with the international copyright legal framework, particularly in the case of new and less experienced CMOs. A fulfillment of urgent business needs has been highlighted as the main output of this type of intervention.

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[4] These services are mainly related to data management systems with the deployment of WIPOCOS and the development process of WCC.

35.   Direct software recipients consulted are of the opinion that even though business and technical data management systems can be provided by other organizations, WIPOCOS constitutes a unique service for CMOs since it is a licensing-free system that supports the management of big amounts of data. Additionally, WIPOCOS' provision of a knowledge-sharing network among CMOs is also positively valued. The TAG of Excellence initiative, which is developing a voluntary international quality assurance standard (Transparency, Accountability and Governance) has been acknowledged as the suitable benchmark for setting transparency and accountability as basic principles for CMOs to be optimally run.

36.   The Program is also providing support for the development of Copyright Offices (CROs) through the specific conduct of needs assessments, ad-hoc consultation with CROs for their future development through technical assistance and needs assessment. There is an identified pattern among Member State's responses on the extent these services are adapted to the level of development and the context of the country and on the extent this support has allowed to build a structure that serves as a basis for the functioning of the national Copyright sector. Nonetheless, there is an agreement on which additional support for CROs is still needed.

(c) Capacity building services

37.   Consulted Member States are very satisfied with capacity building services. The support is linked to the provision of technical assistance to developing countries in the form of training to expand capacities and increase the know-how of copyright offices through study visits. Member States have positively highlighted the way the Organization adapts interventions to the level of requirements of the copyright offices, particularly taking into consideration their level of development and the national context.

> **Story 2: Capacity building in copyright and related rights**
>
> *"Workshops held in the area of copyright have been an invaluable foothold to enhance national strategies in the area of copyright and related rights by understanding other countries' copyright law and system, and sharing experiences on some challenges that we are also facing"*

38.   Outputs from the qualitative analysis highlight workshops and specific training modules, including the distance learning tools, as being of great assistance in terms of improving skills and information sharing. Of particular relevance for Member States are the efforts made by the Program in seeking an alignment between countries on skills development and the selection of speakers and training content. This is perceived as positively reinforced by the approach the Program has towards introducing experiences and lessons learned from other countries that can help to develop a specific national copyright sector.

39.   Capacity building programs such as the copyright-related WIPO Academy trainings and initiatives like the WIPO-NORCODE[5] collaboration have been highlighted by right holders and end users as unique and relevant services. Workshop participants are overall satisfied with the content of the trainings, and have reported positively on the enhancement of creators' knowledge to ensure access to and use of their copyrights.

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[5] Norwegian Copyright Development Association

(d) Studies and publications

40.   The studies on creative industries and other publications respond to Member States' needs from a practical perspective. On the economic side, studies are directly connected to policy decision-making as well as strategies regarding the creative industries. Consulted Member States share the interest in knowing the extent to which creative industries contribute to economic growth, and which areas they should tackle to strengthen the copyright-based industries. Detailed studies conducted on specific topics, such as the publishing and music industries, etc., contribute to guide Member States in overcoming bottlenecks through future policy-making action lines that lead towards sustainability.

Story 3: WIPO's assistance in the area of creative industries

"We have had a number of highly useful and well organized events for creators, most notably in the publishing and in the music industry. These events brought high level of expertise and were important for shaping the national debate and raising the professional level of these creative sectors"

41.   The Copyright Infrastructure Division is currently piloting a methodology to measure the social and cultural impact of copyright-based industries in response to government priorities. An identified pattern among stakeholders consulted reveals that these studies are considered as essential tools for spreading the knowledge on the extent to which creative industries contribute to the country's development, and thus eventually increasing the investment in copyright-based industries. Along the same line, the tools for creators are well valued by Member States since they serve as instruments to provide creators with advice on how to improve their businesses.

42.   The Tools for creators, i.e., WIPO publications on the music, film, book industries, etc. are underlined as very useful to guide right holders in the practical management of copyright and related rights. Publications were identified as very relevant and useful for right holders, especially those focused on different industries (music, film, etc.).

(e) Awareness raising

43.   Awareness raising activities undertaken to promote the international legal instruments are well valued since Member States find in them a platform for sharing best practices and suggestions for improvement. Seminars and regional conferences where government authorities, right holders and end users are invited are also highly valued by all stakeholders consulted due to the increased chances for sharing knowledge regarding different laws and copyright systems of various countries.

44.   At the level of right holders and end users, awareness raising is closely connected with capacity building programs, since they contribute to increase awareness of their sector and the national policies.

(f) Assistance to right holders and end users

45.   Activities focused on direct assistance to right holders and end users, encompassing for instance projects such as the ABC, have been highlighted as the best example of the contribution and adequate response by WIPO to national demands (Graph 2). This is due to the work the Organization is already doing on implementing the recently adopted (and not yet in force) Marrakesh Treaty and the extent to which it contributes to support innovation, creativity and major activities relying on copyright.

Graph 2. Service response to end users

- Strongly Agree — 29%
- Agree — 54%
- Disagree — 12%
- Strongly Disagree — 1%
- NA — 4%
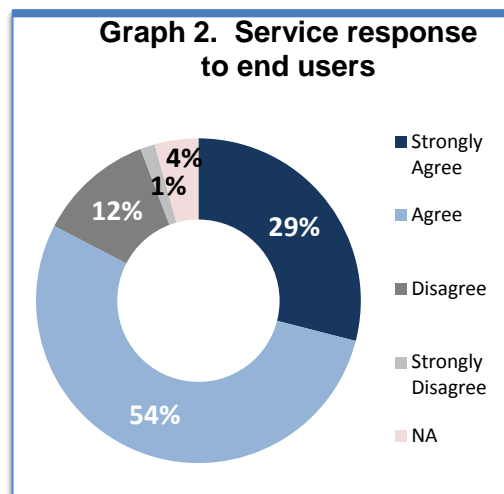
46.   Right holders and end users consulted also highly value the undertaking of the ABC project. As manifested, this initiative is directly designed to address the needs of blind and print-disabled users, and thus constitutes a problem-solving action at the level of users that goes beyond the usual right holders' protection. The extent to which WIPO has entrusted counterparts for the selection of activities to be implemented in the context of ABC is highly valued in order to better respond to users' needs. WIPO is also considered as a pioneer in supporting the access to books through its three main activities, namely the ABC Book Service, capacity building and inclusive publishing. WIPO is considered a key player in helping local counterparts in increasing the visibility and international recognition of the ABC initiative, as well as supporting its implementation both nationally and locally.

> **Story 4: Engagement of copyright holders and end users**
>
> *"WIPO is becoming a forum not only for right holders but also for users, which are able to speak and defend the opinions they have. WIPO is now a bigger platform based on users, holders and consumers".*

47.   The aforementioned alignment with stakeholders needs basically results from the leadership the Program is taking in assessing the needs of countries, an action that goes beyond the usual WIPO demand-driven approach. In addition to this, although the Program functions without a formal prioritization process of Member States' requests, staff members share a common approach tailored to better respond to them (see Box 1).

48.   The main actions taken in assessing country needs are:

(a)   Preparing country profiles, which specify advances in the copyright legal framework and the updated status on the technical assistance provided by WIPO, as well as the registered requests;

(b)   Conducting ad-hoc country needs assessments jointly with the countries. So far these assessments have mainly been conducted in the Arab region;

(c)   Meetings with Member States aimed to define their needs, such as meetings held at the occasion of the General Assembly and during the regional meetings of Heads of copyright offices: the Heads agree on the relevant topics to be addressed by WIPO and on the areas to improve both at the regional and national level;

(d)   Biennial requests submitted to WIPO by Member States; and

(e)   Direct follow up with a Member State.

> **Box 1: Criteria for prioritization**
>
> - *Number and nature of interventions held in the country that is requesting a service;*
> - *Extent to which the country is making efforts on its own to improve its copyright system;*
> - *Level of maturity of the copyright system to receive the intervention and operate with its effects;*
> - *The urgency of the MS request for it to be implemented and its timeliness;*
> - *Level of responsiveness of the counterpart with the requested ongoing activity;*
> - *Likelihood of the intervention to be duplicable (i.e., south-south cooperation); and*
> - *Likelihood of the intervention to have a broader impact so that multiple stakeholders can benefit from it (e.g., regional seminars or distance learning programs).*

(iii)   What remains to be done?

49.   Most Member States are of the opinion that WIPO should continue the work on balancing copyright protection with the public interest. They also propose that more attention be given to
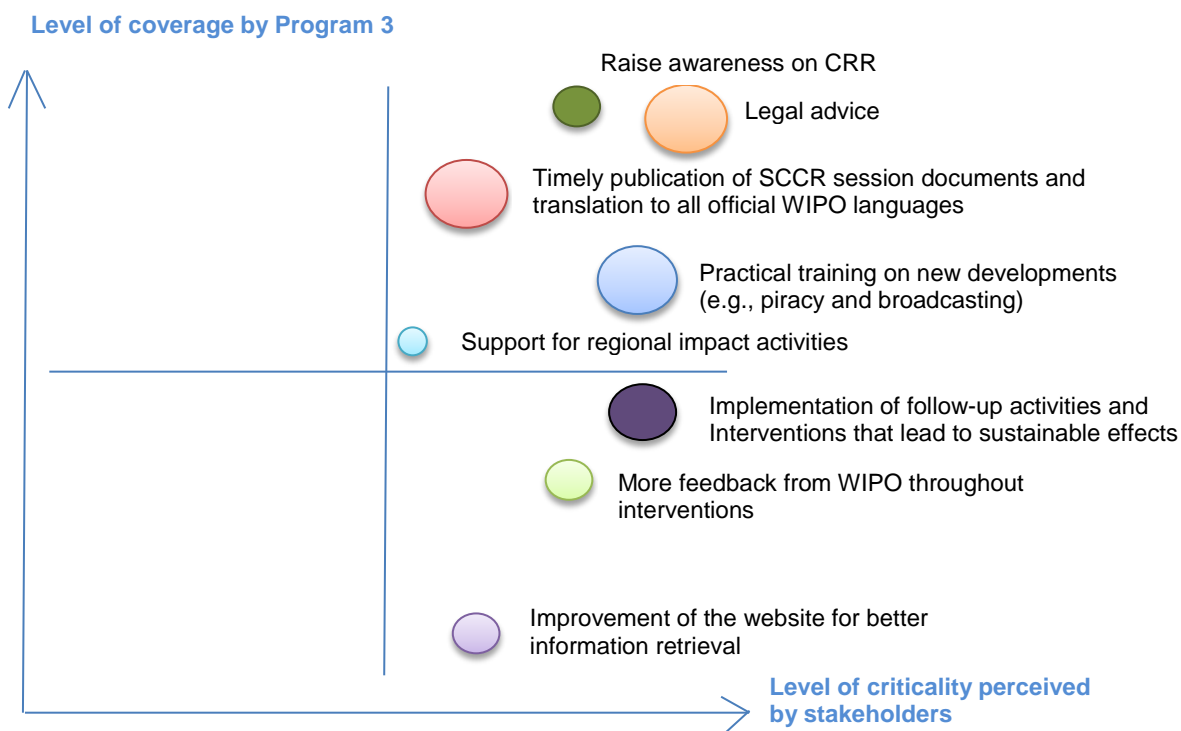
CRR as compared to the efforts of the Secretariat in support of industrial property. Concretely, the following areas should be given attention by the Program in continuation of its work:

(a)   Promoting Treaties: WIPO's work on the normative agenda needs to go beyond the mere approval of treaties and to include more work on promoting the treaties among MS for their ratification as well as on developing interventions to implement treaties for the effective development of copyright systems in the countries;

(b)   New issues: whereas major normative outputs (Beijing and Marrakesh Treaties) are acknowledged, more in-depth reflection on new issues, such as internet and copyright and the digital area are underlined. The assistance provided in creating a solid legal framework through legislative advice should also incorporate law enforcement as a priority[6];

(c)   Capacity-building: the Organization needs to further support less-developed national CRR systems by providing services at the level of infrastructure and reinforcement of capacities of national counterparts. Advancing in this area will contribute to increase countries' overall knowledge and proactive evaluation of their position and will allow them to request more specific services from WIPO and to engage more actively in the normative discussions. Capacity building needs to mix the academic approach with a simpler and more practical one;

(d)   Promotion and provision of new publications: Concerning studies in the area of creative industries, Member States require the requested studies to be conducted as well as more knowledge on the use of the tools for creators (handbooks) so that they can provide practical advice to right holders. Authors and users consider that publications should be extensively promoted to reach their potential impact among producers and final users; and

(e)   Awareness raising: further work needs to be done at the level of awareness raising activities and material for the promotion of the copyright sector at the country level.

50.   Figure 4 below illustrates the main categories of services that copyright counterparts considered to be of decisive importance for the Organization to still put focus on:

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[6] Enforcement of Intellectual Property Rights is addressed by another WIPO Program and falls under a specific WIPO Strategic Goal. Therefore the pattern identified among stakeholders regarding law enforcement is included in this report due to its importance with regard to CRR.

Figure 4[7]. Program 3 services to continue in the future

Level of coverage by Program 3

Raise awareness on CRR

Legal advice

Timely publication of SCCR session documents and translation to all official WIPO languages

Practical training on new developments (e.g., piracy and broadcasting)

Support for regional impact activities

Implementation of follow-up activities and Interventions that lead to sustainable effects

More feedback from WIPO throughout interventions

Improvement of the website for better information retrieval

Level of criticality perceived by stakeholders

Conclusion 2: Program 3 initiatives to proactively identify stakeholders' needs and to set up a roadmap of WIPO's country services are key for better responding to requests as well as in leading towards evolving interventions in the area of copyright and related rights. In operational terms further work needs to be done by the Program at a national level in supporting the application of treaties, in developing national copyright systems and in providing assistance to end users.

(Linked to Finding 2 and Recommendation 1)

(iv)   Does gender equality matter for Copyright and Related Rights?

Finding 3: The vast majority of stakeholders perceives an equal protection of and access to copyright regardless of gender. Copyright and related rights are seen as gender neutral. A gender gap is highlighted in some cultural contexts in the access and the exercise of the right. Other equity issues have been highlighted as relevant in the area of copyright, in particular regarding people with disabilities, people from lower social classes and regarding geographical diversity.

(Linked to Conclusion 3 and Recommendation 1)

51.   In general Program 3 is consistent in guaranteeing an equal gender representation in activities, such as training programs and forums both at the level of speakers and attendees. Some initiatives have already been designed taking into consideration gender issues in the identification of beneficiaries, such as the ABC initiative.

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[7] The vertical axis refers to the extent the Program is already providing such services. The horizontal axis indicates the extent to which stakeholders consider the provision of these services as urgent. The size of each globe illustrates their occurrence in the discourses gathered during the consultation process.

52.   At the level of copyright protection, Member States and other copyright counterparts do not identify gender equality as an emergent issue that needs to be tackled by WIPO (see Story 5). In fact, 86% of survey respondents consider that WIPO's copyright and related rights services promote the protection of rights of both men and women.

> **Story 5: Gender awareness**
>
> *"The gender differentiation makes no sense whatsoever. To use an analogy: have bridges helped men or women more? Furthermore, WIPO should not focus on gender issues, but copyright issues. It is a gender aware agency, including a gender equality perspective when designing training, requesting that a minimum number of women should be included."*

53.   Some Member States are however interested in improving the copyright registration systems to retrieve gender-disaggregated information for their own data statistics that could be compared regionally. The Chilean Department of Intellectual Property is an example of an office that has already taken the lead in gender-related data mining in the area of copyright and related rights (see Graph 3). Conclusions from this data collection indicate the reduced number of women who register their work in this particular context.

Graph 3. Copyright registration in Chile, 2010
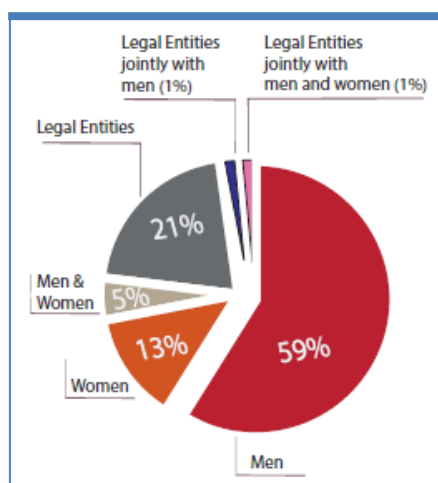
54.   Some Member States have highlighted the existence of a gender gap in the creative work production since in some cultural contexts the role of producing creative work is directly attributed to men. Another reason is the absence of an ascription of productive roles to women despite of the fact women are producers of creative work in the informal economy.

55.   Other variables have been highlighted as relevant for improving equity in the area of copyright that should be taken into consideration when designing and providing services:

(a)   Diversity, through the inclusion of people with disabilities;

(b)   Social classes, to ensure that also the lower classes are included and can benefit from interventions; and

(c)   A geographically balanced representation, nationally-internationally and regionally.

Conclusion 3: There is a lack of awareness among stakeholders on the role gender plays in the protection of copyright in areas beyond the legal dimension. More precisely, stakeholders do not perceive gender as a variable that is embedded into social norms, which in specific contexts could limit the access and exercise of copyright (ability to use and benefit from specific resources) and the control (ability to make decisions) over resources and earnings. Other equity issues have been identified for people with disabilities, from lower social classes and from different geographical origins.

(Linked to Finding 3 and Recommendation 1)

Recommendation 1:

The Program should conduct proactive assessments of national stakeholders' needs to guarantee efficiency gains in the provision of evolving services and to ensure that the national strategic plan for CRR development is not affected by eventual contextual changes (organizational, political, economic, etc.). These needs assessments should:

(a)   Be jointly conducted with national counterparts and be endorsed by them; and

(b)   Identify disabilities, social norms and geographical diversity that play a role in limiting equal access to and exercise of CRR to both men and women, including control over earnings, so that actions can be taken by the Program.

(Linked to Finding 2 and 3, and Conclusion 2 and 3)

(B)   WHAT HAS PROGRAM 3 ACCOMPLISHED?

56.   This section illustrates the extent to which:

(a)   Program 3 has achieved its expected results and how these have contributed to WIPO's Strategic Goals;

(b)   Unexpected outcomes were identified and assessed as to whether these were linked to activities of the Program;

(c)   The design of the Results-Based framework for Program 3 is overall coherent; and

(d)   Stakeholders are engaged in the services provided.

Finding 4: The Program is contributing to four out of nine WIPO Strategic Goals. Sixty-six percent of the total services delivered correspond to raising awareness and capacity building initiatives. No major unexpected results are identified.

Expected results are broadly defined to include Program 3's portfolio of activities, and to be logically linked to their respective Strategic Goals. Current indicators are SMART[8], meaning that they are adequately designed. Yet, information made available through existing indicators does not provide significant evidence on the positive or negative evolution in the achievement of the expected result to which they are associated. In addition, the set of indicators is not covering all activities being undertaken by Program 3 in the area of creative industries.
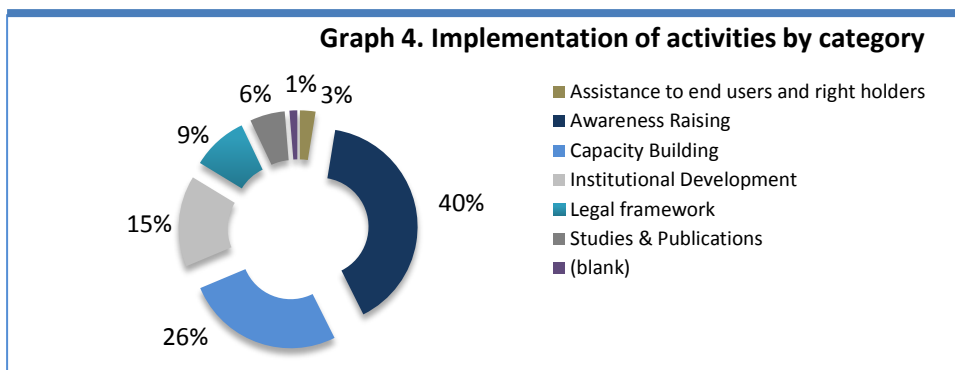
(Linked to Conclusion 4 and Recommendation 2)

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[8] Specific, Measurable, Attainable, Relevant and Time-bound

(i)   What has been the contribution to WIPO's Strategic Goals?

57.   For the purpose of establishing the contribution of Program 3 to WIPO's Strategic Goals, WIPO's support is grouped within the various categories required to develop CRR systems, as indicated in the programmatic approach presented on the methodology section of this report (see Figure 1).

58.   Program 3 implemented a total of 779 activities during the period of evaluation, 288 implemented by the Copyright Development Division (CDD), 295 by the Copyright Infrastructure Division (CID) and 196 by the Copyright Law Division (CLD). Graph 4 shows the percentage of these activities included in each of the main six categories[9].

Graph 4. Implementation of activities by category

- 40% Awareness Raising
- 26% Capacity Building
- 15% Institutional Development
- 9% Legal framework
- 6% Studies & Publications
- 1% (blank)
- 3% Assistance to end users and right holders

Legend:
- Assistance to end users and right holders
- Awareness Raising
- Capacity Building
- Institutional Development
- Legal framework
- Studies & Publications
- (blank)

59.   Figure 5 represents the link between group of activities (levels) and the expected results that have contributed to WIPO's SGs. The results-based framework designed for the Program has evolved during the period under evaluation. Although Strategic Goals remained unchanged, expected results were fine-tuned to better express their contribution to SGs. For the purpose of the evaluation, similar expected results have been clustered to enable better understanding of their contribution to long-term goals. The self-assessment of the Program performance has been triangulated with additional sources of information and has been found correct. A total of seven different expected results linked to Program 3 have contributed to the achievement of four SGs. Details on the main key achievements of the Program are provided in Annex 2.

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[9] Notice that "blank" category embodied implemented activities whose nature was not available or for which available information was not specific enough to categorize them

Figure 5. Program 3 Results-Based Framework
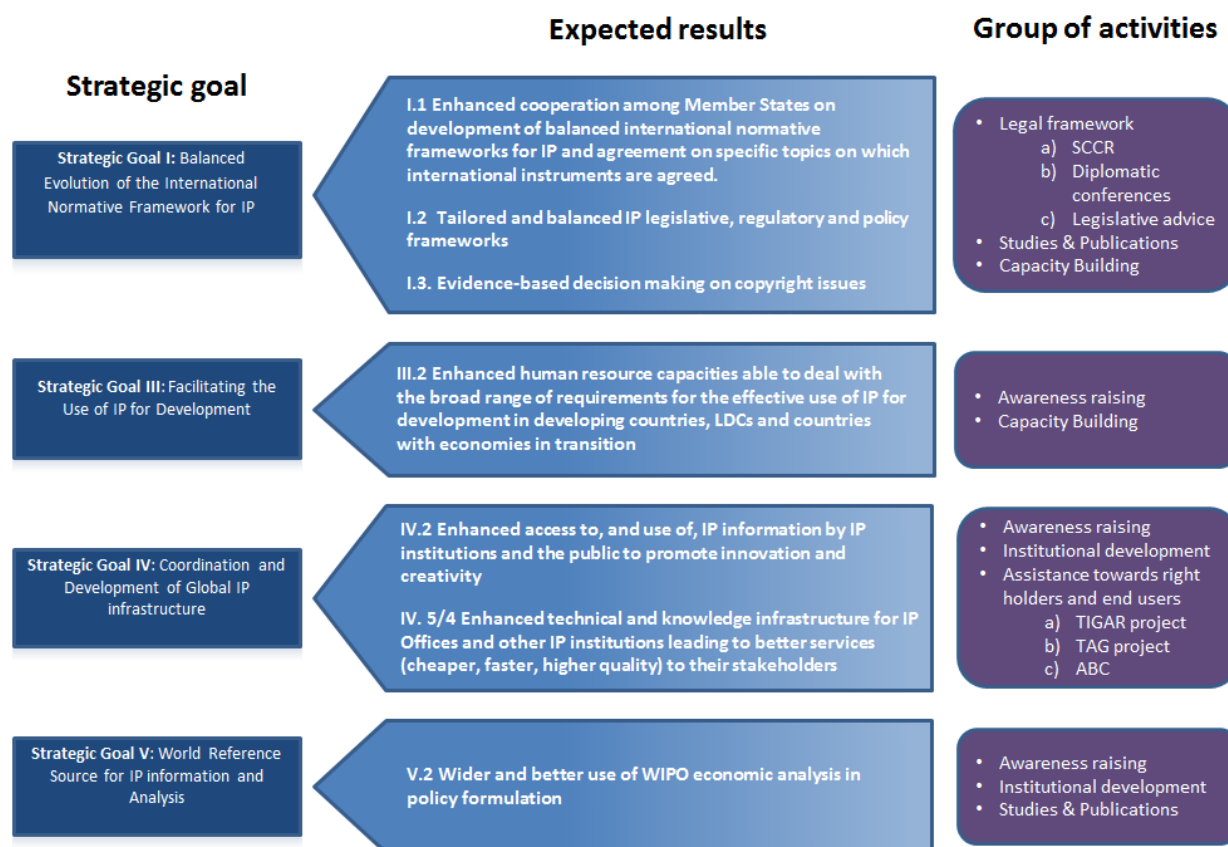
Strategic Goal I: Balanced Evolution of the International Normative Framework for IP

60.   The Secretariat has been effective and successful in the norm-setting area, and more precisely in establishing new treaties. The Beijing and Marrakesh agreements stand out as main results in this area of intervention. Seventy-six Member States and the European Union have signed the Beijing Treaty, and 81 Member States and the EU have signed the Marrakesh Treaty from a total of 188 Member States.

61.   The legislative advice provided constitutes a key service to ensure the implementation of CRR treaties into national legislation. The response to the need to put legal frameworks into action to have an impact on the copyright industry in practical terms is also tackled by publications, guides and studies conducted by Program 3. These particular services are contributing to develop the normative framework of supported countries and to widen the knowledge and understanding of copyright-related developments. This work is reinforced by the awareness raising activities and capacity building initiatives with stakeholders aimed to strengthen the knowledge on established treaties.

62.   The facilitation of normative discussions through the SCCR has been highly rated by different participants, especially aspects such as the SCCR planning, available documentation and the professionalism of WIPO staff. More precisely:

(a)   The internal perception of this success lies in the good communication and solid partnerships with both Member States and permanent missions in Geneva, as well as the internal capacities, expertise and teamwork across divisions, and particularly within the CLD;

(b)   The Secretariat is seen from outside as well-organized, flexible and collaborative by both Member States and other stakeholders, which allows different stakeholders to get involved in normative discussions. Member States and other participant organizations have pointed out the importance and relevance of the informative sessions organized by the Secretariat, which allow Member States' representatives with no expertise on CRR to be informed at all stages. Additionally, the presentation of case studies and experiences during the sessions is also much appreciated by Member States.

63.   Graph 5 shows the views of different stakeholders (direct beneficiaries, Member States and other organizations) concerning the organization of the SCCR sessions as well as their general level of satisfaction with them.

Graph 5. Participant´s views on SCCR organization

Category	Timeliness publication of documents	Informal informative sessions	Interpretation services in the plenary	Updates on the issues discussed	Overall satisfaction with services provided
High	38%	36%	68%	29%	43%
Moderate	34%	29%	13%	38%	27%
Low	5%	4%		13%	7%
N/A	23%	32%	20%	21%	23%

Legend: Very High, High, Moderate, Low, N/A
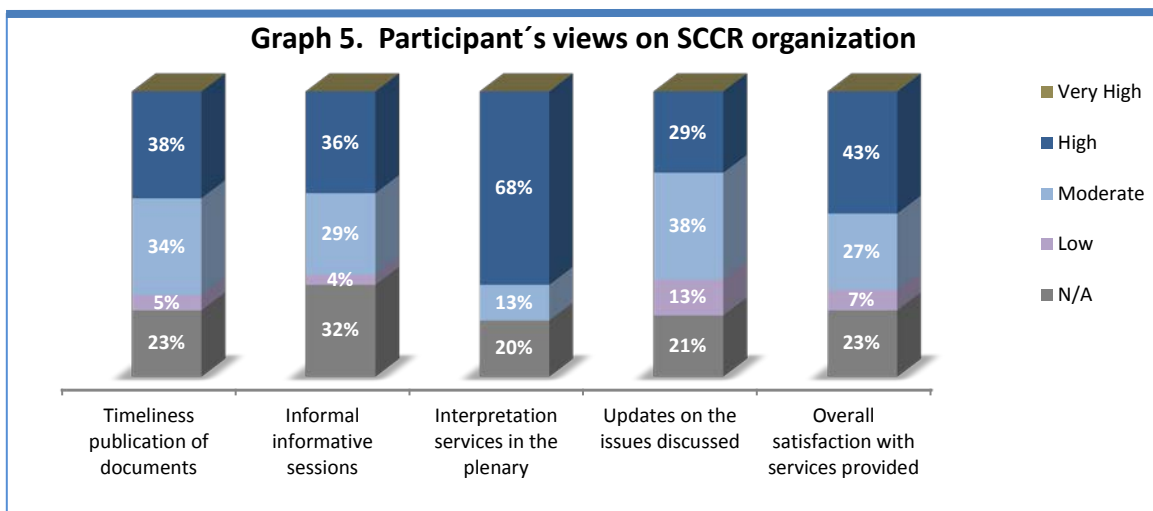
64.   Lower rates are mainly explained by the concern shared among external organizations participating in SCCR sessions on the increasing lack of expertise in CRR matters among participants, and especially among Member State representatives. In their view, participants have a diplomatic background that brings the discussions to a political level. High staff turnover among Member States is also a matter of concern, as the experience and know-how gained is lost once new staff takes over every four years. Member State representatives are aware of this situation and identified discussion topics as complex.

Strategic Goal III: Facilitating the Use of IP for Development

65.   The Program has contributed to Strategic Goal III through:

(a)   Capacity building activities: these services have contributed to increase knowledge of copyright offices, broadcasting organizations and the academic sector. Stakeholders favourably perceive WIPO's efforts related to capacity building activities for institutional development, especially those aiming to establish the WIPOCOS system; and

(b)   Awareness raising activities: all divisions, within their specific goals and target groups, have conducted actions that have increased stakeholder's perceptions of the importance of the copyright industry and the benefits this sector can provide to Member State cultural and economic development. Raising awareness events have been mainly implemented in collaboration with partners such as international organizations and federations, governments and policy makers, universities, national libraries, CROs and CMOs. Stakeholders have pointed out the efforts made by the Program in reaching professionals and organizations working in the CRR sector as well as the general public.

Strategic Goal IV: Coordination and Development of a global IP Infrastructure

66.   Contribution of the Program to Strategic Goal IV has been achieved through the following set of services:

(a)   Institutional infrastructure development: the Program has specifically contributed to building CROs infrastructure through the deployment of the registration and documentation system for CRR (GDA) and the WIPOCOS;

(b)   Capacity building: technical development of CMOs and increased technical knowledge and capacities of CROs have been achieved though workshops, seminars and study visits. Based on produced publications, the Program has contributed to enable better monetization of copyrighted materials. In collaboration with the WIPO Academy, the Program has developed a distance learning program course covering all ranges of the collective management industry for a target audience comprising staff of CMOs, policy makers and legal practitioners. A mentoring program among CMOs is also allowing less developed CMOs to have the opportunity to receive expert advice from more developed CMOs, either through on-site or at-distance counselling. Overall, the Program is working towards building an institutional structure through capacity building among CROs for the functioning of copyright systems

(c)   Assistance to -end users: the Program has also produced results in three different areas regarding the ABC initiative. More precisely, the Program is contributing to:

(i)   Increasing the capacity of developing and least develop countries to produce accessible books;

(ii)   Supporting inclusive publishing by promoting technologies and standards that enable the joint publication of new books in standard and accessible formats; and

(iii) Building an International Database (TIGAR project) as the premier repository of accessible books in the world. The work of the ABC board (previously the Stakeholder Platform) is considered key for the achievement of results, although the following constraints have been identified:

- The limited knowledge by the general public regarding the initiative, and the need to increase the number of promotion activities.

- The need to request permission to the different local authorities or publishers for the adaption of books, since the CRR legislation for implementing countries does not specifically address these activities. Therefore, licensing for the adaptation of books is granted at different rates depending on each country´s legislation.

- The lack of financial resources to produce and distribute accessible books in developing countries.

(d) The assistance provided regarding the TAG project has also been identified as contributing to SG IV. The development of a voluntary international quality assurance standard (Transparency, Accountability and Governance) for CMOs aims to improve performance levels based on best practices and principles. The initiative has been considered essential for the regularization of CMOs, especially in terms of providing support to develop the legal framework and regulations in which these organizations operate.

Strategic Goal V: World Reference Source for IP Information and Analysis

67.   Contribution to this Strategic Goal is achieved through the studies conducted on the economic contribution of CRR industries for developing, transitioning and developed countries. These studies are considered very relevant, positive and useful for all stakeholders within the CRR sector, providing essential data to policy formulation and strategic development. The studies have become one of the most quoted sources on the economic contribution of copyright worldwide. As per figures of the Program, these tools have been downloaded approximately 53,000 times without investing resources in their publicity. Soft copies are available for free at WIPO´s website.

68.   In line with the above, stakeholders identified the need to further promote those studies not only among the general public, but also among Member States. Additionally, economic reports comprise official data but they do not include or partially include data from informal markets, which in many countries represent an important sector, and stakeholders considered this a gap in the approach. Examples of studies conducted by the United Nations Conference on Trade and Development (UNCTAD) are considered more relevant by some stakeholders given this rationale.

69.   Due to the latest restructuring and the creation of the Creative Industries Section, studies on the economic impact on copyright-based industries have been put on hold and thus requests from Member States have not been fulfilled. The situation remains as such until there is a definition on how responsibilities and strategic directions will be taken to use the in-house expertise in assessing the economic impact of CRR industries.

70.   Many other publications and studies are produced by Program 3, including numerous studies that have been prepared to aid Member States in the work of the Standing Committee on Copyright and Related Rights. For example, the Crews Study on Limitations and Exceptions for Libraries and Archives covers all 188 Member States and has been highlighted by Member States and stakeholders as a useful reference during discussions both at WIPO and at the national level.

> (ii)   Unexpected results

71.   Based on the qualitative analysis from structured- interviews and the information extracted from the survey, indirect positive and negative results have been identified as follows:

> (a)   Politicians quoting and using the result of studies on the impact of CRR and its contribution on local economies, providing visibility to the sector;

> (b)   Increased networking and dialogue among participants, as well as funding from states to their CMOs;

> (c)   Multiplying effects on capacity building activities (e.g., training of trainers);

> (d)   Development of policies and political engagement through initiatives that are not directly focusing on or addressing these aspects, as it happened in the case of the ABC initiative; and

> (e)   The shift to politicized debates in WIPO meetings creating loss of interest, especially in norm-setting activities, leading to a standstill on several issues (e.g. for the establishment of a broadcasting treaty).

(iii)   The program design

72.   In terms of program design, expected results are broadly defined and embody a wide range of activities. A contribution of expected results to their respective SG is therefore found given the referred broad nature.

73.   The design of a Program´s logical framework marks what is to be achieved, while the implicit logic presents ways of working that are often not explicitly included in the logical framework matrix. The referenced wide nature of the expected results does not constitute a risk towards the achievement of Strategic Goals. The main reason lies in the program theory (theory of change) built by program implementers, which adds the required mechanisms to connect the various levels of the result-based framework. Some examples of this implicit logic are found in Figure 6 below.

Figure 6. Components of the theory of change
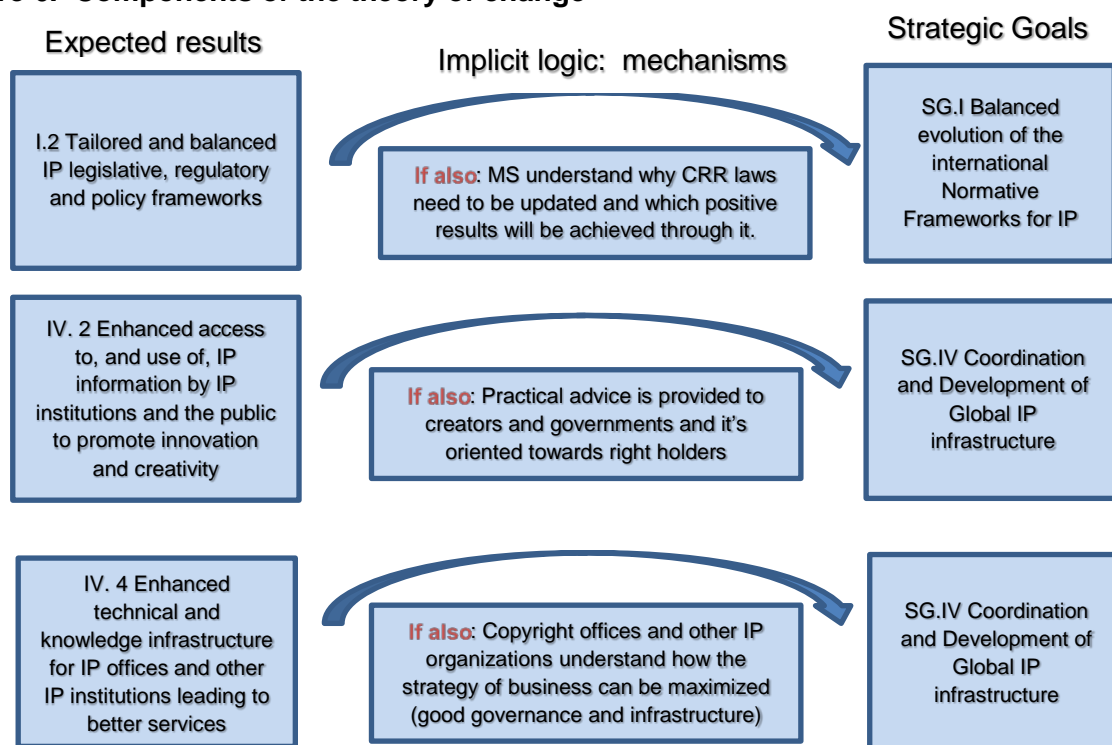
74.   The results-based framework has positively evolved at the level of indicators during the period under evaluation. Yet, information made available through existing indicators does not provide enough evidence on the positive or negative evolution in the achievement of the expected results to which they are associated. The main reasons are:

(a)   Current indicators (used for measurement of expected results) are SMART[10], meaning that they are designed to quantitatively measure fixed targets of the P&B to which Program 3 responds (outputs[11]). Nonetheless, from an organizational point of view, indicators are not defined in a way that allows gathering relevant information to understand the extent to which interventions are triggering and advancing the achievement of WIPO's expected results (Figure 7).

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[10] Specific, Measurable, Attainable, Relevant and Time-bound
[11] See also VALID 2014-01 Validation of the Program Performance Report for 2012/2013 (WO/PBC/22/9)

Figure 7. Performance indicators
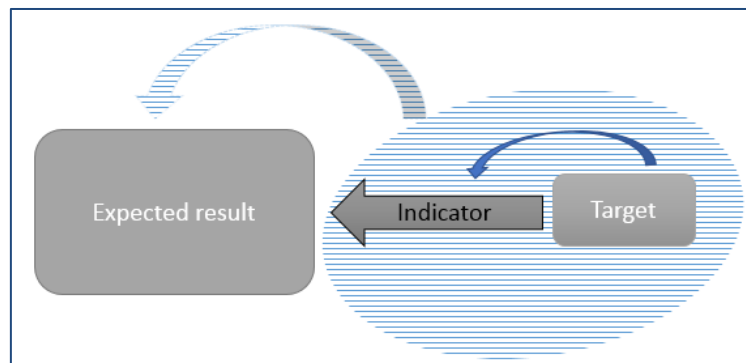
(b)   Qualitative indicators are not included to complement and capture changes that enable to question why patterns in the evolution of the achievement of expected results are occurring and thus no decisions can be made by the Organization based on identified trends; and

(c)   The set of indicators is not covering all activities currently being undertaken within Program 3, and more precisely on the creative industries.

75.   There is no monitoring and evaluation system specifically designed to track Program progress, and consequently, no standard set of procedures to conduct monitoring of activities. Program staff generally has limited resources and/or time to monitor activities, and therefore monitoring is either not prioritized or inexistent. Despite of this fact, gathering of quantitative data necessary to measure expected results through indicators is possible since the vast majority of indicators can be quantified through the current progression of Program 3 main activities (e.g. number of ABC constituent members). The rest of the indicators (only five out of the total number of sixteen) require tailored assessments that enable the Program to gather relevant information to measure progress towards achievement of targets. For this purpose, the Program is actively including periodic progress assessments tailored to specific activities, such as questionnaires aimed to collect quantitative information on quality of services provided, adequacy of contents to professional needs, quality of implementation of services and skills acquirement. Other tools such as mission reports are used for monitoring purposes to keep track of implemented activities and measure participant's level of satisfaction. Additionally, divisions monitor their interventions through working groups (TAG), board calls (ABC), periodic reports from beneficiaries (WIPOCOS), informal meetings, country profiles, etc.

76.   Indicators and sources of information are not designed to collect equity-related information (including gender), and generally speaking, stakeholders identify the need to include those aspects in the monitoring and evaluation system. Although a gender approach is not taken into consideration in the results-based framework, the Program includes it when delivering workshops or seminars, by providing a gender-balanced participation among attendees. However, a wider gender approach in which special attention is given to engage both beneficiaries and end users is not currently in place.

Conclusion 4: The Program's design is not sufficiently developed to provide precise assessments of the trend for reaching expected results through WIPO's CRR products.

(Linked to Finding 4 and Recommendation 2)

Recommendation 2:

Program 3, in collaboration with the Program Performance and Budget Division, should revise the set of performance indicators to better:

    (a) Cover the overall portfolio of activities related to the Creative Industries Section;

    (b) Provide information on the extent to which expected results are being achieved; and

    (c) Measure equity in the relevant areas.

(Linked to Finding 4 and Conclusion 4)

        (iv)   <u>Stakeholders engagement</u>

Finding 5: All relevant stakeholders have been engaged in interventions. Certain groups of stakeholders have been identified as potential recipients of CRR services.

(Linked to Conclusion 5)

77.   Major and relevant stakeholders are engaged in Program´s activities. WIPO has become a forum for debate for all stakeholders, fostering collaboration among them. WIPO's improvement on the communication, information sharing and publications targeting end users has been positively highlighted too.

78.   Views from NGOs concerning SCCR sessions: there has been a significant increase in the number of participants over time, especially when it comes to NGOs and other organizations. However, some stakeholders suggested that only a reduced number of these NGOs represent global or international interests. Voice is given to all of them, and sometimes discussions become too specific, not providing a balanced intervention time among well-established global organizations (representing a higher number of stakeholders) and regional /national ones.

79.   The Divisions systematically make efforts to include relevant stakeholders. This is particularly relevant in the case of multilateral discussions including diplomatic conferences and SCCR meetings and recently introduced projects such as ABC, TIGAR and TAG. Given the nature of these interventions, the engagement of stakeholders is essential at these early stages.

80.   Training plans include a clear profile of expected attendees, and request implementing partners to ensure participants fall into the description and meet background criteria set for each capacity building session. Stakeholders are also expected to take the lead and contact the Program if support is required, so active promotion of these services and activities is essential.

81.   The appointment of experts to provide support is a prevailing strategy. Experts are engaged based on each particular activity to be carried out. The Organization tends to rely on international experts, especially those included in its rosters, and whenever possible, engage local experts. Member States and organizations expressed their concern about the lack of local experts involved in the implementation of activities, but recognized the lack of local expert pools to work with, especially in developing countries.

82.   Among the group of stakeholders that could also be more engaged in Program 3 activities are:

(a)   Relevant bodies from the broadcasting sector, including the media;

(b)   Customs;

(c)   Other UN agencies;

(d)   Disabled people and educational institutions;

(e)   Civil society, also including national experts that can participate in activities such as legislative advice, providing key knowledge about the background and context and therefore, more credibility; and

(f)   Consumers, since their use of copyrighted work can represent a threat to the sector, and awareness raising and education activities can alleviate those risks.

Conclusion 5: The engagement of both public and private institutions provides credibility and increases the visibility of the Program. Although stakeholders representing all relevant CRR target groups are commonly engaged in Program 3 activities, there is still room to further develop and expand partnerships within other relevant groups of stakeholders.

(Linked to Finding 5)

(C)   HAS WIPO INVESTED ITS RESOURCES EFFICIENTLY?

83.   The evaluation report provides an analysis of the financial efforts undertaken by the Program in developing international and national CRR systems. The inexistence of previous efficiency studies of the Program or of similar interventions and the inability to accurately determine levels of results achievement (as indicated in Conclusion 4) prevents the completion of a full-fledged efficiency analysis that would allow comparisons over time.

84.   This section presents findings and conclusions based on:

(a)   Resource management;

(b)   External and internal coordination; and

(c)   Further strategic and operational features to be taken into consideration.

Finding 6: The Program has contributed to four WIPO Strategic Goals with 7% of the total organizational budget assigned for the period of 2010-2015. Norm setting, including high level meetings and Diplomatic Conferences absorbs the highest share of the assessed expenditures. Twenty-one professionals are currently covering interventions in more than 150 countries. Allocation of resources for posts has decreased since 2010 whereas the budget available for temporary staff has experienced the opposite trend. Concerns are identified at the level of the Program's capacity to deal with existing workload while timely responding to Member States' requests. Outsourcing of parts of the work has led to an increase in administrative and oversight efforts for internal staff.

(Linked to Conclusion 6 and Recommendation 3)

(i)   Where do WIPO's resources go?

85.   The efficiency analysis provides a measure of how and where the Program's efforts have been concretely focused on in order to achieve its declared objectives. The figures used in the efficiency analysis have been provided by the Department of Program Planning and Finance through extractions from in-house database software (e-Work, AIMS). The units of analysis are the activities for which it was possible to identify a precise purpose and amount of expenditure, as well as the expected results they were linked to. For this reason, events, conferences, staff missions, training activities and all the other activities that have required a precise outflow of financial resources are the basis of the analysis[12] (see also Annex 1 for more figures).

Graph 6. Cost per Sector
- Copyright: 7%
- Patent: 69%
- Trademarks, Industrial Designs and Geographical Indications: 24%
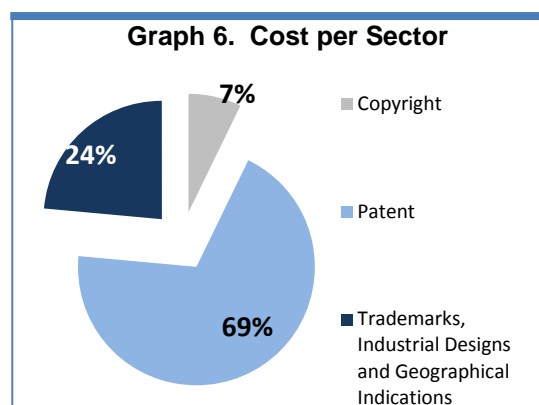
86.   The overall budget allocated for Program 3 as from Program and Budget 2014/2015 (58,152,000 CHF) has witnessed an increase from biennium 2010/2011 to 2012/2013 (+40%), while it decreased from 2012/2013 to 2014/2015 (-12%), with a total increase over the last 5 years of CHF 3,619,000 (+23%).

87.   The analysis is based on the three Divisions that participate in Program 3: Copyright Law Division, Copyright Infrastructure Division and Copyright Development Division. The identified activities account for CHF 16 million[13].

88.   The Copyright Law Division accounts for 40% of the overall expenditures for the period of 2010-2015, followed by Copyright Development Division with 34%. Copyright Infrastructure Division[14] absorbs a much smaller share of the total costs (16%), while the Office of the DDG, which accounts have been discontinued over the years, accounts only for 10% (see Graph 7).

Graph 7. Costs per Division
- Program Management - Office of the DDG: 10%
- Copyright Infrastructure Division: 16%
- Copyright Development: 34%
- Copyright Law Division: 40%
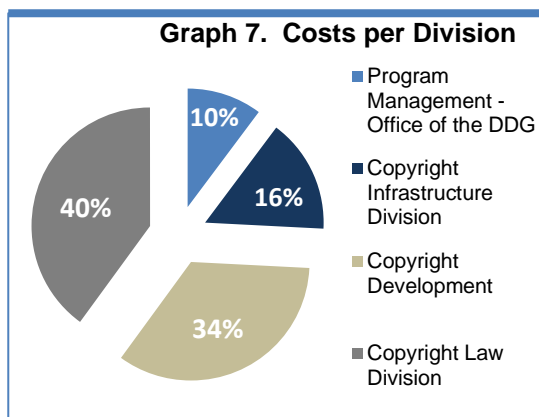
89.   It is possible to underline different trends of cost evolution for the three divisions of Program 3. Expenditures have remained steady over the 5 years period in the case of CDD, peaking twice in 2011 and 2013. The tendency for CID has been steadily decreasing over the 5 years in exam (-25%). On the contrary, as concerns CLD, it is possible to identify a peak of the expenditures of the activities analyzed in 2013 (almost 4 times the expenditures reached in 2012) with a consequent drop in 2014 that has brought the costs at the same level of the previous years. This evolution is explained by additional resources allocated for the Diplomatic Conference of Marrakech (2013) (see Graph 8). Concerning activities related to the Beijing Treaty, it is important to notice that expenditures for the 2012 Diplomatic

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[12] The financial resources allocated for Personnel Expenditures, Operating Expenses, Equipment and Supplies, Contractual Expenses (except Conferences) and other Non-personnel Resources (e.g. Interns, Fellowships) are not taken into consideration for the analysis since they participate cross-cuttingly to all the activities and to the achievement of all the expected results.
[13] This amount corresponds to the overall amount budgeted for Funds In Trust and for the Regular Budget, from January 2010 to May 2015.
[14] For what concerns Copyright Infrastructure Division, since the way the costs have been accounted overtime has changed according to the organizational changes of the division, the total expenditures have been calculated as sum of the costs borned by the different divisions and individual projects that now belong to the division. Therefore, the expenditures belonging to Infrastructure Division, Creative Industries, Collective management Section, Copyright Information System (GDA) and WIPOCOS.

Conference were accounted in the Program 3 management (Office of the Deputy Director General) budget and thus are not reflected in the analysis for the Copyright Law Division. Therefore, related activities absorbed around 1,5 million CHF that are accounted in Program 3 instead of the Copyright Law Division.

Graph 8. Expenses per division during the period 2010-15
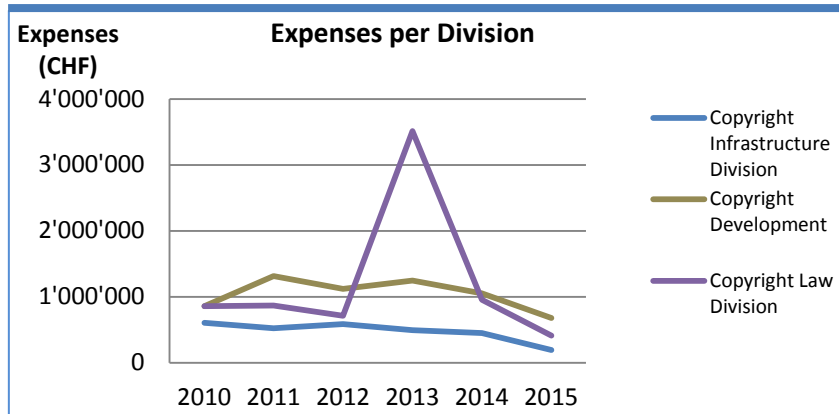
90.   Focusing the analysis on the resources deployed in each of the levels, it is possible to identify which of them have absorbed the largest share of resources (see Figure 8).

Figure 8. Share of expenses by category of activities

Category of Activities	Expenses	Percentage	Number of Activities	Average Cost
Legal framework	6,353,340	39.3%	68	93,431
Awareness Raising	4,323,425	26.8%	352	12,282
Capacity Building	2,955,421	18.3%	165	17,912
Institutional Development	1,937,423	12.0%	128	15,136
Studies & Publications	432,048	2.7%	43	10,048
Assistance to end users and right holders	136,382	0.8%	18	7,577
N/A	20,282	0.1%	5	4,056
Grand Total	**16,158,319.41**		**779**	**20,742.39**

91.   The financial figures above provides evidence for:

(a)   An investment of almost **40%** of the overall resources in policy-making, with the aim to strengthen the international **legal framework** for Copyright, which covered activities related to the organization of Diplomatic Conferences as well as legal-advice related activities;

(b)   Expenditures of more than one-fourth (**27%**) of budgetary resources on **awareness raising** activities, to enhance access to information and knowledge among stakeholders. It is also worth mentioning that at this level, the number of activities conducted for awareness raising purposes account for almost **one-half** of the overall number of activities organized by Program 3 (352 out of 779);

(c)   An investment of almost one-fifth (**18%**) of the resources in **capacity building** activities, in order to enhance human resource capacities in developing countries, LDCs and countries with economies in transition;

(d)   A share of more than one-tenth (**12%**) of the total budget for **institutional development** to enhance the technical and knowledge infrastructure of CROs and CMOs;

(e)   Allocation of residual resources on the production of **studies and publications** (almost **3%**). The structural changes occurring to the Section and the reduced amount of resources allocated to this area are the main reasons why some studies have been put on hold;

(f)   An investment of **0.8%** of the overall financial resources in **assisting the end users** of copyrights and related rights, explained by the fact that this kind of activity started in the current biennium; and

(g)   Activities labelled as "N/A" included a small number of actions for which no sufficient information was available allow them to be classified.

92.   At the level of expenditure by Division, the Copyright Law Division has invested the largest share of its financial resources (86%) in international and national copyright and related rights normative development. Additional resources (10%) have been allocated to increase awareness and to disseminate information to the public to encourage innovation and creative works. The rest of the resources (4%) have been allocated to enhance human capacities in IP for development.

93.   The Copyright Development Division expenditures have been split almost evenly between two main clusters of technical assistance interventions. On one hand, the division has pursued the enhancement of human resources in developing countries. On the other hand, resources have been allocated to improving technical and knowledge infrastructure by conducting workshops, study visits, case studies and advisory missions.

94.   The financial efforts of the Copyright Infrastructure Division have been scattered around a wide portfolio of services. As a general overview, a quarter of the overall expenditures were allocated to enhance access to information and knowledge. A total of 16% of the budget has been allocated to enhance technical and knowledge infrastructure of CRO and CMOs. Fourteen percent of expenses were used for awareness raising purposes and 14% represent capacity building activities.

95.   Personnel resources have remained stable. Although the expenditures on posts increased during the second biennium (2012-13), they were actually reduced for the period 2014-15. Conversely, investments in

Graph 9. Personnel Expenditures

■ Posts   ■ Temporary Staff
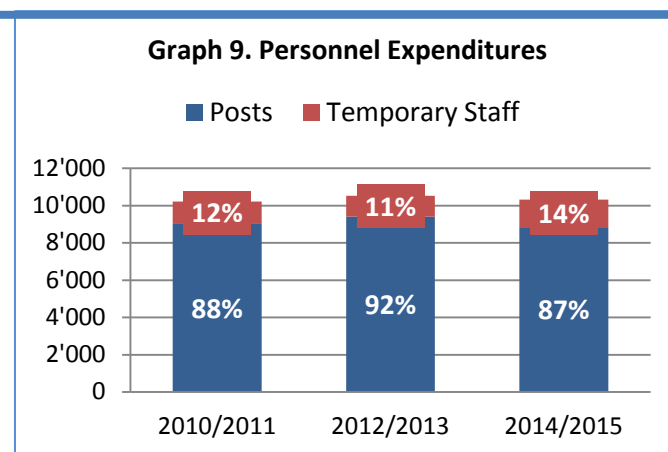
temporary staff [15] experienced the opposite trend. For the time being, 21 staff members are covering interventions in more than 150 countries. Stakeholders have expressed their concern about the capacity of the Program to continue responding to requests in a timely manner and advancing on specific projects at the same quality level. An example of the former is the loss of the dedicated legislative assistance position for CRR as well as the reduced number of focal points to manage requests from Member States. With regards to the latter, the ABC initiative has attracted external funds due to its success. Yet the challenge for this initiative remains at the level of how the same number of internal human resources can continue providing high quality services taking into consideration the increase of work-related demands for the continuation of the project.

96.   The shortage of in-house staff involved in norm-setting and legislative advice activities contributed to increased use of external experts to respond to Member States' demands. Although funds were provided to the Program to outsource specific duties, the situation has led to additional burdens in administration and oversight by internal staff members.

(ii)   Do WIPO's coordination mechanisms work?

Finding 7: Coordination within the divisions works well. Nonetheless, coordination between the three divisions of Program 3 is not systematized but triggered by external requests and personal relationships. An improvement of top-down and horizontal information flow has been highlighted as required by staff. Coordination with other WIPO Programs is overall positive, although additional communication efforts and information sharing needs have been raised. Coordination with other UN partners is functioning well.

(Linked to Conclusion 6 and Recommendation 4)

97.   Internal coordination and information sharing within each Division is functioning well. Divisions are composed of highly qualified staff with shared understanding and support for each other. Inter-divisional collaboration is triggered by external requests. Bottom-up information flows well but there is not a top-down sharing of consolidated information. There is not a systematic horizontal information flow within the sector either and information sharing depends on personal relationships.

98.   The collaboration of Program 3 with other WIPO Programs is effective although some areas need further improvement. More precisely:

(a)   The collaboration with the Bureaus (Program 9) is overall smooth at the level of planning and organizing joint activities. The Bureaus are no longer the focal points to receive requests and define actions in the CRR area. It is CDD´s role to be the contact point for all requests, to analyze them and to set up strategic and work plans for action. Member States have expressed high levels of satisfaction about the collaboration with this division, including follow up and monitoring activities, as well as about provision of tailored support. Nonetheless, the Bureaus are mandated to formulate the master country plans, which requires for a closer collaboration between the Program and the Bureaus in order to be informed on what is done at all IP levels in the countries.

(b)   Capacity and expertise sharing are positive outputs of the joint activities organized with the Non-Governmental Organizations and Industry Relations Section in promoting the Marrakesh Treaty and the ABC, the collaboration with the other WIPO Divisions such as the Building Respect for IP Division, the Department of External Relations, the WIPO Academy, and the Traditional Knowledge Division. Additional communication efforts and information sharing were nonetheless highlighted as areas for improvement.

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[15] Term comprises short term professionals and short term general service (consultants)

(c)   The cooperation with the WIPO External offices has been positively valued, in particular regarding coordination and sharing of information. Some have manifested the possibility of expanding the engagement of the external office as implementer of activities for cost-saving purposes and better sharing of information.

99.   There has been a multiagency effort from WIPO, UNCTAD, UNESCO and WTO, as well as other organizations, in the area of Intellectual Property (IP) and CRR. WTO and WIPO are mutually benefiting from a natural synergy over IP matters as a result of including IP in the trade negotiations. The cooperation with UNCTAD has also been qualified as good and relevant. There is an inherent synergy between the roles and activities of the two organizations in the area of IP. Satisfaction with a good and productive cooperation between the two organizations has been manifested. The need for more frequent engagement with major players such as UNESCO has been highlighted by right holders.

> (iii)   What strategic and operational features need to be taken into consideration?

Finding 8: The Program still needs to put focus on short, medium and long term emerging needs, as well as to take into consideration identified strengths and opportunities.

(Linked to Conclusion 6 and Recommendation 3)

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100. A Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis has been conducted as part of this evaluation based on internal and external feedback that includes direct beneficiaries, UN partners as well as WIPO staff. The SWOT analysis is a strategic planning tool that provides an overview of the Program´s current and forward-looking situation. The first two sections (strengths and weaknesses) provide information about the past and current situation, whereas the last two sections (opportunities and threats) identify potential positive and negative aspects that could affect the Program in the future.

101. Figure 9 represents main ideas identified in each of the four categories, arranged according to their level of importance / number of mentions by participants. Some of them have already been addressed in previous sections, namely under relevance and effectiveness. This section further explains aspects identified in the SWOT analysis that play a role in the efficiency area.

Figure 9. SWOT Analysis

Strengths
Unique expertise
Tailored and user-oriented services
Global IP authority, a multilateral forum
Wide range of partners
Availability of resources
Management and implementation of services
Network of experts
Staff commitment
Uniqueness of projects (TIGAR, TAG, etc.)
Coordination with partners
Developed tools
Free services

Threats
Lack of resources and budget reduction
Competition of other organizations
Politics within Norm setting area
Administrative processes
Honoraria policy (external)
Sector not generating revenue
Use of digital technology
Delays in approving interventions
No internal commitment
Pressure from Member States
Goverment seeks support elsewhere
Continuity of IT support services
Changing environment of CRR sector

Weaknesses
Limited resources (human and financial)
Internal coordination
Untimely response to requests
Lack or delayed monitoring activities
Lack of long-term vision
Bureaucracy
Inter unit overlapped services
Lack of administrative support
Lack of local-based experts roster
Not following agreed work plan
Current approach to measure results
Lack of presence in the field
Difficulties to reach consensus among MS

Opportunities
Private sector engagement
Unique services provided
Member State´s commitment
Potential Networking
Digital technologies / new technologies
New internal and external partnerships
Long-term sustainable programs
Improve decision making process
Continuation of capacity building services
World authority in CRR issues

102. As shown in Figure 9, services are overall considered to be of quality and provided within short periods of time. Stakeholders considered free services provided by the Program as one of its key features, enabling greater accessibility to WIPO's support. Activities are considered to be timely introduced and executed, and national counterparts positively valued the fact of having committed internal staff capable of interacting with Member States and national counterparts in their own language, e.g., Spanish speaking countries and Lusophone countries.

103. Yet, internal efficiency is a concern for staff members, and more precisely due to the time professional staff invests on administrative work. This situation limits them in focusing on issues more in line with their expertise and reduces their capacity to conduct more substantive work in pursuit of program objectives.

104. Apart from that, the following ideas included in the analysis were found in need for further focus:

(a) Bureaucracy: stakeholders perceive WIPO as a highly bureaucratic organization, dealing with numerous internal processes and in which decision making takes considerable time. However, they also pointed out WIPO's respect for deadlines and the timely introduction of activities and services;

(b) Counterparts have expressed the extent to which the cooperation with WIPO is getting more complicated in the area of Copyright. They highlighted issues such as

delays related to the approval of activities normally associated to the Organization's inherent bureaucracy and the need to fix clearer deadlines;

(c)   A challenge for all external stakeholders consulted is the lack of sufficient information of the portfolio of WIPO activities in the area of CRR, which limits their capacity to request services. A database with the various CRR services conducted in the countries was highlighted as a good tool for informative purposes; and

(d)   The current approach to measure achievement of results is focused on the establishment of new treaties, and on quantifying results on new agreements made. Based on stakeholders' responses the approach should consider the achievement of results also by measuring the level of development of ratified treaties, and how each country develops national structures and legal frameworks to comply with them.

Conclusion 6: The Program's current investments in all categories of activities are essential for cross-cutting development of international and national CRR systems. Concerning human resources, the Program has been highly efficient in providing satisfactory services with a limited amount of resources. Nonetheless, the increasing portfolio of activities combined with the time spent by staff in administrative work rather than on CRR substance is challenging the internal Program's capacity to continue providing essential services with high quality. Constraints regarding information sharing within the Program have resulted in efficiency loss. Externally, WIPO's reputation in the provision of services is affected by the increased internal bureaucracy and complex access to WIPO's services.

(Linked to Finding 6, 7 and 8 and Recommendation 3 and 4)

Recommendation 3:

Program 3 should periodically conduct efficiency analysis in an integrated way to balance the allocation of resources between categories of services and anticipate workloads. The methodology and figures of the present report could be used as a basis of how to assess resource distribution and expenditure on single activities that aim to enhance the overall development of an international/national CRR system.

(Linked to Finding 6 and 8, and Conclusion 6)

Recommendation 4:

Program 3 should improve its information sharing internally and externally, and more precisely by:

(a) Integrating inter-divisional information sharing practices that enable all Program 3 staff to systematically learn from the work conducted and developments achieved by the three Divisions;

(b) Exchanging information with other WIPO programs, and more precisely with the Bureaus, to ensure CRR is adequately targeted at all times; and

(c) Providing wider dissemination of WIPO's CRR portfolio of services to Member States, Copyright holders and end users.

(Linked to Finding 7 and Conclusion 6)

(D)   WHAT REMAINS AT THE END?

Finding 9: There is a positive perception of the extent to which Program 3 activities contribute to changes in attitudes and economic development. The Program takes into consideration different strategies to ensure sustainable effects, such as training of trainers, distance learning tools, etc.
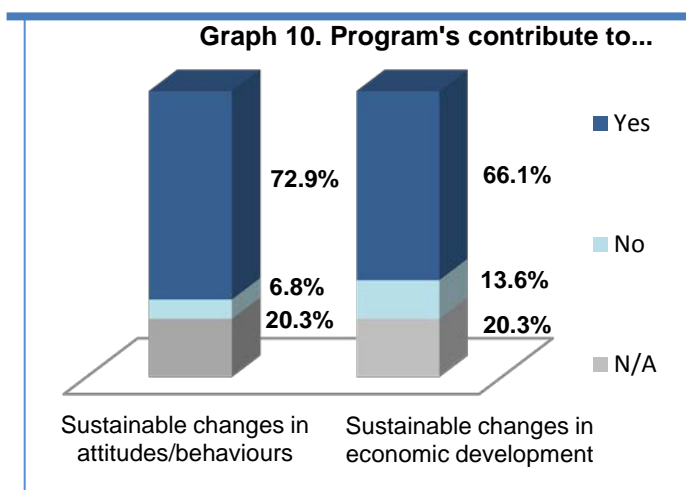
Nonetheless, planning is based on a short-term approach, and sustainability and exit strategies are not defined or only partially defined between WIPO and its partners.

(Linked to Conclusion 7 and Recommendation 5)

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105. The sustainability analysis provides information and conclusions on the extent to which Program results are likely to continue after support is withdrawn.

106. Interviewed stakeholders understand that a CRR system is sustainable when it is developed enough, i.e., it is self-sufficient in terms of income generation and reinvestment. The extent to which WIPO has opened up to public-private partnerships during last years is highlighted as a strategic move with the potential to strengthen the sustainability of results.

107. Two different aspects have been considered for the quantitative analysis of stakeholders' perception of sustainable results. On one hand, changes in beneficiaries' attitudes and behaviours, and on the other hand, the CRR sector contribution to develop local and national economies. As shown in Graph 10, a high percentage of surveyed stakeholders (including all except WIPO staff) consider that the Program is actually contributing to both long-term goals.

Graph 10. Program's contribute to...

72.9% / 6.8% / 20.3% — Sustainable changes in attitudes/behaviours

66.1% / 13.6% / 20.3% — Sustainable changes in economic development

Legend: Yes / No / N/A

108. Concerning changes in attitudes and behaviours, awareness raising and capacity building are the essential activities identified. Through direct interventions with governments, CROs, CMOs and users, the Program works on valuing the importance of having respect for CRR, and consequently, change attitudes towards the protection of those rights. Additionally, WIPO is leading the discussions, research and innovation in some important and neglected areas, such as the access of copyrighted materials to disabled people, libraries/archives and museums.

109. Awareness raising and capacity building activities are also considered as the pillars to enhance and promote economic growth through the development of a sound and well-established CRR system. Legislation, enforcement and management of rights are also key steps to produce this long-term effect. In addition, stakeholders pointed out that these actions do not only produce an economic impact, but also spur a cultural development for the good of society.

110. In general, interventions are expected to provide sustainable results, but the lack of jointly agreed sustainability definitions and exit strategies hinders the potential impact of activities and likeliness of continuation once support is withdrawn. Surveyed WIPO staff corroborates this information provided by stakeholders, as shown in Graph 11. Only 3 out of 10 respondents (only WIPO staff surveyed) considered that exit strategies and/or plans have been agreed with partners on how to continue developing the Copyright and Related Rights sector once WIPO's support is withdrawn.

Graph 11. Definition of exit strategies with partners

11.8%

29.4%

58.8%

■ Yes

■ No

■ N/A
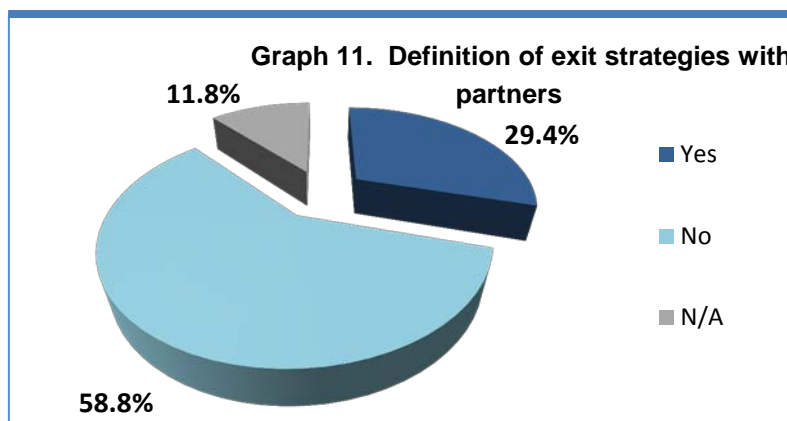
111. Planning is based on a short-term approach, especially for new projects such as ABC. The changing political environment and CRR sector, as well as high in-country staff turnover are key aspects justifying this approach. However, different stakeholders have pointed out those partnerships last longer now than before, and medium and long term goals are considered. They also expressed their gratitude and confirmed the inclusion of sustainability rationale when planning, designing and implementing activities.

112. The introduction of new technologies directly affects the sustainability of laws and policies, as well as sustainability strategies. Legislative advice has to be technically neutral, to avoid early outdates. The lack of local pools of experts is another constraint identified.

113. A key aspect identified concerning the sustainability of interventions is stakeholders' misperception that sustainability is an issue in which WIPO has no responsibility, but rather the countries contacting the agency for services. Based on this logic, partners have the sole responsibility to ensure sustainability and include it in their work plan.

114. The analysis for 152 countries on the sustainability as well as on the attention to the follow up phases presented in Figure 10 shows a prevalence of single activities. One third of the countries have been the focus of activities in one year only, while only 11 countries (7% of the total number of countries) have benefited from services throughout the whole period of analysis, from 2010 to 2015. This reflects a tendency of replicating single interventions, scattering the resources among many different countries.

Figure 10. Activity coverage

Years Covered	N. Countries
6	11
5	14
4	16
3	21
2	40
1	50
Total	**152**

115. Whereas such an approach could represent a risk for the sustainability of the activities conducted, single activities do not produce unsustainable effects per se. Figure 11 shows the results for the six main categories of activities and their continuation over time in the different countries that received these services. Numerical values in each column represent the number of countries that received related services and for how long those services were provided (from 1 year up to 6 years of coverage).

Figure 11. Activity coverage per category of service

Years Covered	Number of Countries					
	Legal framework	Institutional Development	Capacity Building	Awareness Raising	Studies & Publications	Assistance to end users
6	1	1	0	3	0	0
5	0	0	1	6	0	1
4	0	0	7	6	0	0
3	1	3	15	15	1	0
2	2	15	23	29	7	0
1	25	42	34	44	19	6
Total	29	61	80	103	27	7

116. In terms of sustainability, the nature of activities within the six categories differs from each other. Single activities within legal framework, studies & publications and awareness raising can be to some extent perfectly justified to be sustainable over time. A good example could be the provision of one-time legislative advice leading to sustainable effects such as the amendment of a particular law. However, capacity building and particularly institutional development services are categories in which the support is needed over time. For instance, IT support activities are difficult to sustain over time, since only WIPO provides expertise and support for deployed software. WIPOCOS and GDA deployment and maintenance, developing national capacities and related activities do not produce results through one-off interventions. The analysis shows how these two types of services were mainly not provided over time, as the majority of countries received support only for one or two years. The support to CMOs is technically provided as long as needed, and follow up usually conducted remotely. Organizations regularly submit reports to WIPO on the issues found using these systems. The last category, assistance to end users, should also show a higher continuation in countries over time, but related activities (ABC, TIGAR, etc.) have recently started and cannot be taken into consideration for this analysis.

117. Partners have pointed out several strategies and good practices to ensure sustainability of results:

(a)   Training materials and tools used for capacity building activities are made accessible for national stakeholders' interventions to keep developing the sector;

(b)   Ensuring training of trainers is conducted and that the multiplying effect is reached through this approach;

(c)   Updating economic studies and reports produced by WIPO;

(d)   Raising awareness of negative impact of high staff turnover within CROs; and

(e)   Distance learning tools

Conclusion 7: The Program is making efforts to produce sustainable results. One-off activities are common, but do not produce unsustainable effects per se. However, categories of activities where self-sustainability can be very difficult to reach (e.g. capacity building and institutional development) require mid and long-term support over time to produce sustainable results. The lack of sustainability definitions and exit strategies agreed with Member States might affect the extent to which results of an intervention last overtime, especially once support is withdrawn.

(Linked to Finding 9 and Recommendation 5)

Recommendation 5:

The Program should integrate sustainability criteria in interventions by:

> (a)   At a programmatic level, conducting periodic revision of country plans that:
>
>   - include assessments of the strategic value of activities in developing international and national CRR systems; and
>
>   - include analysis of contextual changes and follow-up activities to re-orient CRR actions in an integrated way.
>
> (b)   Defining sustainability and exit strategies at the level of activities, including description of individual and shared responsibilities with Member States.

(Linked to Finding 9 and Conclusion 7)

ACKNOWLEDGMENT

IOD wishes to thank all staff involved for their assistance, cooperation and interest during this assignment, and in particular to Program 3 staff for their excellent and permanent support provided to the evaluation process.

TABLE OF RECOMMENDATIONS

Recommendation #	Accepted / Rejected (indicate reason for rejecting)	Person(s) Responsible	Deadline	Management Comments and Action Plan

Recommendation 1
 	
The Program should conduct proactive assessments of national stakeholders' needs to guarantee efficiency gains in the provision of evolving services and to ensure that the national strategic plan for CRR development is not affected by eventual contextual changes (organizational, political, economic, etc.). These needs assessments should:
 	
    (a)   Be jointly conducted with national counterparts and be endorsed by them; and
 	
    (b)   Identify disabilities, social norms and geographical diversity that play a role in limiting equal access and exercise of CRR to both men and women, including control over earnings, so that actions can be taken by the Program.
 	
Closing criteria:
 	
"Submission by CCIS to the relevant Program of at least one needs assessment report which documents and assesses the copyright needs of key stakeholders in one Member State.
 	
The report should:
 	
(a) be drafted in full consultation with such stakeholders and endorsed by them; and
	Accepted	Program manager	12/31/16	Action plan: commission needs assessment report as described.

Recommendation #	Accepted / Rejected (indicate reason for rejecting)	Person(s) Responsible	Deadline	Management Comments and Action Plan
(b) identify those factors affecting social equity and geographical diversity, including in the area of gender (if any), within such Member State in the CCR field"				
Recommendation 2 Program 3, in collaboration with the Program Performance and Budget Division, should revise the set of performance indicators to better: (a) Cover the overall portfolio of activities related to the Creative Industries Section; (b) Provide information on the extent to which expected results are being achieved; and (c) Measure equity in the relevant areas. *Closing criterion:* *Submission by CCIS to the Program Performance and Budget Division of a revised set of performance indicators, baselines and targets which make reference, inter alia, to:* *(a) CCIS' activities in the field of the creative industries; and* *(b) CCIS' contribution to achievement of expected results as well as to a greater diversity and equality in the CCR field"*	Accepted	Program manager	6/30/17 (or start of 2018-19 budget process)	Action plan: revise existing indicators and draft new indicators.

Recommendation #	Accepted / Rejected (indicate reason for rejecting)	Person(s) Responsible	Deadline	Management Comments and Action Plan
Recommendation 3 Program 3 should periodically conduct efficiency analysis in an integrated way to balance the allocation of resources between categories of services and anticipate workloads. The methodology and figures of the present report could be used as a basis on how to assess resource distribution and expenditure of single activities that aim to enhance the overall development of an international/national CRR system. *Closing criterion:* *Access by staff within CCIS to tables of expenditure, broken down by division. Such tables should allow such staff to conduct efficiency analyses of their activities and to reallocate resources if necessary.*	Accepted	Program manager	6/30/2016	Action plan: Identify appropriate tables and mechanism for periodic distribution.
Recommendation 4 The Program should improve its information sharing internally and externally, and more precisely by: (a) Integrating inter-divisional information sharing practices that enable all Program 3 staff to systematically learn from the work conducted and developments achieved by the three Divisions; (b) Exchanging information with other WIPO programs, and more precisely with the Bureaus, to ensure CRR is adequately targeted at all times; and (c) Providing wider dissemination of WIPO's CRR portfolio of services to Member States, Copyright holders and end users.	Accepted	Program manager	6/30/17	Action plan: Develop information portal and publicize its availability within and outside WIPO.

Recommendation #	Accepted / Rejected (indicate reason for rejecting)	Person(s) Responsible	Deadline	Management Comments and Action Plan
Closing criteria: *(a) Implementation by CCIS of a mechanism which enables all WIPO staff within CCIS and across the organization to exchange information on the Program's activities on a reciprocal basis.* *(b) Implementation of a mechanism which enables key stakeholders to access information on the full range of CCIS' activities. "*				

Recommendation 5:
 	
The Program should integrate sustainability criteria in interventions by:
 	
    (a)   At a programmatic level, conducting periodic revision of country plans that:
 	
      - include assessments of the strategic value of activities in developing international and national CRR systems; and
 	
      - include analysis of contextual changes and follow-up activities to re-orient CRR actions in an integrated way.
 	
    (b)   Defining sustainability and exit strategies at the level of activities, including description of individual and shared responsibilities with Member States.
 	
Closing criteria
 	
Contribution of the following elements to at least one IP Strategy for one Member State drawn up by a relevant Program, namely:
	Accepted	Program manager	12/31/2016	Action plan: Conduct assessment as part of development of national IP strategy.

Recommendation #	Accepted / Rejected (indicate reason for rejecting)	Person(s) Responsible	Deadline	Management Comments and Action Plan
(a) *an assessment of how WIPO's activities assist the strategic advancement of that Member State's CRR system;* (b) *an analysis of the contextual changes (if any) occurring within such Member State;* (c) *a summary of any follow-up activities which may be necessary so as to ensure the success of such plan;* (d) *an examination of the sustainability of such plan; and* (e) *an evaluation of the desirability and elements of an exit strategy for such Member State.*				

ANNEXES

Annex I.	**FINANCIAL FIGURES**
Annex II.	**KEY ACHIEVEMENTS OF PROGRAM 3**
Annex III.	**LIST OF STAKEHOLDERS CONSULTED**
Annex IV.	**DETAILED LIST OF EVALUATION QUESTIONS**

[Annex I follows]
and
[End of annexes IV and of document]

ANNEX 1: FINANCIAL FIGURES FOR PROGRAM 3[16] (2010-2015)

DIVISIONAL ANALYSIS

Division	2010	2011	2012	2013	2014	2015	Total	%
Program Management - Office of the DDG	87,770	216,803	1,526,801		16,659	26,327	1,874,360	10%
Copyright Infrastructure Division	604,023	521,481	587,828	494,492	450,361	193,005	2,851,191	16%
Creative Industries	420,490	220,565	237,078				878,133	
Collective Management Section	84,288	103,005	67,070				254,362	
Copyright Inform. System (GDA)			31,650				31,650	
WIPOCOS	99,245	197,912	92,021				389,178	
Copyright Development	858,908	1,313,860	1,121,149	1,244,449	1,052,899	677,072	6,268,337	34%
Copyright Law Division	859,185	865,957	713,298	3,516,337	955,183	409,042	7,319,002	40%
Digital Future (project)	27,196	33,036					60,231	
#N/A	6,688	103,840					110,528	
Grand Total	2,443,770	3,054,977	3,949,075	5,255,278	2,475,102	1,305,447	18,483,650	

COUNTRY ANALYSIS

Region	Costs	Percentage	N. of Activities	Average Cost per Intervention
Asia and the Pacific	6,138,797.06	33.2%	184	33,363.03
WIPO HQs	4,008,424.73	21.7%	120	33,403.54
Arab Countries	3,136,104.43	17.0%	57	55,019.38
Africa	2,131,186.59	11.5%	138	15,443.38
Latin America and Caribbean	1,861,830.59	10.1%	130	14,321.77
Europe	921,249.31	5.0%	195	4,724.36
North America	286,057.53	1.5%	35	8,173.07
#N/A	0.00	0.0%	1	0
Total	18,483,650.24		860	21,492.62

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[16] The financial figures presented in Annex 1 are calculated among the overall amount budgeted for Funds- In-Trust and for the following lines of the Regular Budget: Staff Missions; Third-party Travels; Conferences. The financial resources allocated for Personnel Expenditures, Operating Expenses, Equipment and Supplies, Contractual Expenses (except Conferences) and other Non-personnel Resources (e.g. Interns, Fellowships) are not taken into consideration for the analysis since they participate cross-cuttingly to all the activities and to the achievement of all the expected results.

EXPECTED RESULTS ANALYSIS

Expected Result	Grand Total	Percentage	CLD	CID	CDD
I.1	4,775,402.23	29.6%	✓		
III.2 and IV.4	4,595,688.33	28.4%			
Contribution to the development of the international copyright and related right policy and legal framework and of a global copyright infrastructure	1,596,609.60	9.9%	✓	✓	
III.2	1,450,126.21	9.0%	✓	✓	
IV.2	969,046.34	6.0%	✓	✓	
IV.5 / IV.4	975,632.43	6.0%		✓	
Increased awareness and capacity of Member States in copyright and related rights	455,009.32	2.8%	✓	✓	
Clarification of current emerging issues on copyright and related rights to Member States, creative industries, right owners and users.	426,675.11	2.6%	✓	✓	
Increased awareness and capacity of Member States in copyright and related rights, and enhanced knowledge in the management of IP-based assets by creative enterprises	348,543.62	2.2%	✓	✓	
I.3	229,417.08	1.4%	✓		
I.2	157,179.10	1.0%	✓	✓	
IV.2 and I.3	62,379.97	0.4%	✓		
V.2	67,785.97	0.4%		✓	
I.2 and III.2	1,203.65	0.0%		✓	
N/A	48,497.10	0.3%	✓		
Grand Total	**16,159,196.06**				

EXPECTED RESULT PER BIENNIA

BIENNIA 2010-2011

Expected Result	2010	2011	Percentage
Contribution to the development of the international copyright and related right policy and legal framework and of a global copyright infrastructure	589,351.40	1,007,258.20	34%
III.2 and IV.4	431,003.92	959,327.29	30%
Increased awareness and capacity of Member States in copyright and related rights	371,345.69	82,343.73	10%
Clarification of current emerging issues on copyright and related rights to Member States, creative industries, right owners and users.	253,659.68	173,015.43	9%
Increased awareness and capacity of Member States in copyright and related rights, and enhanced knowledge in the management of IP-based assets by creative enterprises	233,907.63	114,635.99	8%
III.2	47,606.50	156,987.46	4%
IV.4	77,161.09	106,604.91	4%
N/A	14,943.88	11,061.43	1%
Total	2,018,979.79	2,611,234.44	

BIENNIA 2012-2013

Expected Result	2012	2013	Percentage
I.1	664,758.13	3,297,695.05	50%
III.2 and IV.4	1,060,108.14	1,186,186.19	28%
IV.5 / IV.4	242,988.00	323,640.26	7%
III.2	157,220.58	296,424.80	6%
IV.2	310,900.56	134,134.56	6%
I.3	60,565.26	168,851.82	3%
IV.2 and I.3	32,824.49	23,906.08	1%
N/A		14,636.36	0.18%
Total	2,529,365.16	5,445,475.12	100%

BIENNIA 2014-2015

| Expected Result	2014	2015	Percentage
III.2 and IV.4	600,955.49	358,107.30	27%
I.1	716,291.79	96,657.26	23%
III.2	532,745.03	259,141.84	22%
IV.2	255,047.83	268,963.39	15%
IV.5 / IV.4	101,941.92	123,296.24	6%
I.2	88,117.51	69,061.59	4%
V.2	67,785.97		2%
IV.2 and I.3	5,649.40		0.2%
I.2 and III.2		1,203.65	0%
N/A	7,855.43		0.2%
Total	2,376,390.37	1,176,431.28	100%

COPYRIGHT LAW DIVISION ANALYSIS

Expected Result Analysis

Expected Result (Code)	Expected Results (Description)	Total Expenditures	Percentage
I.1	Enhanced cooperation/ greater consensus among Member States on further developing balanced policy and normative frameworks for the international patent system, trademarks, industrial designs, geographical indications, copyright and related rights, TK, TCEs and GRs	4,775,402.23	65.2%
-	Contribution to the development of the international copyright and related right policy and legal framework and of a global copyright infrastructure	1,299,452.14	17.8%
-	Increased awareness and capacity of Member States in copyright and related rights	356,189.82	4.9%
IV.2	Enhanced access to, and use of, IP information and knowledge by IP institutions and the public to promote innovation and increased access to protected creative works and creative works in the public domain	302,928.72	4.1%
III.2	Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	230,883.37	3.2%
I.2	Tailored and balanced IP legislative, regulatory and policy frameworks	157,179.10	2.1%
I.3	Evidence-based decision making on copyright issues	103,771.68	1.4%
-	Clarification of current emerging issues on copyright and related rights to Member States, creative industries, right owners and users	8,703.95	0.1%
-	Increased awareness and capacity of Member States in copyright and related rights, and enhanced knowledge in the management of IP-based assets by creative enterprises	34,790.56	0.5%
I.2 and III.2	Tailored and balanced IP legislative, regulatory and policy frameworks Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	1,203.65	0.0%
N/A	N/A	48,497.10	0.7%
	Total	7,319,002.32	

Geographical Analysis[17]

Regions	Total	Percentage
WIPO HQs	3,425,138.14	46.8%
Arab Countries	2,639,776.05	36.1%
Latin America and Caribbean	419,630.42	5.7%
Asia and the Pacific	350,897.60	4.8%
Africa	318,466.58	4.4%
Europe	104,928.89	1.4%
North America	60,164.64	0.8%
Total	**7,319,002.32**	**100%**

Costs per Region

- WIPO HQs
- Arab Countries
- Latin America and Caribbean
- Asia and the Pacific
- Africa
- Europe
- North America

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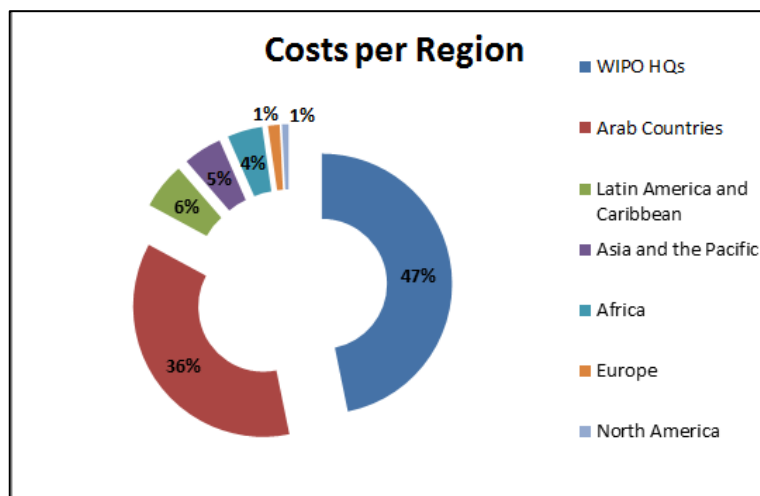
[17] The financial figure regarding Arab Countries includes funds for the Marrakesh Diplomatic Conference
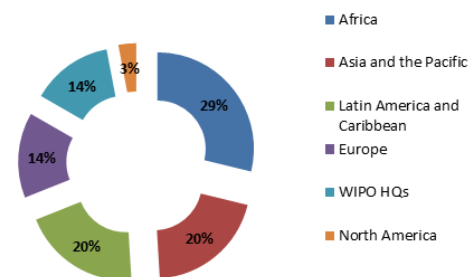
COPYRIGHT INFRASTCRUCTURE DIVISION ANALYSIS

Expected Result Analysis

Expected Result Code	Expected Result	Grand Total	Percentage
IV.2	Enhanced access to, and use of, IP information and knowledge by IP institutions and the public to promote innovation and increased access to protected creative works and creative works in the public domain	666,117.62	23.4%
IV.5 / IV.4	Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better services (cheaper, faster, higher quality) to their stakeholders	456,588.35	16.0%
-	Clarification of current emerging issues on copyright and related rights to Member States, creative industries, right owners and users	417,971.16	14.7%
III.2	Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	345,848.96	12.1%
-	Increased awareness and capacity of Member States in copyright and related rights, -and- enhanced knowledge in the management of IP-based assets by creative enterprises	313,753.06	11.0%
-	Contribution to the development of the international copyright and related right policy and legal framework and of a global copyright infrastructure	297,157.46	10.4%
I.3	Evidence-based decision making on copyright issues	125,645.40	4.4%
-	Increased awareness and capacity of Member States in copyright and related rights	98,819.50	3.5%
V.2	Wider and better use of WIPO economic analysis in policy formulation	67,785.97	2.4%
IV.2 and I.3	Enhanced access to, and use of, IP information and knowledge by IP institutions and the public to promote innovation and increased access to protected creative works and creative works in the public domain Evidence-based decision making on copyright issues	62,379.97	2.2%
	Total	2,852,067.45	

Geographical Analysis

| Region	Total	Percentage
Africa	810,749.35	**28.4%**
Asia and the Pacific	569,445.65	**20.0%**
Latin America and Caribbean	561,346.94	**19.7%**
Europe	402,917.02	**14.1%**
WIPO HQs	385,994.13	**13.5%**
North America	84,315.38	**3.0%**
Arab Countries	36,422.33	**1.3%**
Total	**2,851,190.80**	

Costs per Region

COPYRIGHT DEVELOPMENT DIVISION ANALYSIS

Expected Result Analysis

Expected Result (Code)	Expected Result	Grand Total	Percentage
III.2 and IV.4	Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better services (cheaper, faster, higher quality) to their stakeholders	4,595,688.33	76.7%
III.2	Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	873,393.88	14.6%
IV.4	Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better services (cheaper, faster, higher quality) to their stakeholders	519,044.08	8.7%
Total		**5,988,126.29**	

Geographical Analysis

Region	Total	Percentage
Asia and the Pacific	2,799,497.86	**46.8%**
Latin America and Caribbean	978,769.80	**16.3%**
Interregional	969,174.72	**16.2%**
Africa	807,725.30	**13.5%**
Arab countries	398,390.06	**6.7%**
Europe	2,319.60	**0.0%**
Total	**5,988,126.29**	**100%**
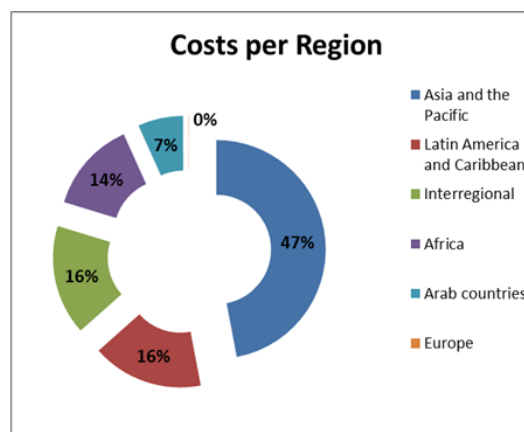
ANNEX II. KEY ACHIEVEMENTS OF PROGRAM 3

Strategic Goal I. Balanced Evolution of the International Normative Framework for IP

The Secretariat has facilitated, through the SCCR and Diplomatic conferences, progress and achievement of results in the following areas:

(a)   The Development of WIPO's Internet treaties, which embodied the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonogram Treaty (WPPC), assisting countries in adapting their national legislation on request;

(b)   Adoption of the Beijing Treaty on audio-visual performances (2012), referred to the Intellectual Property rights of performers in audio-visual performances;

(c)   Adoption of the Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired or otherwise print disabled (2013). This treaty represents the efforts to create a set of limitations and exceptions for the benefit of visually or print disabled end-users;

(d)   Facilitation progress in the discussions concerning the protection of broadcasting and cablecasting organizations, including exceptions and limitations; and

(e)   Discussion on limitations and exceptions of CRR to ensure a balance between the interest of right holders and users of protected works. The debate has been focused on educational activities, libraries and archives and as aforementioned, on disabled persons, particularly people who are print disabled.

Strategic Goal III. Facilitating the Use of IP for Development

National CRR strategies and systems are built and developed through the support provided by:

(a)   Regional and national workshops;

(b)   Conferences, lectures seminars, international forums, roundtables, congresses;

(c)   Training courses;

(d)   Post-graduate courses;

(e)   Publications, which includes the translation of WIPO publications into different languages, adapted to each particular context and CRR sector, as well as the "Respect of IP" Program;

(f)   Set of communication tools that include the production of videos for CMOs;

(g)   Study visits; and

(h)   Expert missions and experience-sharing sessions.

Strategic Goal IV. Coordination and Development of a global IP Infrastructure

The main outputs achieved within the period under evaluation are:

(a)   Deployment of the GDA in five countries;

(b)   Deployment WIPOCOS in sixteen countries. The Secretariat is currently undertaking the transition from WIPOCOS to WIPO Connect (WCC), which aims to provide a more user-friendly system, updated to new data management requirements. This new system is expected to be produced during 2016. In the meantime:

- Sixty CMOs have already signed an official statement to support this process and use WCC once available and operational.

- Capacity building and technical support for user CMOs have been provided in preparation for the transitional period to shift to WCC;

(c)   Development of a distance learning program course covering all ranges of the collective management industry for a target audience comprising staff of CMOs, policy makers and legal practitioners. The pilot phase of the Program took place in the last quarter of 2014, with an expected launch of the whole Program in early 2015. However, the project has not been prioritized and therefore not launched yet, even considering that all modules are prepared. The use of distance learning in other areas is currently being considered;

(d)   Assistance to right holders and end users, and more precisely regarding the ABC group. capacity building in producing accessible books have been provided in Bangladesh, Nepal, India and Sri Lanka; and

(e)   The TAG project: the program has conducted 17 activities to develop this initiative from 2012 to 2015. International Trade Associations (ITAs) have formed the Reference Group to support the initiative. CMOs have expressed their support (around 60 CMOs) as well as governments of developing and developed nations.

Strategic Goal V. World Reference Source for IP Information and Analysis

Results under this Strategic Goal are:

(a)   Twenty studies on the economic contribution of CRR industries for developing, transitioning and developed countries for the period of 2010-2015;

(b)   Forthcoming publications include seven national economic studies and one guide on surveying the economic contribution of CRR industries;

(c)   Two pilot studies on the social and cultural contribution of copyright in the creative industries and an assessment of copyright piracy; and

(d)   Eight booklets for creative industries targeting the business and legal issues for creators and performers, as well as three international surveys.

ANNEX III. LIST OF STAKEHOLDERS CONSULTED

#	STAKEHOLDER NAME	FUNCTION	DEPARTMENT/ ORGANIZATION
Culture and Creative Industries Sector			
1	Ms. Hang Gao	Director	Copyright Development Division
2	Ms. Ola Zahran	Senior Counsellor	Copyright Development Division
3	Ms. Sonia-Anne Cruickshank	Senior Program Officer	Copyright Development Division
4	Ms. Ana Lorena Bolaños de Pacheco	Senior Program Officer	Copyright Development Division
5	Ms. Yui Ema	Associate Officer	Copyright Development Division
6	Mr. David Uwemedimo	Director	Copyright Infrastructure Division
7	Mr. Simon Ouedraogo	Deputy Director and Senior Advisor	Copyright Infrastructure Division
8	Ms. Monica Halil	Project Manager	Copyright Infrastructure Division
9	Mr. Manisekaran Amasi	Senior Program Officer	Copyright Infrastructure Division
10	Mr. Peter Ford	ICS	Copyright Infrastructure Division
11	Mr. Dimiter Gantchev	Deputy Director and Head	Creative Industries Section
12	Ms. Donna Hill	Counsellor	Creative Industries Section
13	Mr. Christopher Kalanje	Counsellor	Creative Industries Section
14	Ms. Michele Woods	Director	Copyright Law Division
15	Ms. Carole Croella	Senior Counsellor	Copyright Law Division
16	Ms. Geidy Lung	Senior Counsellor	Copyright Law Division
17	Mr. Paolo Lanteri	Legal Officer	Copyright Law Division
18	Mr. Rafael Ferraz Vazquez	ICS	Copyright Law Division
Development Sector			
19	Ms. Neema Nyerere Drago	Senior Program Officer	Regional Bureau for Africa
20	Mr. Victor Guizar Lopez	Program Officer	Regional Bureau for Latin America and the Caribbean
21	Mr. José Joaquin Álvarez Salazar	Training Officer	WIPO Academy
Office of the Legal Counsel			
22	Ms. Anna Morawiec Mansfield	Head	Non-Governmental Organizations and Industry Relations Section
Global Issues Sector			
23	Mr. Joe Bradley	Deputy Director	External Relations Division
24	Mr. Victor Owade	Assistant External Relations Officer	External Relations Division
25	Ms. Maria Soledad Iglesias-Vega	Senior External Relations Officer	External Relations Division
26	Ms. Eun Joo Min	Senior Legal Counsellor	Building Respect for IP Division
27	Mr. Wend Wendland	Director	Traditional Knowledge Division
Office of the Director General			
28	Mr. Candra Darusman	Deputy Director	WIPO Singapore Office
29	Ms. Maria Amorim Pascoa Borher	Deputy Director	WIPO Brazil Office

External stakeholders			
30	Mr. Olav Stokkmo	Chief Executive and Secretary General	IFRRO
31	Mr. Cike YU	Director general Copyright Department	NCAC - China Copyright Office
32	Mr. Louie Andrew C. Calvario	Office of the Director General	Intellectual Property Office of the Philippines
33	Ms. Paula Cristina Cunha	Director general	SPAUTORES
34	Mr. Benoit Muller	Representative	IVF
35	Mr. Jorgen Blomqvist	External consultant / legislative advice	Consultant
36	Ms. Fareha Bugti	Regional coordinator Asia-Pacific Group	Pakistan Mission to the United Nations Geneva
37	Ms. Dora Makwinja Salamba	Executive Officer	(Copyright Office / CMO) Malawi
38	Mr. Ludovic Julié	délégué français	French Permanent Mission
39	Mr. Jens Bammel	Secretary General	International Publishers Association
40	Mr. Siqui Chung	Officer	Copyright office Singapore
41	Mr. Siniqui Uehara	Representative	Copyright Research and Information Center (CRIC)
42	Mr. Juan Camilo Saretzki-Forero	Counsellor	permanent mission of Colombia to the UN
43	Mr. MAI VanSon	Counsellor	Mission of Viet Nam
44	Mr. Boukary Sawadogo	WIPO consultant - WIPOCOS	AFRICA Region
45	Mr. Taka Horio	Deputy Director	Japan Copyright Office
46	Mr. David Fares	Representative	North American Broadcasters Association (NABA)
47	Ms. Livia Puscaragiu	First Secretary	Permanent Mission of Romania
48	Mr. Cristian Florescu	Head of International Relations and Projects Department	Romanian Copyright Office, Romania
49	Mr. Rainer Just	Representative	VG WORT (CMO)
50	Mr. Shi-Hyeong Kim	Intellectual Property Attache	Permanent Mission of the Republic of Korea in Geneva
51	Mr. Walid Abou Farhat	Consultant	Abou Farhat Law Office
52	Mr. Bertrand Moullier	Representative	FIAPF
53	Ms. Simara Holwell	First Secretary	Permanent mission of Jamaica
54	Mr. Leon van Wyk	External consultant / business advice	WIPO Consultant eastern and southern Africa
55	Ms. Doreen Anthony Sinare	Director General	COSOTA - Copyright Society Tanzania
56	Mr. Marianne Diamond	Representative	World Blind Union
57	*Confidential*	Delegate	Ivory Coast
58	Mr. Vinodh R. Arumugam	Regional Support Consultant -	WIPO Consultant Asia
59	Mr. Manuel Guerra	Director	INDAUTOR
60	Mr. Regan Asgarali	Director	CRO Trinidad y Tobago
61	Mr. Vashkar Bhattachearjee	Program Manager	Young Power in Social Action
62	Ms. Silke von Lewinski	Vice-President	ALAI
63	Ms. Carolina Romero Romero	Subdirector	Copyright office Colombia
64	Mr. Sudkhet Boriboonsri	Delegate	Thailand Representative

65	Mr. Mathias Kende	Delegate	Belgium Representative
66	Mr. Colin Low	Delegate	International Council for Education of People with Visual Impairment (ICEVI)
67	Mr. Georgi Damyanov	Copyright responsible	Ministry of Culture - Bulgaria
68	Mr. Allan Gepty	Deputy Director	CRO Philippines
69	Ms. Katie Webb	Representative	International Author's Forum
70	Mr. Dipendra Manocha	Representative	Daisy FORUM India
71	Mr. Hassoum Ceesay	Representative	CRO Gambia (National Center for Arts and Culture)
72	Ms. Marisella Ouma	Representative	CRO Kenya
73	*Confidential*		Jordan
74	Ms. Ahrum Oh	Assistant Director	South Korea Ministry of Culture - Copyright Division
75	Mr. Todd Reves		UPSTO
76	Ms. Cristina Puigcercos	Coordinator	CMO Andorra
77	Mr. Kurt Kemper	Representative	ADALPI
78	Mr. John McAvity	President	International Council of Museums (ICOM)
79	Ms. Rinaldi	Director	AADI (Asociación Argentina de Interpretes Musicales)
80	Mr. Benoît Machuel	General Secretary	FIM - International Federation of Musicians
81	Mr. Edmundo Rebora		Asociación Radiodifusoras Privadas Argentinas
82	Mr. Claudio Ossa Rojas	Head	DIBAM
83	Mr. Bui Nguyen Hung	Director General	Copyright office of Vietnam
84	*Confidential*		National Institute of Copyright
85	Ms. Merilyn Temakon	Head - Registar	Vanuatu - IP office - ministry of Trade, Tourism, Industry
86	Mr. Heijo Ruijsenaars	Head	European Broadcasting Union
87	Mr. Abass BANGOURA	Director General	Bureau Guinéen du Droit d'Auteur (BGDA)
88	Mr. Josia Efraim	Director	Audiovisual Media and Copyright Services Republic of Namibia
89	Mr. Donatien Niyungeko	Director	CRO Burundi
90	Ms. Erica Redler	Consultant	NABA - North American Broadcasters Association
91	Mr. Jonathan Band	Counsel	Library Copyright Alliance
92	*Confidential*		Ghana
93	*Confidential*		Botswana
94	*Confidential*		Sri Lanka
95	*Confidential*		United Kingdom
96	Ms. Graciela Honoria Peiretti	Subdirectora	Dirección Nacional del Derecho de Autor (DNDA) Argentina
97	Mr. Carlos Gonzalez Ruffinelli	Director	Dirección Nacional de P. Intelectual
98	Ms. Vanessa Cohen Jiménez	Director	Register of Copyright and Related Rights of Costa Rica
99	Mr. Camilo Z. Bendeck	Director	Director General de Propiedad Intelectual del IP, Honduras
100	Mr. Kenneth Musamvu	Registrar of Copyright	ARIPO

INTERNATIONAL ORGANIZATIONS / UN PARTNERS		
101	Mr. Wolf Meier-Ewert	Counsellor, IPD	World Trade Organization
102	Mr. Hannu Wager	Counsellor, Intellectual Property Division	World Trade Organization
103	Ms. Carolina Quintana	Creative Economy and Industries Program	UNCTAD

ANNEX IV. DETAILED LIST OF EVALUATION QUESTIONS

Relevance: Is WIPO's support needed in the countries? And why?
1. To which extent are the Program objectives and strategies consistent with the needs of the Member States? and to what extent are they still relevant?
1.1 Have the WIPO services responded to the Member States' needs?
2. Are the Program results contributing to the national strategies and policies in the area of copyright and related rights?
2.1 How the services conducted by Program 3 contributing to national strategies and Policies?
2.2 To what extent do WIPO Member States share the same strategy(ies) as WIPO? Has it evolved?
2.3 What is the specific niche WIPO is covering through its services compared to the services/work of other organizations?
3. Did the program activities in the area of development, copyright infrastructure, and legal advice services meet the needs of the various stakeholders groups, including gender?
3.1 How are the services conducted by Program 3 division contributing to respond to beneficiaries' and users' needs?
3.2 Is WIPO taking into consideration gender issues when delivering its services?
4. How were the needs and interests assessed?
4.1 To what extent do you analyze the national copyright and related rights issues or use existing analysis to understand the key CRR challenges in the countries? Do you think these studies could help you to better define priorities between countries?
4.2 What is the process for prioritizing, reviewing and deciding which clients and initiatives to serve? Has it changed over the years?
Effectiveness: Have we contributed to WIPO's goals and expected results?
5. To which extent has the Program achieved its expected results as they have evolved over the years and contributed towards the achievement of WIPO's Strategic Goals?
5.1 Has Program 3 achieved its expected results?
5.2 What are the key factors that facilitate or hinder achievement of results?
5.3 To which extent is WIPO`s work in the area of copyright and related rights contributing to the attainment of WIPO`s strategic goals?
6. How adequate is the Program design including its results framework and monitoring systems for decision-making and for measuring progress?
6.1 Are planned expected results leading to the achievement of planned specific objectives and planned general objectives?
6.2 Are indicators and sources of information correctly defined to provide information on progress and achievement of outputs and outcomes?
6.3 Has the Program set up monitoring and evaluation mechanisms of the various services (included ad-hoc) provided to the countries?
6.4 To what extent does the demand driven approach allow monitoring the program effectively towards the achievement of expected result and SG?
6.5 Are indicators and sources of information correctly defined to provide relevant gender-related information? And to provide sex, age, and location-disaggregated data?
7. What were the key strengths and weaknesses in managing the program effectively?
7.1 What are the strength and weaknesses, opportunities and threats of the existing processes?
8. During the implementation, were there systematic and appropriate efforts to include various groups of stakeholders?
8.1 Are all the relevant stakeholders within an intervention engaged?
9. Have there been unexpected results of WIPO's activities? If so, what have been their key effects on the Program and achievement of WIPO's Strategic Goals?

9.1 What have been the unintended effects and impacts (if any) of WIPO`s support on government institutions, other key CRR institutions, etc.?

Efficiency: Is WIPO making the best use of available resources?

10 Were the activities adequately resourced (both human and financial) to implement the relevant activities, to target the relevant stakeholders, to monitor and to evaluate the program in order to deliver the expected results and objectives in a timely manner and with the requested quality?

10.1 Are the outputs achieved within the expected cost and time?

10.2 How is the plan and budgeting decided? What is the logic the program follows allocating resources?

10.3 Are resources (time and money) invested on the right interventions or should resources be spent in some other areas? If yes, could you please provide some examples? If not, could you please explain why not?

11 What is the overall level of satisfaction among WIPO stakeholders including beneficiaries and Member States regarding the services provided?

11.1 To what extent are WIPO MS, and beneficiaries satisfied with the results of activities?

12. To which extent were synergies and multiplying effects exploited within WIPO and its partners (Member States, multilateral and bilateral)?

12.1 How do you coordinate with the various departments in general and within P3? Can you provide evidence of coordination? If not, why not?

12.2 Have the roles and responsibilities for service management and governance been clearly defined? To what extent are they appropriate and used? Is it always been like this?

12.3 Are there synergies created with the government/other public and private Organizations? How is WIPO benefitting from that?

13 How efficient was the organization and management of the Diplomatic Conferences and the Standing Committee on Copyrights and Related Rights (SCCR)?

13.1 Are the outputs and outcomes achieved within the expected cost and time?

13. 2 To what extent are MS and other organizations satisfied with the following services of the SCCR?

Sustainability: to what extent have benefits from program results continued after WIPO's intervention was completed?

14 To which extent have the Program and partners considered sustainability criteria as part of their decisions and during implementation?

14.1 To what extent does WIPO and its partners discuss and agree at the design, implementation and closure of the intervention on factors to work on to sustain the outputs achieved? Are exit strategies agreed between WIPO and its partners prior to the intervention?

15 Did the Program activities promote sustainable changes in attitudes, behaviors or economic development through the implementation of copyright legal frameworks, copyright infrastructure, and creative industries?

15.1 Is WIPO promoting the sustainable impact through each of its activities?

16 Have there been program results and activities with a likelihood of continued long-term benefits?

16.1 To what extent are WIPO partners multiplying results in the countries?

17 To what extent do stakeholders have confidence that they will be able to build on the changes promoted by the Program?

17.1 To which extent are stakeholders capable and reinforced in their capacities to continue with the outputs of the interventions?

18 What have been our partners' commitments towards making program results and activities sustainable over time?

18.1 To what extent do WIPO and its partners discuss and agree on factors to work for phasing out of technical cooperation outputs in the countries?