

Program and Budget Committee

Thirty-Ninth Session
Geneva, June 16 to 20, 2025

UPDATE ON MULTI-EMPLOYER PLAN (FOR FINANCING OF EMPLOYEE BENEFIT LIABILITIES)

prepared by the Secretariat

BACKGROUND

1. The following paragraphs provide the chronology of events leading up to the establishment of the Multi-employer Plan, to provide context to the current update on this agenda item.
2. In its report related to WIPO's 2020 Financial Statements, the External Auditor included a recommendation (2020 ([WO/PBC/33/5](#) R#2(b)) to consider the risks and benefits of formally designating earmarked ASHI investments as plan assets to enhance transparency regarding the net ASHI liability. WIPO's Financial Statements currently present the ASHI liabilities as the gross amount calculated by the actuary. Funds have been set aside to finance these liabilities since 2013, as authorized by the WIPO Assemblies. If these funds were to meet the requirements for recognition as plan assets, as stipulated in IPSAS 39, the financial statement presentation could be modified to present ASHI liabilities net of accumulated financing. This would more transparently and accurately reflect the actual status of WIPO's assets and liabilities.
3. Following the discussions on agenda item 7, Report by the External Auditor (document [WO/PBC/33/5](#)) during the October 2021 session of the Program and Budget Committee (PBC), the PBC recommended to the Assemblies of WIPO, each as far as it is concerned, to take note of the recommendations from the "Report by the External Auditor" on this agenda item:

"(...) recommend that WIPO: (a) in consultation with Member States, establish a target level of earmarked funds for its ASHI liabilities; b) consider the risks and benefits of formally designating earmarked ASHI investments as plan assets to enhance transparency over net liability; c) consider and engage Member States

on the options for mitigating the potential future growth in ASHI liabilities.”

4. The PBC, at its July 2022 session, after considering the document on the Financing Plan to Manage Risks Arising from Long-Term Employee Benefits at WIPO, document [WO/PBC/34/14](#), took the following decision:

The Program and Budget Committee (PBC) recommend to the Assemblies of WIPO, each as far as it is concerned to (i) approve the funding proposal for long-term employee benefits outlined in document WO/PBC/34/14, namely to have an annual charge up to 10 per cent of personnel costs starting from the biennium 2024/25; (ii) take note of the risks and benefits of formally designating ASHI investments as dedicated plan assets and request the Secretariat to undertake a more detailed study on how a separate entity could be established in order to formally designate earmarked ASHI investments as plan assets and present the findings to the 35th session of the PBC; and (iii) take note of the ongoing efforts of the WIPO Collective Staff Insurance Management Committee to contain the growth of actual medical costs and thus the growth of the ASHI liability.

5. The PBC, at its May 2023 session, after considering an oral update from the Secretariat on the issue of doing a study on the creation of a separate entity for ASHI took the following decision:

The Program and Budget Committee (PBC):

- (i) recalled that the PBC had requested the Secretariat to undertake a more detailed study on how a separate entity could be established in order to formally designate earmarked ASHI investments as plan assets and present the findings to the 35th session of the PBC;*
- (ii) noted the oral update provided by the Secretariat that the process of preparing the study would require more time and consultation; and*
- (iii) requested the Secretariat to present the study to the 36th session of the PBC.*

6. The PBC, at its 36th session, considered, under agenda item 11, the Study on the creation of a Separate Entity for After Service Health Insurance (document [WO/PBC/36/9](#)). Following its discussions on this agenda item, the PBC recommended to the Assemblies of WIPO, each as far as it is concerned, to note the following:

“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.”

7. The Secretariat Prepared the document [WO/PBC/37/12](#) in response to guidance provided by the PBC at its 36th Session. The PBC guidance included the requirements to provide additional information on the financial consequences, the implications of including UPOV (and possibly other entities) in a future plan, as well as the impact on current health arrangements. The PBC further requested that the Secretariat obtain the views of the IAOC, the WIPO Staff Council, and WIPO retirees. The response to this guidance was given in the document [WO/PBC/37/12](#), which first provided an explanation of the benefits and risks of presenting the ASHI investments as plan assets, the term used in International Public Sector Accounting Standard (IPSAS) 39 –Employee Benefits to denote assets held by a long-term employee benefit fund.

8. The PBC considered, document [WO/PBC/37/12](#) under agenda item 15, the Study on the creation of a Separate Entity for After Service Health Insurance. Following its discussions on this agenda item, the PBC recommended to the Assemblies of WIPO, each as far as it is concerned, to note the following:

“The Program and Budget Committee (PBC) recommended to the Assemblies of WIPO, each as far as it is concerned, to approve the proposal for the establishment of a multi-employer plan meeting the requirements of IPSAS 39 with responsibility for the funds set aside by the WIPO Assemblies and the UPOV Council for the financing of employee benefit liabilities outlined in document WO/PBC/37/12.”

The Secretariat has prepared the following document to provide an update to the PBC on progress made in establishing the multi-employer plan as approved by the Assemblies of WIPO each as far as it is concerned, at the Sixty-Fifth Series of Meetings in July 2024 (document [A/65/6](#)).

ESTABLISHMENT OF THE MULTI-EMPLOYER PLAN

9. During late 2024 into early 2025, work has been undertaken to establish the multi-employer plan with the effective date of April 1, 2025. The publication of the Office Instruction of the Rules and Terms of Reference of the Advisory Committee of the multi-employer plan, named the WIPO/UPOV After Service Health Insurance Plan (ASHIP) by the Director General of WIPO and Secretary General of UPOV marked the commencement of the entity. The Office Instruction sets out the Rules of the WIPO/UPOV ASHIP. The Rules set out the governance and rules of procedure, finance and general provisions of the WIPO/UPOV ASHIP. The Office Instruction also sets out the Terms of Reference of the WIPO/UPOV ASHIP Advisory Committee. The Advisory Committee is established to advise the Director General of WIPO and the Vice Secretary General of UPOV on the management and operations of the ASHIP.

10. The objective of the WIPO/UPOV After Service Health Insurance Plan (hereinafter referred to as the ASHIP) is to manage the financial resources provided by the World Intellectual Property Organization (WIPO) and the International Union for the Protection of New Varieties of Plants (UPOV) for the purpose of funding each organization's liability for After Service Health Insurance (ASHI) provided to eligible participants.

11. With the establishment of the ASHIP on April 1, 2025, the Secretariat has fully implemented the decision of the Assemblies of WIPO regarding the establishment of a multi-employer plan meeting the requirements of IPSAS 39 with responsibility for the funds set aside by the WIPO Assemblies and the UPOV Council for the financing of employee benefit liabilities outlined in document [WO/PBC/37/12](#).

GOVERNANCE

12. The Multi-Employer Plan will have oversight from the PBC which will among other things, consider the separate audit of the financial statements of the plan as well as the disclosures in the WIPO Annual Financial Report and Financial Statements. Member States will also be represented on the Advisory Committee, with two seats reserved for PBC Members.

13. The ASHIP will also be audited annually by WIPO's External Auditor and may be the subject of audit by the Internal Oversight Division and oversight by the Independent Oversight Advisory Committee (IAOC).

14. The management of the funds set aside by the WIPO Assemblies and the UPOV Council for the financing of employee benefit liabilities will be managed under the Assemblies approved Policy on Investments and the investment governance rules that apply as specified in that policy and the WIPO's Financial Regulations and Rules.

15. The Office Instruction on WIPO/UPOV After Service Health Insurance Plan Rules and Terms of Reference for the Advisory Committee are provided for information purposes in the Annex to this document.

THE ADVISORY COMMITTEE

16. The Advisory Committee is established to advise the Director General of WIPO and the Vice Secretary General of UPOV on the management and operations of the ASHIP.

17. The Advisory Committee is composed of eight members, two of which are ex officio, non-voting members who will perform the roles of Chair and alternate Chair.

18. Of the six members with voting rights, two are WIPO PBC members nominated by their respective Group. The first two Groups to submit nominations shall be selected in sequence based on alphabetical order (in English) and rotate every two years. No two members shall be elected from the same Group at any point.

19. For illustration, the first two members of the Committee shall be nominated from the African Group and the Asia and the Pacific Group (APG) and they will rotate out after a two-year term with the next two members coming from the next two Groups based on alphabetical order.

20. The sequence of Member State representation on the Committee will be as follows:

2025/2026 - African Group (1) + APG (1)
2027/2028 - CACEEC (1) + CEBS (1)
2029/2030 - China (1) + Group B (1)
2031/2032 – GRULAC (1) + African Group (1)
2033/2034 - APG (1) + CACEEC (1)
2035/2036 - CEBS (1) + China (1)
2037/2038 - Group B (1) + GRULAC (1)

This sequence would continue unless the rule and the corresponding paragraphs in the Terms of Reference are revised or amended to choose another methodology of nominating Member States representatives on the Advisory Committee of ASHIP.

MULTI-EMPLOYER PLAN FINANCIAL DISCLOSURES

21. With the establishment of the separate entity, the funds to finance ASHI meet the requirements for recognition as plan assets, and the WIPO financial statements presentation for the year ended 2025 will present ASHI liabilities net of the Organization's accumulated funding.

22. The detailed illustrative impact was presented to the PBC in document [WO/PBC/37/12](#) and these are still valid for demonstrating the impact.

23. WIPO has disclosed in its audited Annual Financial Report and Financial Statements, a non-adjusting subsequent event in Note 19: Events After Reporting Date (document WO/PBC/39/6).

24. The following decision paragraph is proposed.

25. The Program and Budget Committee (PBC) took note of the update on the establishment of a multi-employer plan meeting the requirements of IPSAS 39 with responsibility for the funds set aside by the WIPO Assemblies and the UPOV

*Council for the financing of employee
benefit liabilities outlined in document
WO/PBC/39/7.*

[Annex follows]

The following annex provides the full text of the Office Instruction on the WIPO/UPOV After Service Health Insurance Plan Rules and Terms of Reference for the Advisory Committee for information purposes.

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GENERAL DISTRIBUTION
DATE OF PUBLICATION: MARCH 17, 2025
ORIGINAL: ENGLISH

Office Instruction **N° 01/2025**

WIPO/UPOV After Service Health Insurance Plan Rules and Terms of Reference for the Advisory Committee

1. The purpose of this Office Instruction is to establish the WIPO/UPOV After Service Health Insurance Plan (ASHIP).
2. This Office Instruction sets out the Rules WIPO/UPOV ASHIP. The Rules set out the governance and rules of procedure, finance and general provisions of the WIPO/UPOV ASHIP.
./.
This Office Instruction contains the complete text of the ASHIP Rules, effective April 1, 2025.
3. This Office Instruction also sets out the Terms of Reference of the WIPO/UPOV ASHIP Advisory Committee. The Advisory Committee is established to advise the Director General of WIPO and the Vice Secretary-General of UPOV on the management and operations of the ASHIP.
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4. This Office Instruction is effective on 1 April 2025.

[signed by Daren Tang
Director General]

[Annexes follow]

WIPO/UPOV

**After Service Health
Insurance Plan**

RULES

Effective April 2025

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INTRODUCTION

OBJECTIVE

1. The objective of the WIPO/UPOV After Service Health Insurance Plan (hereinafter referred to as the ASHIP) is to manage the financial resources provided by the Member States of the World Intellectual Property Organization (WIPO) and the Members of the International Union for the Protection of New Varieties of Plants (UPOV) for the purpose of funding each organization's liability for After Service Health Insurance (ASHI) provided to eligible participants. ASHI provides for the reimbursement of a major portion of the expenses for after-service health insurance coverage, which is optional for former staff members of each organization entitled to a pension from the United Nations Joint Staff Pension Fund (UNJSPF).

PLAN PARTICIPANTS

2. For the purposes of these Rules, unless otherwise stated, the term "participant(s)" refers to:
 - a former staff member of WIPO or UPOV who separates from service while a participant in WIPO's group medical insurance plan (which also covers UPOV staff members) after completing at least five consecutive years of contributory service,
 - the survivor(s) of such a person, and
 - the former staff member's dependents.
3. ASHI is available only as a continuation, without interruption, following separation from service, of previous active-service coverage in WIPO's group medical insurance plan.

NOTE

4. This document contains the complete text of the ASHIP Rules, effective April 1, 2025. In case of discrepancy between the different language versions, the English language version shall prevail.
5. Detailed rules covering eligibility for participants are contained in the WIPO Staff Regulations and Rules and any applicable administrative issuances as may from time to time be amended by the Director General of WIPO.
6. Detailed information on the After Service Health Insurance benefits available to participants is contained in the Group Medical Insurance Plan for WIPO (current version for 2021) published by the Insurance Carrier along with the procedures for submission of claims for reimbursement. The current plan will terminate on December 31, 2025 and will be replaced by a contract with an insurance carrier selected in accordance with WIPO's procurement rules.

PART A: GOVERNANCE AND RULES OF PROCEDURE

ADVISORY COMMITTEE

- A.1 An Advisory Committee is established to advise the Director General of WIPO and the Vice Secretary-General of UPOV on ASHIP management and operations. In particular, the Advisory Committee shall:
 - A.1.1 Review the operations and the financial status of the ASHIP, including levels of benefits and contributions consistent with the WIPO Staff Regulations and Rules and applicable administrative issuances;
 - A.1.2 Review the financial stability and the adequacy of the financial reserves of the ASHIP;
 - A.1.3 Review the annual report and overall performance of the ASHIP;
 - A.1.4 Review the annual budget prepared by the WIPO Secretariat covering expenses to be paid directly from the funds managed by the ASHIP;
 - A.1.5 Review the underlying assumptions in the actuarial reports and recommend any required changes to the Director General of WIPO and the Vice Secretary-General of UPOV;
 - A.1.6 Review the ASHIP external auditors' reports, and recommend appropriate action on any recommendations in the report;
 - A.1.7 Review any internal audit reports referred to the Committee and recommend appropriate action on implementation of any recommendations concerning the ASHIP;
 - A.1.8 Review the implementation of the recommendations from internal and external audit reports on the accounts of the ASHIP;
 - A.1.9 Based on advice from the WIPO Advisory Committee on Investments, review the ASHIP investment strategy and review its performance annually;
 - A.1.10 Provide information to the WIPO Advisory Committee on Investments to assist in the review of the ASHIP investments as per paragraph A.1.9 and the TORs;
 - A.1.11 Review and ensure the adequacy of the WIPO Secretariat's direction and management of the ASHIP and review its performance annually;
 - A.1.12 In consultation with the Collective Staff Insurance

Management Committee, keep itself informed of developments in the best practices of comparable health insurance plans;

- A.1.13 In consultation with the WIPO Controller and the WIPO Director of the Human Resources Management Department and in conjunction with the Collective Staff Insurance Management Committee, recommend the implementation of measures to provide effective and methodical procedures for enrollment, payment of contributions and fraud prevention;
 - A.1.14 In consultation with the Collective Staff Insurance Management Committee advise the Director General of WIPO and the Vice Secretary- General of UPOV on the implementation of measures for cost containment;
 - A.1.15 Submit an annual report on the activities undertaken by the Advisory Committee to the Director General of WIPO, the Vice Secretary-General of UPOV and the WIPO Staff Council and make an executive summary accessible to all participants in the WIPO medical insurance plan;
 - A.1.16 Propose amendments to the ASHIP Rules for decision by the Director General of WIPO and the Vice Secretary-General of UPOV; and
 - A.1.17 Review objectives and establish guiding principles and an assessment model and indicators to evaluate the performance of the Advisory Committee.
- A.2 The Advisory Committee is composed of:
- A.2.1 Two members from the WIPO Program and Budget Committee nominated by their respective Group. The first two Groups to submit nominations shall be selected in sequence based on alphabetical order (in English), and rotate every two years.¹ No two members shall be elected from the same Group at any point.
 - A.2.2 Two staff members from WIPO and/or UPOV, designated by the WIPO Director General and the UPOV Vice Secretary-General;
 - A.2.3 One member designated by the WIPO Staff Council who must be an active staff member of WIPO or UPOV participating in WIPO's medical insurance plan;
 - A.2.4 One member who must be a former staff member of WIPO or UPOV participating in the ASHIP, elected by the former staff members of WIPO and UPOV participating in the ASHIP;

¹ For illustration, the first two members of the Committee shall be nominated from the African Group and the Asia and the Pacific Group and they will rotate out after a two year term with the next two members coming from the next two Groups based on alphabetical order

- A.2.5 WIPO Assistant Director General for the Administration, Finance and Management Sector (ADG AFMS) (ex officio, non-voting member) and WIPO Controller (ex officio, non-voting member), to perform the role of Chair and alternate Chair, respectively.
- A.3 Except for members nominated per paragraph A.2.1, voting members shall serve for a term of two years, which may be renewed.
- A.4 The Advisory Committee is advised by:
 - A.4.1 External advisers, appointed by the Director General of WIPO and the Vice Secretary-General of UPOV; and
 - A.4.2 A WIPO legal officer from the WIPO Office of the Legal Counsel.
- A.5 The UPOV observers to the Advisory Committee are:
 - A.5.1 A UPOV representative designated by the Vice Secretary-General of UPOV; and
 - A.5.2 A UPOV representative designated by the UPOV Consultative Committee.
- A.6 At the Chair's invitation, the WIPO Director of the Human Resources Management Department, the WIPO Director of the Internal Oversight Division, and/or the Director of the Finance Division may attend meetings of the Advisory Committee to provide information and advice in their respective areas of expertise.
- A.7 External advisers to the Advisory Committee appointed by the WIPO Director General and the Vice Secretary-General of UPOV shall have strong experience in health insurance plans (particularly mutual plans). The external advisers shall not be employed by WIPO or UPOV or be a participant or former participant in the ASHIP. The external advisers shall not be remunerated for attending Committee meetings but are entitled to reimbursement for travel and other expenses to attend meetings under the appropriate WIPO policy.
- A.8 The WIPO ADG AFMS designates a WIPO or UPOV staff member to act as Secretary of the Advisory Committee.
- A.9 The Advisory Committee shall function in accordance with the rules of procedure described below.

RULES OF PROCEDURE

Advisory Committee

Chair and alternate Chair

- A.10 The WIPO ADG AFMS shall be the Chair of the Advisory Committee. The WIPO Controller shall be her/his alternate. The alternate shall have the same functions as the Chair, when called upon to act in her/his stead.

Conduct of business

- A.11 The presence (in person or through video conference) of four voting members, constitutes the quorum of the Committee. The minimum presence at each meeting, of the following is also required: (1) the Chair or alternate; (2) one member state representative; (3) one representative designated by the WIPO Director General or the UPOV Vice Secretary-General; and (4) one representative designated by the WIPO Staff Council, or elected into office pursuant to paragraph A.2.4 above.
- A.12 The Secretary shall provide the members with a proposed agenda together with relevant background information in advance of each meeting.
- A.13 The Committee shall adopt its recommendations by consensus wherever possible. In the event that consensus cannot be achieved, the minority views shall be recorded in the report. The Secretariat officers, external advisers and observers shall not participate in the taking of decisions, or in any voting.
- A.14 In the event that any decision is contrary to a recommendation made by an adviser to the Committee, the dissenting recommendation shall be documented and reported in the minutes of the meeting.

Meetings of the Advisory Committee

- A.15 The Committee shall meet at least twice annually in person or by video conference. One of these two meetings shall be held in time to review the draft ASHIP annual report for the previous year. Meetings of the Committee shall be convened by the Chair or alternate Chair.
- A.16 The meetings of the Committee shall be held in private. The records and all correspondence of the Committee shall be private and kept in the care of the Secretary of the Committee.
- A.17 Notwithstanding the above, in exceptional cases, when deemed necessary by the Chair, the Chair, through the Secretary, may circulate proposals by email for the voting members' approval by a set date. If any voting member objects to the adoption of any such proposal by the set date, that proposal shall be considered as not having been adopted by the Advisory Committee and, if pursued by the Chair, it shall be referred to an Advisory Committee meeting held virtually or in person as provided above for consideration or a

subsequent revised version circulated by email. In the absence of any objection by voting members received by email by the set date, the proposal shall be considered to have been validly adopted by the Advisory Committee. The Chair, through the Secretary, shall inform the Committee members by email accordingly and this communication shall be regarded as the date of the adoption of the proposal.

Secretariat

- A.18 Minutes of each meeting of the Committee shall be prepared by the Secretary in English. An initial draft shall be distributed as soon as possible to all members and advisers of the Committee, who shall notify the Secretary of any comments, additions or amendments within two weeks of receipt. The Secretary shall take into account such comments, additions or amendments and prepare a final version of the minutes, which shall be reviewed and signed by the Chair on behalf of the Committee.
- A.19 The final, approved minutes of each Committee meeting, including all recommendations adopted at the meeting, shall be sent to the WIPO Director General and the UPOV Vice Secretary-General by the Secretary, highlighting any issues of concern and proposed actions if relevant. This summary shall be sent as soon as is practicable and normally within one month of the Committee meeting date.

General

- A.20 These rules of procedure may only be amended by a decision of the WIPO Director General and the UPOV Vice Secretary-General. However, subject to the provisions of these rules, the Committee shall adopt such operating guidelines as may be necessary for it to conduct its work.

PART B: FINANCE

B.1 The finances of the ASHIP consist of:

- B.1.1 The strategic cash and investments held by WIPO at December 31, 2024 that have been established for the purpose of financing WIPO's liability for Employee Benefits including ASHI in accordance with the WIPO Policy on Investments approved by the WIPO Assemblies A/57/11 as amended by WO/PBC/30/12 and as may from time to time be amended by the WIPO Assemblies.

The portion of the strategic cash and investments held by WIPO at December 31, 2024 that are attributable to ASHI, shall be calculated by the WIPO Finance Division based on the amount of WIPO's ASHI liability as a percentage of WIPO's total long-term employee benefit liabilities as calculated by WIPO's actuary.

- B.1.2 The strategic cash and investments held by UPOV at December 31, 2024 that have been established for the purpose of financing UPOV's liability for ASHI in accordance with UPOV Consultative Committee document CC/91/3 Financing of Long-term Employee Benefit liabilities.
- B.1.3 Earnings recognized by WIPO on or after January 1, 2025, on the WIPO portion of the strategic cash and investments that have been established for the purpose of financing WIPO's liability for ASHI.
- B.1.4 Earnings recognized by UPOV on or after January 1, 2025, on the UPOV strategic cash and investments that have been established for the purpose of financing UPOV's liability for ASHI.
- B.1.5 The net amount resulting quarterly from the difference between the percentage of personnel costs established by the WIPO Assemblies for the purpose of financing ASHI after deducting the total actual quarterly costs incurred by WIPO for ASHI during the same financial period. In addition, the portion of any amount provided in WIPO's Biennial Budget as an additional element of long-term employee benefit funding calculated using the methodology in B.1.1 above.
- B.1.6 The net amount resulting annually from the difference between the percentage of personnel costs established by the UPOV Council for the purpose of financing ASHI after deducting the total actual annual costs incurred by UPOV for ASHI during the same financial year.

B.2 The status of the ASHIP is considered, under International Public Sector Accounting Standards (IPSAS) Standard 39, Employee Benefits paragraphs 32 through 39, to be a multi-employer plan. The assets of the plan are:

- (a) held by the ASHIP, which is legally separate from WIPO and UPOV and exists solely to pay or fund ASHI; and
- (b) not available to either WIPO's or UPOV's creditors (even in bankruptcy), and cannot be returned to either WIPO or UPOV,

unless either:

- (i) The remaining assets of the fund are sufficient to meet all the related ASHI benefits of the ASHIP as determined by an Asset and Liability Management (ALM) Study performed by an Independent Actuary designated by the WIPO Director General and the UPOV Vice Secretary-General after consultation with the Advisory Committee established under Part A of these Rules; or
- (ii) The assets are returned to WIPO or to UPOV to reimburse either or both organizations for funds advanced on behalf of the ASHIP upon the request of (a) the Controller of WIPO for funds already paid by WIPO, or (b) the Vice Secretary-General of UPOV for funds already paid by UPOV.

B.3 The WIPO Secretariat shall be responsible for the following:

- B.3.1 Preparation of quarterly reports on receipts and expenditures and an annual analysis of expenditures to serve as a basis for the management of the ASHIP and for the Advisory Committee.
- B.3.2 Maintaining separate calculations for the portion of the funds held by the ASHIP on behalf of each of the participating organizations (WIPO and UPOV) based on the methodology defined in B.1.1 and B.1.2 above.
- B.3.3 Annual preparation of a full set of financial statements for the ASHIP in compliance with International Public Sector Accounting Standards (IPSAS). The statements shall be audited by the External Auditor of WIPO.
- B.3.4 Engaging an independent actuary to prepare an ALM study for use in determining the appropriate level of funding to finance the ASHI benefit liabilities of each organization. Information from the results of the ALM study shall be disclosed in the ASHIP annual report of the year in which the ALM study is conducted.
- B.3.5 The investment of the financial assets of the ASHIP in accordance with the decisions of the WIPO Assemblies based on the methodology defined in B.1.1 and B.1.2 above.

PART C: GENERAL PROVISIONS

DISSOLUTION

- C.1 Proposals to dissolve the ASHIP must first be reviewed by the Advisory Committee and sent to the WIPO Director General and the UPOV Vice Secretary-General for their concurrence, and then submitted to the WIPO Assemblies and the UPOV Council for decision.
- C.2 If it is decided to dissolve the ASHIP, the Advisory Committee must in the first place consider arrangements to safeguard the rights of former staff members for continued coverage, including the transfer of the reserve fund set aside for this purpose. It will then make proposals to the WIPO Director General, the UPOV Vice Secretary- General and the active and former staff for the liquidation of the remaining assets.
- C.3 The actuarial risk for the ultimate cost of benefits already earned at the end of each reporting period remains a liability of each organization.

Terms of Reference

WIPO/UPOV After Service Health Insurance Plan Advisory Committee

I. Background

1. In accordance with the recommendation contained in WO/PBC/37/12, as adopted by the Program and Budget Committee at its 37th Session in June 2024 and approved by the WIPO Assemblies [document A/65/11] at its 65th session in July 2024 and pursuant to the endorsement by the UPOV Consultative Committee at its 101st Session in October 2023, the World Intellectual Property Organization (WIPO) and the International Union for the Protection of New Varieties of Plants (UPOV) have established the WIPO/UPOV After Service Health Insurance Plan (ASHIP). The ASHIP Rules issued by the WIPO Director General on April 1, 2025, provide for the establishment of an Advisory Committee with responsibilities explained in detail in the section on functions below.
2. The objective of the ASHIP is to manage the financial resources provided by the Member States of WIPO and the Members of UPOV for the purpose of funding each organization's liability for After Service Health Insurance (ASHI) provided to eligible participants. ASHI provides for the reimbursement of a major portion of the expenses for after-service health insurance coverage, which is optional for former staff members of each organization entitled to a pension from the United Nations Joint Staff Pension Fund (UNJSPF).
3. All investments held by the ASHIP shall be made through and maintained by recognized financial institutions in accordance with the WIPO Financial Regulations and Rules and the Policy on Investments approved by the WIPO Assemblies. The WIPO Assistant Director General for the Administration, Finance and Management Sector (ADG AFMS), in her/his capacity as Chair of the Advisory Committee, shall ensure that it is consulted on all matters consistent with the Committee's functions, as established in the Sections III and V below.

II. Scope

4. The Advisory Committee is established to advise the Director General of WIPO and the Vice Secretary-General of UPOV on the management and operations of the ASHIP.

III. Functions of the Advisory Committee

The Advisory Committee shall have the following functions:

- A. Review the operations and the financial status of the ASHIP, including levels of benefits and contributions consistent with the WIPO Staff Regulations and Rules and applicable administrative issuances;
- B. Review the financial stability and the adequacy of the financial reserves of the ASHIP;
- C. Review the annual report and overall performance of the ASHIP;
- D. Review the annual budget prepared by the WIPO Secretariat covering expenses to be paid directly from the funds managed by the ASHIP;

- E. Review the underlying assumptions in the actuarial reports and recommend any required changes to the Director General of WIPO and the Vice Secretary-General of UPOV;
- F. Review the ASHIP external auditors' reports, and recommend appropriate action on any recommendations in the report;
- G. Review any internal audit reports referred to the Committee and recommend appropriate action on implementation of any recommendations concerning the ASHIP;
- H. Review the implementation of the recommendations from internal and external audit reports on the accounts of the ASHIP;
- I. Based on advice from the WIPO Advisory Committee on Investments, review the ASHIP investment strategy and review its performance annually;
- J. Provide information to the WIPO Advisory Committee on Investments to assist in the review of the ASHIP investments;
- K. Review and ensure the adequacy of the WIPO Secretariat's direction and management of the ASHIP and review its performance annually;
- L. In consultation with the Collective Staff Insurance Management Committee, keep itself informed of developments in the best practices of comparable health insurance plans;
- M. In consultation with the WIPO Controller and the WIPO Director of the Human Resources Management Department and in conjunction with the Collective Staff Insurance Management Committee, recommend the implementation of measures to provide effective and methodical procedures for enrollment, payment of contributions and fraud prevention;
- N. In consultation with the Collective Staff Insurance Management Committee, advise the Director General of WIPO and the Vice Secretary-General of UPOV on the implementation of measures for cost containment;
- O. Submit an annual report on the activities undertaken by the Advisory Committee to the Director General of WIPO and the Vice Secretary-General of UPOV and the WIPO Staff Council and make an executive summary accessible to all participants in the WIPO medical insurance plan;
- P. Propose amendments to the ASHIP Rules for decision by the Director General of WIPO and the Vice Secretary-General of UPOV; and
- Q. Review objectives and establish guiding principles and an assessment model and indicators to evaluate the performance of the Advisory Committee.

IV. Performance Indicators

- 5. The Advisory Committee shall establish metrics and undertake a self-assessment on a biennial basis, rating itself in terms of its overall performance in the above-mentioned roles.

V. Reporting relationships

6. Recommendations on specific operational issues may be presented directly by the WIPO Controller to the WIPO Director General and the UPOV Vice Secretary-General, through the WIPO ADG AFMS, for decision. In such cases, the Advisory Committee shall subsequently be informed of the decision.

VI. Composition of the Advisory Committee

7. The Advisory Committee is composed of:
 - a. Two members from the WIPO Program and Budget Committee nominated by their respective Group. The first two Groups to submit nominations shall be selected in sequence based on alphabetical order (in English), and rotate every two years. No two members shall be elected from the same Group at any point.¹
 - b. Two staff members from WIPO and/or UPOV, designated by the WIPO Director General and the UPOV Vice Secretary-General, as the case may be;
 - c. One member designated by the WIPO Staff Council who must be an active staff member of WIPO or UPOV participating in WIPO's medical insurance plan.
 - d. One member who must be a former staff member of WIPO or UPOV participating in the ASHIP, elected by the former staff members of WIPO and UPOV participating in the ASHIP;
 - e. WIPO Assistant Director General for the Administration, Finance and Management Sector (ADG AFMS) (ex officio, non-voting member) and WIPO Controller (ex officio, non-voting member), to perform the role of Chair and alternate Chair, respectively.
8. The former staff member represented on the Advisory Committee shall be entitled to claim expenses incurred for the attendance at Committee meetings in accordance with WIPO's expense reimbursement policies.

¹ For illustration, the first two members of the Committee shall be nominated from the African Group and the Asia and the Pacific Group and they will rotate out after a two year term with the next two members coming from the next two Groups based on alphabetical order. The sequence of Member State representation on the Committee will be as follows:

2025/2026 - African Group + APG 2027/2028 - CACEEC + CEBS
2029/2030 - China + Group B 2031/2032 - GRULAC + African Group 2033/2034 - APG + CACEEC
2035/2036 - CEBS + China
2037/2038 - Group B + GRULAC

9. The Chair of the Advisory Committee may invite any other staff member to attend meetings of the Committee if deemed necessary. Members of the Committee who would like to invite other staff members should consult, and obtain the approval of, the Chair prior to the meeting.

a) The Advisory Committee is advised by:

- i. External advisers, appointed by the Director General of WIPO and the Vice Secretary-General of UPOV, and
- ii. A WIPO legal officer from the WIPO Office of the Legal Counsel.

b) The observers to the Advisory Committee are:

- i. A UPOV representative designated by the Vice Secretary-General of UPOV, and
- ii. A UPOV representative designated by the UPOV Consultative Committee.

c) At the Chair's invitation, the WIPO Director of the Human Resources Management Department, the WIPO Director of the Internal Oversight Division, and/or the Director of the Finance Division may attend meetings of the Advisory Committee to provide information and advice in their respective areas of expertise.

VII. Secretariat

10. The WIPO ADG AFMS shall designate a secretary of the Advisory Committee, who shall be responsible for preparing the working documents, meeting logistics, presenting the agenda items, and drafting the minutes of the meeting.

VIII. Ongoing Review

11. The functions of the Advisory Committee should be reviewed whenever modifications are made to the ASHIP Rules by the WIPO Director General.

IX. Functioning and processes

A. Chair and alternate Chair

The WIPO ADG AFMS shall be the Chair of the Advisory Committee. The WIPO Controller shall be her/his alternate. The alternate shall have the same functions as the Chair, when called upon to act in her/his stead.

B. Conduct of business

The presence (in person or through video conference) of four voting members, constitutes the quorum of the Committee. At each meeting, the following minimum presence is also required: (1) the Chair or alternate; (2) one member state representative; (3) one representative designated by the WIPO Director General or the UPOV Vice Secretary-General; and (4) one representative designated by the WIPO Staff Council, or elected into office pursuant to Section VI, paragraph 7(d) above.

The Secretary shall provide the members with a proposed agenda together with relevant background information in advance of each meeting.

The Committee shall adopt its recommendations by consensus wherever possible. In the event that consensus cannot be achieved, the minority views shall be recorded in the report. The Secretariat officers, external advisers and observers shall not participate in the taking of decisions, or in any voting.

In the event that any decision is contrary to a recommendation made by an adviser to the Committee, the dissenting recommendation shall be documented and reported in the minutes of the meeting.

C. Meetings of the Advisory Committee

The Committee shall meet at least twice annually in person or by video conference. One of these two meetings shall normally be timed to occur on or around April 30 in order to review the draft ASHIP annual report for the previous year. Meetings of the Committee shall be convened by the Chair or alternate Chair.

The meetings of the Committee shall be held in private. The records and all correspondence of the Committee shall be private and kept in the care of the Secretary of the Committee.

Notwithstanding the above, in exceptional cases, when deemed necessary by the Chair, the Chair, through the Secretary, may circulate proposals by email for the voting members' approval by a set date. If any voting member objects to the adoption of any such proposal by the set date, that proposal shall be considered as not having been adopted by the Advisory Committee and, if pursued by the Chair, it shall be referred to an Advisory Committee meeting held virtually or in person as provided above for consideration or a subsequent revised version circulated by email.

In the absence of any objection by voting members received by email by the set date, the proposal shall be considered to have been validly adopted by the Advisory Committee. The Chair, through the Secretary, shall inform the Committee members by email accordingly and this communication shall be regarded as the date of the adoption of the proposal.

D. Secretariat

Minutes of each meeting of the Committee shall be prepared by the Secretary in English. An initial draft shall be distributed as soon as possible to all members and advisers of the Committee, who shall notify the Secretary of any comments, additions or amendments within two weeks of receipt. The Secretary shall take into account such comments, additions or amendments and prepare a final version of the minutes, which shall be reviewed and signed by the Chair on behalf of the Committee.

The final, approved minutes of each Committee meeting, including all recommendations adopted at the meeting, shall be sent to the WIPO Director General and the UPOV Vice Secretary-General by the Secretary, highlighting any issues of concern and proposed actions if relevant. This summary shall be sent as soon as is practicable and normally within one month of the Committee meeting date.

E. General

The ASHIP Rules of procedure may only be amended by a decision of the WIPO Director General and the UPOV Vice Secretary-General. However, subject to the provisions of

these Rules, the Committee shall adopt such operating guidelines as may be necessary for it to conduct its work.

[End of Annex and of document]