

Committee on Development and Intellectual Property (CDIP)

Twenty-Ninth session
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**PROPOSAL BY THE AFRICAN GROUP FOR AN INDEPENDENT EXTERNAL
REVIEW OF WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION
FOR DEVELOPMENT**

prepared by the Secretariat

1. On August 26, 2022, the Secretariat received a proposal from the Delegation of Algeria, on behalf of the African Group, concerning the conduct of an independent external review of technical assistance in the area of cooperation for development, for consideration at the twenty-ninth session of the Committee on Development and Intellectual Property (the CDIP).
2. The above-mentioned proposal is reproduced in the Annex to this document.
3. *The CDIP is invited to consider the information contained in the Annex to this document.*

[Annex follows]

PROPOSAL BY THE AFRICAN GROUP FOR AN INDEPENDENT EXTERNAL REVIEW OF WIPO TECHNICAL ASSISTANCE IN THE AREA OF COOPERATION FOR DEVELOPMENT

At its fourth session in Geneva in November 2009, the Committee on Development and Intellectual Property (CDIP) approved the Project on Enhancement of WIPO's Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities. The project included provision for a review of WIPO technical assistance activities in the area of cooperation for development, in line with Recommendation 41 of the Development Agenda.¹

The terms of reference for the review were contained in document CDIP/4/8/REV/TOR. The review was conducted by Ms. Carolyn Deere Birkbeck and Mr. Santiago Roca and their final report was presented to the eighth session of the CDIP, held in November 2011 (document CDIP/8/INF/1).

Subsequently, Member States had extensive discussions and several of the recommendations contained in the report on the external review of WIPO technical assistance in the area of cooperation for development, were implemented (document CDIP/11/4).

There have been, however, some major developments since that last review of WIPO technical assistance in the area of cooperation for development:

- Changing frameworks for inter-institutional collaboration within the UN system and relevant international organizations;
- The adoption and implementation of the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development and the United Nations Sustainable Development Cooperation Framework;
- The increasingly complex and diverse landscape of development and innovation ecosystems;
- The impact of digital transformation, which is revolutionizing economies and societies, and the increased use of new digital technologies in the conduct of technical assistance activities;
- The more prominent role of stakeholders from the public and private sectors (such as non-governmental organizations (NGOs), businesses, universities and project leaders); and
- The increased involvement of WIPO in emerging areas such as advanced technologies and artificial intelligence.

Given the foregoing, the African Group proposes that the CDIP invite the Secretariat to conduct a review of WIPO technical assistance activities in the area of cooperation for development in line with the mandate set forth below.

¹ Recommendation No. 41: To conduct a review of current WIPO technical assistance activities in the area of cooperation for development.

Mandate for the review of WIPO technical assistance activities in the area of cooperation for development

INTRODUCTION

Through its technical assistance for development programs, the World Intellectual Property Organization (WIPO) seeks to ensure that developing and least developed countries can benefit from the use of intellectual property (IP) for their economic, cultural and social development.

As a specialized agency of the United Nations, WIPO contributes to the achievement of the Sustainable Development Goals (SDGs) by providing specific services to its Member States, which enable them to use the IP system to stimulate the innovation, competitiveness and creativity they need to achieve those goals.

The Regional and National Development Sector assists Member States in developing and implementing policies, the aim of which is to ensure the effectiveness of IP ecosystems. It also strengthens the capacity of Member States and stakeholders to use IP as an effective tool for growth and development.

The Organization's various operational sectors and substantive programs support the implementation of capacity-building activities and projects to help to reduce inequalities in access to knowledge and enable developing countries and least developed countries (LDCs) to reap the benefits of the knowledge economy.

The technical assistance and capacity-building provided by WIPO are fully informed by national IP strategies and plans, ensuring a needs- and results-based approach to technical assistance for development.

GOAL

The goal of the review is to assess, at the macroeconomic level, WIPO technical assistance activities in the area of cooperation for development, measuring their effectiveness, impact, use of resources and relevance. Another aim is to assess whether existing internal coordination mechanisms are suitable for those activities, given that the review will be conducted at a time of significant change in the way the Organization operates and delivers services, in line with senior management's new strategic thinking.

Taking into account the Medium-Term Strategic Plan (MTSP) for the period 2022-2026 and the recommendations of the Development Agenda, the main goal of the review will therefore be to pinpoint ways of improving the Organization's technical assistance activities, including how to strengthen its results-based management framework and thereby facilitate the monitoring and evaluation of those activities' impact on development. To that end, baselines will need to be set for the relevant strategic pillars, expected results and implementation indicators where they are not yet in place.

SCOPE

The review will cover WIPO technical assistance activities in the area of cooperation for development implemented during the 2018-2019 and 2020-2021 bienniums. With regard to the more detailed country studies, the review will cover a longer period of time, at least six years, in order to facilitate the assessment of outcomes and impact. All such technical assistance activities for development conducted by all WIPO sectors will be examined.

Key questions

In order to assess the effectiveness, impact, efficiency and relevance of technical assistance for development activities, the review will seek to answer the following key questions:

Effectiveness and impact

- What areas of support has WIPO technical assistance for development focused on during the period under review and has there been any shift in the approach of WIPO?
- What results have been obtained and/or what progress has been made at the country level by WIPO technical assistance activities during the period under review, including development results?
- What is the role of the Organization's stakeholders (such as Government, IP Offices, universities, research and development institutions, NGOs and civil society) in achieving results and what general risks can be identified?
- To what extent does WIPO technical assistance reflect the principles of the Development Agenda?
- To what extent do the conditions needed for WIPO technical assistance to have a lasting impact appear to be in place (for instance, the sustainability of results obtained, national absorptive capacity, ownership of results at the national level, follow-up activities to facilitate procedures)?
- Which specific indicators, in addition to the examples mentioned above, would be suitable for determining whether the conditions for achieving long-term impact are in place?
- What tools and methodologies (including benchmarking tools, and tools and methodologies for developing national IP and innovation strategies) have been developed and are being used to deliver technical assistance and has their use been effective? Which additional tools and methodologies, if any, would be useful?
- To what extent are policymakers at the country level informed about the WIPO Development Agenda and its impact on the Organization's activities?
- What is the impact of using digital platforms on the effectiveness of technical assistance activities? What lessons can be learned from the use of technology to deliver technical assistance during the COVID-19 crisis?

Efficiency

- Are the resources allocated to technical assistance for development being used in a way that optimizes the cost-benefit ratio? What cost-effectiveness measures could be introduced without compromising the achievement of results?
- What are the mechanisms in place for tracking the allocation of resources allocations for development-related activities and do they provide a sound basis for estimating the related expenditure?

Relevance

- Within the context of Development Agenda Recommendation 1,² with which aspects of national IP and innovation strategies, socio-economic objectives and/or development priorities have WIPO technical assistance activities been aligned and how were they selected?
- What means are there to ensure continuing relevance vis-à-vis changing needs and new developments?

Program and project management

- Is the delivery of technical assistance underpinned by a strong development-oriented and results-based framework at the institutional (WIPO) and country levels (such as in national IP and innovation strategies)?
- Are the performance measures in the Program and Budget for the relevant period adequate to facilitate the measurement of achievement of development results? Have good baselines been established?
- Are projects increasingly implemented using good practice project management tools (planning, design, monitoring and evaluation) as per Recommendation 1 of the Development Agenda and are results frameworks at the project level adequately linked to organizational goals and expected results?
- Are adequate monitoring and evaluation mechanisms being put in place, both at the organizational and country level, to ensure that:
 - (a) information on the results obtained is captured;
 - (b) information on the progress made in implementing the principles of the 45 recommendations of the Agenda are available;
 - (c) lessons are learned for the design of future activities; and
 - (d) the assessment of the impact of technical assistance is facilitated (Recommendation No. 38 of the Agenda)?

Coordination of technical assistance for development

- Are the roles and responsibilities internally within the Secretariat for the delivery of technical assistance for development clearly defined? The recent restructuring of the Development Sector and the redefining of its roles and responsibilities vis-à-vis the substantive sectors is expected to facilitate a more effective and efficient delivery of WIPO technical assistance for development: What are the critical success factors?
- How is technical assistance for development coordinated within the Secretariat and with other intergovernmental bodies and do the existing coordination mechanisms facilitate an

² Recommendation No. 1: WIPO technical assistance shall be, inter alia, development-oriented, demand-driven and transparent, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States and activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes of technical assistance programs should be country specific.

efficient and effective delivery of technical assistance for development? If not, what measures or mechanisms should be put in place to improve delivery?

- How does WIPO leverage its cooperation with other United Nations agencies, funds and programs and with other intergovernmental organizations to better address development issues within its mandate? What improvements might be made in future?

METHODOLOGY

The assessment will be conducted through a desk review of relevant documents within the Regional and National Development Sector and other substantive programs as appropriate. That will include national IP strategies and plans, where available. Relevant documents relating to the work of the Assemblies, the Program and Budget Committee (PBC) and CDIP will also be included in the desk review.

Country assessments conducted by an external evaluation team will be used to the extent possible to inform the review.

The desk review will be supplemented by interviews internally with all programs involved in the delivery of technical assistance.

Feedback from the beneficiaries of WIPO technical assistance for development at the national level will be sought through a questionnaire survey. Information obtained through the survey will be supplemented by field visits to six countries, which will be selected based on at least the following criteria:

- Geographical balance and stage of development;
- Representation of both developing countries and LDCs;
- Countries have received substantial technical assistance from WIPO during the period under review;
- Balance of “success cases” and less successful cases, based on the feedback from the questionnaire survey.

Additional criteria may be added by the evaluation team.

Field visits will incorporate interviews with a range of relevant stakeholders. The review shall be conducted in accordance with the United Nations Evaluation Group (UNEG) Standards for Evaluation in the UN System and UNEG Code of Conduct for Evaluation in the UN System.

PLANNING, CONDUCT AND MANAGEMENT OF THE REVIEW

Input from Member States at the CDIP will be sought on the draft terms of reference (ToR) to ensure that the review addresses the issues of greatest interest to Member States. The Development Agenda Coordination Division will manage the review. In order to ensure full objectivity and independence of the review, the Division’s role will be limited to coordination and providing support to the external review team. The review will be conducted by three independent external consultants selected by the Division.

EXTERNAL REVIEW TEAM

The review team should possess the requisite skills and knowledge required to conduct the review in a credible and independent manner. The team should hence include two IP and development experts and one development evaluation expert, preferably also with some knowledge of IP-related issues and experience in the delivery of technical assistance and capacity-building activities in developing countries and LDCs. Once the team is in place, a team leader will be appointed, who will be responsible for conducting the review and delivering the outputs as per the ToR.

EXPECTED OUTPUTS AND TIMELINE

The review is expected to be undertaken between January and October 2023. A first draft report with preliminary findings and recommendations will be made available by the review team to the Secretariat by mid-May 2023. A final report will be submitted by the review team to the Secretariat by the end of November 2023. The review team will present its preliminary findings, conclusions and recommendations to Member States at the thirty-first session of the CDIP, which is due to be held in the second half of 2023. The final report, together with the comments of the Secretariat, will be submitted to Member States at the first session of the CDIP in 2024.

BUDGET

The budget for the review will be decided in accordance with the normal procedures established and applied to WIPO expenditures.

[End of Annex and of document]