



**Internal Oversight Division**

Reference: EVAL 2014-01

**Evaluation Report**

Strategic Goal VI: International Cooperation on Building Respect for Intellectual Property

October 16, 2014

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**LIST OF ACRONYMS**

<b>ACE</b>	Advisory Committee on Enforcement
<b>ARIPO</b>	African Regional Intellectual Property Organization
<b>DA</b>	Development Agenda
<b>IOD</b>	Internal Oversight Division
<b>FIT</b>	Fund-In-Trust
<b>IGO</b>	Intergovernmental Organization
<b>IP</b>	Intellectual Property
<b>IPRs</b>	Intellectual Property Rights
<b>LDCs</b>	Least-Developed Countries
<b>MoU</b>	Memorandum of Understanding
<b>MTSP</b>	Medium-Term Strategic Plan
<b>NGO</b>	Non-Governmental Organization
<b>OAPI</b>	Organisation Africaine de la Propriété Intellectuelle
<b>OECD-DAC</b>	Organization for Economic Co-operation and Development - Development Assistance Committee
<b>OHIM</b>	Office for Harmonization in the Internal Market
<b>PPBD</b>	Program Performance and Budget Division
<b>RBM</b>	Results Based Management
<b>PPR</b>	Program Performance Report
<b>RFO</b>	Request-For-Offer
<b>SMEs</b>	Small- and Medium-sized Enterprises
<b>SMT</b>	Senior Management Team
<b>TDC</b>	Department for Transition and Developed Countries
<b>ToR</b>	Terms of Reference
<b>TRIPS</b>	Trade-Related Aspects of Intellectual Property Rights
<b>UN</b>	United Nations
<b>UNEG</b>	United Nations Evaluation Group
<b>UNEP</b>	United Nations Environment Program
<b>WCO</b>	World Customs Organization
<b>WCU</b>	World Customs Union
<b>WIPO</b>	World Intellectual Property Organization

## EXECUTIVE SUMMARY

Strategic Goal VI is one of WIPO's nine strategic goals, which were adopted by the Member States in 2009 and aim at supporting WIPO in achieving its mandate within an evolving external environment. It calls for creating an enabling environment that promotes respect for intellectual property (IP) in a sustainable way and strengthens the capacity of Member States for the effective enforcement of IP rights (IPRs) in the interest of socio-economic development and consumer protection. The key purpose of this evaluation was to assess whether WIPO, mainly through Program 17, addressed comprehensively and effectively the key objectives of Strategic Goal VI and the relevance of activities developed.

## PROCESS AND METHODOLOGY

The findings and conclusions of this evaluation were obtained after a thorough analysis of an abundant documentation proactively provided by the Program and through semi-structured interviews and meetings with around 40 internal and external key stakeholders. The Program staff was associated from the beginning in the design and data collection phase of the evaluation. It is to be noted that the constructive spirit of Program managers and staff contributed significantly to the successful and timely completion of this evaluation in an iterative and participatory approach: this is a clear lesson learned from this evaluation.

## CONCLUSIONS

Conclusions presented in this report were validated in consultation with Program 17 for their accuracy and appropriateness:

**Conclusion 1: WIPO's support towards achieving the objectives of Strategic Goal VI was generally considered well managed.**

Most of the internal and external stakeholders interviewed commended the excellent cooperation with management and staff of Program 17. Specifically mentioned were quality, responsiveness and service orientation. Clearer definitions of the logical links between outputs and their contribution to expected results, e.g. by using the logical framework tool at the level of contributing Programs, would help to provide greater clarity over achieved outcomes.

**Conclusion 2: Despite some progress, the proper application of Results Based Management (RBM) principles by WIPO both in designing and monitoring the activities under Strategic Goal VI leaves room for further improvement.**

The application of RBM principles in Program management, including the definition and use of Key Performance Indicators has improved and is available for rather broadly defined outcome objectives. As for all WIPO Strategic Objectives and Programs, specific output targets are not defined. Specific output targets linked to SMART indicators would however be important to measure direct deliverables of WIPO, rather than only broader changes generated by them.

All activities delivered under Program 17 and reported to the Advisory Committee on Enforcement (ACE) contributed to building respect for IP as defined in Strategic Goal VI. Funds spent for legislative advice and capacity building were attributed to Strategic Goals I and III. WIPO's work towards Strategic Goal VI benefitted from significant resources from the

Development Sector and Funds-in-Trust (FIT), which are not accounted for under Strategic Goal VI. In the future, disbursement of all Programs should be tagged in such way that they can be attributed to the corresponding strategic goal and accounted for the purpose which they served (in this case “Building Respect for Intellectual Property”).

**Conclusion 3: The Secretariat provided the right type of high quality and relevant support towards the achievement of Strategic Goal VI.**

Strategic Goal VI remained highly relevant to Member States and was addressed through the right types of support, which combined facilitation of policy dialogue within the framework of the ACE meeting, legislative advice, capacity building, and awareness-raising.

The ACE meeting was perceived as a useful platform for exchanging views and information on practices in building respect for IP.

Activities were well tailored to the specific needs of target beneficiaries. Despite limited financial and personnel resources, the Secretariat delivered planned activities and responded timely and in good quality to the requests of Member States.

**Conclusion 4: WIPO’s support to Strategic Goal VI achieved its planned objectives.**

Planned results as defined in Program and Budget were achieved or in some cases exceeded (e.g. number of countries receiving legislative assistance in 2012-2013). Despite the lack of a formal coordination mechanism, activities within the framework of Strategic Goal VI complemented services provided by other sectors of the Secretariat. Where several Programs are involved into specific projects (e.g. legislative advice, awareness raising, capacity building), clear coordination mechanisms should be defined within the Secretariat, notably with the Bureaus.

**Conclusion 5: Technical assistance was generally delivered efficiently and incorporated the core principles of Development Agenda (DA) Recommendation 45**

The approach to training has gradually shifted from direct delivery to building institutional training capacities in beneficiary countries (such as for instance judicial academies, police training schools). Where feasible, this approach should be furthered as it is not only more cost effective (wider reach), but also likely to contribute to sustainability of results.

A key value added of WIPO was recognized in its input to awareness raising strategies.

Existing and new Memoranda of Understanding (MoUs) with other organizations should if possible define specific areas of collaboration, Programs or projects with clearly formulated targets.

**Conclusion 6: Initial although not yet systematic steps towards enhancing sustainability at the level of Member States were taken.**

Examples of activities include: (a) the shift from direct capacity building to strengthening training institutions, (b) supporting Member States to build their own strategies, notably in the field of awareness raising, and (c) assisting Member States to prepare and implement their own Programs on building respect for IP. In the future, it is suggested to further reinforce the approach to (a) institutionalize capacity building on building respect for IP through building capacities of specialized training institutions (i.e. specialized schools and academies), (b) providing Member States with advice on awareness raising strategies and the design of own Programs on building respect for IP, (c) conduct capacity building for legislative drafters in the

implementation of Part III of the TRIPS Agreement – Enforcement of Intellectual Property Rights.

Overall, the evaluation is of the opinion that the work of the Secretariat under Strategic Goal VI was efficient, effective and relevant and that the improvements made over the evaluation period (2010-2014) are sufficiently addressing the few challenges identified by the contributing Programs on an ongoing basis.

Based on the above conclusions and observations, there are no recommendations formulated for improvements which are specific to Program 17 or other contributing Programs. Suggested enhancements mentioned above are to the attention of the whole Organization. They were mentioned in previous oversight reports<sup>1</sup> and specific recommendations were formulated to address these.

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<sup>1</sup> IOD validations of Program performance Reports (VALID 2014-01), Kenya and Thailand Country portfolio Evaluations (EVAL 2012-01 and EVAL 2013-02), Results Based Management Audit (IA 2013-05).

## 1. INTRODUCTION

1. This evaluation is guided by the Terms of Reference (ToR) dated April 27, 2014 (see Annex IV) and the inception report dated July 15, 2014. It presents key findings from extensive data and information-gathering in June – August 2014 and makes conclusions on effectiveness, coordination and sustainability.

2. Strategic Goal VI is one of WIPO's nine Strategic Goals, which were adopted by the Member States in 2009 and aims at supporting WIPO in achieving its mandate within an evolving external environment.

3. Strategic Goal VI calls for creating an enabling environment that promotes respect for intellectual property (IP) in a sustainable way and strengthens the capacity of Member States for the effective enforcement of IP rights (IPRs) in the interest of socio-economic development and consumer protection.

4. Respect for IP is a basic tenet of membership of WIPO. Building respect for IP embodies a broader approach than that covered by the enforcement of IP rights alone. It calls for a focus on international cooperation where WIPO can make a difference. This is a broad, cross cutting goal, spearheaded by the Secretariat and supported by many different areas of WIPO's activities. The WIPO Advisory Committee on Enforcement (ACE) serves as a mechanism for Member States to coordinate work towards this goal. Work under this Strategic Goal is guided by DA Recommendation 45. As the main responsible for delivering on Strategic Goal VI Program 17 is supported by close in-house cooperation from many different WIPO Programs<sup>2</sup>.

### (A) BRIEF DESCRIPTION OF WIPO'S WORK

5. Strategic Goal VI on International Cooperation on Building Respect for IP is defined under the Medium-Term Strategic Plan (MTSP) as follows<sup>3</sup>:

Strategic Outcome	Outcome Indicators
Shared understanding and cooperation among Member States to build respect for IP	<ol style="list-style-type: none"> <li>1. Increased international cooperation with Member States, Non-Governmental Organizations (NGOs), Intergovernmental Organizations (IGOs) and the private sector.</li> <li>2. Balanced policy dialogue within the auspices of the WIPO Advisory Committee on Enforcement (ACE), taking into account development-oriented concerns.</li> <li>3. Enhanced capacity among Member States for addressing piracy and counterfeiting.</li> </ol>

<sup>2</sup> In particular with (listed in the order of Programs): Program 2 (Trademarks, Industrial Designs and Geographical Indications), Program 3 (Copyright and Related Rights), Program 7 (Arbitration and Mediation Center), Program 9 (Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least-Developed Countries); Program 10 (Cooperation with Certain Countries in Europe and Asia); Program 11 (WIPO Academy), Program 16 (Economics and Statistics); Program 19 (Communications); and Program 20 (External Relations, Partnerships and External Offices)

<sup>3</sup> WIPO A/48/3 [http://www.wipo.int/edocs/mdocs/govbody/en/a\\_48/a\\_48\\_3.pdf](http://www.wipo.int/edocs/mdocs/govbody/en/a_48/a_48_3.pdf) .

6. Taking into account the main responsibility for Program 17 (Building respect for IP) to achieve this outcome and the expected results of Strategic Goal VI, the evaluation looks at the degree to which work under Strategic Goal VI was supported by other WIPO Programs<sup>4</sup> and to what degree those Programs benefited from Program 17.

7. A list of specific outcome objectives for the biennia 2010-2011, 2012-2013 and 2014-2015 is included in Annex I.

#### (B) OBJECTIVES OF THE EVALUATION

8. The key purpose of this evaluation is to assess whether WIPO addressed comprehensively and effectively the key objectives of Strategic Goal VI and the relevance of activities developed under this strategic goal.

9. The evaluation combines the primary purpose of accountability with the secondary purpose of organizational learning, by informing Program Managers and WIPO Senior Management Team as well as Member States on the performance of WIPO's work under Strategic Goal VI.

#### (C) SCOPE AND METHODOLOGY

10. The evaluation focuses on WIPO's work under Program 17, while looking at possible contributions of other Programs to the substance of Strategic Goal VI.

11. The evaluation is deductive and draws data gathered in the context of the Program Performance Report documents and additional data (see Annex III) with the following scope and methodology.

##### (i) Scope

12. The evaluation assesses WIPO's contributions (mainly, but not solely through Program 17) to Strategic Goal VI during the time period of January 2010 to 30 June 2014.

13. While all that Program 17 is undertaking contributes to achieve objectives towards building respect for intellectual property, some of its outputs and outcomes are accounted for under Strategic Goals I and III (Balanced Evolution of Normative Framework and IP for Development respectively). In this evaluation, the whole range of activities to build respect for IP is considered, including those developed and financed by other Programs or funds.

##### (ii) Methodology

14. The core methodological principles for this evaluation include cross-validation of data sources, an assessment of plausibility of the results obtained and a participatory approach. Enrolment of key stakeholders in the evaluation process and seeking alignment on key findings, conclusions and recommendations significantly contributes to organizational learning, which is a purpose of this evaluation. Data was mainly collected through desk study of documents (see final list in Annex III); and semi-structured in-depth interviews (meetings and/or conference calls)

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<sup>4</sup> In particular those listed in footnote 2.

(iii) Evaluation Norms

15. Evaluation is part of WIPO's regular oversight functions that are guided by the WIPO Internal Oversight Charter and the norms and standards for evaluation it refers to.

(iv) Criteria

16. The following evaluation criteria are used:

- Quality of Program design: the assessment against good practices in RBM, in particular the proper application of standard project planning tools such as logical frameworks;
- Relevance: the extent to which objectives at all levels are consistent with beneficiaries' requirements, Member Countries' needs, relevant Organization priorities and policies;
- Efficiency: the appropriateness of the approach used, the quality of Program management, how economically resources/inputs (e.g. funds, expertise, time) are converted into results ("value for money"), an assessment of quality of service delivery and possible synergies achieved within WIPO and with other organizations;
- Effectiveness: the extent to which objectives are achieved, or are expected to be achieved, taking into account their relative importance. The evaluation further explores possible unplanned/unexpected negative/positive outcomes; and
- Sustainability: an assessment of the likelihood that benefits generated will continue after the assistance/support has been completed.

(v) Key Stakeholders

17. Key stakeholders consulted by the evaluators include the following main groups (see details in Annex II): Program 17 team; representatives of other WIPO Programs; Delegates to the ACE; beneficiaries of capacity building and awareness raising activities as well as of legislative advice; external experts; cooperation partners from international organizations and the private sector.

(D) LIMITATIONS

18. The design of the evaluation limits the fact finding on actors directly involved into WIPO's work, including different Sectors of WIPO, key direct beneficiaries, and organizations WIPO has cooperated with. Broader, more indirect changes generated by WIPO's services at the level of Member States were not an objective and are therefore not documented.

19. Moreover, considering that WIPO's work under Strategic Goal VI commenced only in 2010 (thus was only provided during a period of four years), the plausibility of a causal relationship (attribution, contribution) between WIPO's input and possible impact (wider effects generated by outcomes) seems unlikely. For those reasons, an assessment of wider effects generated under Strategic Goal VI at the level of Member States (impact level) is not possible yet.

## 2. FINDINGS AND ASSESSMENTS

### (A) DESIGN AND MANAGEMENT

#### (i) Design

20. WIPO's contribution to Strategic Goal VI was designed in a way to mainly channeling it through Program 17. Nevertheless, it was expected that other Programs (mainly the substantive Divisions, Communication and the Bureaus) would, in coordination with Program 17, also contribute to the objectives of Strategic Goal VI. On the other hand, Program 17 is expected to contribute to other Strategic Goals, namely I and III<sup>5</sup>. Only around 50% of resources budgeted under Program 17 in 2012/2013 and 2014/2015 are attributed to Strategic Goal VI. Legislative assistance (attributed to Strategic Goal I) and capacity building as well as awareness raising (attributed to Strategic Goal III) are also core activities in building respect for IP, as evidenced by reporting them to the ACE<sup>6</sup>.

21. While areas of cooperation within WIPO are clearly identified in the Program and Budget, neither specific coordination mechanisms nor joint activities or respective roles are defined in the general documents<sup>7</sup>.

22. Under Strategic Goal VI, the Program and Budget defines expected results and performance indicators for Program 17, yet not for other Programs. Unlike for other Strategic Goals (e.g. Strategic Goal III), the Program and Budget does not specifically define overall resources allocated to the achievement of Strategic Goal VI. Performance indicators for rather broadly defined outcome objectives are available. As for all Strategic Objectives and Programs, specific output targets are not defined. Specific output targets linked to SMART<sup>8</sup> indicators would however be important to measure direct deliverables of WIPO, rather than only broader changes generated by them. The quality of indicators as defined in the Program and Budget has improved over time<sup>9</sup>. Nevertheless, some indicators are still not very relevant to the results they aim to measure.<sup>10</sup>

#### (ii) Management of activities related to Strategic Goal VI

23. With a few exceptions, internal and external stakeholders interviewed commended the excellent cooperation with management and staff of Program 17. Specifically mentioned were quality, responsiveness and service orientation. This is also evidenced by personal observation during the evaluation.

24. Activities at output levels are well documented. Reports are comprehensive and complete. Most reports on capacity building activities also include a quality assessment, based on surveys with beneficiaries. Systematic aggregated analysis of quality assessments has been initiated, which will allow better analysis and be useful for organizational improvement. Indirect results of WIPO's services (e.g. the use of legislative advice, follow-up activities on capacity building by Member States) are not yet systematically monitored and reported on.

<sup>5</sup> Source: Program and Budget 2014/2015, pages 130 – 131. Strategic Goal I is on “Balanced evolution of the international normative framework for IP” and Strategic Goal III consists of “Facilitating the use of IP for development”.

<sup>6</sup> Source: see for example WIPO/ACE/9/2, paragraph 7 summarizing assistance to Member States, legislative advice, training and awareness-raising.

<sup>7</sup> Source: Program and Budget 2012/2013, page 124.

<sup>8</sup> SMART: Specific, measurable, achievable, relevant and time-bound.

<sup>9</sup> See e.g. IOD Validation Reports on the Program Performance Reports 2010-2011 (WO/PBC/19/3) and 2012-2013 (WO/PBC/22/9).

<sup>10</sup> For instance, the number of joint activities on building respect for IP do not measure the systematic, effective and transparent cooperation between WIPO and other international organizations in the field of Building Respect for IP. .

## (B) RELEVANCE

25. The objectives under Strategic Goal VI (approved in the respective biannual budgets and work plans) were found to be relevant as was the Secretariat's contribution to achieving them in collaboration with its partners. The evaluation also found that the work towards achieving Strategic Goal VI was fully aligned with DA Recommendation 45<sup>11</sup>.

26. A wide array of stakeholders interviewed confirmed that most activities conducted under Program 17, including policy dialogue through ACE meetings, legislative assistance, capacity building activities and support to awareness raising were highly relevant. Close cooperation between Member States and Program 17 allowed tailoring activities in a way that they cater to specific needs.

27. Legislative assistance provided on a demand basis was of particular importance for both the developing countries being WTO members, who are already under the obligation to implement and comply with Part III of the TRIPS Agreement, and for the Least Developed Countries (LDCs), who are still in the transition period granted to them to comply with Part III of the TRIPS Agreement<sup>12</sup>.

28. An analysis of the specific content of training activities as well as interviews with both experts and seminar participants concluded that the core principles of the DA Recommendation 45 were applied in the design of activities, including trainings. The content of specific activities, including the ACE meetings, also reflects the consensus achieved among Member States to use a holistic approach to building respect for IP going beyond merely applying enforcement measures<sup>13</sup>.

## (C) EFFECTIVENESS

### (i) Policy Dialogue (Advisory Committee on Enforcement)

29. The objective of Program 17 under Strategic Goal VI was to achieve progress in the international policy dialogue among WIPO Member States on building respect for IP, guided by Recommendation 45 of the WIPO Development Agenda. Relevant in this regard is the fact that Member States agreed on the work programs in the 8<sup>th</sup> and 9<sup>th</sup> sessions of the ACE.

30. Interviews of a wide range ACE participants and observers concluded that the key value added of the ACE meeting was to provide a forum for exchanging information and constructive experiences and practices in the field of building respect for IP. The fact that the ACE does not have a norm setting mandate proved to be an advantage.

31. The meeting format that combined presentations with technical discussions also allowed WIPO to focus on one of its core strength, which is to provide a forum for and provide input to policy making by Member States. This could serve as an example for other WIPO committees. Comments from interview participants and an analysis of meeting documents on a sampling basis evidenced the excellent preparation of the meetings by the Secretariat. One meeting participant stated that the ninth ACE meeting (2014) was "the most useful WIPO meeting she had attended for years".

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<sup>11</sup> To approach IP enforcement in the context of broader societal interests and especially development-oriented concerns, with a view that "(...) the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology to the mutual advantage of producers and users of technical knowledge in a manner conducive to social and economic welfare, and to a balance of rights and obligations (...)"

<sup>12</sup> Article 66 of the TRIPS Agreement. The deadline granted to the LDCs was formerly set to July 1<sup>st</sup>, 2013: In June 2013, it has been extended by the TRIPS Council until July 1<sup>st</sup>, 2021.

<sup>13</sup> As, for example, is reflected in document ACE 9/11 prepared by the Secretariat.

(ii) Legislative assistance

32. During the 2010/2011 biennium, Program 17 provided legislative assistance to the Secretariat of one regional IGO (with five members) and initiated legislative assistance to two countries, which were then completed in the following biennium<sup>14</sup>.

33. In the 2012/2013<sup>15</sup> biennium, the number of beneficiary countries increased to one regional group (in Africa) and ten countries. Moreover, WIPO followed up on two diagnostic missions to two countries (one from Asia and one from Africa). Legal drafters from four Member States (two from Africa, two from Asia and the Pacific) were invited to Geneva. The target of four countries was exceeded.

34. Program 17 reported that by the end of June 2014, four countries received legislative assistance<sup>16</sup>.

35. Interviews with a sample of beneficiary countries confirmed the high quality and neutrality of advice, which was considered as unbiased. In general, beneficiary countries appreciated the way that options were presented with their advantages and disadvantages, rather than fixed solutions. They also highlighted the fact that WIPO's comments included considerations on flexibilities of Part III of the TRIPS Agreement. The evaluation validated the assessment of beneficiary countries through the desk study of a randomly selected sample of comments provided to Member States. In some cases, further follow-up on legislative advice was provided by email (e.g. in one case at the stage where new laws were discussed by the Parliament).

36. It should be highlighted that advice on enforcement-related provisions is particularly challenging, since an assessment beyond IP laws is needed. This requires deeper knowledge of national laws (i.e. all legal frameworks on civil, criminal and related laws). Legal texts in one of WIPO's working languages are sometimes difficult to obtain.

37. WIPO's legislative advice also facilitated the internal decision making process of beneficiary countries. Beneficiary countries interviewed confirmed that legislative advice was used in the preparation of new draft laws, which reportedly were at different stages of the approval process. The evaluation was not able to independently validate this.

(iii) Capacity building

38. During the 2010/2011 biennium, 30 capacity building activities to Member States (sometimes in cooperation with regional organizations like OAPI (Organisation Africaine de la Propriété Intellectuelle) and ARIPO (African Regional Intellectual Property Organization)), 24 of which were sub-regional or regional, were delivered<sup>17</sup>. In addition, three regional workshops on enforcement strategies were held in Africa, Asia and certain countries in Europe and Asia. These were complemented by three national events (two in Asia and one in Africa). Program 17 reported a total of 2,180 attendees.

39. For the 2012/2013 biennium, it was planned to provide capacity building activities to at least four countries. Program 17 reported 22 sub-regional and 15 national training activities. Furthermore, it also contributed to 11 general WIPO training Programs with a focus on building respect for IP. Overall, 1,700 attendees were reported. Based on participants' surveys conducted by Program 17, 85% of attendees were satisfied with the quality of the trainings,

<sup>14</sup> The Programme Performance Report 2010/2011, page 84, reported two countries and the Secretariat of a regional IGO. No specific output targets were set.

<sup>15</sup> See Program Performance Report 2012/2013, page 152, reporting 13 beneficiary countries. Legal advice was provided to three African countries, five countries from Asia and Pacific and one country from Latin America and the Caribbean.

<sup>16</sup> Source: Email of Programs dated 15 July 2014 validated by mission reports.

<sup>17</sup> Source: Program records and mission reports. It should be noted that some of these activities were co-funded by FIT from France, Japan and the U.S. Moreover, some of the Bureaus also provided funding to selected activities.

which exceeds the target set in the indicator of 75% satisfaction rate. Participants' satisfaction with the quality of the courses is validated by (a) analyzing a sample of questionnaires on file and (b) interviews with a number of course participants.

40. By the end of June 2014, three countries have so far received support in capacity building, one in Asia and two in Africa. One hundred and fifty people participated in these events.

(iv) Awareness raising

41. More enforcement oriented capacity building activities were complemented by awareness raising, which aim at reducing the market for counterfeited and pirated goods<sup>18</sup>. Moreover, limited support has been provided in the implementation of national awareness raising events or campaigns.

42. Specifically, Program 17 provided support for the development of awareness raising strategies to inter alia, Trinidad and Tobago, Costa Rica, Slovakia, Philippines, Viet Nam, and Tajikistan. The Industrial Property Office of the Slovak Republic received assistance in the development of an awareness campaign consisting of an interactive website and two surveys<sup>19</sup>. Program 17 provided support to the League of Arab States for the development of four animated cartoons aimed at promoting a culture respectful of IPRs, and at raising the awareness of consumers about the negative impacts of counterfeiting and piracy<sup>20</sup>. With assistance from WIPO, the South African Intellectual Property Office developed an animated advertisement aimed at highlighting the benefits and values of the IP system. The Costa Rica Intellectual Property Office received support in the design and set-up of an interactive website on IP with the purpose of targeting youth between 12 and 24 of age on social networks such as Facebook and Twitter<sup>21</sup>. A pilot project was initiated around the 2014 IP Day theme 2014: "Movies: A Global Passion", working with selected Member States, to launch a competition in one school per country, asking students to produce short video clips through mobile phones or digital cameras, putting on scene various situations reflecting "respect for IP"<sup>22</sup>. Funded by the FIT Korea-IP, Program 17 is currently engaged in follow-up activities to the "PORORO" animated cartoon on IP targeting children from five to ten years of age, in particular development of activity books accompanying the videos. The animated cartoon reportedly yielded over five million hits for the three episodes altogether. Moreover, specific outreach tools for children were produced<sup>23</sup>.

43. The potential to work with consumer associations to educate consumers about health and security risks of counterfeit products as a tool to reduce the demand for IP infringing products has so far only been marginally exploited, as these associations often showed little interest.

44. There is a significant potential to strengthen cooperation with specific business associations and chambers, in particular those representing Small and Medium-Sized Enterprises (SMEs), which are often not aware of the risk to use or distribute counterfeited products (e.g. software, replacement parts).

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<sup>18</sup> Source: document ACE 9/11, Preventive Actions, Measures or successful experiences to complement ongoing enforcement measures with a view to reducing the size of the market for counterfeited and pirated goods.

<sup>19</sup> See document ACE 9/14, Pilot Project for Raising the Public Awareness on IP and Enforcement - Campaign on "IP Awareness - IP Education - IP Enforcement", confirmed by interview with the beneficiary.

<sup>20</sup> See document ACE 9/16, the Efforts of the League of Arab States Aimed at Reducing the Infringement of Intellectual Property Rights and Combating Commercial Fraud.

<sup>21</sup> See document ACE 9/12, The Costa Rican Experience: National Project to "Establish a Culture of Respect for Intellectual Property".

<sup>22</sup> The competition was organized in accordance with the following scenario: "If you had produced a movie, had acted in a movie, had written a script, had composed or performed the theme song of a movie, how would you convince your friends to respect your rights in this movie? Why is it important that they respect your rights? Will they gain any benefits from respecting your rights? Why do you often see your friends not respecting these rights?" Participants were asked to develop a short video clip.

<sup>23</sup> See slides 11 and 12 at [http://www.wipo.int/edocs/mdocs/enforcement/en/wipo\\_ace\\_9/wipo\\_ace\\_9\\_11\\_ppt.pdf](http://www.wipo.int/edocs/mdocs/enforcement/en/wipo_ace_9/wipo_ace_9_11_ppt.pdf) and personal observation of the evaluation.

45. As evidenced through personal observation and desk study of reports and interviews with beneficiaries, support delivered to awareness raising was generally of good quality. Cases of technical inaccuracies in awareness raising material could have been prevented by better utilizing knowledge of substantive Divisions and the Bureaus.

(v) WIPO Awards

46. Program 17 reported that between 2010 and 2013, the WIPO Award Scheme granted each year between 121 and 143 medals, 27 – 88 trophies, and 225 – 358 certificates. The WIPO Award Scheme dealt with the requests from between 37 and 41 countries per year.<sup>24</sup>

(vi) International cooperation

47. A total of 35 (2010/2011), respectively 39 (2012/2013), activities were attended or jointly organized with partner organizations, which significantly exceeded the targets set (2012/2013: 35 activities). Evidenced by MoUs on file, three formalized cooperation mechanisms were in place, including with the World Customs Organizations (WCO), Interpol and the Office for Harmonization in the Internal Market (OHIM). WIPO participated in or co-organized a number of high profile events, including the Global Congresses on Combatting Counterfeiting and Piracy<sup>25</sup>.

48. Recognizing the increasing importance of partnership agreements to the protection of IPRs, Program 17 has continuously strengthened the cooperation with the private sector. The importance of IP for consumer protection calls for strengthening the cooperation with consumer lobbies. This might require specific awareness and capacity building activities for them. Additional cooperation with some logical UN partners<sup>26</sup> could be further explored.

49. While a joint event with the United Nations Environment Program (UNEP) on environmentally friendly disposal of infringing goods and the Global Congress on Combating Counterfeiting and Piracy are examples of successful joint-activities, cooperation with some organizations remained more punctual and limited on regular exchanges. Clearly spelled out joint-projects within existing MoUs could help making collaboration more effective. A positive trend towards this has been identified when looking at the most recent MoU with one Organization, where specific areas of collaboration are defined. This should be pursued when updating existing or signing new MoUs.

50. Interviews also revealed that as a more indirect outcome of WIPO's activities, a number of organizations have more recently started integrating development-oriented issues in IPR-enforcement related activities. WIPO seems to have played an important role in widening the approach to IPR enforcement, taking socio-economic realities into account.

(D) EFFICIENCY

(i) Financial Efficiency

51. According to the Program Performance Reports for the biennia 2010/2011 and 2012/2013, the total disbursement for Program 17 amounted to: 2,648,000 Swiss francs for the biennium 2010/2011 and 2,804,000 Swiss francs for the biennium 2012/2013. Program 17 spent in average 1,363,000 Swiss francs per year during the two last biennia, within which 400,000 Swiss francs were budgeted for non-personnel resources.

<sup>24</sup> Summary of detailed statistics were provided by Program 17.

<sup>25</sup> Source: Mission reports of the 6th and 7th Global Congress in Paris (2011) and Istanbul (2013).

<sup>26</sup> For example: Within the existing MoU with the United Nations Industrial Development Organization in the field of standards enforcement, which in many countries play a key role in ensuring safety of consumers.

52. Expenditures under Program 17 are not equivalent to expenditures WIPO spent towards the achievement of Strategic Goal VI. WIPO's work on building respect for IP benefitted substantially from contributions by other Programs under other strategic goals, notably in the Development Sector (activities under Strategic Goal I and III). Moreover, some activities were also co-funded through FITs. Based on anecdotal evidence obtained through interviews, the total additional contributions from other Programs and the FITs to the work undertaken with the specific aim of building respect for IP amounted to over 600,000 Swiss francs per year.

(ii) Efficiency of approach

53. Generally, an appropriate approach for delivering key services aiming at building respect for IP (ACE meetings, legislative advice, capacity building and awareness-raising) has contributed to the efficient achievement of the results reported above.

54. The ACE meetings were considered efficient means for exchanging views and information on practices in building respect for IP. In particular, discussions on specific topics at the technical level were found to be the most appropriate approach to advance on relevance and policy work of the ACE.

55. Evidenced by the study of mission reports and interviews, most capacity building activities were typically delivered through seminars, which were organized together with the national IP offices as WIPO's traditional partners. Events were often attended by a mixed audience. While this helped to foster contacts among different stakeholders in the area of IP enforcement, it was sometimes difficult to cater for the specific training needs of some of them.

56. These types of trainings through fielding experts are not always fully responding to the expectations of all relevant groups of participants and do not allow to go sufficiently in-depth to really equip the target audience with the practical tools they need to fulfill their professional functions<sup>27</sup>. However, it resulted in a better understanding of the subject-matter and the challenges by the participants.

57. To broaden the effects of its training activities, WIPO used a "train-the-trainer" approach. The evaluation found no evidence that follow-up training led by those trained had taken place. In many cases, attendees are busy with their day-to-day work once the seminars end and have no time available to train others. This is in particular true for higher level officials. Further, the risk that knowledge is lost in the case of transfer of officials or staff turnover is high.

58. Regional and sub-regional events provided participants with the opportunity for exchanges among colleagues with often similar challenges. Experience sharing and networking were seen as more important benefits than the training provided.

59. More recently, Program 17 complemented its effort by "incorporating" building respect for IP within institutions specialized in training of enforcement officials. Systematically expanding and reinforcing an institutional strengthening approach (e.g. of judicial academies, police schools, administrative schools) in countries where such training institutions and basic awareness on building respect for IP exist, potentially leads to a multiplying effect. "Institutionalization" of training and awareness-raising in Member States' institutions will also increase chances of sustainability.

60. From the perspectives of IP Offices interviewed, key value added of WIPO's activities in the field of awareness-raising was strategic support and presentation of existing tools for different target groups.

61. Considering the variety of needs among developing countries and LDCs, there is no "one size fits all" approach for all Member States' needs. WIPO's more traditional approach of

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<sup>27</sup> Source : Satisfaction surveys on capacity building activities, 2014

awareness raising and capacity building might sometimes be the only way to create the necessary basic awareness and capacities. For more advanced countries, however, WIPO's traditional approach to awareness raising and capacity building merits to be revisited towards strengthening the capacities of existing training institutions to better perform their own activities, rather than that of individuals.

#### (E) SUSTAINABILITY

62. Capacity building, strengthening international cooperation and policy dialogue, as well as awareness-raising in the field of Building Respect for IP will obviously require sustained efforts over a long period of time. The role of Member States in ensuring the continuation of benefits of WIPO's efforts under Strategic Goal VI is pivotal.

63. Sustainable results were explicitly part of Strategic Goal VI. Yet, no sustainability strategy has been articulated so far. Some - although not yet systematic - efforts were undertaken to increase chances to maintain and further strengthen capacities built and awareness created at national level. Examples include: (a) prioritize wherever possible the strengthening of training institutions, (b) supporting Member States to build their own strategies, notably in the field of awareness raising, and (c) assisting Member States to prepare and implement their own Programs on building respect for IP. Complementing direct legislative advice, WIPO also intends to reinforce its efforts to strengthen capacities of legislative drafters to implement Part III of the TRIPS Agreement.

64. WIPO's efforts to mainstream "Building Respect for IP" into the work of other relevant organizations also contribute to the sustainability of results.

### 3. CONCLUSIONS

#### (A) CONCLUSIONS

(i) WIPO's support towards achieving objectives of Strategic Goal VI was generally well managed

65. With a few exceptions, internal and external stakeholders interviewed commended the excellent cooperation with management and staff of Program 17. Specifically mentioned were quality, responsiveness and service orientation. Outputs are documented through detailed and meaningful reports, which also include an assessment of quality.

(ii) Despite some progress, the proper application of RBM principles both in designing WIPO's activities and monitoring results under Strategic Goal VI leaves room for further improvement

66. The application of RBM principles in Program management, including the definition and use of Key Performance Indicators has improved and is available for rather broadly defined outcome objectives. As for all Strategic Objectives and Programs, specific output targets are not defined. Specific output targets linked to SMART indicators would however be important to measure direct deliverables of WIPO, rather than only broader changes generated by them. Practical application of the logical framework tool at the level of Programs could be one way to ensure that basic quality requirements serving the need of proper project cycle management are met. A limited number of outcome objectives (changes generated by WIPO's deliverables) should be broken down into specific outputs (direct deliverables). All of them should be linked to objectively verifiable indicators that are SMART. Where monitoring requires significant resources (e.g. comprehensive studies, surveys), they need to be included into the budget.

The Program Performance and Budget Division (PPBD) could be consulted on how to achieve the proposed improvements.

67. All activities delivered under Program 17 and reported to the ACE contributed to Strategic Goal VI. Funds spent for legislative advice and capacity building were attributed to Strategic Goals I and III. WIPO's work towards Strategic Goal VI benefitted from significant resources from the Development Sector and Funds-in-Trust (FIT), which are not accounted for under strategic Goal VI, although they contribute substantively to its objectives. It is thus not possible to calculate a precise figure on how much WIPO spends towards achievement of Strategic Goal VI. Disbursement of all Programs should be tagged in such way that they can be attributed to the corresponding strategic goal and accounted for the purpose which they served (in this case "Building Respect for Intellectual Property"). This recommendation is in line with similar recommendations made in previous evaluations for tagging e.g. by country, with the aim to be able to assess more accurately which type of activities were developed in relation to which (types of) countries and by whom.

68. While areas of cooperation within WIPO are clearly identified in the Program and Budget, neither specific coordination mechanisms nor joint activities or respective roles are defined. Where several Programs are involved into specific projects (e.g. legislative advice, awareness raising, capacity building), clear coordination mechanisms should be defined.

(iii) The Secretariat provided the right type of high quality and relevant support towards the achievement of Strategic Goal VI

69. Strategic Goal VI remained highly relevant to Member States and was addressed through the right types of support, which combined facilitation of policy dialogue within the framework of the ACE meeting, legislative advice, capacity building, and awareness-raising.

70. Activities were well tailored to the specific needs of target beneficiaries. Despite limited financial and personnel resources, the Secretariat delivered planned activities and responded timely and in good quality to the requests of Member States.

71. As evidenced by interviews with a broad variety of stakeholders, WIPO's neutrality and expertise was considered as the key comparative advantage in delivering support to building respect for IP. The aim of DA Recommendation 45 was mainstreamed into the different activities, which is reflected by promoting a holistic approach to the enforcement of IPRs.

72. WIPO reports a large number of joint activities with other international organizations, which were sometimes organized by them. Few of them however led to assessable results. A way to provide more evidence for tangible outcomes would be to define and implement specific, clearly formulated joint projects that are relevant to collaborating partner organizations. Amendments of existing and new MoUs should if possible define specific areas of collaboration and programs or projects with clearly formulated targets.

(iv) WIPO's support to Strategic Goal VI achieved its planned objectives

73. Planned results as defined in the Program and Budget were achieved or in some cases exceeded. Despite the lack of a formal coordination mechanism, activities within the framework of Strategic Goal VI complemented other services provided by the Secretariat. The complementarity between sectors and with all contributing Programs was good.

(v) Technical assistance was generally delivered efficiently and incorporated the core principles of DA recommendation 45

74. The approach to training seems to have gradually evolved towards building institutional training capacities in beneficiary countries (such as for instance judicial academies, police

training schools). Where feasible, this approach should be furthered as it is not only more cost effective (wider reach), but also likely to contribute to improving the sustainability of results.

75. Awareness-raising related to building respect for IP in order to reduce the demand for counterfeited goods and to appreciate the value of IP protection is a crucial part of addressing the problem of IPR infringements. The key value added of WIPO was more seen in its input to awareness raising strategies rather than the funding of specific campaigns (unless those could serve as a model for Member Countries). Lately, more emphasis has been given on the development of such national IP awareness strategies.

76. The ACE meeting was perceived as a useful platform for exchanging views and information on practices in building respect for IP. The approach to discuss specific topics at the technical level was appropriate and responded well to the expectations of most participants.

(vi) Initial although not yet systematic steps towards enhancing sustainability at the level of Member States were taken

77. Examples of activities include: (a) building sustainable capacities by strengthening of existing training institutions, (b) supporting Member States to build their own strategies, notably in the field of awareness raising, and (c) assisting Member States to prepare and implement their own Programs on building respect for IP. Complementing direct legislative advice, WIPO also intends to reinforce its efforts to build in-country capacities of legislative drafters.

78. More concretely, to pursue these efforts it is suggested to reinforce the approaches to (a) strengthening of specialized training institutions (e.g. judicial academies), (b) providing Member States with advice on awareness raising strategies and the design of their own programs on building respect for IP and (c) conducting capacity building for legislative drafters in the implementation of Part III of the TRIPS Agreement.

*ACKNOWLEDGMENT*

*IOD wishes to thank all relevant members of staff for their assistance, engaged cooperation and interest during this assignment.*

**ANNEXES**

<b>Annex I.</b>	Biennial Outcome Objectives and Indicators
<b>Annex II.</b>	List of people consulted
<b>Annex III.</b>	List of documents consulted
<b>Annex IV.</b>	Terms of Reference

[Annex I follows]

## Annex I. Biennial Outcome Objectives and Indicators

WIPO's Biannual Program and Budgets define the following specific outcome objectives:

(i) Biennium 2010 – 2011

To create an enabling environment that promotes respect for IP by initiating a constructive and balanced policy dialogue, taking into account Recommendation 45 of the Development Agenda. Performance indicators were the number of studies and research conducted, within the framework of two sessions of the ACE and the identification of elements that affect the respect for IP rights and to undertake an objective assessment of the cost of counterfeiting and piracy, as well as the socio-economic impact thereof.

Strengthened legal frameworks and capacity building for law enforcement officials and the judiciary to deal with IP enforcement in a strategic and coordinated way with right holder cooperation. Performance indicators were the number of countries that benefited from technical assistance on new or updated legislative frameworks for effective enforcement, and the number of requests received on capacity building and formulation of national and regional enforcement strategies.

International cooperation and the integration of IP issues in building respect for IP related activities of partner organizations, measured in terms of joint-activities with external stakeholders (including NGOs and the private sector, the World Customs Union WCU and Interpol).

International cooperation in the framework of the Global Congress on Counterfeiting and Piracy with the World Customs Organization (WCO), Interpol and the private sector, and upon invitation civil society, measured by the number of agreements.

(ii) Biennium 2012 – 2013 and 2014 - 2015

Progress in the international policy dialogue among WIPO Member States on building respect for IP, guided by Recommendation 45 of the WIPO DA in terms of "(...) continued agreement by Member States on the substantive work of the ACE in the biennium, incorporating development-oriented elements (...)", measured by the continued agreement by Member States on the ACE's work.

Tailored and balanced IP legislative, regulatory and policy frameworks, measured by number of countries provided with technical assistance (2012-2013) and the number of countries that adopted or amended relevant frameworks (2014-2015).

Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, Least Developed Countries (LDCs) and countries with economies in transition. Performance indicators were the inclusion of development-related issues in enforcement training Programs and the percentage of satisfaction by trained enforcement officials (2012-2013), and the percentage of targeted audience who demonstrated basic knowledge of IP system after WIPO's activities, the percentage of satisfied trained participants, and the number of countries participating in WIPO Awards Program (2014-2015).

Systematic, transparent and effective cooperation and coordination between the work of WIPO and other international organizations in the field of building respect for IP in terms of number of formal cooperation mechanisms in place and number of joint activities. Performance indicators were the number of formal cooperation mechanism installed (2012-2013), and the number of joint activities (2012-2015).

[Annex II follows]

## Annex II. List of people consulted

Below is a list of key stakeholders consulted during the evaluation process.

#	STAKEHOLDER NAME	FUNCTION	DEPARTMENT/ ORGANIZATION
<b>WIPO STAFF MEMBERS</b>			
<b>Program 17</b>			
1	Mr. Johannes Christian WICHARD	Deputy Director General	Global Issues Sector
2	Ms. Louise VAN GREUNEN	Director	Building Respect for IP Division
3	Ms. Eun Joo MIN	Senior Legal Counsellor	Building Respect for IP Division
4	Mr. Xavier VERMANDELE	Senior Legal Counsellor	Building Respect for IP Division
5	Mr. Thomas DILLON	Counsellor	Building Respect for IP Division
6	Mr. Tobias BEDNARZ	Legal Officer	Building Respect for IP Division
<b>Program 2</b>			
7	Mr. Marcus HÖPPERGER	Director	Law and Legislative Advice Division
<b>Program 3</b>			
8	Ms. Michele WOODS	Director	Copyright Law Division
9	Ms. Geidy LUNG	Senior Counsellor	Copyright Law Division
<b>Program 7</b>			
10	Mr. Ignacio DE CASTRO LLAMAS	Deputy Director and Head	IP Disputes Management Section
<b>Program 9</b>			
11	Ms. Joyce Claire BANYA	Senior Counsellor	Regional Bureau for Africa
12	Ms. Neema NYERERE DRAGO	Senior Program Officer	Regional Bureau for Africa
13	Mr. Yves NGOUBEYOU	Senior Program Officer	Regional Bureau for Africa
14	Ms. Dalila HAMOU	Director	Regional Bureau for Arab Countries
15	Mr. Mansur RAZA	Deputy Director	Regional Bureau for Asia and the Pacific
16	Mr. Ye Min THAN	Senior Program Officer	Regional Bureau for Asia and the Pacific
17	Mr. Juan Antonio TOLEDO BARRAZA	Director	Regional Bureau for Latin America and the Caribbean
18	Mr. Oswaldo GIRONES JORDA	Counsellor	Regional Bureau for Latin America and the Caribbean
19	Ms. Carol SIMPSON	Head	Caribbean Section
<b>Program 10</b>			
20	Ms. Biserka STREL	Head	Section for Central European and Baltic States and Mediterranean Countries
21	Ms. Saule TLEVLESSOVA	Head	Section for Caucasian, Central Asian and Eastern European Countries
22	Mr. Ryszard FRELEK	Assistant Program Officer	Department for Transition and Developed Countries (TDC)
<b>Program 11</b>			
23	Mr. Tshimanga KONGOLO	Head	Professional Development Program

#	STAKEHOLDER NAME	FUNCTION	DEPARTMENT/ ORGANIZATION
<b>Program 16</b>			
24	Mr. Carsten FINK	Chief Economist	Economy and Statistics Division Section
<b>Program 20</b>			
25	Mr. Joseph BRADLEY	Head	Intergovernmental Organizations and Partnerships Section
<b>EXTERNAL STAKEHOLDERS</b>			
<b>Policy Dialogue (Advisory Committee on Enforcement - ACE)</b>			
26	Ms. Pamela WILLE	Counsellor	Permanent Mission, Germany
27	Mr. Denis BOHOUSSOU	Director General	Office ivoirien de la propriété intellectuelle
28	Mr. Ricardo BLANCAFLOR	Director General	IPOPHIL
29	Mr. Lubos KNOTH	President	Industrial Property Office, Slovakia
30	Mr. Emil ZATKULIAK	Senior Counsellor	Industrial Property Office, Slovakia
<b>Capacity Building and Awareness Raising</b>			
31	Mr. Tileinge S. ANDIMA	Registrar	Industrial Property Office, Ministry of Trade and Industry, Trade and Commerce Department, Namibia.
32	Mr. So-Hyun HWANG	Deputy Director	Culture and Trade Team, Ministry of Culture, Korea
33	Mr. Louis HARMS	Judge	South Africa
34	Mr. Oliver SCHÖN	Judge	Germany
<b>Legislative Assistance</b>			
35	Mr. Kencho PALDEN	IP Property Officer	Intellectual Property Division, Ministry of Economic Affairs, Bhutan
36	Mr. Op RADY	Deputy Director	Department of Intellectual Property Rights, Ministry of Commerce, Cambodia
<b>Intergovernmental Organizations and Private Sector</b>			
37	Ms. Junko YAMAMOTO	Technical Attaché	World Customs Organization
38	Ms. Kakuko NAGATANI-YOSHIDA	Program Officer, Compliance Assistance Program	United Nations Environment Program
39	Mr. David BLAKEMORE	Director	Asia-Pacific of IPR Business Partnership Group.
40	Mr. Benoit MÜLLER	Lawyer	International Video Federation
41	Mr. Bruno MACHADO		International Trademark Association

[Annex III follows]

### Annex III. List of documents consulted

Below is a list of documents consulted during the desk review.

<b>WIPO Programmatic documents</b>
<ul style="list-style-type: none"> <li>• The 45 Adopted Recommendations under the WIPO Development Agenda by the General Assembly of WIPO Member States, 2007.</li> </ul>
<ul style="list-style-type: none"> <li>• Medium Term Strategic Plan 2010-15: (Document A/48/3, September 16, 2010), in particular pages 39 – 41; 59.</li> </ul>
<ul style="list-style-type: none"> <li>• Program and Budget for the 2010/2011 Biennium, approved by the Assemblies of the Member States of WIPO on October 1, 2009, in particular Program narrative Program 17 (Strategic Goal VI) – in addition: Program 2 (Trademarks, Industrial Designs and Geographical Indications); Program 3 (Copyright and Related Rights); Program 7 (Arbitration and Mediation Center); Program 9 (Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least-Developed Countries); Program 10 (Cooperation with Certain Countries in Europe and Asia); Program 11 (WIPO Academy); Program 16 (Economics and Statistics); Program 19 (Communications); and Program 20 (External Relations, Partnerships and External Offices).</li> </ul>
<ul style="list-style-type: none"> <li>• Program and Budget for the 2011/2013 Biennium, approved by the Assemblies of the Member States of WIPO on September 29, 2011, in particular pages 124 – 127.</li> </ul>
<ul style="list-style-type: none"> <li>• Program and Budget for the 2014/2015 Biennium, approved by the Assemblies of the Member States of WIPO on December 12, 2013, in particular pages 129 – 132.</li> </ul>
<ul style="list-style-type: none"> <li>• Final Program Performance Report (PPR) Validation Report 2010-2011 (Document WO/PBC/19/3, 6 July 2012, page 55); idem: page 40 (on Program 17) and Final PPR Validation Report 2012-2013 (Document WO/PBC/22/8, 11 July 2014).</li> </ul>
<b>Reports</b>
<ul style="list-style-type: none"> <li>• <b>ACE:</b> Summary of meetings 6<sup>th</sup> – 9<sup>th</sup> session</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Legal Advice</b> (mainly on enforcement-related provisions): Mission reports, assessments and recommendations made to Member States from 2010 to 2014</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Awareness raising/capacity building (2010):</b> Mission reports on seminars, colloquium, symposium, training courses and workshops on IPR enforcement</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Awareness raising/capacity building (2011):</b> Mission reports on seminars, forums, symposium, conferences, training courses and workshops on IPR enforcement</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Awareness raising/capacity building (2012-2013):</b> Mission reports on workshops, regional meetings and evaluation of services provided.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Awareness raising/capacity building (2013):</b> 6<sup>th</sup> and 7<sup>th</sup> Global Congress on Combatting Counterfeiting and Piracy, Paris (February 2/3, 2011), Istanbul (April 24 – 26, 2013)</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Awareness raising/capacity building (2014):</b> Mission reports on training courses, workshops and satisfaction surveys of services provided.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Cooperation with Partners (joint activities):</b> Memoranda/Reports on participation in meetings of partner organizations from 2010 to 2014</li> </ul>

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| <ul style="list-style-type: none"><li>• <b>Cooperation with Partners:</b> Memoranda of Understanding with Interpol (2004), World Customs Organization (WCO) (1996), Office for Harmonization in the Internal Market (OHIM) (2011) [Batch 10, 17 June 2014] and Centre d'Etudes Internationales de la Propriété Intellectuelle (CEIPI) (2013)</li></ul> |
| <ul style="list-style-type: none"><li>• Program 17 What's New presentation on Building Respect for IP.</li></ul>   |
| <ul style="list-style-type: none"><li>• Program 17 Figures on capacity building activities and legislative assistance.</li></ul>   |

[Annex IV follows]

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**Annex IV. Terms of Reference****Internal Audit Division (IOD)****TERMS OF REFERENCE (ToRs)****EVALUATION STRATEGIC GOAL VI:****INTERNATIONAL COOPERATION ON BUILDING RESPECT FOR IP****1. BACKGROUND**

1. The World Intellectual Property Organization (WIPO) is a specialized agency of the United Nations dedicated to developing a balanced and accessible international intellectual property system that enables innovation and creativity for the benefit of all.
2. WIPO's nine strategic goals support the organization in the achievement of its mandate within the evolving external environment. More specifically, Strategic Goal VI aims at creating an enabling environment that promotes respect for IP in a sustainable manner and strengthens the capacity of Member States for the effective enforcement of IP rights in the interest of social and economic development and consumer protection. The work towards the achievement of this Strategic Goal is further guided by Development Agenda (DA) Recommendation 45 (IP enforcement in the context of broader societal interests and especially development-oriented concerns), as well as DA recommendations 1,6,13 and 42.
3. IOD's work is governed by the Internal Oversight Charter approved by the WIPO General Assembly. In accordance with its oversight plan, IOD is conducting the evaluation of the WIPO Strategic Goal VI: International Cooperation on Building Respect for IP.

## 2. OBJECTIVES AND SCOPE OF THE EVALUATION

### (A) PURPOSE OF THE EVALUATION

4. This Request-For-Offer (RFO) is for an independent consultant to assist in the evaluation of Strategic Goal VI: International Cooperation on Building Respect for IP in WIPO.
5. The primary purpose for this assessment is to contribute to the accountability and learning of the organization through the exhaustive assessment of data and information gathered from primary stakeholders involved in and benefitting from the work under Strategic Goal VI.
6. The secondary purpose shall be on learning lessons with a view to improve the delivery under this Strategic Goal in the new biennium.
7. The evaluation will assess the performance of the Program contributing to Strategic Goal VI, including the technical assistance work, and generate evidence on the relevance of the achieved results and outcomes.

### (B) OBJECTIVES AND USES

8. The evaluation will address the following aspects:
  - (a) Building on the project framework as summarized in the Program and Budget (P&B) documents and self-assessments in the Program Performance Reports (PPRs) to confirm the performance and deepen the analysis of efficiency, effectiveness and relevance of confirmed outputs and outcomes;
  - (b) Assess the contributions of WIPO's Programs to the achievement of Strategic Goal VI and analyze the respective outcomes; assess the contribution to WIPO's medium-term strategic priorities and the relevance to recommendations of the Development Agenda (DA) and to progresses made in the International Policy Dialogue;
  - (c) Inform Program Managers and WIPO Senior Management Team (SMT) as well as Member States on the main outcomes and challenges; and provide, if necessary, recommendations for enhancing future Program performance;
  - (d) Identify good practices that could be replicated throughout the Organization as well as improvements of the Program(s) that can be made in the current biennium; and
  - (e) Identify lessons learned from the Strategic Goal evaluation in order to improve further similar evaluations.

### (C) SCOPE

9. The time period to be considered will be 2010-2014 taking into account the modifications made in the formulation of the Program and Budget 2014-2015.

### 3. CRITERIA EN EVALUATION QUESTIONS

10. The evaluation will be assessing activities implemented in relation to the achievement of Strategic Goal VI along the main evaluation criteria of efficiency, effectiveness, outcome, impact, and relevance.

11. The evaluation will be assessing the questions below sorted by each criterion:

A. Questions on Efficiency (efficient use of resources deployed to achieve results):

- Were the activities adequately resourced (both human and financial) to deliver the expected results and achieve objectives in a timely manner and with the requested quality?
- How efficient was the organization and management of the WIPO Advisory Committee on Enforcement (ACE)?
- To which extent were synergies and multiplying effects exploited within WIPO and its partners (Member States, multilateral and bilateral)?

B. Questions on Effectiveness (degree of achievement of expected results contributing to Strategic Goal VI):

- To which extent has the Program achieved each of their expected results that contributed to making progress on the achievement of Strategic Goal VI?
- How adequate were key performance indicators and data monitored to assess progress towards achievement of Strategic Goal VI? Were achievements monitored and reported?
- Have there been unexpected results of WIPO's activities? If so, what have been their key effects on the achievement of Strategic Goal VI?
- What were the key strengths and weaknesses in managing the Program effectively?
- To which extent are the Member States satisfied with the outputs of the Program? Did they have specific requests and were these responded to?

C. Questions on Outcome and Impact (achieving expected changes through the confirmed outputs and how they influenced the context):

- To which extent have the Program's outputs and outcomes contributed to the achievement of Strategic Goal VI?
- How relevant was the substantive work achieved and how adequate was it to the needs of key stakeholders?
- What are likely impacts in the longer term?
- What is the overall level of satisfaction among WIPO stakeholders and Member States regarding the perceived outcomes and their relevance?

- D. Questions on Relevance of the Program and Contribution to WIPO's Strategic Priorities (degree of pertinence of the Program and their appropriateness):
- To which extent have the main results of the Program contributed to Strategic Goal VI been relevant to WIPO's Strategic Priorities?
  - What has been the added value of the main achieved results?
  - To what extent have the Program been relevant to the needs their beneficiaries and to the Development Agenda?
  - To which extent is the intervention theory for Strategic Goal VI informed by gender analyses on the needs and interests of the diverse target groups?
  - What were the factors that affected the relevance of the work done to achieve the set objectives?

#### **4. METHODOLOGICAL APPROACH**

12. The evaluation will be deductive and will draw data gathered in the context of the Program Performance Report documents and additional data.
13. The evaluation process and report shall apply the United Nations Evaluation Group (UNEG) Norms and Standards for evaluation.
14. The methodological approach will engage both internal and external stakeholders through participatory processes, with a suitable mixed methodology and evaluation techniques including document reviews, case studies, consultation meetings, key stakeholders semi-structured interviews, as well as surveys, whenever necessary.
15. This methodology will be refined during the inception phase.

[End of annex IV and of document]