

Program and Budget Committee

Thirty-Sixth Session
Geneva, June 19 to 23, 2023

LIST OF DECISIONS

prepared by the Secretariat

AGENDA ITEM 1. OPENING OF THE SESSION

AGENDA ITEM 2. ADOPTION OF THE AGENDA

document WO/PBC/36/1.

The Program and Budget Committee (PBC):

- *adopted the agenda (document WO/PBC/36/1 Prov.2);*
- *decided to discuss sustainability within the context of procurement and consider any potential impact of such discussion on the FRRs and take appropriate action, if necessary, at the 37th session of the PBC.*

AGENDA ITEM 3. REPORT BY THE INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC)

document WO/PBC/36/2.

The Program and Budget Committee (PBC) recommended to the WIPO General Assembly to take note of the “Report by the WIPO Independent Advisory Oversight Committee (IAOC)” (document WO/PBC/36/2).

AGENDA ITEM 4. PROPOSED REVISION OF THE TERMS OF REFERENCE AND SELECTION PROCEDURE OF THE WIPO INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC)

document WO/PBC/36/3.

The Program and Budget Committee (PBC) recommended to the WIPO General Assembly:

- (i) to approve the proposed amendments to the selection procedure for the members of the WIPO Independent Advisory Oversight Committee (IAOC) (Annex IV of the Financial Regulations and Rules), contained in the Annex of document WO/PBC/36/3; and*
- (ii) to approve the proposed amendment to the Terms of Reference of the WIPO Independent Advisory Oversight Committee (IAOC) (Annex III of the Financial Regulations and Rules), provided in the Annex of document WO/PBC/36/3.*

document WO/PBC/36/10.

The Program and Budget Committee (PBC) recommended to the WIPO General Assembly to approve the proposed amendments to the Terms of Reference of the WIPO Independent Advisory Oversight Committee (IAOC) contained in Annex I of document WO/PBC/36/10.

AGENDA ITEM 5. REPORT BY THE EXTERNAL AUDITOR

document WO/PBC/36/4.

The Program and Budget Committee (PBC) recommended to the Assemblies of WIPO, each as far as it is concerned, to take note of the “Report by the External Auditor” (document WO/PBC/36/4).

AGENDA ITEM 6. ANNUAL REPORT BY THE DIRECTOR OF THE INTERNAL OVERSIGHT DIVISION (IOD)

document WO/PBC/36/5.

The Program and Budget Committee (PBC) recommended to the WIPO General Assembly to take note of the “Annual Report by the Director of the Internal Oversight Division (IOD)” (document WO/PBC/36/5).

AGENDA ITEM 7. ANNUAL FINANCIAL STATEMENTS 2022; STATUS OF THE PAYMENT OF CONTRIBUTIONS AS AT APRIL 30, 2023

- (a) ANNUAL FINANCIAL REPORT AND FINANCIAL STATEMENTS 2022

document WO/PBC/36/6.

The Program and Budget Committee (PBC) recommended to the Assemblies of WIPO, each as far as it is concerned, to approve the “Annual Financial Report and Financial Statements 2022” (document WO/PBC/36/6).

- (b) UPDATE ON INVESTMENTS

- (c) STATUS OF THE PAYMENT OF CONTRIBUTIONS AS AT APRIL 30, 2023
document WO/PBC/36/7.

The Program and Budget Committee (PBC) took note of the “Status of the Payment of Contributions as at April 30, 2023” (document WO/PBC/36/7).

AGENDA ITEM 8. ANNUAL REPORT ON HUMAN RESOURCES

document WO/PBC/36/INF/1.

AGENDA ITEM 9. UPDATE OF THE MECHANISM TO FURTHER INVOLVE MEMBER STATES IN THE PREPARATION AND FOLLOW-UP OF THE PROGRAM OF WORK AND BUDGET

document WO/PBC/36/11.

The Program and Budget Committee (PBC) recommended to the Assemblies of WIPO, each as far as it is concerned, to approve the updated mechanism as described in paragraphs 10 to 16 and set out in the Annex of the “Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget” (document WO/PBC/36/11) with the following addition to paragraph 13: “In addition, after the publication of PBC documents, the Secretariat will address all Member States’ written questions within a week of receiving such questions in a Q&A document to be published on the PBC website.”

AGENDA ITEM 10. PROPOSED PROGRAM OF WORK AND BUDGET FOR 2024/25

document WO/PBC/36/8.

1. *The Program and Budget Committee (PBC), having completed its comprehensive review of the Proposed Program of Work and Budget for the 2024/25 Biennium agreed to the following modifications as reflected in Annex I:*

- (i) Removal of SDGs and addition of SDG logo in the strategy house (page 8);*
- (ii) Addition of a new bullet related to green technologies under Strategic Pillar (SP) 3 (page 13);*
- (iii) Addition of a new KPI under ER 3.3 related to technology transfers (page 13);*
- (iv) Modification of the 3rd bullet priority under SP4 (IPGAP) and related footnote (page 13);*
- (v) Addition of a footnote to the 1st bullet under SP4 (page 13);*
- (vi) Modification of the KPI related to the IPGAP (page 14);*
- (vii) Modification of the priority related to gender equality and equitable geographical representation (page 15);*
- (viii) Addition of a new bullet under the Foundation (page 15);*
- (ix) Addition of a new KPI under 5.1 (page 15);*

- (x) *Addition of new text on gender equality under the implementation strategy related to IPGAP (page 21);*
- (xi) *Modification of the implementation strategy related to IP and Competition Policy (page 50);*
- (xii) *Addition of KPI related to TISCs under ER 4.4 (page 60);*
- (xiii) *Addition of a new bullet under the implementation strategies related to Internal Justice, Governance and Oversight (page 67);*
- (xiv) *Modification of the targets for the KPI related to gender balance (page 69).*

2. *The PBC requested the Secretariat to revise the Proposed Program of Work and Budget (document WO/PBC/36/8), to reflect the modifications listed in paragraph 1. above, to be submitted to the 64th series of meetings of the WIPO Assemblies.*

3. *The PBC recognized that agreement was reached on most issues and decided to refer the few outstanding issues, as discussed during PBC 36 and reflected in the meeting records, to the 64th series of meetings of the WIPO Assemblies.*

4. *The PBC further:*

- (i) *recognized the importance of data security of WIPO cloud related projects;*
- (ii) *requested WIPO to continue updating and optimizing its data security technologies in a timely fashion, to take into account the concerns from some member states and users of WIPO Global IP Services in this regard and their calls for enhancing internal and external audit of WIPO cloud related projects data security;*
- (iii) *recognized that WIPO will continue to conduct comprehensive audits and security testing carried out by highly skilled external service providers, procured through open international tenders in compliance with WIPO procurement rules;*
- (iv) *emphasized the importance of the ongoing review by the IAOC of cloud management related audit reports, in line with the IAOC's revised ToR;*
- (v) *requested the Secretariat to strengthen the annual reporting on cloud related projects in the WPR, including on the conclusions of audits and data security testing of WIPO cloud environments undertaken during the year.*

AGENDA ITEM 11. STUDY ON THE CREATION OF A SEPARATE ENTITY FOR AFTER-SERVICE HEALTH INSURANCE (ASHI)

document WO/PBC/36/9.

The Program and Budget Committee (PBC) took note and discussed the contents of the Study on the creation of a separate entity for After-Service Health Insurance (ASHI) (document WO/PBC/36/9) and provided guidance to the Secretariat in order to take a decision at the 2024 PBC session.

AGENDA ITEM 12. DRAFT TERMS OF REFERENCE OF THE 2021 EVALUATION OF WIPO EXTERNAL OFFICES

document WO/PBC/35/7 Annex.

The Program and Budget Committee (PBC) recommended to the WIPO General Assembly that the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices contained in Annex II to this decision be further discussed at the 37th session of the PBC.

AGENDA ITEM 13. ELECTION OF THE CHAIR AND TWO VICE-CHAIRS OF THE PROGRAM AND BUDGET COMMITTEE (PBC)

The Program and Budget Committee (PBC) elected, for its sessions to be held in 2024 and 2025: Ambassador Zbigniew CZECH (Poland) as the Chair of the PBC, and Ambassador Khalil HASHMI (Pakistan) and Mr. José Antonio Gil CELEDONIO (Spain) as the Vice-Chairs of the Committee.

AGENDA ITEM 14. CLOSING OF THE SESSION

[Annexes follows]

RESULTS FRAMEWORK AND BUDGET FOR 2024/25 INCLUDING DEVELOPMENT SHARE BY STRATEGIC PILLAR

WO/PBC/36/12
Annex I

A World where Innovation and Creativity from Anywhere is supported by Intellectual Property, for the Good of Everyone

WIPO leads the development of a balanced and effective global intellectual property ecosystem to promote innovation and creativity for a better and more sustainable future

8

WIPO Development Agenda SUSTAINABLE DEVELOPMENT GOALS	Strategic Pillar 1: Reach out worldwide to explain the potential for intellectual property to improve the lives of everyone, everywhere	Strategic Pillar 2: Bring people together and partner with stakeholders to shape the future of the global intellectual property ecosystem	Strategic Pillar 3: Provide high quality intellectual property services, knowledge and data that deliver value to users around the world	Strategic Pillar 4: Support governments, enterprises, communities and individuals to use intellectual property as a tool for growth and sustainable development	
	1.1 More effective communication and engagement world-wide to raise awareness of and increase knowledge about the potential of IP to improve the lives of everyone, everywhere 21,644 (4,617)	2.1 Development of balanced and effective international normative frameworks for IP 25,011 (5,998) 2.2 WIPO brings the international community together to proactively address emerging issues and policy challenges at the global level relating to IP, innovation and creativity 21,257 (6,985) 2.3 International dialogue and cooperation on Building Respect for IP 3,444 (1,395) 2.4 Effective interaction and partnerships with the UN, IGOs and NGOs in support of global goals to which IP can contribute 7,211 (1,194)	3.1 Wider and more effective use of WIPO's global IP systems, services, knowledge and data 51,477 (18,240) 3.2 Improved productivity and service quality of WIPO's global IP systems, services, knowledge and data 294,752 (5,190) 3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges 3,680 (3,289)	4.1 More effective use of a balanced IP system* to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations 25,518 (24,430) 4.2 Development of balanced and effective IP, innovation and creative ecosystems in Member States 29,757 (19,450) 4.3 Increased IP knowledge and skills in all Member States 43,387 (41,058) 4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully 39,977 (36,143) 4.5 Enhanced IP infrastructure for IP Offices 16,521 (15,459)	
	Total SP 1: 21,644 (4,617)	Total SP 2: 56,924 (15,572)	Total SP 3: 349,910 (26,719)	Total SP 4: 155,160 (136,540)	
	Foundation: Empower our people to work effectively, collaboratively and innovatively by providing them with the right resources, training and environment				
					Total Foundation: 265,491 (-)

The budget by Result in the Strategy House excludes unallocated of 8.2 million Swiss francs. The total budget for 2024/25 includes unallocated.
Development share: Expenditure is qualified as "development expenditure" as per the revised definition of development expenditure (document A/55/4).

Total proposed budget 2024/25: 857,300
(Total development share: 183,449)

Total budget 2022/23: 793,792
(Total development share: 150,312)

- Shepherd the evolution of strategic initiatives in the climate change and health space (e.g. WIPO GREEN, Pat-INFORMED, technology transfer and licensing) 3,680 GCP, IE, RND
- [Expand the WIPO Green database to help determine the patent status of green technologies, including those also recently available, in the public domain.](#)
- Develop and disseminate resources for technology and innovation support, including for access to knowledge and expert networking through ARDI/ASPI/R4Life

Expected Result	Performance Indicators	Sector
3.1 Wider and more effective use of WIPO's global IP systems, services, knowledge and data	Total Membership	BD, RND
	Filing Rate	BD, RND
	Renewals	BD
	Level of satisfaction of Offices with WIPO global cooperative and assistance activities delivered by the International Bureau	PT
	No. of unique visitors to the Global Database Systems - PATENTSCOPE - Global Brand Database (GBD) - Global Design Database (GDD)	IP, RND
	Level of user satisfaction with WIPO Global Databases	IP
	No. of unique visitors to the IP Statistics Data Center	IE
	No. of unique visitors to WIPO Lex	IE
	Level of use of WIPO IP ADR and domain name dispute resolution services	IE
	3.2 Improved productivity and service quality of WIPO's global IP systems, services, knowledge and data	Customer Satisfaction Index (CSI)
Level of satisfaction of WIPO global IP system users with International Bureau Services		PT, BD
Unit Cost		PT, BD, AFM
3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges	No. of matches between green technology seekers and providers via the WIPO GREEN platform and through Acceleration Projects	GCP, RND
	No. of tech transfers or access licenses supported by WIPO's global health initiatives, for which the IP component has been facilitated by WIPO	GCP
	No. of unique visitors to the innovation support and technology transfer publications, tools and platforms, including no. of visitors downloading Number of countries assisted to access patent information on green technologies available in the public domain with the support of the WIPO Green database.	IE

Strategic Pillar 4: Support governments, enterprises, communities and individuals to use intellectual property as a tool for growth and sustainable development

Priorities	Budget (in thousands of Swiss francs)	Sector
• Coordinate the implementation of the Development Agenda (DA) across the Organization. Coordinate and implement South-South and Triangular cooperation related activities ¹	4,405	RND
• Deliver special programs and projects at the national, regional and sub-regional level, including in LDCs, in support of IP for development, including for underserved stakeholders such as youth, women, communities and SMEs	27,412	BD, CCI, GCP, IE, PT, RND
• Lead the implementation of the IP and Gender Action plan and work with other UN agencies ²	963	PT
• Provide tools and legislative advice to support Member States in deploying and using legislation and policies, in the various areas related to IP	12,903	BD, CCI, GCP, IE, PT
• Issue flagship publications such as the Global Innovation Index, World IP Report and creative economy studies	4,790	IE
• Strengthen emphasis on skills and knowledge building on IP related matters through: (i) the courses of the WIPO Academy; (ii) partnerships with educational institutions for the expansion of joint Master Programs; (iii) the scaling up of support for national IP Training Institutions (IPTIs); (iv) the launch of new skills-based professional development programs; and (v) the development and dissemination of training materials, publications and tools	37,155	BD, CCI, GCP, IE, PT, RND

¹ [Progress on the implementation of South-South and Triangular cooperation activities will be reported on annually in the WPR.](#)

² [Such as ITC, UNCTAD, and UN Women](#)

Priorities	Budget <i>(in thousands of Swiss francs)</i>	Sector
<ul style="list-style-type: none"> Capacity building, technical assistance and training on IP and TK, TCEs and GRs, including creation of accessible materials for such activities 	2,112	GCP
<ul style="list-style-type: none"> Actively contribute to Build-Back efforts in the post-COVID era 	3,313	RND
<ul style="list-style-type: none"> Encourage creators, creative enterprises, cultural institutions, and communities to leverage copyright and related rights, including through: (i) the support of collective management organizations; (ii) raising awareness and increasing knowledge of creators' rights and related management practices; and (iii) providing support to persons with print disabilities 	12,085	CCI
<ul style="list-style-type: none"> Support entrepreneurs, SMEs and enterprises, in collaboration with SME support institutions and other partners, to access and use the IP system and to effectively leverage IP as an asset. Initiatives will focus on IP management, IP valuation, IP backed financing, and IP commercialization 	23,427	IE, RND
<ul style="list-style-type: none"> Build institutional capacity for technology transfer and innovation support, with a focus on establishing and developing TISCs, TTOs and other technology transfer structures as gateways to high quality IP services. Development of information and knowledge platforms, tools, and resources to enable the provision of such services. 		
<ul style="list-style-type: none"> Facilitating dialogue and knowledge sharing among Member States and other stakeholders on IP and SMEs; 		
<ul style="list-style-type: none"> Develop and promote IP Offices Business Solutions for national and regional IP institutions in developing countries and LDCs, including the expansion of the WIPO Office Suite of applications to support other forms of IP registration (voluntary registration of copyright and traditional cultural expressions) 	16,521	IP, RND

Expected Result	Performance Indicators	Sector
4.1 More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations	Implementation of topics on IP and Development discussed in the CDIP	RND
	No. of national, sub-regional and regional projects, including those implemented through partnership frameworks, that have achieved their expected benefits or completed important milestones	PT, BD, CCI, RND
	Progress on the implementation of the WIPO IP Gender Action Plan (IPGAP) and any future revisions	ODG
4.2 Development of balanced and effective IP, innovation and creative ecosystems in Member States	No. and % of Member States satisfied with the legislative and policy advice provided	PT, BD, CCI, GCP, RND
	No. of Member States, sub-regional and regional IP offices using WIPO tools and methodologies for the enhancement of their IP and Innovation Ecosystems	RND
	Level of adoption of IP ADR and domain name dispute resolution policies developed or supported by WIPO	IE
	No. of unique visitors to the Global Innovation Index websites	IE
	No. of countries using the GII for the development of their innovation strategies and ecosystem	IE
	Level of sustained engagement by Member State judiciaries	IE
4.3 Increased IP knowledge and skills in all Member States	Level of satisfaction of participants in capacity building and training activities on patent law and related matters	PT
	Level of satisfaction of participants in capacity building and training activities on trademarks, industrial designs and geographical indications	BD
	% of participants who have successfully completed skills-based training programs	RND
	Success rate of participants taking knowledge and skills-based exams of advanced DL courses	RND
	No. of sustainable IP training institutions (IPTIs)	RND
	No. of people trained by the IPTIs	RND
	Level of satisfaction of participants in WIPO training and skills development programs	CCI, GCP, RND
4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully	No. of CMOs in developing countries and LDCs using WIPO Connect	CCI
	ABC: No. of accessible titles delivered to persons with print disabilities	CCI
	No. of creators using WIPO for Creators Platform	CCI
	LDCs: No. of identified and deployed Appropriate Technologies (ATs) addressing development need	RND

Expected Result	Performance Indicators	Sector
	Level of satisfaction of participants in training and capacity building activities related to GRs, TK and TCEs	GCP
	No. of sustainable national TISC networks	IE, RND
	Level of satisfaction of Technology Transfer entities and other bodies with the services provided by WIPO	IE, RND
	No. of unique visitors to the web-based services targeting inventors and SMEs, including no. of visitors downloading	IE, RND
	No. of SME support institutions who are using WIPO materials and tools	IE, RND
	No. of SMEs assisted by support institutions that use WIPO materials or tools	IE, RND
4.5 Enhanced IP infrastructure for IP Offices	No. of documents exchanged through WIPO CASE and DAS	IP
	Average Service Level of IP Offices assisted through the IPAS suite of applications	IP, RND

Foundation: Empower our people to work effectively, collaboratively and innovatively by providing them with the right resources, training and environment

Priorities	Budget <i>(in thousands of Swiss francs)</i>	Sector
<ul style="list-style-type: none"> Provide effective language services in support of multilingualism 	20,894	AFM
<ul style="list-style-type: none"> Ensure that WIPO remains fit-for-purpose through the maintenance, renovation, transformation, and modernization of premises 	28,356	
<ul style="list-style-type: none"> Optimize the provision of timely and effective physical security and information assurance services 	24,252	
<ul style="list-style-type: none"> Accelerate digital transformation, including through: (i) the phased consolidation of ICT services within one department, (ii) the next generation ERP, (iii) transition of ECM to a new platform, (iv) enhancing payment services to global fee-paying customers, and (v) further streamlining and automation of financial transactions and processes, including through Robotic Process Automation (RPAs) 	97,201	
<ul style="list-style-type: none"> Implement human resources initiatives, in line with the multi-year HR strategy, with a view to: <ul style="list-style-type: none"> Improve employee engagement Develop a new performance management framework, which fosters commitment and accountability Strengthen talent management through a training and development framework that links performance and career development (including mobility) Promote balance and diversity in the WIPO workforce, in particular with respect to equitable geographical representation and gender equality Roll-out of the disability inclusion strategy Promote a zero tolerance policy to prevent and address all types of misconducts, including sexual harassment 	15,933	AFM (ODG)
<ul style="list-style-type: none"> Internal oversight initiatives to strengthen accountability, compliance, value for money, stewardship, internal control and corporate governance 	6,189	AFM (ODG)

Expected Result	Performance Indicators	Sector
5.1 A Secretariat that is empowered through a dynamic corporate culture and is provided with the right resources and training to work effectively, collaboratively and innovatively	Level of satisfaction of Member States and other stakeholders with translation and interpretation services	AFM
	% of spend through UN cooperation	AFM
	Cost of per-word/page of translation	AFM
	Employee Engagement: % of satisfaction working at WIPO	ODG
	Gender: % of women at P4 to D2 level	ODG
	Progress on the implementation of the WIPO Disability Inclusion Strategy	ODG
	% of UN SWAP requirements met or exceeded	ODG
	% of WIPO employees who have completed mandatory training on "Working together harmoniously"	

I. FINANCIAL AND RESULTS - BY SECTOR

Patents and Technology



Implementation Strategies

Organizations worldwide continuously operate in changing environments marked by a variety of disruptive forces. In this age of innovation, intellectual property (IP) is at the heart of many businesses. In particular, patents represent an opportunity for competitive advantage, market share, licensing, partnerships, investors, and more. Notwithstanding the economic uncertainty stemming from more restrictive monetary policies, the global demand for patent filings is expected to continue to grow in the coming biennium. Information technologies and the bio-medical fields will continue to lead the way, with the importance of mechanical engineering technologies declining.

In this context, the WIPO Patents and Technology Sector is responsible for several aspects of WIPO's work.

First, a key part of its work under Expected Result 2.1 of the MTSP is to continue the development of balanced and effective international normative frameworks in the areas of patents and other forms of IP connected with technology. As such, the Sector facilitates international cooperation under three WIPO treaties – the Patent Cooperation Treaty (PCT), the Patent Law Treaty, and the Budapest Treaty, in addition to the Paris Convention as it relates to patents – and supports the work of several WIPO bodies, including the Standing Committee on the Law of Patents (SCP) and the PCT Union Assembly. As part of this work, under Expected Result 2.2, it also brings stakeholders together to discuss emerging issues and challenges to the global patent system arising from new technological, cultural, social, and economic trends.

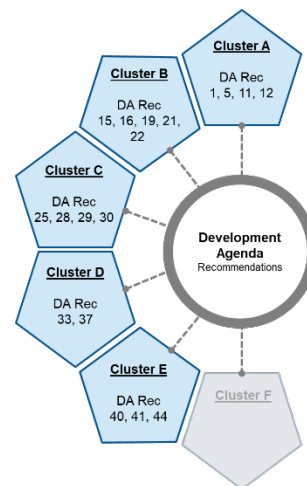
Second, under Expected Results 3.1 and 3.2, the Sector is the provider of a critical global service for the international protection of inventions through the PCT.

Third, as part of Expected Results 4.1, 4.2 and 4.3, the Sector also supports the use by Member States of patents and other forms of IP connected to technology by providing legislative and policy advice to the WIPO Member States and national IP Offices. It also delivers user outreach and support, as well as training and capacity building for LDCs, developing countries, countries in transition, and developed countries.

In addition to the above, the IP and Gender team within the Sector leads the implementation of the IP and Gender Action Plan working horizontally across all Sectors to build collaboration and communication to increase WIPO's IP and gender-related activities and outreach, and to meet the needs and interests of Member States and other stakeholders. In this area, the team will continue to develop and provide strategic policy and legislative advice for Member States to consider at the national and regional levels. Gathering and analysing gender disaggregated data is also critical. Working closely with the Department of Economics and Data Analytics and the Regional and National Development Sector, the team will strengthen WIPO's leadership in data research and analysis regarding the role of women in the IP and innovation environment. Through the coordination of cross-sectoral initiatives, the team will also develop new partnerships and build upon existing external collaborations to pilot new sustainable capacity-building projects and networking opportunities for women. [WIPO, as a United Nations specialized agency, is called upon to play a role on IP and gender with a view to build a more equitable world. The IP and Gender Action Plan and any future revisions should receive the attention and support across the Organization.](#)

Patent and Technology Law

Over the course of the 2024/25 biennium, in the area of patent law, the Sector will continue to provide timely and reliable information to the Member State-driven normative process and support an environment conducive to engagement and dialogue among Member States. Discussions among Member States on the identification of new



IP and Competition Policy

The IP and Competition Policy (IP&CP) area has a crucial role in examining global trends at the intersection of IP and antitrust, as well as that of unfair competition. It also establishes and enhances partnerships in international competition networks and committees, while liaising with other international organizations on IP-related competition matters. In 2024/25, IP&CP aims at further securing WIPO's place as an essential player in managing the relevant issues, *inter alia*, through: (i) engaging and advising national agencies, in cooperation with other IGOs; (ii) active presence in the main international fora on competition policy; (iii) conducting analysis and research on topical issues on IP and competition policy; [and \(iv\) conducting analysis and research on the possible impact on performers and creators.](#)

4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully	No. of sustainable national TISC networks	46 sustainable national networks (cumulative end 2022) - Maturity Level 1: 4 in total - Maturity Level 2: 32 in total - Maturity Level 3, including the provision of value-added services: 10 in total	50 sustainable national networks (cumulative)
	No. of national TISC networks with the level of maturity upgraded		
	Level of satisfaction of Technology Transfer entities and other bodies with the services provided by WIPO	tbd	≥ 90% satisfied or very satisfied
	No. of unique visitors to the web-based services targeting inventors and SMEs, including no. of visitors downloading	225,178	20% increase (biennium)
	No. of SME support institutions who are using WIPO materials and tools	14	10 additional
	No. of SMEs assisted by support institutions that use WIPO materials or tools	1,745	5,000 additional

Expected Results and Performance Indicators

Expected Result	Performance Indicators	Baselines	Targets
<i>Foundation</i>	<i>Empower our people to work effectively, collaboratively and innovatively by providing them with the right resources, training and environment</i>		
5.1 A Secretariat that is empowered through a dynamic corporate culture and is provided with the right resources and training to work effectively, collaboratively and innovatively	Employee Engagement: % of satisfaction working at WIPO	e-Sat: 74 (2020/21)	Improvement over previous survey
	Gender : % of women at P4 to D2 level	P4 - 50.5%	Improvement over the last biennium towards gender equality
		P5 - 28.8%	
		D1 - 34.4%	
		D2 - 18.2%	
	Progress on the implementation of the WIPO Disability Inclusion Strategy	Not available	tbd
	% of UN SWAP requirements met or exceeded	50%	70%
Geographical Diversity: % per region as per 1975 Accord	Africa: 11.2%		Agreement among Member States on WIPO's policy on geographical distribution
	Asia and the Pacific: 20.1%		
	Eastern and Central Europe & Central Asia: 8.9%		
	Latin America and the Caribbean: 8.4%		
	Middle East: 2.1%		
	North America: 10.5%		
	Western Europe: 38.9%		

Internal Justice, Governance and Oversight

The further development of WIPO's comprehensive ethics and integrity system will include the further development of standards and principles that meet best practices in the UN System, building on WIPO's ethics and integrity principles as laid down in its Code of Ethics. Awareness raising and sensitization activities will be undertaken to further enhance the Organization's ethical culture and strengthen ethical conduct by all staff at all levels of the Organization and advisory services provided to WIPO managers.

The prevention and handling of grievances and conflicts will be further improved with a view to fostering a harmonious and effective work environment. In particular, staff will continue to be encouraged to have recourse to Ombudsperson services so that workplace conflict can be resolved through mechanisms which are focused on mediation type approaches.

Internal oversight initiatives will continue to support the Organization in achieving its objectives by strengthening accountability, compliance, value for money, stewardship, internal control and corporate governance as follows:

- Provide independent risk-based and objective assurance and advice through assessing the adequacy and effectiveness of internal controls, risk management and governance processes;
- Provide professional support and advice through continuous auditing, consulting and advisory services, and fostering institutional learning and accountability through transparent and participatory oversight processes, to address risks *ex-post facto* or *ex-ante* as required;
- Support management in effectively and efficiently managing the Accountability and Integrity Frameworks within which duties, roles, responsibilities and rights of all WIPO staff are clearly defined, and administer the "hot line" for reporting allegations of wrongdoing in WIPO;
- Contribute to effective oversight coverage in close cooperation with organizational entities, which have a role as a second line of defense function, and by identifying and implementing innovative technologies and practices to ensure effective delivery;
- Pursue and further develop cross-sectional engagements, including integrity reviews to examine those systems and processes within the Organization carrying high-risk exposures to fraud, abuse or misconducts;
- [Track implementation of recommendations by all oversight entities and make the status of their implementation available to Member States, through a consolidated platform](#)



Program and Budget Committee

Thirty-Fourth Session
Geneva, June 27 to July 1, 2022

PRELIMINARY DRAFT OF THE TERMS OF REFERENCE OF THE 2021 EVALUATION OF WIPO EXTERNAL OFFICES

prepared by the Secretariat

[1. At the Thirty-Third PBC session of the Program and Budget Committee (PBC) in September 2021, the PBC requested the WIPO Secretariat to provide a preliminary draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices, on the basis of inputs received from Member States, at least six months before the Thirty-Fourth PBC session. These inputs are reflected in square brackets throughout the document.

~~A. — Context — [“and Purpose” — Pakistan, to remove; UAE not agree]~~
~~B-A.~~

2. The evaluation of the WIPO External Offices is to be undertaken in response to the decisions of the WIPO Member States noting, in particular, the following:

The decision of the Forty-Seventh (22nd Ordinary) Session of the WIPO General Assembly (October 5 to 14, 2015) to conduct “*an evaluation during 2021*” with reference to the ‘Guiding Principles regarding WIPO External Offices’ paragraph 22 of which states, “*The size and performance of the entire EO network shall be evaluated every five years by the PBC, which may request the support of WIPO External Auditors or independent external evaluators, with due regard to the different mandates and functions performed by the EOs. The terms of reference of such evaluation shall be decided by the PBC.*”¹

3. The WIPO General Assembly at its Fifty-First (24th Ordinary) Session (September 30 to October 9, 2019) further decided to conduct an evaluation during 2021 of the entire

¹ A/55/INF/11

network of WIPO External Offices with the Terms of Reference of such an evaluation to be decided by the WIPO Program and Budget Committee during its Thirty-First session in 2020. The General Assembly further decided²:

“pending the results of the evaluation during 2021, defer the consideration of the current 10 applications of Member States for the 2018-2019 biennium to host new WIPO External Offices”

“consider opening up to 4 new WIPO External Offices, including in Colombia, from the current 10 applications in the biennium 2022-2023.”

4. Noting that the Thirty-First session of the Program and Budget Committee was unable to discuss the Terms of Reference owing to the COVID-19 pandemic, the Thirty-Third session of the Program and Budget Committee (September 13 to 17, 2021) took the following decision³:

“The Program and Budget Committee (PBC) took note of the update on the status and progress of submissions made by Member States on views on the preparations of the Terms of Reference (ToR) of the 2021 Evaluation of WIPO External Offices and requested the Secretariat:

- to develop a preliminary draft of the ToR taking into account the above-mentioned submissions by Member States reflecting all views contained therein and all relevant documents, including but not limited to the Guiding Principles regarding WIPO External Offices (document A/55/INF/11) and the Report of the External Auditor (document WO/PBC/31/3); and*
- to provide a preliminary draft to Member States at least 6 months before the 34th session of the PBC with the aim of discussing and further developing common understanding about the ToR’s content and taking a decision on the ToR at the 34th session of the PBC.”*

["Purpose" –Pakistan]

5. Based on the preceding, and as prescribed in the 'Guiding Principles', the purpose of the evaluation will be to examine the size and performance of the network of WIPO External Offices. The evaluation is to inform the deliberations of the Member States with respect to the pending applications from 10 Member States to host up to four new WIPO External Offices, noting that the decision on any new WIPO External Offices is a decision of the Member States in accordance with the decision of the Forty-Seventh Session of the WIPO General Assembly and the 'Guiding Principles' which it approved.

[Russian Federation: Para. 5 assumes that evaluation results should assist Member States in taking a decision on 10 pending applications for new External Offices. We believe that the issues concerned do not correspond to that objective. The proposed issues focus on the analysis of individual performance indicators of each Office rather than on the strategy for improving the network.](#)

² A/59/13 ADD.4

³ WO/PBC/33/14

USA: the evaluation shall assess, in a comprehensive manner, the relevance, effectiveness, impact, sustainability and efficiency of WIPO's network of EOs and their adherence to the guiding principles contained in the GA decision, and their contribution to the advancement or achievement of WIPO's mandate, SGs, and relevant MTSP, during the period from 2018 to 2022 inclusively.

[CHAIR'S ALT TEXT

5. "The evaluation should be conducted" ["The purpose of this evaluation is to conduct" – US] in a comprehensive manner ["with a view to assess and improve" – Algeria; Pakistan – not agree], [taking into account; Algeria – delete] the relevance, effectiveness, impact, sustainability and efficiency of WIPO's network of External Offices ["and their adherence to"; Algeria – "in line with"] the Guiding Principles, and ["and taking into account" – Algeria] their contribution to the advancement and achievement of WIPO's mandate, Strategic Goals, Development Agenda ["WIPO Program and Budget for the corresponding biennium" – Russia], recommendations, from 2015, or the date of establishment in cases of new External Offices, [to the year for which most recent data is available with WIPO] [Russia – only date corresponding to MTSP 2016 – 2021] ["the date of the beginning of operations" – Algeria] and including the most recent available data at the time of the evaluation - US.] [Canada - "To the launch of the initial evaluation, and then every 5 years thereafter"]

["The evaluation is to inform the deliberations of the Member States with respect to the pending applications from 10 Member States to host up to four new WIPO External Offices" – Russia, at the end]

[Pakistan, Iran not support Chair's text alt para 5]

6. In this context, the evaluation is intended to:

- ~~[Improve the efficiency and effectiveness of individual External Offices or the network of External Offices toward informing a clear strategy- [Pakistan] to underpin the development of the network and whether to expand or contract the network as necessary, as identified and recommended by the External Auditor. [Algeria]~~

[Russia – delete first bullet - [agreed](#)]

[Algeria on behalf of the African Group \[Algeria agree; Ghana reiterate for African Group\] proposed alternative wording to above bullet: \[Improve the efficiency and effectiveness of \[individual External Offices or – Russia delete\] the network of External Offices toward informing](#)

a clear strategy to underpin the development of the network and whether to expand or contract the network as necessary, as identified and recommended by the External Auditor.]

USA: the evaluation is intended to assess, in a comprehensive manner, the relevance, effectiveness, impact, sustainability and efficiency of WIPO's network of EOs and each External Office's adherence to the guiding principles contained in the GA decision, and their contribution to the advancement or achievement of WIPO's mandate, SGs, and relevant MTSP, ["during the period from 2018 to 2022 inclusively" – India delete]. [Russia – not agree]

Pakistan: the evaluation is intended to assess, in a comprehensive manner, the rationale, relevance, cost effectiveness, impact, sustainability and efficiency of WIPO's network of EOs and each External Office's adherence to the guiding principles contained in the GA decision, and their contribution to the advancement or achievement of WIPO's mandate, SGs, and relevant MTSP, during the period from 2018 to 2022 inclusively.

- [Conduct an assessment of WIPO External Office activities, in consultation with the host country and the "individual" [Russia – delete] External Offices throughout the process on its impact, efficiency and effectiveness to program delivery of the Program and Budget. As such, the evaluation is intended to assist External Offices to improve their operations and service delivery and identify practical best practices of "individual" [Russia – delete] External Offices for possible adoption across the entire network of External Offices.]
- [Examine the process and feasibility of opening new External Offices.]

[Russia – delete third bullet]

- [Provide critical information from which WIPO could develop a coherent strategy for the future of the External Office network and a sound basis for future decision making. It is important that in creating this strategy it incorporates a framework against which the Secretariat can better support the Member States decision making and the assessment of any future cases.]

Russian Federation: The last point of para. 6 thematically overlaps with the first and the third. Wording of the last para. seems more balanced and preferable.

Pakistan: suggests ~~deletion of~~ moving -paragraph 6 to section D.

Iran: suggests moving paragraph 6 to section D

UAE: suggests deletion of the last two bullet points.

India: suggests deletion of the last two bullet points.

Colombia: suggests deletion of the last two bullet points.

[CHAIR'S SUGGESTION : MOVE TO SECTION D]

[US – not in a position to accept para. 6 in its current form]

CB. Subject

7. The WIPO External Offices are the extended arms of the Organization in the field. Based on their detailed understanding of their areas of responsibility, the Offices catalyze what WIPO can offer, collaborating closely with WIPO Headquarters and connecting the Organization's assistance, services, and tools with evolving needs and priorities on the ground.⁴

Russia – proposes to keep the above paragraph

USA proposed wording of the above paragraph: The WIPO External Offices are part of the Organization in the field [Nigeria – maintain original first sentence]. Based on their ERs and KPIs and on their areas of responsibility ~~specific circumstances of host countries~~, the Offices [“are expected to” – Pakistan] advance WIPO's goals and objectives, collaborating [Pakistan – add “by” before “collaborating”] closely with WIPO Headquarters and connecting the Organization's assistance, services, and tools with evolving needs and priorities on the ground.

Commented [A1]: Proposed addition by Algeria

Algeria – not agree with insertions in the above by Pakistan

[CHAIR'S SUGGESTION : can go with US proposal if no objections]

8. This evaluation will cover the seven offices that comprise the External Office network in WIPO. These offices are:
- WIPO Algeria Office (WAO)
 - WIPO Brazil Office (WBO)
 - WIPO Office in China (WOC)
 - WIPO Japan Office (WJO)
 - WIPO Nigeria Office (WNO)
 - WIPO Office in the Russian Federation (WRO)
 - WIPO Singapore Office (WSO)
 - [WIPO Office in New York – Russia; China] [US not agree]

C. Scope

9. The evaluator should conduct an overview of the activities of the External Offices and how these contribute to WIPO's objectives. [The evaluation will focus on the activities of [“the network” – Russia] WIPO External Offices implemented in the 2018/19 and 2020/21 biennia [“biennium” – Russia], taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and their host countries. For a more comprehensive understanding of the outcomes and impact of the External Offices, the evaluation may consider reviewing the activities of the External Offices over a longer period, i.e. 5 years (if applicable).]

Pakistan: New proposed wording of paragraph 9: [The evaluation will focus on the activities of WIPO External Offices implemented after the adoption of the Guiding Principles in 2015 and in case of two new offices in the African Region, from the date of their establishment, taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and their host countries]

Algeria on behalf of the African Group, new proposed wording of paragraph 9: The evaluator should conduct an overview of the activities of the External Offices and how these contribute to WIPO's objectives. [The evaluation will focus on the activities of WIPO External Offices implemented over a period, of 5 years if applicable, taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and

⁴ WIPO Program of Work and Budget for 2022/23, page 39 of the English version.

~~their host countries. For a more comprehensive understanding of the outcomes and impact of the External Offices, the evaluation may consider reviewing the activities of the External Offices over a (-).~~

~~US: review to include 2022 or most recent data available at time of review~~

~~Russia: review for the full calendar period excluding 2022~~

[CHAIR'S ALT TEXT : The evaluation will focus on the activities of WIPO External Offices, taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and [Slovakia - "the presence of recently opened EOs and the specific circumstance of EOs and their host countries, including the impact of the Covid 19 pandemic"; US - OK] their host countries [“, as well as giving due cognizance to the length of operation of the External Offices, the different levels of development in their respective host countries and the kinds of services they provide” – Brazil]. The period under evaluation will [Russia – “correspond to the MTSP 2016 – 2021”] be from 2015, or the date of establishment [“date of beginning of operations” – Algeria] in cases of new External Offices, [“to the year” – US requested brackets] for which most recent data is available with WIPO.] [Singapore – “The evaluation should assist EOs to improve their operations and service delivery, and identify practical best practices of individual EOs for possible adoption across the entire network of EOs.”; US - OK] [US – “and including the most recent available data at the time of the evaluation”.] [Canada - “To the launch of the initial evaluation, and then every 5 years thereafter”; South Africa, India, Algeria, Iran – reservations.]

ED. Objectives

10. In furtherance of the purpose of the evaluation and within the mentioned scope, the objectives of the evaluation will be to:

Pakistan suggestion to move bullets previously under paragraph 6:

- Assess whether External Offices are essential to the appropriate functioning of the World Intellectual Property Organization (WIPO) and fulfillment of its mandate and core objectives and add clear value, efficiency and effectiveness to program delivery of the Organization.

Algeria: not agree with “whether” – not support

India: agree with Algeria

Russia: agree with Algeria

- Carry out empirical and objective assessment of cost-effectiveness of maintaining the External Offices as compared to achieving similar objectives by other means.

India: not agree “maintain” – rest OK

- [Examine the process and feasibility of opening new External Offices including the budget implications of the establishment of the EOs for the Organization, possible efficiency savings as well as application procedure for hosting new EOs in line with para 2.11 of the External Auditor's report as contained in WO/PBC/31/3]
- [Provide critical information from which WIPO could develop a coherent strategy for the future of the External Office network and a sound basis for future decision making. It is important that in creating this strategy it incorporates a framework against which the Secretariat can better support the Member States decision making and the assessment of any future cases.]

UAE: Above two bullets to be deleted

Pakistan: wants to maintain the above two bullets

US: Key questions to be addressed.

- (1) Relevance. To what extent each WIPO External Office as well as the result of their activities serve the needs of Member States, stakeholders, and other intended beneficiaries.
- (2) Impact. What is the actual and expected impact of each WIPO EO as well as the network of EOs in the implementation/achievement of WIPOs mandate, WIPOs strategic goals and MTSP.
- (3) Effectiveness. To what extent is the work of each EO and the network as a whole effective in the implementation / advancement of WIPOs mandate, strategic goals, MTSP and needs of the host country / region.
- (4) Efficiency. How efficiently has each EO used the human and financial resources in its work directed at the implementation / achievement of WIPOs strategic goals, MTSP, and needs of host country / region.
- (5) Sustainability. To what extent are the results of each EO and the network as a whole sustainable in the long term. To this end, the evaluation must also identify the best practices and lessons learned in the implementation / advancement of WIPOs mandate, WIPOs strategic goals, MTSP, and needs of host country / region.

Algeria: can agree with US proposal

UAE: Support US proposal

- [Review and evaluate the achievements, effectiveness, and efficiency of the External Offices. It should provide evaluation on the basis of the performance indicators for External Offices as outlined in WIPO's Program and Budget, giving due cognizance to the length of operation of the External Offices, the different levels of development in their respective host countries and the kinds of services they provide.]

Algeria on behalf of the African Group: suggested new wording of the above bullet: [Review and evaluate the achievements, effectiveness, and efficiency of the External Offices. It should provide evaluation on the basis of the performance indicators for External Offices as outlined in WIPO's Program and Budget, giving due cognizance to the length of operation of the External Offices, the different levels of development in their respective host countries and the kinds of services they provide as well as the sufficiency of resources allocated to achieve the WIPO priorities.]

- [Enumerate an unbiased, uniform and transparent assessment tool to provide an accountable, effective and informative evaluation to Member States]
- [Assess whether the work of the External Office network applies the priorities set out in the 'Guiding Principles', WIPO's Medium-Term Strategic Plan for 2016-2021, and whether it contributes to the achievement of the Strategic Goals.]

Algeria on behalf of the African Group: suggested new wording of the above bullet: [Assess whether how the work of the External Office network applies the priorities set out in the 'Guiding Principles', WIPO's Medium-Term Strategic Plan for 2016-2021, and its contribution to the achievement of the Strategic Goals, including the WIPO development agenda and the Sustainable development goals.]

- [Provide an insight into the unique circumstances and local contexts influencing the implementation priorities of the External Offices, and with a view to the prospects of further developing the External Office network.]

Russian Federation: The second objective specified in para. 10 supposes a development of a control tool. The meaning seems to be unclear. Is it a universal methodology or the tool only for this particular evaluation?

Russia – “EOs do not relate to duties and responsibilities of national IP authorities, as it is stated in paragraph 9 of the Guiding Principle of WIPO External Offices.”

[CHAIR's ALT TEXT :

10. In furtherance of the purpose of the evaluation and within the mentioned scope, the objectives of the evaluation will be to:

- (1) Relevance. To what extent [each] [Russia – replace “network”] WIPO External Office as well as the result of their activities serve the needs of Member States, stakeholders, and other intended beneficiaries [“, with due regard to the different mandates and functions performed by the EOs” – Algeria].**
- (2) Impact. What is the actual and expected impact [of each WIPO EO as well as] [Russia ask to exclude] the network of EOs in the implementation/achievement of WIPO's mandate, WIPO's strategic goals. MTSP [Russia – add “2016 – 2021”], [“WIPO Program and Budget for the corresponding biennium” – Russia] its Development Agenda and SDGs.**
- (3) Effectiveness. To what extent is the work of [each EO and] [Russia ask to exclude] the network as a whole effective in the implementation / advancement of WIPOs mandate, strategic goals, MTSP [Russia – add “2016 – 2021”] [“WIPO Program and Budget for the corresponding biennium” – Russia] and needs of the host country / region keeping in view the different levels of development in their respective host countries and the kinds of services they provide as well as the sufficiency of resources allocated to achieve the WIPO priorities.**

- (4) Efficiency. How efficiently has [each] [Russia – replace “network”] EO used the human and financial resources in its work directed at the implementation / achievement of WIPOs strategic goals, MTSP [Russia – add “2016 – 2021”], [“WIPO Program and Budget for the corresponding biennium” – Russia] and needs of host country / region.**
- (5) Sustainability. To what extent are the results of [each EO] [Russia ask to exclude] “and the network as a whole” [Algeria – delete] sustainable in the long term [“taking into account WIPOs Strategic Goals and the evolving needs of host countries” – Algeria – rest to be deleted]. To this end, the evaluation must also identify the best practices and lessons learned in the implementation / advancement of WIPOs mandate, WIPOs strategic goals, MTSP [Russia – add “2016 – 2021”], [“WIPO Program and Budget for the corresponding biennium” – Russia] and needs of host country / region.**
- (6) Others. Any other issue, highlighted in oversight or audit reports of WIPO on External Offices, during the period from 2015 [Canada – replace rest with – “to the launch of the initial evaluation and every 5 years thereafter”] to the year for which most recent data is available with WIPO. [US – “and including the most recently available data.”] [Nigeria – delete 6th bullet] [Russia – delete this paragraph]**

Russia – Terms of Reference should be in line with the Guiding Principles of EOs including paragraph 22 “the size and performance of the entire network of EOs should be evaluated every 5 years by the PBC”.

Russia – reservations on effectiveness, efficiency, sustainability – wants to see methodology

[Brazil – supports Chair’s alt text but with the list “WIPO’s mandate, WIPO’s strategic goals, MTSP, its Development Agenda and SDGs” constant throughout]

[Pakistan – not agree with Chair’s alt text, especially ‘relevance’ and ‘effectiveness’. Concerns with meaning of ‘sustainability’]

11. In line with ‘Norms and Standards for Evaluation’ (2016) of the UN Evaluation Group, a non-exhaustive list of possible evaluation questions is provided in Annex I.

EE. Methodology

12. In order to address the evaluation questions contained in Annex I, the methodology of the evaluation should be guided by the following considerations:

- [The evaluation will adopt both a retrospective as well as forward-looking approach.]

- [The evaluation should focus on a set of indicators and common parameters that are uniform/consistent between External Offices to be able to evaluate performance of individual External Offices.]

Algeria on behalf of the African Group: [The evaluation should focus on a set of indicators and specific parameters that are /consistent with each External Office situation to be able to evaluate performance of individual External Offices.]

- [The evaluation should assess performance using all relevant performance indicators and targets, taking into account users' and stakeholders' feedback.]

Pakistan: new proposed wording of above bullet: The evaluation should assess performance using all relevant performance indicators and targets, including taking into account users' and stakeholders' feedback.]

- [The evaluation should take into account the different profiles, mandates, contexts and circumstances of existing External Offices, as well as the diverse aspects and levels of development among host countries and of local IP ecosystems.]
- [Empirical and objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.]

Pakistan: new proposed wording of above bullet: [objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.]

- [The External Offices themselves should participate in the evaluation process and provide replies or opinions on the criteria used for making the evaluations.] [The evaluation should include the active participation of the External Offices.]

Pakistan: new proposed wording of above bullet: [The evaluation should include the active participation of the External Offices.]

- [The host countries and their respective external offices should be consulted in a timely and adequate manner.]
- [The Evaluation should make references and integrate appropriate international principles on evaluations and audits.]
- [The evaluation shall be conducted in accordance with the United Nations Evaluation Group (UNEG) Standards for Evaluation in the UN System and the UNEG Code of Conduct for Evaluation in the UN System.]
- [The External Offices are solely WIPO entities and as such, they are to be evaluated in relation to the WIPO results-based management framework.]

Russian Federation: Considerations 8 & 9 of para. 12 contain similar provisions on the implementation of international auditing standards. We propose to keep only one of them.

US: Replacement of paras. 12, 13 and 14.

The evaluation team is expected to undertake the evaluation in a rigorous (transparent, fair, objective – Algeria. US - agree) and efficient manner to produce useful information and findings for WIPO Member States.

The methodology of the evaluation shall at least include the following:

- (a) Desk reviews of documents relevant to the work of each EO.
- (b) Interviews or focus group discussions [with Member States] [Algeria – delete], WIPO staff and beneficiaries. (Interviews with host countries and different stakeholders – Algeria. US – agree. Brazil – support; reincorporate reference to “WIPO staff” – Algeria supports Brazil. Uganda – “based on a set of criteria for transparency reporting on the revenue streams and other benefits for the host countries”.) Algeria - original sentence replaced.
- (c) Field visits as deemed necessary bearing in mind budget constraints.
- (d) Surveys.

Additionally, the evaluators may utilize any other appropriate methods necessary to fulfill the objectives (“in line with the Guiding Principles of the UNEG . . .” – Nigeria. US: “in line with the guiding principles contained in UNEG . . .”) as guided by the UNEG Norms and Standards for Evaluation 2016, WIPOs evaluation policy and WIPOs evaluation manual. ~~in order to produce an in depth and well substantiated evaluation.~~ Nigeria: concerns with this sentence – delete.

The WIPO Secretariat shall make available to the evaluators all relevant materials and information concerning the activities of each EO.

[CHAIR’S ALT TEXT TO PARA 12,13 :

12. The evaluation should be undertaken in a [Iran add “in a purely technical manner”] rigorous, transparent, fair, objective and efficient manner, using objective indicators [which are common as well as specific to each External Office] [Russia – delete this text], users’ and stakeholders’ feedback, to produce useful information and findings for WIPO Member States [, including on added value, efficiency and effectiveness of the External Offices] [Pakistan – replace with “in line with the purposes and objectives of the evaluation”]. The evaluators may utilize any other appropriate methods necessary to fulfill the objectives in line with the principles contained in relevant UNEG documents. The methodology of the evaluation, should include [, but not be limited to,] [Russia - delete this text] the following:

- (a) Desk reviews of documents relevant to the work of [each] [Russia – replace with “network”] EO.**
- (b) Interviews or [focus group discussions] [Russia – delete] with [Member States] [Algeria – delete; Russia supports], host countries and stakeholders, WIPO staff and beneficiaries.**
- (c) Field visits as deemed necessary bearing in mind budget constraints.**
- (d) Surveys.]**

13. Based on the abovementioned considerations, the evaluation team will undertake, *inter alia*, the following:

Nigeria: A rigorous and efficient evaluation to produce useful information and findings for WIPO Member States.

- A desk review of relevant documents. This should include pertinent documents related to the work of the External Offices, the WIPO Assemblies, the WIPO Program and Budget Committee, and the External Auditor's Report. Additional documentation such as project documents and periodic progress reports, should also be included in the desk review.

Pakistan: new proposed wording of above bullet: A desk review of relevant documents. This should include all pertinent documents related to the work of the External Offices including but not limited to the WIPO Assemblies, the WIPO Program and Budget Committee, and the External Auditor's Report. Additional documentation such as project documents and periodic progress reports, should also be included in the desk review.

Algeria on behalf of the African Group: new proposed wording of above bullet: A desk review of relevant documents. This should include pertinent documents related to the work of the External Offices, the WIPO Assemblies, the WIPO Program and Budget Committee, the Medium Term Strategic Plan (MTSP) and the External Auditor's Report. Additional documentation such as project documents and periodic progress reports, should also be included in the desk review.

- The desk review should be complemented by interviews with all relevant internal stakeholders, including the External Offices.
- Surveys and, as required, interviews should be undertaken with relevant external stakeholders (at the regional and national levels, including beneficiaries of the activities of the External Offices, and host country authorities.)

Russian Federation: The last point of para. 13 concerns the surveys of regional stakeholders. As we understand it, the regional level seems to be relevant only to Singapore Office.

14. [Empirical and objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.] A non-exhaustive listing of possible criteria is contained in Annex II.

Algeria on behalf of the African Group: new proposed wording of above bullet: objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.] A non-exhaustive listing of possible criteria is contained in Annex II.

Russian Federation: Para. 14 duplicates consideration No. 5 of para. 12.

[Chair's Suggestion : Ask delegations if there is a need for separate para 14 in light of what Chair has proposed for para 12,13]

Pakistan – retain reference to annexes

FG. Management Arrangements

15. The evaluation will be conducted by:

- [an independent/neutral organization and/or individual, knowledgeable in IP and innovation]

Pakistan and the African Group suggests deletion of the above bullet.

- [An independent body outside of WIPO so as to ensure the neutrality and objectivity of the evaluation.]

The African Group suggests deletion of the above bullet

- [The WIPO Internal Oversight Department (IOD)] [supported, when necessary, by third parties such as the WIPO External Auditors and independent external evaluators.]

Algeria on behalf of the African Group: proposed new wording of the above bullet: [The WIPO Internal Oversight Department (IOD)] [supported, if necessary, by third parties such as the WIPO External Auditors, Independent Advisory Oversight Committee (IAOC) and independent external evaluators.]

Pakistan suggests deletion of the above bullet.

Canada: delete references to IOD. US, Chile – agrees.

- [An independent external evaluator.] [In this regard, a committee should be established comprising [three or five] independent external evaluators, possibly one from the United Nations Evaluation Group and others from similar institutions.]

The African Group suggests deletion of the above bullet

- [The WIPO External Auditors or independent external evaluators.]

Pakistan: new proposed wording of above bullet: independent external evaluators.

The African Group suggests deletion of the above bullet

Russian Federation: 15, we stick to a position that the evaluation should be carried out by the Internal Oversight Division (IOD), that would be the most appropriate solution. The IOD is an independent oversight authority, which is aware of the WIPO structure, the priorities and specific character of WIPO's work on site, both under normal circumstances and during the pandemic. We suppose that the IOD could make a proper evaluation of External Offices.

US: replace paras 15 through 18. [Pakistan supports US proposal] [Iran, Russia not agree]

US: The evaluation will be conducted by an external evaluation team. (Algeria – this should be in brackets)

Selection process of the external evaluation team shall be conducted in accordance with WIPOs established procedures.

(The evaluation should be carried out by IOD which should be assisted by an evaluation team. – Algeria) (US - disagree)

The evaluation team should possess the requisite skills, knowledge and experience required to conduct the comprehensive evaluation of EOs in a credible (transparent, fair and objective – Algeria. US - agree) and independent manner.

The team should be familiar with:

- (a) WIPOs mandate (Chile – “including the Development Agenda”) (US – “as contained in the WIPO Convention”)
- (b) WIPOs strategic goals
- (c) MTSP
- (d) (WIPO Development Agenda – Algeria) (US – agree) (Russia – include the WIPO program and budget for the corresponding biennium) (Chile – DA is already part of WIPO mandate) (US – “WIPO Development Agenda recommendations” or “WIPO Development Agenda” is OK)
- (e) Guiding Principles
- (f) and other relevant documents

The team should hence include one professional lead evaluator and two experts in the field of IP. (Algeria – delete reference to one professional and leave it to the WIPO Secretariat according to practice)

The evaluation team should observe the UNEG guidelines, standards and norms for evaluations in the UN System, as well as the WIPO evaluation policy and manual in the conduct of the evaluation.

Nigeria – support Algerian proposals in the above.

16. [The WIPO Secretariat should be actively engaged in conducting the evaluation given its expertise.]

Pakistan: new proposed wording of above paragraph: [The WIPO Secretariat should be actively engaged with the evaluation team during the evaluation given its expertise.]

17. [The evaluation team should possess the requisite skills and knowledge required to conduct the evaluation in a credible and independent manner. The IOD Director will be the Team Leader responsible for conducting the evaluation and delivering the outputs as per the Terms of Reference. Program specialists working under the different projects covered by the evaluation should be available to meet (directly or indirectly) with the evaluation team. They should provide additional information when necessary.]

Algeria on behalf of the African Group: proposed new wording of the above bullet: [The evaluation team should possess the requisite skills and knowledge required to conduct the evaluation in a credible, objective, fair, transparent and independent manner. The IOD Director will be the Team Leader responsible for conducting the evaluation and delivering the outputs as per the Terms of Reference. Program specialists working under the different projects covered by the evaluation should be available to meet (directly or indirectly) with the evaluation team. They should provide additional information when necessary.] [Iran agrees] PBC agrees

Pakistan: suggests to delete the above paragraph

[CHAIR’S ALT TEXT in LIEU OF para 15,16,17 :

15. The Evaluation will be conducted (“under the direct supervision of the IOD by an evaluation team to be nominated according to established practice” Algeria – rest to be deleted. Uganda – supports. Russia - supports) (US – “in consultation with IOD”) by an Evaluation Committee comprising (“inter alia,” Slovakia; Russia – not agree) of (3) (Slovakia – delete) members:

- **(External Auditor)** [Russia – delete, the report of the External Auditor 2020 WO/PBC/31/3] (Algeria – delete reference to External Auditor)
- **(Chair of the IAOC)** [Russia – delete, current mandate of the IAOC does not include these functions]
- **Director IOD** [Russia – the Division not the Director]
- **(Independent Evaluation Team – Slovakia) (Russia – not agree)**

US – cannot accept Chair’s text. Want external. IOD can consult. Pakistan – supports.
Canada – supports.

Iran – wants evaluation by the UN Evaluation Group

Japan – evaluation committee should include at least one IP expert

18. [The evaluation will be conducted within the budget of IOD.]

[Pakistan: suggests to delete the above paragraph](#)

[CHAIR’s ALT TEXT :

14. The evaluation will be conducted within the approved budget of WIPO for the current biennium for appropriate action by the Committee.]

G.Expected deliverables and process

19. The following are the expected deliverables of the evaluation in sequential order:

- Final Terms of Reference: to be agreed by the Member States
- Inception report: to include, *inter alia*, an evaluation matrix based on the evaluation questions and criteria of the Terms of Reference; an analysis of available data; an analysis of relevant stakeholders to be consulted during the evaluation process; and draft tools for data collection and analysis.
- Preliminary findings and conclusions: resulting from a comprehensive process of data analysis, triangulation and validation; to be presented to the Member States.
- First draft of the evaluation report: highlighting findings, conclusions and strategic recommendations; to be presented to the Member States.
- Second and final draft of the evaluation report: incorporating comments received on the first draft; to be shared with the WIPO Secretariat and presented to the WIPO Program and Budget Committee.

20. [The WIPO Secretariat will be responsible for monitoring the implementation status of management actions and timeframes related to evaluation recommendations, in consultation with the PBC, as appropriate.]

Pakistan proposed rewording of the above paragraph: [The external evaluation team will present the findings of the evaluation with PBC for appropriate actions by the Committee.

The African Group suggests deletion of the above paragraph.

US: replace paras. 19 and 20

In addressing the key questions, the evaluation shall also suggest possible improvements to each EO in its work in the implementation / advancement of WIPOs mandate, WIPOs Strategic Goals, MTSP and needs of the host country / region.

The evaluation team will first prepare an inception report, containing a description of the evaluation methodology and the methodological approach; data collection and analysis methods; key stakeholders to be interviewed; performance assessment criteria and the workplan of the evaluation.

The evaluation team will then prepare a first draft evaluation report with preliminary findings and recommendations.

The final output of the evaluation shall be a concise and clearly organized report of reasonable length, composed of an executive summary, introduction and brief description of the work undertaken to implement / advance WIPOs mandate, WIPOs Strategic Goals, MTSP and needs of the countries / region by each EO, the evaluation methodology used, and clearly structured, well-founded findings, as well as recommendations.

The leader of the evaluation team will be required to present the final evaluation to the Program and Budget Committee. (Algeria – “for its consideration and possible way forward”)

Russia – not agree with the above

[ALT CHAIR’s TEXT in lieu of para 19,20 :

15. The following are the expected deliverables of the evaluation in sequential order:

- **Inception report to include, (inter alia) (Russia – delete), an evaluation matrix based on (the evaluation questions and criteria) (Pakistan – delete) of the Terms of Reference; an analysis of available data; an analysis of relevant (stakeholders) (Russia – replace with beneficiaries) to be consulted during the evaluation process; and draft tools for data collection and analysis.**
- **Preliminary findings and conclusions resulting from a comprehensive process of data analysis, (triangulation) (Russia – awaiting clarification of meaning) and validation; to be presented to the (Member States) (Algeria, Russia –**

- replace with “PBC”).
- **An Interim Evaluation Report highlighting findings, conclusions and strategic recommendations; to be presented to the (Member States) (Algeria – replace with “PBC”).**
- **The Final Evaluation Report (incorporating comments received on the Interim Evaluation Report) (US – delete; France - support) to be presented to the WIPO Program and Budget Committee.] (“for appropriate action by the Committee” – Pakistan)**

H. Timetable

21. While some Member States presented detailed input concerning the timetable for the evaluation, this input is now out of date. Clearly, the timetable for the evaluation process will be driven by the progress of negotiations among the Member States on the Terms of Reference. Consequently, it is not possible at this time to articulate a timetable for the evaluation. In this regard, it should be noted that the Thirty-Fourth session of the WIPO Program and Budget Committee will be held from June 27 to July 1, 2022. It should further be noted that in line with the WIPO Languages Policy, documents for the Program and Budget Committee would need to be translated into all six languages of the UN System. Furthermore, in accordance with established procedure in WIPO, documents would need to be submitted to the Committee at least two months in advance.

[CHAIR’S ALT TEXT :

16. The Evaluation Committee shall make available its Interim Evaluation Report inter-sessionally and present its Final Evaluation Report to the (35th) (PBC Chair – delete) PBC for consideration and (appropriate action) (Algeria – replace with “possible way forward”) (by the Committee) (Uganda – delete) (Russia – “appropriate action by the committee” to be deleted).]

[End of Annex II and of document]