

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

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### **EVALUATION REPORT OF THE PROJECT ON INTELLECTUAL PROPERTY, TOURISM AND CULTURE: SUPPORTING DEVELOPMENT OBJECTIVES AND PROMOTING CULTURAL HERITAGE IN EGYPT AND OTHER DEVELOPING COUNTRIES**

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1. The Annex to this document contains an independent Evaluation Report of the Project on *Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries*, undertaken by Mr. Daniel Keller, Senior Evaluator, Evilard, Leubringen, Switzerland.

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

[Annex follows]

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## LIST OF ACRONYMS

<b>BIPA</b>	The Intellectual Property Authority in Namibia
<b>CHF</b>	Swiss Francs
<b>DA</b>	Development Agenda
<b>DAC</b>	Development Assistance Committee (of the OECD)
<b>DACD</b>	Development Agenda Coordination Division
<b>ESPE</b>	Polytechnic School of the Armed Forces
<b>IP</b>	Intellectual Property
<b>IPR(s)</b>	Intellectual Property Rights
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>PME</b>	Planning, Monitoring and Evaluations
<b>RBM</b>	Results-based management
<b>SENADI</b>	National IP Office of Ecuador
<b>SLTDA</b>	Sri Lanka Tourism Development Authority
<b>SMART (indicators)</b>	Specific, Measurable, Achievable, Relevant and Time-bound
<b>TCE</b>	Traditional Cultural Expressions
<b>TK</b>	Traditional Knowledge
<b>UN</b>	United Nations
<b>UNCTAD</b>	United Nations Conference for Trade and Development
<b>UNEG</b>	United Nations Evaluation Group
<b>UNEP</b>	United Nations Environment Programme
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNIDO</b>	United Nations Industrial Development Organization
<b>UNWTO</b>	United Nations World Tourism Organization
<b>WHO</b>	World Health Organization
<b>WIPO</b>	World Intellectual Property Organization
<b>WTO</b>	World Trade Organizations

## EXECUTIVE SUMMARY

This independent final evaluation (“the Evaluation”) covers the project “Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries” (Project Code DA\_01\_10\_12\_40\_01) under the Development Agenda (DA), subsequently referred to as “the Project”.

Designed based on a proposal submitted by the Arab Republic of Egypt (“Egypt”), the Project provided support in three areas: economic studies exploring link between Intellectual Property (IP) and tourism, strengthening targeted IP Offices to provide support to the tourism sector, and teaching IP in tourism education (tourism schools and universities). It primarily worked in four countries that were selected during implementation: Ecuador, Egypt, Namibia and Sri Lanka.

According to the completion report, the budget utilization rate as per end of July 2019 was 91%. As per 19 August 2019, CHF 305,662 or 95.5% of the total budget for non-personnel costs of CHF 320,000 has been spent. Most of the budget (CHF 203,249 or 64%) was allocated to expertise. Travel for staff missions (CHF 77,973) accounted for 24% of the disbursements, costs of seminar venues, catering and publications amounted to CHF 24,440 (or 8% of the budget).

The Project started in January 2016 and ended on 30 April 2019 after a four months extension without additional budget. Planned activities have been completed, except the publication of the guide on IP and tourism together with the United Nations World Tourism Organization (UNWTO).

This evaluation was undertaken from July 6 - November 22, 2019 by Daniel P. Keller, Senior Evaluator, Evilard/Leubringen, Switzerland in close coordination with the Development Agenda Coordination Division (DACD) and resulted in the following conclusions:

### **Conclusion 1 on project preparation and management**

In terms of its strategy and organizational set-up, the Project was generally well prepared. Broader objectives and the way to achieve them are clearly defined. Budgets and timelines were realistic, evidenced by the disbursement rate of 95.5% and the fact that most of the deliverable have been completed within the planned duration. The actual project content (activities) was further developed during implementation, catering to specific needs of the four target countries, which were only selected during implementation.

The standard templates for project planning and monitoring. Unlike most of the important development actors, WIPO does not use the logical framework tool, which is the commonly applied standard for Results-Based Management (RBM) for all major development agencies, for planning, monitoring and evaluations (PME). The Secretariat believes that this would be difficult due to the negotiated language in project documents. Moreover, a phase-out strategy depicting adequate measures to ensure a continuation of project benefits beyond the Project’s support (sustainability) has not been spelled out. Finally, WIPO does not have a mechanism in place that would allow an assessment of whether longer-term results of DA Projects beyond outputs and immediate outcomes have materialized (e.g. ex-post evaluations).

Both the Project Manager and her Director were involved in day-to-day implementation of activities, including field missions and capacity building. In terms of personnel costs, which were not budgeted for, the Project was thus more resource intensive for the Secretariat than planned. Overall, management performed well. Partners appreciated the cooperation with the Secretariat and highlighted the flexibility and responsiveness of the project team to their evolving needs.

## **Conclusion 2 on relevance**

Stakeholders who were interviewed confirmed that WIPO's assistance fully met their needs. Generally, the Project targeted countries with a strong tourism potential. The degree of ownership and enthusiasm in different beneficiary countries varied, however. The reason was probably that IP is only one among many factors that are needed to offer competitive tourism products. Also, the Project was at least initially driven by IP specialists rather than by tourism stakeholders.

The CDIP's approval by consensus indicates that Member States consider the Project as relevant. The Project was coherent with those DA recommendations it intended to address, although the degree it responded to them was rather weak. No specific DA recommendation directly calls for working on "IP for tourism development".

DA recommendations generally relate to issues that need to be addressed to improve the valorization of IPRs for development purposes. They are typically not industry-specific, although some issues raised in the DA might be more relevant for certain industries than for others. WIPO's regular programs are also not industry specific. The provided services are already available within different existing WIPO Programmes (Economic Studies, SME support, capacity building of IP Offices, teaching of IP), but the Project applied them specifically to tourism development.

If a new proposed DA project is not directly responding to a specific DA recommendation, a prior discussion among Member States (based on a discussion paper) would help the Secretariat to ensure that expectations and needs of all Member States are fully met and that the proposed DA project benefits from all existing internal resources of the Secretariat.

## **Conclusion 3 on effectiveness and on sustainability of results**

Based on a validation through desk review of reports, internal surveys and interviews, the evaluator endorses the draft completion report prepared by the Project Manager. Main deliverables included: (a) Case studies in four countries demonstrating the benefits of IP for tourism development, (b) in-country capacity building events, (c) the development of curricula to teach IP at tourism schools and universities and (d) a practical tourism guide (only draft, still to be upgraded to a joint publication with the United Nations World Tourism Organization, UNWTO).

Deliverables were generally of good quality. Not surprisingly, the main conclusions and recommendations of the studies are rather obvious. The value added of the studies at the country level was primarily demonstrating the approach on how to assess IP use in a specific sector.

In Egypt, Sri Lanka and Namibia, anecdotic evidence suggests that awareness on valorizing IP in the tourism sector has increased, but no evidence was found that this has yet led to specific actions or even wider benefits. In these three countries, no decision on introducing IP courses in tourism education has been taken. Whether and when they will be introduced is unclear.

In Ecuador, awareness raised by the Project resulted in various follow-up activities. Ecuador's IP Office, SENADI, and the provincial government of Imbabura (Ecuador) signed an agreement to develop IP and branding strategies for the promotion of the province's economic activity based on the uniqueness of its eco-tourism. SENADI expressed a high degree of enthusiasm and has provided over 20 follow-up courses to the industry so far.

With support of the Project, SENADI and the Polytechnic School of the Armed Forces, (ESPE) jointly developed a course, which will be taught starting in 2020 to initially 500 students. The course will be four hours per week (64 hours per semester). In addition, IP topics have been mainstreamed in other courses at the university through a workshop for teachers.

Notwithstanding these initial promising developments, few other specific and tangible outcomes that are directly attributable to the Project have been reported. The topic deserves sustained

attention by IP and tourism authorities in the countries concerned if the recommendations emerged through the country-level research are to produce concrete results.

At the global level, the Project would be successful in explaining the benefits the valorization of IP brings to tourism if the guide on IP and tourism (joint publication with the United Nations World Tourism Organization) is published as planned.

#### **Conclusion 4 on the Project's approach**

As explained above, the Project's approach was to strengthen IP within one sector (tourism), covering various types of Intellectual Property Rights (IPRs) and functions within the IP system. This contrasts with most other DA projects, which work on specific IPRs or elements of the IP system across industries. The expectation was that an industry-specific project would allow to better cater industry needs and allow for a more holistic, more in-depth support. Working with industry requires the involvement of government offices and industry stakeholders that are not WIPO's traditional partners. While their involvement potentially broadens WIPO's outreach beyond IP Offices, coordination with multiple partners (stakeholders of the variety of activities in the tourism sectors and those responsible for each of the different IPRs) is complex. The Project advocated for established Steering Committees on IP and tourism, but experience was mixed.

#### **Conclusion 5 on synergies**

Coordination and synergies with activities through WIPO's regular programmes beyond utilizing some documentation available within WIPO were rather weak. During implementation, there was no interaction with several other relevant programmes providing similar support, e.g. Economic Studies (Programme 16), Traditional Knowledge, Traditional Cultural Expression and Genetic Resources (Programme 4). While synergies remained rather limited, no duplications or overlaps of activities at the level of beneficiary countries were recorded. The cooperation with UNWTO was a successful attempt to generate a joint deliverable within the UN system, although the planned joint publication has yet to be finalized. Opportunities to work together with the various other UN Organizations working on tourism, some of which have cooperation agreements with WIPO were not explored or in the case of UNESCO not successful.

#### **Conclusion 6 on sustainability**

Assessing the likelihood of sustainability of results at the country level would be premature, as a continuation of benefits depends largely on a follow-up by the respective IP Offices. Follow-up activities are ongoing and likely to continue in Ecuador and in Namibia. This seems to be less the case in Egypt and Sri Lanka. Most of the support that has been provided remains available in other WIPO programs. Further assistance to consolidate and complement support (including in addition policy advice where required) is thus available. The planned WIPO-UNWTO publication on IP and tourism will allow for broader dissemination of insights produced by the Project. The Project did not provide a new service that could be further developed and mainstreamed. The value added of a new project on IP and tourism beyond continuing the same work would be questionable.

## RECOMMENDATIONS

### **Recommendation 1 (from conclusion 3) to the WIPO Secretariat**

Finalize and publish the tourism guide in cooperation with UNWTO.

### **Recommendation 2 (from conclusion 1) to the WIPO Secretariat**

Include a phase-out strategy in project documents for new DA Projects, outlining the measure to be taken to ensure a continuation of benefits beyond WIPO's support (sustainability of results).

### **Recommendation 3 (from conclusion 5) to the WIPO Secretariat**

Explore opportunities for joint projects with relevant UN organizations that work in the area of trade and private sector development, including but not limited to those mentioned in DA recommendation 40. Unlike stand-alone industry-specific IP projects, this would provide an opportunity to combine sector-specific know-how and relationships with WIPO's competencies in the field of commercializing IP.

### **Recommendation 4 (from conclusion 2) to the WIPO Secretariat**

Where proposals for new DA projects are not directly responding to a specific DA recommendation, prepare and submit discussion papers following a standardized format to the CDIP before submitting a specific proposal for a DA project. The discussion papers should, inter alia, explore the question of whether the proposed support responds to an expressed need, WIPO's comparative advantage to provide the support, and whether the required service(s) are already available under existing WIPO programs.

### **Recommendation 5 (from conclusion 1) to the WIPO Secretariat**

Consider commissioning ex-post evaluations to assess wider long-term socio-economic benefits (outcomes) of selected DA projects and based on this, draw general lessons learned on further pursuing IP-related development work.

## REPORT

### 1. INTRODUCTION

1. This independent final evaluation (“the evaluation”) covers the project “Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries” (Project Code DA\_01\_10\_12\_40\_01) under the Development Agenda (DA), subsequently referred to as “the Project”. The project document<sup>1</sup> is included in Appendix I.

2. The Project’s aim was to analyze, support and promote awareness of the role of the Intellectual Property (IP) system in tourism-related economic activity. The purpose was to build capacities of key stakeholders in the intersection between IP and tourism, in the framework of growth and development policies. Main activities included:

- (a) Researching and documenting case studies;
- (b) Capacity building for key tourism stakeholders and national authorities; and
- (c) Broad-based awareness-raising activities, including the development of appropriate teaching materials and curricula, for the academic community.

3. Within the Secretariat, the Office of the Deputy Director General, Development Sector, was responsible for project implementation. The Secretariat appointed a Project Manager.

4. Commissioned by the Secretariat, the evaluation was guided by the Terms of Reference (ToR) dated June 6, 2019, which are included in Appendix II. The work was conducted between July 6, 2019 and November 22, 2019 by an independent external evaluator<sup>2</sup> in coordination with the Development Agenda Coordination Division (DACD) and the Project Manager<sup>3</sup>.

5. The evaluator is independent. While he does have prior evaluation experience with WIPO, he has not been involved into any DA projects and he is also not expected to be in the future.

#### (A) PROJECT BACKGROUND AND DESCRIPTION

6. The Project was adopted on April 22, 2015 during the 15<sup>th</sup> session of the Committee on Development and Intellectual Property (CDIP) in Geneva. It was designed based on a proposal received by the Arab Republic of Egypt (CDIP/13/8), which was discussed during the 14<sup>th</sup> session of the CDIP (November 2014).

7. The background of the proposal was that tourism has become a major player in international commerce, representing one of the main sources of income and employment creation for many developing countries. In the highly competitive environment of tourism, market-differentiation and tailor-made products are increasingly important comparative advantages.

8. Within this context, the Project aimed at demonstrating the use of IP, including Traditional Knowledge (TK) and Traditional Cultural Expressions (TCE), to gain a competitive edge through the development of tailor-made, diversified high value-added products. The more effective use of IP in tourism-related economic activity was expected to improve tourism products in terms of their diversification, value-addition and competitiveness.

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<sup>1</sup> Project Document: CDIP/15/7 Annex, April 22, 2015, project “Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries” (Project Code 01\_10\_12\_40).

<sup>2</sup> Daniel P. Keller (Senior Evaluator, Evilard/Leubringen, Switzerland).

<sup>3</sup> Ms. Francesca Toso, Senior Advisor, Development Sector, Office of the Deputy Director General.



9. The Project directly covered Ecuador, Egypt, Namibia and Sri Lanka. Indirectly, the idea was to generate role models that could be taken up by the tourism industries of other countries. The Project started with practical research and documentation on the contribution of IP to a competitive tourism product in these four countries. This was followed by the identification of existing or potential IP tools for the promotion of tourism, national and/or local knowledge, traditions, and culture based on research and case studies. Subsequently, some of these tools were applied in awareness-raising and capacity building activities.

10. The experiences and best practices documented and the strategies, tools and a practical guide<sup>4</sup> were expected to guide policy decisions and raise public awareness on the use of IP in promotion of tourism, while increasing national economic, social and cultural benefits.

11. The expected duration was 36 months starting on 1 January 2016. Due to internal changes in the responsible lead agencies and the absence of designated focal points or other coordinated national leadership of the project, the implementation of activities in Egypt, Namibia, and Sri Lanka was delayed. The CDIP approved a project extension of four months until April 30, 2019 to complete activities.<sup>5</sup>

12. The overall budget of 320,000 Swiss francs (CHF) was entirely allocated to non-personnel costs. The last progress report to the CDIP is dated September 14, 2018 and was discussed by the CDIP in November 2018 (CDIP/22/2 Annex IV). The Project Completion Report used for the evaluation is dated September 1, 2019.<sup>6</sup> The budget utilization rate as per end of July 2019 was 91%..

13. Planned activities have been completed, except a joint publication on IP and tourism together with the United Nations World Tourism Organization (UNWTO).

## (B) SCOPE, PURPOSE, METHODOLOGY AND LIMITATIONS OF THIS EVALUATION

### (i) Scope

14. The evaluation covers the entire project duration (including extension) from January 2016 until the end of April 2019. To ensure consistency among evaluation findings obtained through different sources, findings have been included until 1 September 2019 (publication of completion report). Subsequent developments are not accounted for.

### (ii) Key purpose

15. Balancing the need for organizational learning with the purpose of ensuring accountability of the Secretariat towards the Member States, the evaluation objectives given by the ToR are two-fold:

(a) Learning from experiences during project implementation: what worked well and what did not work well for the benefit of continuing activities in this field. This included assessing project design, project management, including monitoring and reporting tools, as well as measuring and reporting on the results achieved to date and assessing the likelihood of sustainability of results achieved; and

(b) Providing evidence-based evaluative information to support the CDIP's decision-making.

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<sup>4</sup> In the process of being finalized.

<sup>5</sup> See: Progress Report: CDIP/22/2 Annex IV (14 September 2018).

<sup>6</sup> CDIP 24/4 dated September 1, 2019: Completion report of the Development Agenda (DA) project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries.

16. Within these two main purposes, the evaluator was expected to assess the extent to which the Project has been instrumental in:

(a) Creating capacities for key tourism stakeholders, as well as for national authorities, including IP offices, on how to use IP tools and strategies to add value and diversify tourism-related economic activity, including activity related to the promotion of national and/or local knowledge, traditions and culture; and

(b) Raising awareness among the academic community of the intersection between IP and tourism in the framework of local growth and development policies, with a view to developing teaching materials and promoting the inclusion of specialized curricula in tourism management schools and in national IP academies.

17. The ToR provide evaluative questions<sup>7</sup>, which were expanded through an iterative process. Information obtained was validated through subsequent interviews and additional documents.

18. The Project differed from other DA projects and WIPO programs that generally provide technical assistance along different type of IPRs and key functions of the IP system (IP administration, building respect for IP, teaching IP, etc.). An exception seems to be made where an industry is to a large degree built upon specific IPRs, which is for example the case for creative industries (copyright and relating rights, designs, etc.).

19. The evaluation also provided some initial insight into the potential advantages and disadvantages of applying a sector-specific approach to the strengthening the IP system for the benefit of development.

(iii) Methodology

20. The ToRs request an assessment of project quality, including its design and management. The methodological framework for all evaluations commissioned by the Secretariat is provided by WIPO's Evaluation Policy<sup>8</sup>, which refers to the OECD-DAC evaluation criteria and quality standards.<sup>9</sup> In line with the ToRs and applying standard evaluation practices, the assessment was conducted based on the following five criteria<sup>10</sup>:

(a) Project preparation and management: The degree to which project preparation and management followed good practices, including applying tools of results-based management (RBM). Management also includes monitoring and self-evaluation, risk mitigation and responsiveness of management to respond to emerging external developments.

(b) Relevance: The extent to which project objectives were consistent with beneficiaries' requirements, Member Countries' needs and global priorities and WIPO's policies (especially the DA recommendations).

(c) Efficiency: How economically resources/inputs (e.g. funds, expertise, time) were converted into results<sup>11</sup>, thus "value for money".

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<sup>7</sup> Structured along the main criteria of project design and management, effectiveness, sustainability and implementation of the DA and DA Recommendations, see pages 2 – 3 of the ToR.

<sup>8</sup> WIPO, Revised Evaluation Policy (Second Edition 2016/2020), February 19, 2016.

<sup>9</sup> DAC Guidelines and Reference Series, Quality Standards for Development Evaluation, OECD Development Assistance Committee (DAC), OECD 2010. The DAC evaluation criteria are internationally recognized as best practice and widely applied by most development actors.

<sup>10</sup> The ToR requested an assessment of effectiveness and sustainability only.

<sup>11</sup> This is an economic term used to assess the extent to which aid uses the least costly resources possible to achieve the desired results. This generally requires comparing alternative approaches to achieving the same outputs, to see whether the most efficient process has been adopted.

(d) Effectiveness: The extent to which objectives were achieved (including the extent to which the DA recommendations addressed by the Project have been implemented) or are expected to be achieved accounting for their relative importance. The evaluation also considered achievement of expected outcomes or possible positive/negative unexpected outcomes (as far as this was already possible). As a basis, results reported were validated and assessed against key performance indicators defined in the project document.

(e) Sustainability: Assesses the likelihood of continuation of project benefits (outputs, outcomes) after the assistance has been completed.

21. Different evaluation tools were combined to ensure an evidence-based qualitative and quantitative assessment. Data from different sources was triangulated and the plausibility of the results obtained examined. Conclusions and recommendations were derived from evaluation findings (deductive reasoning).

22. The methodological mix included desk reviews, semi-structured individual interviews, and semi-structured interviews of focal groups. In-depth discussions were held with management and staff of functional sectors of the Secretariat that were involved into or contributed to the Project. Interviews with beneficiaries at the country level focused on a small sample of key partners/beneficiaries that were actively involved into project implementation. A list of persons interviewed is included in [Appendix III](#).

23. Desk study included the project document, progress reports, the completion report and selected outputs (see list of documents in [Appendix IV](#)).

24. To ensure organizational learning and in the spirit of a participative evaluation, interviews were structured along open guiding questions to encourage a free exchange of opinions. While maintaining independence, they collected the views of all stakeholder groups. Enrolling key stakeholders in the evaluation process and seeking alignment on key findings, conclusions and recommendations is expected to facilitate organizational learning and continuous improvement.

25. The presentation of this report at the 24<sup>th</sup> session of the CDIP in November, 2019 will ensure the exchange of information, provide input to the CDIP's decision-making process and contribute to accountability of the Secretariat towards its Member States.

(iv) Key evaluative steps

26. Main evaluative steps included desk review of documents, the operationalization of the ToR through an inception report (July 18, 2019), interviews in Geneva (July 22 - 24, 2019), an intermediate de-briefing on preliminary evaluation results (July 2019), the submission of a draft report for factual verification (September 2, 2019), responding to comments received, submission of the final report (September 12, 2019) and its presentation to the CDIP.

(v) Main limitations to this evaluation

27. Experience shows that it takes time before project deliverables, through their use by beneficiaries, translate into measurable effects. An attempt to assess wider outcomes or even impact in terms of broader socio-economic changes within the tourism sectors of beneficiary countries or beyond would be premature.

28. The Project did not survey participants of project events and does not maintain participant lists that could be used for surveys. It was thus not possible to validate internal surveys of participants (after project events) through interviews. Data collection was limited to desk study (see Appendix IV) and on interviewing around 20 stakeholders who directly participated in project activities (see Appendix III). No field visits to beneficiary countries were conducted.

29. A final version of the practical tourism guide was not available for review. Some of the documents received were in draft form.

30. The findings and assessment in chapter 2 below should be understood in consideration that these constraints necessarily limited the scope and depth of the Evaluation.

## 2. FINDINGS AND ASSESSMENT

31. This section presents the evaluation findings and provides an assessment of project quality against the evaluation criteria.

### (A) PROJECT PREPARATION AND MANAGEMENT

#### (i) Project preparation

32. The Project Document describes broad objectives and an outline for an intervention strategy. The actual project content (activities) was further developed during implementation, in consideration of the specific needs of the target countries, which were only selected during implementation. Timeline and budget were appropriate, evidenced by the disbursement rate and the need of only one short extension.

33. The intervention logic seems to be based on a given topic (IP and tourism) plus proposed activities rather than on given objectives and an analysis to achieve them. Industry support often requires different support measures, not only in one field. Support to tourism development other than IP would obviously exceed WIPO's mandate. These aspects and realistic potential impact IP can have on tourism (compared with other elements) and what other input would be needed to achieve the desired impact were not explored.

#### (ii) Use of project planning tools (at the planning stage)

34. The Project Manager applied WIPO's standard templates for project preparation and monitoring of DA projects. While these templates serve the purpose of strategic reporting to the CDIP, they are not fully in line with the following widely acknowledged good practices of Results-Based Management (RBM) in international cooperation:

(a) The application of logical frameworks for planning, monitoring and reporting with objectives that are disaggregated between deliverables WIPO is responsible for (outputs), their effects (outcomes) and the broader changes they are expected to contribute (impact).

(b) The identification of specific assumptions and risks (beyond implementation risks): which external factors need to be in place or mitigated to ensure that outputs translate into outcomes and outcomes into impact<sup>12</sup>.

(c) The use of specific, measurable, ambitious, relevant and time-bound (SMART) performance indicators to measure the achievement of objectives at all levels.

(d) Determine the means of verifications (surveys, statistics etc.) for each indicator. If data collection for RBM requires external resources, they need to be budgeted for.<sup>13</sup>

(e) No mechanism to assess broader, longer-term results (outcomes, i.e. benefits generated by WIPO's support beyond immediate effects).

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<sup>12</sup> Hypotheses about factors or risks, which could affect the progress or success of a development intervention (OECD, Glossary of Key Terms in Evaluation and Results Based Management, 2010).

<sup>13</sup> Ideally, more complex surveys to measure results are defined as project activities.

35. The challenge of applying standard RBM tools in DA projects is that their content is often negotiated wording. That would however not prevent the Secretariat from developing logframes in an inception report and to use them for monitoring and evaluation purposes.

36. The Project Document does not spell out a phase-out strategy, thus what measures are needed to ensure a continuation of project benefits (sustainability) is beyond WIPO's support.

(iii) Project Management

37. The Project was overall well managed. With some exceptions (e.g. first attempt of drafting a study in Namibia, first general study in Ecuador), management selected the right experts and ensured the quality of support provided. National expertise was available in all countries and seems to have been prioritized. National counterparts provided input to the identification of experts.

38. Both the Project Manager and her Director were, as a team, involved in day-to-day implementation of activities, including into field missions and attending capacity building events. Personnel resources allocated to this project were thus higher than planned. The fact that beneficiaries worked with the Secretariat through two focal points did not lead to any problems.

39. Beneficiaries interviewed highlighted the good cooperation with the Secretariat and project management, including the responsiveness of the project team to their needs.

(B) RELEVANCE

40. Relevance assesses the extent to which project objectives were consistent with beneficiaries' requirements, member countries' needs, global priorities and WIPO's policies.

(i) Policy relevance

41. The Project's strategic relevance for Member States is evidenced by the CDIP's approval through consensus.

42. Rather than a holistic support to tourism development in target countries, which would exceed WIPO's mandate, the idea was to promote the use of different relevant IPRs as a tool to increase competitiveness and value addition of tourism.

43. In terms of coherence with WIPO policies, project objectives aimed at responding to the following DA recommendations:

(a) Recommendation 1: WIPO technical assistance shall be, inter alia, development oriented, demand-driven and transparent, considering the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States. Activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes for technical assistance programs should be country specific.

(b) Recommendation 10: To assist Member States to develop and improve national intellectual property institutional capacity through further development of infrastructure and other facilities with a view to making national intellectual property institutions more efficient and promote fair balance between intellectual property protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with intellectual property.

(c) Recommendation 12: To further mainstream development considerations into WIPO's substantive and technical assistance activities and debates, in accordance with its mandate.

(d) Recommendation 40: To request WIPO to intensify its cooperation on IP related issues with United Nations agencies, according to Member States' orientation, in particular UNCTAD, UNEP, WHO, UNIDO, UNESCO and other relevant international organizations, especially the WTO in order to strengthen the coordination for maximum efficiency in undertaking development programs.

44. The Project was expected to contribute to the following two results of the WIPO Programme and Budget (2016/2017).

(a) Expected Result III.1: National innovation and IP strategies and plans consistent with national Development objectives.

(b) Expected Result III.2: Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition.

45. The Project was implemented by and linked into the Development Sector (Program 9) under Strategic Goal III, i.e. "Facilitating the Use of IP for Development".

46. It was also expected to link into the following other WIPO Programs:

(a) Program 30: SMEs and Entrepreneurship Support for the impact of its findings and recommendations regarding the tourism industry, including SMEs operating in the tourism sector;

(b) Programs 3: Copyright and Related Rights;

(c) Program 4: Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources; and

(d) Program 18: IP and Global Challenges.

47. Moreover, links to DA Projects DA\_4\_10\_01, IP and Product Branding for Business Development in Developing and Least Developed Countries, DA\_10\_01 and DA\_10\_02, respectively the Phase I and II of the Pilot Project for the Establishment of Start-Up National IP Academies were envisaged.

48. The Project was coherent with the above-mentioned DA recommendations, although the link to them (except DA Recommendation 1) is not obvious. There is no DA recommendation to work on the topic "IP for tourism development".

49. DA recommendations generally relate to issues that need to be addressed to improve the valorization of IPRs for development purposes. They are typically not industry-specific, although some issues raised in the DA might be more relevant for certain industries than for others. WIPO's regular programs are also not industry specific.

50. Support provided by the Project applied the existing WIPO tools of Programme 3 (Copyright and Relating Rights), Programme 4 (TK, TCE, Genetic Resources), Programme 16 (Economic Studies) Programme 30 (SME/Entrepreneurship) and to some elements of Programme 11 (WIPO Academy) to the tourism sector in the four beneficiary countries. Through the topic of sustainable tourism highlighted by the studies, the Project is linked to Programme 18 (Global Challenges).

51. Tourism as such is not an industry that is built upon the valorization of IP, such as for example the creative industries. IP aspects are relevant to tourism development, but they are only one of many elements that could potentially contribute to competitive tourism products.

Comprehensive support to tourism development requires obviously a comprehensive approach, which goes beyond WIPO's mandate and the scope of a small DA project.

52. DA projects that are not directly linked to DA recommendations and cover new fields of activities would benefit from a prior discussion among Member States. That will help the Secretariat to ensure that expectations and needs of Member States are met. It will also ensure that a new Project benefits from all existing internal resources and capitalize on the experiences gained under existing relevant programmes. That could be done in the form of a standardized discussion paper presented to the CDIP<sup>14</sup>.

(ii) Relevance to beneficiaries

53. All stakeholders interviewed, none of whom was a representative of the tourism industry, confirmed that WIPO's assistance fully met their needs. Generally, the Project targeted countries with a strong tourism potential. The degree of ownership and enthusiasm in different beneficiary countries varied, however. The reason was probably that the Project was at least initially driven by IP rather than by tourism stakeholders and that for many of them, support in other fields of tourism development was more of a priority than the valorization of IP.

(C) EFFECTIVENESS

54. Due to the limitations explained above, the focus was primarily on assessing planned against delivered outputs and directly attributable outcomes.

55. Based on a validation through desk review of reports, internal surveys and interviews, the evaluator endorses the draft completion report prepared by the Project Manager. Missing information was completed through interviews, including with selected beneficiaries.

56. The Project reported the following main products and activities<sup>15</sup>:

(i) Establishment of a cooperation structure

57. In addition to Egypt, the Secretariat selected Ecuador, Namibia and Sri Lanka as pilot countries. Selection was based on a call for proposals, which were required to present:

- (a) An indication of a lead agency/institution that will be responsible for coordinating country-level activities in coordination with the WIPO Secretariat (e.g. national IP office, national or local tourism authority, relevant NGOs),
- (b) The touristic interest in the country, and the prevailing tourism-related business environment (e.g. cultural tourism, health tourism, eco-tourism, etc.) and
- (c) The capacity of the lead agency and other stakeholders to continue with the implementation of the proposed strategies beyond the Project.

58. National Steering Committees were set up under the following lead agencies:

- (a) The National IP Office in Ecuador (SENADI)<sup>16</sup>;
- (b) The Ministry of Foreign Affairs in Egypt;
- (c) The Business and Intellectual Property Authority (BIPA) in Namibia, and

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<sup>14</sup> The template the Secretariat uses to approve new Publications might give some input.

<sup>15</sup> Reports for all events on file, see Appendix 1.

<sup>16</sup> Servicio Nacional de Derechos Intelectuales

(d) The Sri Lanka Tourism Development Authority (SLTDA) in Sri Lanka.

59. Cooperation Agreements or Exchange of letters between WIPO and the lead agencies of each of the four countries were signed and helped to draw political support and stakeholders' involvement. The creation of Steering Committees in three of the four countries, which represented relevant government institutions, private sector tourism operators and academia, ensured coordination and visibility.

(ii) Case studies

60. Six case studies (two in Ecuador, one in Egypt, two in Namibia and one in Sri Lanka) were prepared. The summary of two studies were presented to the CDIP: the study on "Intellectual Property: A Mechanism for Strengthening Provincial Identity within the Framework of the Imbabura Geopark Project"<sup>17</sup> and a summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt.<sup>18</sup> According to the Project Manager, the study from Sri Lanka and two case studies from Namibia will be presented to CDIP 24 in November 2019.

61. The study in Egypt analyzed the potential use of the IP system to boost economic activity and promote cultural heritage in four locations of unique touristic interest: a) the Nubian (Golden Land) route; b) the Holy Family Journey route; c) the Siwa Oasis route; and d) the National Museum of Egyptian Civilization (NMEC) in Cairo. The study is only available in English, while Egypt's official and commonly used language is Arabic. The study is thus not accessible for a broader interested public that might not be able to absorb an academic paper in English.

62. It seems thus unlikely that the country studies will reach a broader audience. For a wider well-informed public or even broader audiences in the tourism sector, they are too academic and theoretical. Using them for academic purposes would require significant additional research and editorial work.

63. According to the Project Manager, the studies were agreed as to their content and approach with the Steering Committees. They were intended to inform the stakeholders of the research findings. Dissemination to broader audiences was not envisaged but would have been desirable to broaden the potential impact of the studies.

64. Some parts of the studies are rather generic and partially overlap with existing publications. That again is a problem of sector-specific IP publications as basic principles of applying IP to valorize goods and services remain similar.

(iii) Guide on IP and tourism

65. A practical guide on IP and tourism has been drafted but has yet to be finalized. This guide is expected to result in a co-publication between the UNWTO and WIPO. Discussions with the UNWTO to use the guide as a basis for a joint publication are reportedly ongoing. It remains unclear when and in what form the guide will be published and how it will be disseminated.

66. The draft version of the guide explains the socio-economic importance of tourism for developing countries. The authors explain the intersection between IP, tourism, culture and

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<sup>17</sup> Only a summary is available. See: CDIP 21/INF/5, April 11, 2018, summary of the study on "Intellectual Property: A Mechanism for Strengthening Provincial Identity within the Framework of the Imbabura Geopark Project", Sebastián Barrera, Founder, Creative Director, Kompany Latam, Quito.

<sup>18</sup> See: CDIP 22/INF/4, October 18, 2018, summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt prepared by Ms. May M. Hassan, Founder of IP Mentor, Intellectual Property Attorney and Field Researcher, IP Trainer in the National (start-up) Intellectual Property Academy.



development. The guide highlights the opportunity for developing countries to use IPRs for promoting the vast and unique tourism and cultural assets they possess, which in turn may contribute to addressing socio-economic development objectives.<sup>19</sup> Based on case studies of successful examples, the guide mainly explores the valorization of cultural heritage, although it also highlights the importance of using other forms of IP in tourism-related businesses, including businesses that could benefit from tourism (e.g. sales to tourists or hotels). Examples are mainly certification marks and geographical indications.

(iv) Awareness raising activities

67. The Project reported the following awareness raising activities:

- (a) Three stakeholder workshops were conducted in Ecuador.
- (b) In Egypt, the Project supported three awareness-raising seminars with Steering Committee members and two capacity-building events. The focus of capacity building was on the needs of the handicraft sector, museums and world heritage collections, with a view to assisting them in the effective management of their IP assets and in their strategies to attract more visitors.
- (c) Namibia: four national workshops for tourism stakeholders and policymakers. The Project provided input to the strategic approach in the use of IP for tourism promotion in the framework of the national IP strategy. BIPA will continue with awareness and capacity building workshops for non-IP specialists.
- (d) Sri Lanka: three national workshops for tourism stakeholders and policy makers. Follow-up on the workshop is not clear.

68. No follow-up plans are available. Two of the four IP Offices confirmed that they were offering awareness raising events specifically targeting the tourism sector.

(v) Awareness raising and teaching material

69. Instead of a video documentary, a webinar on IP, Tourism and Culture was held in August 2018 in cooperation with the European IPR Helpdesk, on "IP, Tourism and Development". WIPO reported that the event was attended by over 70 participants from 15 European countries. The purpose was to exchange experience for the design of specialized curricula in the field of tourism and to introduce IP considerations in the context of tourism management education.

70. Three sets of teaching materials (Ecuador, Namibia, Sri Lanka) were produced.<sup>20</sup>

(vi) Initial outcomes observed

71. The Project aimed at the following two broader objectives:

- (a) Create capacities for key tourism stakeholders, as well as for national/local authorities, including IP offices, of how to use IP tools and strategies to add value and diversify tourism-related economic activity, including activity related to the promotion of tourism, national and/or local knowledge, traditions and culture.
- (b) Raise awareness of the academic community of the intersection between IP and tourism in the framework of growth and development policies with a view to developing

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<sup>19</sup> Intellectual Property, Tourism and Culture - A Best Practices Guide on the use of IP in Tourism and Cultural Heritage Promotion to Support Development Objectives.

<sup>20</sup> Not yet available for review, but existence cross-validated through interviews with the project team, the authors of the material and beneficiaries.

teaching materials and promoting the inclusion of specialized curricula in tourism management schools and in national IP academies.

72. In Ecuador, the following main outcomes were observed:

(a) SENADI organized a series of training programs for the local communities, highlighting the links between the use of IP, local economic activity (mainly handicrafts) and local development, also emphasizing respect for cultural identity and traditions. SENADI confirmed that IP awareness raising to the tourism sector has become a regular activity.

(b) SENADI and the provincial government of Imbabura signed an agreement to develop IP and branding strategies for the promotion of the province's economic activity based on the uniqueness of its eco-tourism. SENADI intends to use the study on "Intellectual Property: A Mechanism for Strengthening Provincial Identity within the Framework of the Imbabura Geopark Project" as a role model for other tourism destinations. SENADI expressed its commitment to rework the study to make its content more understandable to target audiences beyond IP specialists.

(c) With support of the Project, SENADI and the Polytechnic School of the Armed Forces, (ESPE) jointly developed a course, which will be taught starting in 2020 to initially 500 students<sup>21</sup>. The course will be four hours per week (64 hours per semester). In addition, IP topics have been mainstreamed in other courses (for example into marketing classes) through a workshop for teachers. ESPE plans to provide support to introduce the same course in four other universities (approximately 3,000 students). SENADI also provides courses on IP and tourism to other tourism professionals.

(d) According to SENADI, the Ministry of Tourism incorporated IP aspects in its trainings for tourism officials.

73. The interest through awareness raising activities in Egypt, including within the National Museum, has not yet led to tangible outcomes.

74. The Namibian University of Science and Technology (NUST) announced that the set of teaching materials on IP and Tourism it had developed as a project output could be used as a basis for the further elaboration of a course outline to be shared by other national universities, including the University of Namibia (UNAM). No decision has been taken.

75. In Sri Lanka, the Project generated significant visibility and political support. Three cluster areas were recognized as being of priority interest for Sri Lankan tourism - cultural, ecological and wellness tourism. This positive momentum did however not translate into any outcomes. Positive developments stalled in 2018 due to political changes.

76. More generally, WIPO's standing and credibility as an UN organization supported the IP Offices to explain the potential of IP for the development of tourism to key stakeholders.

77. Beyond technical input, WIPO seems to have played a facilitating role to convene different tourism stakeholders.

78. Notwithstanding the initial promising developments mentioned above, follow-up on the support provided by the Project deserves sustained attention by IP and tourism authorities in the countries concerned if the recommendations emerged from the Project through the country-level research are to produce concrete results.

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<sup>21</sup> Included the development of a syllabus and teaching materials. This new Masters-level academic course on IP and Tourism will be taught in the fifth semester of the Masters of Tourism

(vii) Impact

79. It was too early to assess results at the impact level.

(D) EFFICIENCY

(i) Financial implementation

80. The budget utilization rate as per end of July 2019 reported by the Secretariat was 91%.

81. In addition to the official financial report, the Project Manager prepared a breakdown of expenditures according to key activities and countries as per 19 August 2019, which showed that CHF 305,662 or 95.5% of the total budget of CHF 320,000 (non-personnel costs only) has been spent.<sup>22</sup>

82. In terms of key activities:

- (a) CHF 131,506 or 41.1% of the budget have been spent on the general guide and country studies;
- (b) CHF 17,049 or 5.3% on the identification of tourism stakeholders;
- (c) CHF 94,190 or 29.4% on capacity building activities;
- (d) CHF 45,331 or 14.2% on teaching IP (including teaching material);
- (e) CHF 17,586 or 5.5% on other awareness raising activities.

83. In terms of type of costs (as per 19 August 2019), most of the expenditures (CHF 203,249 or 64%) were spent for expertise. Travel for staff missions (CHF 77,973) accounted for 24% of the budget, costs of seminar venues, catering and publications CHF 24,440 (8% of the budget).

84. While personnel costs were not budgeted under the Project, they might have been significantly higher as both the Project Manager and her Director contributed to the Project.

85. The relation between total costs (inputs) to outputs (e.g. studies, seminars) delivered seems to be comparable with other WIPO projects with similar activities.

(ii) Approach

86. The Project's approach was to strengthen IP within one sector (tourism), covering various types of IPRs and functions in the IP system, including teaching IP.

87. This contrasts with most other DA projects, which work on specific IPRs or elements of the IP system serving the needs of different IP users.

88. The expectation was that an industry-specific project would allow to better cater users' needs and allow for a more holistic, more in-depth support.

89. WIPO's regular programs are structured along different IPRs and functions within the IP system rather than different groups of IP users. The exception are programs benefitting industries that are to a large degree built upon IPRs, e.g. the audiovisual sector. WIPO's regular activities and non-sector specific DA projects already target most key industries and other IP users of developing countries, either directly or indirectly.

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<sup>22</sup> See detailed financial breakdown provided by the Project Manager as per 19 August 2019 (unofficial figures).

90. The advantage of a project targeting specific IP users is that it requires WIPO to involve multiple stakeholders that might not be its traditional partners. While this has obviously the advantage to potentially broaden its direct outreach beyond IP Offices, the flipside is the complexity of coordinating the stakeholders of different businesses working in or contributing to the tourism industry and different stakeholders of the IP system.

91. No direct overlaps with other WIPO programs in the four beneficiary countries were found. On the other hand, the Project was essentially implemented as a stand-alone intervention, using its own external experts and developing its own awareness raising, capacity building and teaching material, partially in parallel to existing similar activities of the Secretariat, although not directly with the same beneficiaries.

92. As analyzed above, while the Project does link into the DA recommendations it intends to address, the degree it responds to them is rather weak. There is no DA recommendation on strengthening the use of IPRs directly in the tourism sector.

93. Where a DA project does not directly respond to a specific DA recommendation, the Secretariat might want to consult with CDIP (discussion paper) prior to submitting a specific project proposal to the CDIP.

94. The procedure in place for approving new WIPO publications could provide some input on the considerations to be made, thus question of whether the proposed support responds to an expressed need, WIPO's comparative advantage to provide the support, and whether the required service(s) are already available under existing WIPO programmes.

(iii) Coordination and synergies within the Secretariat

95. Coordination and synergies with activities through WIPO's regular programmes beyond utilizing some documentation available within WIPO were rather weak. There was for example no interaction with Programme 4 (Traditional Knowledge, Traditional Cultural Expression and Genetic Resources), although TK and TCEs would be among the IPRS that could potentially contribute the development of attractive tourism products. Programme 16 (Economic Statistics) was not involved, although one of the key purposes of the project was to show socio-economic benefits of IPRs.<sup>23</sup> While synergies remained rather limited, the evaluation did not reveal specific duplications or overlaps that would require the attention of the CDIP.

(iv) Synergies with other organizations

96. The cooperation with UNWTO responds well to DA Recommendation 40 and is a successful attempt to generate a joint deliverable, although the planned joint publication has not yet been finalized. Opportunities to work together with the various other UN Organizations working on tourism and tourism-related industries, some of which have cooperation agreements with WIPO (e.g. UNIDO, partially UNCTAD), were not explored or in the case of UNESCO not successful.

(E) LIKELIHOOD OF SUSTAINABILITY OF RESULTS

97. An attempt assessing the likelihood of sustainability of results at the country level would be premature, as a continuation of benefits depends largely on a follow-up by the respective IP Offices. Follow-up activities are already ongoing and likely to continue in Ecuador and in Namibia. At the global level, the Project was successful in explaining the benefits the valorization of IP

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<sup>23</sup> The Economics and Statistics Division is responsible for collecting statistics on IP activity worldwide and making these statistics available to the public. In addition, the Division carries out economic analysis on how IP and innovation policy choices affect economic performance.

brings to tourism. The planned joint publication on IP and tourism, if completed as planned, will allow for broader dissemination of insights beyond the Project's four target countries.

98. As explained earlier, most of the support that has been provided is already part of WIPO's regular programs. Limited further assistance to consolidate and complement support is thus available. No new service has been piloted that could be developed and mainstreamed. The value added of a new project phase beyond continuing work that was planned to be done during the first phase would be limited. A follow-up project or phase is not warranted.

### **3. CONCLUSIONS**

99. The findings and assessment above led to the following conclusions:

#### **Conclusion 1 on project preparation and management**

100. In terms of its strategy and organizational set-up, the Project was generally well prepared. Broader objectives and the way to achieve them are clearly defined. Budgets and timelines were realistic, evidenced by the disbursement rate of 95.5% and the fact that most of the deliverables have been completed within the planned duration. The actual project content (activities) was further developed during implementation, catering to specific needs of the four target countries, which were only selected during implementation.

101. The standard templates for project planning and monitoring. Unlike most of the important development actors, WIPO does not use the logical framework tool, which is the commonly applied standard for Results-Based Management (RBM) for all major development agencies, for planning, monitoring and evaluations (PME). The Secretariat believes that this would be difficult due to the negotiated language in project documents. Moreover, a phase-out strategy depicting adequate measures to ensure a continuation of project benefits beyond the Project's support (sustainability) has not been spelled out. Finally, WIPO does not have a mechanism in place that would allow an assessment of whether longer-term results of DA Projects beyond outputs and immediate outcomes have materialized (e.g. ex-post evaluations).

102. Both the Project Manager and her Director were involved in day-to-day implementation of activities, including field missions and capacity building. In terms of personnel costs, which were not budgeted for, the Project was thus more resource intensive for the Secretariat than planned. Overall, management performed well. Partners appreciated the cooperation with the Secretariat and highlighted the flexibility and responsiveness of the project team to their evolving needs.

#### **Conclusion 2 on relevance**

103. Stakeholders who were interviewed confirmed that WIPO's assistance fully met their needs. Generally, the Project targeted countries with a strong tourism potential. The degree of ownership and enthusiasm in different beneficiary countries varied, however. The reason was probably that IP is only one among many factors that are needed to offer competitive tourism products. Also, the Project was at least initially driven by IP specialists rather than by tourism stakeholders.

104. The CDIP's approval by consensus indicates that Member States consider the Project as relevant. The Project was coherent with those DA recommendations it intended to address, although the degree it responded to them was rather weak. No specific DA recommendation directly calls for working on "IP for tourism development".

105. DA recommendations generally relate to issues that need to be addressed to improve the valorization of IPRs for development purposes. They are typically not industry-specific, although some issues raised in the DA might be more relevant for certain industries than for others. WIPO's regular programs are also not industry specific.

106. The provided services are already available within different existing WIPO Programmes (Economic Studies, SME support, capacity building of IP Offices, teaching of IP, policy input), but the Project applied them specifically to tourism development.

107. If a new proposed DA project is not directly responding to a specific DA recommendation, a prior discussion among Member States (based on a discussion paper) would help the Secretariat to ensure that expectations and needs of all Member States are fully met and that the proposed DA project benefits from all existing internal resources of the Secretariat.

### **Conclusion 3 on effectiveness and on sustainability of results**

108. Based on a validation through desk review of reports, internal surveys and interviews, the evaluator endorses the draft completion report prepared by the Project Manager. Main deliverables included: (a) Case studies in four countries demonstrating the benefits of IP for tourism development, (b) in-country capacity building events, (c) the development of curricula to teach IP at tourism schools and universities and (d) a practical tourism guide (only draft, still to be upgraded to a joint publication with the United Nations World Tourism Organization, UNWTO).

109. Deliverables were generally of good quality. Not surprisingly, the main conclusions and recommendations of the studies are rather obvious. The value added of the studies at the country level was primarily demonstrating the approach on how to assess IP use in a specific sector.

110. In Egypt, Sri Lanka and Namibia, anecdotic evidence suggests that awareness on valorizing IP in the tourism sector has increased, but no evidence was found that this has yet led to specific actions or even wider benefits. In these three countries, no decision on introducing IP courses in tourism education has been taken. Whether and when they will be introduced is unclear.

111. In Ecuador, awareness raised by the Project resulted in various follow-up activities. Ecuador's IP Office, SENADI, and the provincial government of Imbabura (Ecuador) signed an agreement to develop, IP and branding strategies for the promotion of the province's economic activity based on the uniqueness of its eco-tourism. SENADI expressed a high degree of enthusiasm and has provided over 20 follow-up courses to the industry so far.

112. With support of the Project, SENADI and the Polytechnic School of the Armed Forces, (ESPE) jointly developed a course, which will be taught starting in 2020 to initially 500 students. The course will be four hours per week (64 hours per semester). In addition, IP topics have been mainstreamed in other courses at the university through a workshop for teachers.

113. Notwithstanding these initial promising developments, few other specific and tangible outcomes that are directly attributable to the Project have been reported. The topic deserves sustained attention by IP and tourism authorities in the countries concerned if the recommendations emerged through the country-level research are to produce concrete results.

114. At the global level, the Project would be successful in explaining the benefits the valorization of IP brings to tourism if the guide on IP and tourism (joint publication with the United Nations World Tourism Organization) is published as planned.

### **Conclusion 4 on the Project's approach**

115. As explained above, the Project's approach was to strengthen IP within one sector (tourism), covering various types of Intellectual Property Rights (IPRs) and functions within the IP system. This contrasts with most other DA projects, which work on specific IPRs or elements of the IP system across industries. The expectation was that an industry-specific project would allow to better cater industry needs and allow for a more holistic, more in-depth support. Working with industry requires the involvement of government offices and industry stakeholders that are not WIPO's traditional partners. While their involvement potentially broadens WIPO's outreach

beyond IP Offices, coordination with multiple partners (stakeholders of the variety of activities in the tourism sectors and those responsible for each of the different IPRs) is complex. The Project advocated for established Steering Committees on IP and tourism, but experience was mixed.

### **Conclusion 5 on synergies**

116. Coordination and synergies with activities through WIPO's regular programmes beyond utilizing some documentation available within WIPO were rather weak. There was no interaction with several other relevant programmes providing similar support, e.g. Economic Studies (Programme 16), Programme 4 (Traditional Knowledge, Traditional Cultural Expression and Genetic Resources). While synergies remained rather limited, no duplications or overlaps of activities at the level of beneficiary countries were recorded. The cooperation with UNWTO was a successful attempt to generate a joint deliverable within the UN system, although the planned joint publication has yet to be finalized. Opportunities to work together with the various other UN Organizations working on tourism, some of which have cooperation agreements with WIPO were not explored or in the case of UNESCO not successful.

### **Conclusion 6 on sustainability**

117. Assessing the likelihood of sustainability of results at the country level would be premature, as a continuation of benefits depends largely on a follow-up by the respective IP Offices. Follow-up activities are ongoing and likely to continue in Ecuador and in Namibia. This seems to be less the case in Egypt and Sri Lanka.

118. Most of the support that has been provided remains available in other WIPO programs. Further assistance to consolidate and complement support (including in addition policy advice where required) is thus available. The planned WIPO-UNWTO publication on IP and tourism will allow for broader dissemination of insights produced by the Project. The Project did not provide a new service that could be further developed and mainstreamed. The value added of a new project on IP and tourism beyond continuing the same work would be questionable.

## **4. RECOMMENDATIONS**

119. From the conclusions above, the evaluation derives the following recommendations:

### **Recommendation 1 (from conclusion 3) to the WIPO Secretariat**

Finalize and publish the tourism guide in cooperation with UNWTO.

### **Recommendation 2 (from conclusion 1) to the WIPO Secretariat**

Include a phase-out strategy in project documents for new DA Projects, outlining the measure to be taken to ensure a continuation of benefits beyond WIPO's support (sustainability of results).

### **Recommendation 3 (from conclusion 5) to the WIPO Secretariat**

Explore opportunities for joint projects with relevant UN organizations that work in the area of trade and private sector development, including but not limited to those mentioned in DA recommendation 40. Unlike stand-alone industry-specific IP projects, this would provide an opportunity to combine sector-specific know-how and relationships with WIPO's competencies in the field of commercializing IP.

**Recommendation 4 (from conclusion 2) to the WIPO Secretariat**

Where proposals for new DA projects are not directly responding to a specific DA recommendation, prepare and submit discussion papers following a standardized format to the CDIP before submitting a specific proposal for a DA project.

The discussion papers should, inter alia, explore the question of whether the proposed support responds to an expressed need, WIPO's comparative advantage to provide the support, and whether the required service(s) are already available under existing WIPO programs.

**Recommendation 5 (from conclusion 1) to the WIPO Secretariat**

Consider commissioning ex-post evaluations to assess wider long-term socio-economic benefits (outcomes) of selected DA projects and based on this, draw general lessons learned on further pursuing IP-related development work.



LIST OF APPENDIXES

<b>Appendix I</b>	Project document
<b>Appendix II</b>	Terms of reference
<b>Appendix III</b>	List of persons interviewed
<b>Appendix IV</b>	List of documents

[Appendixes follow]

APPENDIX I: PROJECT DOCUMENT

The Project Document CDIP/15/7 REV is available at:

[https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=301656](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=301656)

[Appendix II follows]

APPENDIX II: TERMS OF REFERENCE

**TERMS OF REFERENCE**

<b>Title of Assignment:</b>	<b>Project Evaluation: Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries</b>
<b>Name of unit/sector:</b>	<b>Development Agenda Coordination Division (DACD), Development Sector</b>
<b>Place of Assignment:</b>	<b>Evilard (Leubringen), Switzerland</b>
<b>Expected places of travel (if applicable):</b>	<b>During the assignment, you will undertake two missions to WIPO Headquarters; Geneva, Switzerland (dates to be determined)</b>
<b>Expected duration of assignment:</b>	<b>From July 6 to November 22, 2019</b>

**1. Objective of the assignment**

The present document represents the Terms of Reference (ToR) for the evaluation of the project *Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries*, approved during the 15<sup>th</sup> session of the Committee on Development and Intellectual Property (CDIP), held in Geneva, in April 2015.

The aim of the project was to analyze, support and promote awareness of the role of the IP system in tourism-related economic activity. The purpose was to build capacities of key stakeholders in the intersection between IP and tourism, in the framework of growth and development policies. The project was articulated in three phases:

1. Research and documentation activities leading to the identification of existing or potential IP tools for the promotion of tourism, of national and/or local knowledge, traditions, and culture;
2. Capacity-building activities for key tourism stakeholders and national authorities; and
3. Broad-based awareness-raising activities, including the development of appropriate teaching materials and curricula, for the academic community.

The project was implemented under the supervision of the Project Manager, Ms. Francesca Toso, Senior Advisor, Office of the Deputy Director General, Development Sector.

This evaluation is intended to be a participative evaluation. It should provide for active involvement in the evaluation process of those with a stake in the projects: project team, partners, beneficiaries and any other interested parties.

The main objective of this evaluation is two-fold:

1. Learning from experiences during project implementation: what worked well and what did not work well for the benefit of continuing activities in this field. This includes assessing the project design framework, project management, including monitoring and reporting tools, as well as measuring and reporting on the results achieved to date and assessing the likelihood of sustainability of results achieved; and
2. Providing evidence-based evaluative information to support the CDIP's decision-making process.

In particular, the evaluation will assess the extent to which the project has been instrumental in:

- (a) Creating capacities for key tourism stakeholders, as well as for national authorities, including IP offices, on how to use IP tools and strategies to add value and diversify tourism-related economic activity, including activity related to the promotion of national and/or local knowledge, traditions and culture; and
- (b) Raising awareness among the academic community of the intersection between IP and tourism in the framework of local growth and development policies, with a view to developing teaching materials and promoting the inclusion of specialized curricula in tourism management schools and in national IP academies.

### Project Design and Management

1. The appropriateness of the initial project document as a guide for project implementation and assessment of results achieved;
2. The project monitoring, self-evaluation and reporting tools and analysis of whether they were useful and adequate to provide the project team and key stakeholders with relevant information for decision-making purposes;
3. The extent to which other entities within the Secretariat have contributed and enabled an effective and efficient project implementation;
4. The extent to which the risks identified in the initial project document have materialized or been mitigated; and
5. The project's ability to respond to emerging trends, technologies and other external forces.

### Effectiveness

1. The effectiveness and usefulness of the project's guide on IP and tourism in contributing to an enhanced use of the intellectual property system for the promotion of tourism in the selected pilot countries, including through the promotion of national knowledge, traditions and culture;
2. The effectiveness and usefulness of the project in strengthening capacities of key tourism stakeholders, as well as national authorities, on the use of IP tools and strategies in tourism-related economic activities;
3. The effectiveness and usefulness of the project in enhancing awareness among the academic community on the intersection between IP and tourism.

### Sustainability

The likelihood of the continuation of work on the use of the IP system as an effective tool to promote tourism.

### Implementation of Development Agenda (DA) Recommendations

The extent to which the DA Recommendations 1, 10, 12 and 40 have been implemented through this project.

The project time frame considered for this evaluation is 40 months (January 1, 2016 – April 30, 2019). The focus shall not be on assessing individual activities but rather to evaluate the project as a whole and its contribution in assessing the needs of Member States and identify the resources or the means to address those needs. The evaluation will also assess the project's evolution over time and its performance including project design, project management, coordination, coherence, implementation and results achieved.

The evaluation methodology is aimed at balancing the needs for learning and accountability. To this end, the evaluation should provide for active involvement in the evaluation process of those with a stake in the project: project team, senior managers, Member States and national intellectual property (IP) offices.

The evaluation expert will be in charge of conducting the evaluation, in consultation and collaboration with the project team and the Development Agenda Coordination Division (DACD). The evaluation methodology will consist of the following:

1. Desk review of relevant project related documentation including the project framework (initial project document and study), progress reports, monitoring information, mission reports and other relevant documents.
2. Interviews at the WIPO Secretariat (project team, other substantive entities contributing to the project, etc.); and
3. Stakeholder interviews at a beneficiary-country level.

## **2. Deliverables/services**

The Evaluator will be responsible for delivering the evaluation report as described above in accordance with other details provided in this document.

The evaluator will deliver:

1. An inception report which contains a description of the evaluation methodology and methodological approach; data collection tools (including eventual surveys of beneficiaries and stakeholders); data analysis methods; key stakeholders to be interviewed; additional evaluation questions; performance assessment criteria; and evaluation work plan;
2. draft evaluation report with actionable recommendations deriving from the findings and conclusions;
3. final evaluation report; and
4. comprehensive executive summary of the final evaluation report, structured as follows:
  - (i) description of the evaluation methodology used;
  - (ii) summary of key evidence-based findings centered on the key evaluation questions;
  - (iii) conclusions drawn based on the findings; and
  - (iv) recommendations emanating from the conclusions and lessons learned.

This project evaluation is expected to start on July 6, 2019, and be finalized on September 18, 2019. The reporting language will be English. The final evaluation report, including the executive summary, should not exceed 3,300 words.

## **3. Reporting**

The Evaluator will be under the supervision of the Director of the DACD. In addition, the evaluator shall:

- (a) Work closely with the DACD and coordinate with the relevant Program Managers in WIPO as required; and
- (b) Ensure the quality of data (validity, consistency and accuracy) throughout the analytical reporting phases (inception report and final evaluation report).

## **4. Profile**

Mr. Daniel Keller has extensive experience in preparing, managing and evaluating projects, and in conducting institutional assessments both in the public and private sectors. Mr. Keller also has previous experience with WIPO. He has conducted evaluation reports on completed Development Agenda Projects, namely the Project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs (CDIP/7/6); the Project on

Intellectual Property and Socio-Economic Development (CDIP/5/7 Rev.); the Project on Open Collaborative Projects and IP Based Models (CDIP/6/6/Rev.); Project on Intellectual Property and Technology Transfer: Common Challenges - Building Solutions; and the Project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries – Phase II (CDIP/17/7).

## **5. Duration of contract and payment**

The contract will start on July 6, 2019, and will end on November 22, 2019. During this period, the following schedule should be followed:

The inception report should be submitted to WIPO by July 15, 2019. WIPO's feedback shall be communicated back by July 22, 2019. The draft evaluation report shall be submitted to WIPO by September 2, 2019. Factual corrections on the draft will be provided by September 6, 2019. The final evaluation report shall be submitted by September 13, 2019.

The final version of the evaluation report containing a management response in an annex shall be considered by the twenty-fourth session of the CDIP, to be held from November 18 to November 22, 2019. The Evaluator might be required to present the evaluation report during that CDIP session.

The Evaluator will receive a lump sum of 10,000 Swiss francs, payable in two installments:

1. 50% upon acceptance by WIPO of an inception report; and
2. 50% upon acceptance by WIPO of a final evaluation report.

The payment will be subject to the satisfactory reception of the deliverables as per this ToR and upon completion of the tasks outlined therein.

[Appendix III follows]

APPENDIX III: LIST OF PERSONS INTERVIEWED

1. Mr. Amr Abdelaziz, Counsellor, Regional Bureau for Arab Countries
2. Mr. Walid Abdelnasser, Director, Regional Bureau for Arab Countries
3. Ms. Loretta Asiedu, Senior Counsellor, Regional Bureau for Africa
4. Mr. George Ghandour, Senior Program Officer, DACD
5. Mr. Oswaldo Girones, Senior Counsellor, Regional Bureau for Latin America and for the Caribbean (replacing Ms. Beatriz Amorim-Borher, Director)
6. Ms. May Hassan, IP Consultant, author of the country report from Egypt and overall national project coordinator
7. Ambassador Seif alla Kandeel, Director, UN Specialized Agency Division, Ministry of Foreign Affairs, Egypt
8. Ms. Ainna Kaundu, Head of International Relations, BIPA, Namibia
9. Dr. Malan Lindeque, former Permanent Secretary of Trade and Industry, Namibia and author of the country report from Namibia
10. Ambassador Sabine Bohlke-Moller, Former Ambassador of Namibia, Ministry of Foreign Affairs (former Ambassador of Namibia in Geneva)
11. Ms. Mariana Pavón, Coordinator of the newly established course on IP and tourism in Ecuador
12. Mr. Marcelo Di Pietro Peralta, Director, Office of the Deputy Director General
13. Mr. Sampath Punchihewa, IP Consultant, author of the country report and teaching materials, main national project coordinator, Sri Lanka
14. Dr. Wilson Usiña Reina, Miembro Principal, Órgano Colegiado de Derechos Intelectuales-OCDI, Steering Committee Member
15. Prof. Byron Robayo, IP Lawyer and WIPO Consultant, author of the teaching materials on IP and tourism, Ecuador
16. Ms. Francesca Toso, Senior Adviser, Office of the Deputy Director General
17. Mr. Wend Wendland, Director, Department for Traditional Knowledge and Global Challenges, Traditional Knowledge Division

[Appendix IV follows]



## APPENDIX IV: LIST OF DOCUMENTS

### **Evaluation documents**

- WIPO, Revised Evaluation Policy (Second Edition 2016/2020), February 19, 2016
- DAC Guidelines and Reference Series, Quality Standards for Development Evaluation, OECD-DAC, OECD 2010
- United Nations Evaluation Group (UNEG) Norms and Standards for Evaluation (latest version: June 2016)

### **WIPO Programmatic Documents**

- The 45 Adopted Recommendations under the WIPO Development Agenda by the General Assembly of WIPO Member States, 2007
- WIPO Programme and Budget, for the 2016/2017 Biennium

### **Other WIPO Documents**

- Protect and Promote Your Culture, A Practical Guide to Intellectual Property for Indigenous Peoples and Local Communities, WIPO, 2017 (a publication of the Traditional Knowledge Division)

### **Project document and progress report**

- Project Document: CDIP/15/7 Rev, April 22, 2015, project “Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries” (Project Code 01\_10\_12\_40)
- Progress Report: CDIP/18/2 Annex I (August 15, 2016)
- Progress Report: CDIP/20/2 Annex I (September 20, 2017)
- Progress Report: CDIP/22/2 Annex IV (September 14, 2018)
- Completion Report: CDIP 24/4 (September 1, 2019): Completion report of the Development Agenda (DA) project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries
- Analysis of expenditures prepared by the Project Manager as per 19 August 2019.

### **Key deliverables (outputs)**

- Intellectual Property, Tourism and Culture: A Best Practices Guide on the use of IP in Tourism and Cultural Heritage Promotion to Support Development Objectives
- Document CDIP/21/INF/5, April 11, 2018: Summary of the study on “Intellectual Property: A Mechanism for Strengthening Provincial Identity within the Framework of the Imbabura Geopark Project” undertaken in the context of the Project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and Other Developing Countries, prepared by Mr. Sebastián Barrera, Founder, Creative Director, Kompany Latam, Quito.
- Document CDIP/22/INF/4, October 18, 2018: Summary of the Study on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt prepared under the Project on Intellectual Property, Tourism and Culture: Supporting Development Objectives and Promoting Cultural Heritage in Egypt and other Developing Countries, prepared by Ms. May M. Hassan, Founder of IP Mentor, Intellectual Property Attorney and Field Researcher, IP Trainer in the National (start-up) Intellectual Property Academy.

- Study: Intellectual Property in Tourism and Culture in Sri Lanka, prepared by Dr. Nishantha Sampath Punchihewa for the World Intellectual Property Organization (WIPO), 2018
- Country-level case study on Intellectual Property in Tourism and Culture, November 7, 2017, WIPO/BIPA

### **Teaching IP and Tourism**

- Syllabus, Intellectual Property in Tourism and Culture in Sri Lanka and modules 1 - 8
- Draft Module on Intellectual Property and Tourism, by Moses Molatendi and Dr. Erling Kavita, WIPO/BIPA, Draft, September 2018
- Teaching manual “La propiedad intelectual vinculada al turismo y a la cultura”, SENADI/WIPO, 2019, course table and outline (curriculum)
- Letter of the Dean of NUST to the Deputy Director General of WIPO, dated September 7, 2017.
- Two case studies from Namibia on the role of Intellectual Property in sustainable tourism development, M. Lindeque, 21 April 2019
- Selected capacity building material (slides) and webinar documents (online).

[End of Appendix IV and of document]