Activity Report 2019
in brief
and an overview of 2016–2019
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The paradox of prevention is that, if you do it right, the steps you took seem overly cautious in retrospect...

Commentary in the press, on the coronavirus crisis taking place at the time this report was written.
Preamble

Background

WIPO is a medium-sized organization, and the yearly volume of its statistical data is commensurate with its size. When these data are the same year after year, they reveal trends that could indicate structural or systemic dysfunctions at WIPO. We must also keep in mind that not all problems are referred to the Office of the Ombudsperson, which records only the cases reported by individuals who have come to it for consultation. For this reason, the actual volume very likely exceeds what is published here. Fuller insight into the real situation could be obtained by having an external provider conduct a survey among the entire staff.

Reading the trends

This is the fourth report produced by the current Ombudsperson. It has gathered and compared data between 2016 and 2019, helping to shed light on any possible systemic trends, as mentioned above.

Methodology and standards used by the Ombudsperson

In this report, a “case” refers to a problem in the workplace that has a risk of developing into a conflict or that has already reached that stage. Cases are recorded according to the classification developed by the International Ombudsman Association (IOA),¹ which includes nine categories. The common use of the IOA categories by ombudspersons working in international organizations² allows for a common terminology to be used, thereby making some comparisons possible.

At WIPO, the Ombudsperson also classifies cases according to whether they involve a concern to prevent the start of a conflict or a need to deal with a conflict that is underway. The ratio between these two types of cases is a significant indicator for WIPO.

Like his colleagues in the UNARIO network, the Ombudsperson is a member of IOA. As such, he has an obligation to comply with the fundamental principles and the ethical code laid down by IOA as duties for its members. The four pillars of the IOA standards are: Confidentiality, Independence, Neutrality/Impartiality and Informality.³

The importance of dialogue

This report, like the previous ones, often speaks of “dialogue”. Given the nature of the Ombudsperson’s activities, it may be tempting to limit the notion of “dialogue” to that of a tool for conflict prevention or resolution. But in our case dialogue is something much broader. Indeed, for organizations seeking to be dynamic, open to learning and innovative, it is a vital social function that they need in order to operate properly.

Restricting the notion of dialogue to merely conflict management makes for a repair (or “toolbox”) approach that is unable to deal with the complex problems that constantly arise in an organization such as ours.

Instead, dialogue as discussed here corresponds to the way in which we perceive our relationship with work and our work environment. Dialogue allows for the right to make mistakes and for critical thinking. It makes it acceptable to agree to disagree if necessary, and it requires that we leave our egos behind. Finally, dialogue helps us recognize what we have learned from a difficult discussion, so that we can decide together how to move forward. But to do so we also need to devote the time needed for dialogue.

Dialogue is knowing how to live, not just know-how. At the same time, not everything depends on the individual. For some people, dialogue is a natural skill. Others, who are less at ease with it, need a favorable environment for them to feel encouraged and reassured enough to engage in it. In an environment in which dialogue is promoted and encouraged, and in which the individuals who engage in it are recognized, it is easy to acquire as a skill. It takes just a small step for the process to become viral and to make for in-depth change within the culture of a system.

¹ The nine IOA categories are shown in the annexes.
² These include ICRC, IOM, CERN, UNHCR, ITU, World Bank, WFP, IMF, FAO and others, in a network known by the acronym UNARIO (United Nations and Related International Organizations).
³ The details of the nine IOA categories and the IOA Code of Ethics are provided in the annexes.
Summary and recommendations

Approach

The approach to and content of the present report differ slightly from previous years. In the reports from 2016 to 2018, the cases were reviewed on a yearly basis, accompanied by more detailed analysis of the three dominant categories. In contrast, this 2019 report pools all the data collected since 2016, as explained in the preamble.

Overview of 2019

Here, the report nevertheless provides a few facts and figures that give an overview of the situation from January 1 to December 31, 2019:

- 92 cases were registered.
- 230 to 250 individuals had a one-on-one talk with the Ombudsperson or met with him at a group event (training, team meeting, mediation within a group).
- Nearly 300 hours were spent on confidential talks.
- Two mediation actions were put into motion, and many other cases could have been resolved through mediation.4
- The Ombudsperson participated in the work of the Planning Committee that prepared the annual UNARIO conference, which was held in Bangkok in August 2019.
- The Ombudsperson regularly participated in the monthly meetings of the local network of Geneva-based ombudspersons.
- A call was launched to expand the Relays network.

Part I in brief

Part I presents the data on issues submitted to the Ombudsperson. These data give an indication of the social atmosphere within WIPO.

More details on 2019

To round out the 2019 overview presented above, Table 1 lists the case registrations made in 2019, by IOA category and also by whether the request was made to prevent the risk of conflict or to resolve an existing conflict. The table indicates a significant increase in requests for preventive action, which is a positive sign.

Trends for 2016-2019

The compiled data from 2016 to 2019 indicate the following:

- The annual caseload is relatively stable, ranging from 92 to 104 cases per year. We can see, for example, that each year 8.5 to 9.5 per cent of WIPO staff seek out the services of the Ombudsperson (Graph 1).
- The proportion of requests for preventive action has been on a constant and significant rise since 2016. In 2019, the number of such requests even exceeded that of requests related to existing conflict (see Graph 2). It would be good to see this trend stabilized or even further strengthened.
- Several IOA categories are regularly noted high in the annual ranking. Persistence of this trend may indicate the existence of systemic causes that can be dealt with at an organizational level, through training among other methods. Treating those causes also requires political will for change to be expressed from the top of the pyramid. The three categories most often found high in the ranking (Graph 3) are:
  - **Organization, leadership and management** for 21 per cent of all cases recorded in 2016–2019,
  - **Job and career** at 17 per cent of cases over four years, and
  - **Evaluative relationships** (with supervisory relationships) at 16 per cent of all cases.
- Next comes a section devoted to breakdown according to gender and sexual orientation. The two graphs on this subject (Graphs 4 and 5) give a mixed picture, with quite large fluctuations. While we cannot make firm conclusions based on these findings, there is a stable and reliable element that appears consistently: the cases submitted to the Ombudsperson are mostly from women, and at times in proportions that are notably different from their demographic profile within WIPO (see Graph 6 in particular). This is a long-standing trend that cannot be explained intuitively or succintly. Its causes are many in number and in all likelihood deeply rooted in socio-cultural patterns that have existed for ages. To search for any underlying mechanisms behind this finding, the Office of the Ombudsperson proposes to make use of a survey planned as part of the “Fostering a respectful and harmonious workplace initiative”. This is

4 Very likely close to half. This trend of opting out is discussed later in the report.
necessary if we want to make systemic change rather than tackling just the symptoms, which will surely reappear the following year.

– One last graph (Graph 7) indicates the grades/professional categories of the individuals who have come to consult the Ombudsperson. What it mainly shows us is that the Ombudsperson has few occasions to interact with the Senior Management Team (SMT) other than on an ad hoc and informal basis. In 2019, the DG’s Office made a commitment to create a structured communication channel between the SMT and the Ombudsperson. However, this never came to light. In this report, we thus renew this recommendation in order to establish this channel and make it operational. (see Recommendation 3).

### Two under-represented groups

Part I concludes on two topics that have also been dealt with in the past:

– Some segments of people are more vulnerable than others and are therefore exposed to a greater risk of abuse or harassment. They include interns, fellows with a work grant, and more generally non-staff personnel. However, WIPO made headway on this issue in 2019, by making it possible for these categories of personnel to file an official complaint. This is a step forward that strengthens their right to protection against abuse. Greater attentiveness is nonetheless called for, especially in the case of interns and fellows. Because these segments are generally under-represented in the Office of the Ombudsperson statistics, it will be important to see whether they become more visible in the 2020 statistics.

– Staff members from the industrialized countries of the western part of the Northern hemisphere are notably over-represented in the statistics (over 90 per cent of cases). We should try to better understand this phenomenon, to ensure that the under-representation of other segments is not due to feelings of exclusion or discrimination.

### Part II in brief

This part examines the data relating to the level of satisfaction of individuals who sought advice from the Ombudsperson. They are sent an online and anonymous evaluation questionnaire once their case is considered closed. The questionnaire is also sent to those who participated in the presentations, training sessions and information sessions conducted by the Ombudsperson. This questionnaire can be found in the report annexes.

The respondents are asked about:

– The ways in which the Ombudsperson operates and takes action: his reliability, trust, transparency, independence, confidentiality, etc. The results appear in Graph 8.

– The impact and usefulness of the Ombudsperson on cases submitted to him (Table 2 and Graph 9).

Generally speaking, the findings indicate that the individuals who have contacted the Ombudsperson are satisfied with the services provided. They assess the way in which he executes those services to be reliable and trustworthy and that the results achieved are satisfactory. By extension, these findings reflect positively on WIPO as the instigator of the Office of the Ombudsperson. This is all the more true when we consider that one of the indicators of the questionnaire reveals a considerable level of confidence in WIPO’s internal justice system. However, The Ombudsperson has noticed some ambivalent opinions about that system, in the form of comments made during informal talks and meetings. Those opinions are not always as indulgent toward the system as are the questionnaire responses.

### Part III in brief

This part of the report describes the services and activities of the Office of the Ombudsperson. It is mostly for reference purposes, and its content varies little from year to year. It is especially intended for newcomers to WIPO who are unfamiliar with the role and duties of the Office of the Ombudsperson. Part III covers:

– confidential talks
– mediation activities
– the various occasions for the Ombudsperson to meet with WIPO staff
– relations with the External Offices
– relations with external bodies and networks
– the “Relays” network.
Conclusion

The report ends with a more personal reflection by the Ombudsperson: the COVID-19 crisis is raging as he completes this report, suggesting that 2020 will be a year unlike others. But it should be possible to learn lessons from the crisis, as with any challenge. Your Ombudsperson calls on all of us to show goodwill, to see that this unusual period can be transformed into a time of renewal.
Recommendations

In this report, four cross-cutting recommendations are made; two of them were already included in the 2018 Annual Report.

**Recommendation 1**

Since 2016, the Ombudsperson has noted a gender gap in his case statistics. This trend had been already observed in the reports of his predecessor. This unbalance varies from year to year in terms of scale, but it is continuous overall. Due diligence calls for this gap to be investigated. It should be mentioned here that this trend has been reported since 2008 and has appeared in nearly all the reports of the Office of the Ombudsperson since then. The “Fostering a respectful and harmonious workplace” initiative launched by the Human Resources Management Department (HRMD) in 2019 is to be rounded out by an impact study, which will help us to understand the underlying causes of the statistical gaps. The Ombudsperson asks the HRMD to include this issue in that investigation.

**Recommendation 2**

Develop a curriculum on preparing team management and strengthen support and supervision of junior and middle-level managers; provide mandatory continuous training in leadership, with special emphasis on developing dialogue skills.

**Recommendation 3**

Develop a structured process for periodic communication between the Office of the Ombudsperson, the Senior Management Team and all Directors.

**Recommendation 4**

Four years of data confirm that mediation is only rarely adopted as a conflict resolution option by individuals who have contacted the Ombudsperson. However, the Ombudsperson believes that mediation is suitable and would have a good chance of success for at least half of the cases that have reached a conflict stage. The potential and the usefulness of mediation are therefore not sufficiently recognized. It would also be good to broaden our outlook on mediation and to make it a virtuous practice that can resolve conflicts and help avoid formal action, or at least complete such action by working on the interpersonal aspects not resolved by formal procedure. This is likewise a long-standing issue: as far back as 2009 a report highlighted a contradiction between the confidence that the parties have in the Ombudsperson and their willingness to engage in conciliation efforts.
Part I – Work atmosphere and environment

The cases in 2019

The cases are recorded and registered according to the categories defined by the IOA (see annexes). In 2019, the Office processed 92 cases. This figure is equivalent to approximately 8.5 per cent of all WIPO staff\(^5\) and has been relatively stable since 2016. If we look at only the requests to resolve an existing conflict, the number of cases represents 4 per cent of WIPO staff.\(^6\) The other requests correspond to preventive actions,\(^7\) as shown below (Graph 2).

A breakdown of the cases is shown below, by IOA category and by whether the case was a request for assistance in resolving a conflict or for preventing a conflict.

Table 1

<table>
<thead>
<tr>
<th>IOA categories</th>
<th>All cases</th>
<th>Conflict resolution</th>
<th>Prevention</th>
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<tbody>
<tr>
<td><strong>Total cases submitted in 2019</strong></td>
<td>92</td>
<td>43</td>
<td>49</td>
</tr>
<tr>
<td>a. Organizational, leadership and management</td>
<td>20</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>b. Evaluative relationships (supervisory relationships between the parties)</td>
<td>17</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>c. Job and career</td>
<td>16</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>d. Non-evaluative relationships (without supervisory relationship)</td>
<td>10</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>e. Values, ethics and standards</td>
<td>8</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>f. Safety, health, well-being and ergonomics</td>
<td>7</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>g. Legal, regulatory, financial and compliance cases</td>
<td>6</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>h. Administration/service issues</td>
<td>5</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>i. Compensation and benefits</td>
<td>3</td>
<td>3</td>
<td>0</td>
</tr>
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The category with the highest number of cases in 2019 was “Organization, leadership and management”. It has held top position three times since 2016.\(^8\) This result highlights lack of preparation among supervisors with regard to team management as well as lack of continuous training in leadership for senior managers. These cases also reveal that dialogue is used only too rarely when a difficult situation occurs (i.e., avoidance) and that internal communication is viewed as abrupt and not very empathetic.

However, it should be noted that WIPO made efforts in this area in 2019, as it established a respect-based\(^9\) initiative accompanied by mandatory workshops for all. These efforts should eventually have an impact, though it will be too early to measure them in 2019.

The Ombudsperson maintains his 2018 recommendation to WIPO on setting up a course on preparation for team management and on leadership training. The fact that this IOA category keeps ranking highest in the annual reports shows that such measures can bring about positive change.

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\(^6\) The question is how to ensure that a situation with a risk of conflict can be resolved before it gets worse.  
\(^7\) These types of harassment are recorded separately.  
\(^8\) See previous Annual Reports here.  
\(^9\) “Respect is like oxygen. As long as it’s there, you don’t think about it. But when it’s not there anymore, that’s all you think about.”
**Trends from 2016 to 2019**

The main objection made concerning the statistics of the Office of the Ombudsperson is related to the scale of the annual data, which are too limited to be statistically significant. In response, the Ombudsperson has always asserted that several years are needed before we can see what trends emerge. If we examine the data on an annual basis, they do indeed give a less perfect picture of WIPO.

However, after four successive years of data collection (2016–2019) using a consistent methodology, we can now observe the evolution of trends and tendencies over time.

**Trends in the annual number of cases**

The graph below shows the trends in cases recorded annually, in blue, in absolute terms. The number of cases per year is relatively stable.

The tendencies at the bottom of the graph are expressed in percentages that indicate the proportion of the numbers of cases registered relative to the total WIPO workforce number. The figures in orange represent all requests, regardless of the reason\(^\text{10}\) for the meeting. For 2019, we can see that the number of individuals seeking the services of the Ombudsperson represented 8.5 per cent of the WIPO workforce. The data in green show the same ratio of cases to total WIPO workforce, but excluding requests for preventive actions. In short, they include only the cases linked to an existing dispute for which the Ombudsperson’s assistance was required. In 2019, this proportion was 4 per cent of WIPO’s workforce, a figure in the low range\(^\text{11}\) for this type of request.

**Increase in requests for advice on prevention**

One noteworthy and positive trend is the growth in preventive case requests since 2016\(^\text{12}\) (Graph 2). They are positive for two reasons:

- These approaches help prevent situations that are easy to contain at an early stage from escalating into a severe conflict that could last a long time.\(^\text{13}\)
- This finding indicates an increase in attempts to settle through dialogue, before the breaking point is reached. This trend is growing so much that, in 2019, requests for preventive action exceeded those for conflict resolution.

We should be happy with this result and strive for further progress in making dialogue a widespread practice that is part of WIPO know-how.

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\(^{10}\) Conflict prevention or resolution

\(^{11}\) In comparison with the member organizations of the UNARIO network and if we consider that it is normal for 3 to 7 per cent of the workforce in a complex and diverse organization to consult the Ombudsperson.

\(^{12}\) Cases in which someone seeks assistance not to resolve a conflict, but because he or she anticipates a risk of conflict and wants advice to prevent relations from deteriorating.

\(^{13}\) Some cases have unfortunately been seen to last for years. Indeed, the more time passes, the more difficult it becomes to reach an amicable solution.
Graph 2: Trends in cases according reason for request

![Graph 2: Trends in cases according reason for request](image)

**NB:** The 2017 and 2018 totals differ slightly from Table 1 because several cases dealing with collective (team) requests could not be classified precisely under one of the two reasons studied here.

**Case prevalence by IOA category**

Comparing the case breakdown by IOA category year by year (Graph 3), we can see that three stand out by an annual prevalence over the others:

- **Organization, leadership and management** accounts for **21 per cent** of all cases recorded between 2016 and 2019.
- **Job and career** cases reach **17 per cent** overall.
- **Evaluative relationships (with a supervisory relationship)** makes up **16 per cent** of these cases.

The fact that **Organization, leadership and management** and **Evaluative relationships** are ranked highest is not surprising. On this topic, please see the previous Ombudsperson reports. It should be recalled here very briefly that the majority of the cases that come under these two categories frequently have to do with the lack of preparation of young managers in team management, a problem which is at times compounded by lack of supervision or support from their own superiors.

Regarding this issue, the Ombudsperson stresses the call made in previous reports for setting up a **mandatory** course on preparation for team management as well as continuous training for senior staff members (see **Recommendation 2**).

Further comment is needed on the cases classified as **Evaluative relationships**. They almost always appear among the top three categories, whether at WIPO or elsewhere. Does the fact that such cases are widespread and thus “normal” mean that they are a non-problem? In fact, no: it is worrying that the relationship between supervisor and “supervised” so frequently leads to tensions. It is a sign that we still do not know how to overcome an archaic bureaucratic and hierarchical conception of work, a perception that has roots in a bygone era. We should make no mistake about it: this relationship is simply top-down control versus bottom-up reaction. But a team manager may also see his or her hopes for greater collaboration blocked by a conservative reaction from the base. For this reason, an open attitude by all parties is crucial for the development of an exchange-based culture. Such openness to dialogue and critical thinking requires a vital ingredient: mutual trust. The initiative should nonetheless be top-down: for things to change, managers must be exemplary. At the same time, it must be admitted that such exemplariness is looked down upon in the international organization world (WIPO included). Likewise, the notion that all people are equal before rules and standards of conduct has bad press, regardless of whether that reputation is justified. On this topic, we should refer to **Graph 2**, an indicator that suggests that we are going in the right direction, despite everything. This trend is encouraging: we must believe in it and keep it going.

As for the **Job and career** category, it is only rarely ranked so high in UN organizations, which generally provide good job security for their staff. Discussions with people the Ombudsperson has talked with indicate that a significant number of jobs, duties and tasks specific to WIPO’s operations are becoming increasingly automated thanks to artificial intelligence. This is fueling the fears of people whose job position may be affected by these developments. Furthermore, reduced internal mobility can – to say the least – lead to dead-end careers, which are a cause frustration and further heighten fears about automation of activities.

14 All these reports can be found here.

15 Unfortunately, the same is not always true for non-staff personnel, who in official jargon are designated as “flexible”.

Next in the ranking come Non-evaluative relationships and Legal, regulatory, financial and compliance cases at 12 per cent of total cases for each category.

For Legal, regulatory, financial and compliance cases, a category which includes allegations of sexual harassment and discrimination based on gender or sexual orientation, we need to look back on past findings. In 2018, these issues were pointed out in the annual report following a significant increase in cases. In 2019, only one sexual harassment case was noted (case now closed), and there were no gender-based discrimination/sexual orientation cases. From 2016 to 2019, there were a total of 11 allegations of sexual harassment, and 3 of gender-based discrimination recorded, which seem few in number. However, it should be recalled that some categories of personnel are more at risk than others, and these groups are under-represented in the statistics of the Office of the Ombudsperson. At the same time, it cannot be excluded that the number of registered cases is only the tip of the iceberg; this hypothesis could be supported by the data below (Graphs 4, 5 and 6). A risk-management approach would call for an in-depth study to get to the bottom of the matter. The recommendation made in a previous report for such an approach is reiterated here.

The categories Values, ethics and standards (10 per cent), Safety, health, well-being and ergonomics (6 per cent), Services/administration (5 per cent) and Compensation and benefits (4 per cent) together form a certain percentage of the cases recorded over the observed period. But their occasional peaks do not seem to be significant on a structural level.

Gender breakdown

With regard to breakdown of requests by gender (or by gender identity/sexual orientation) the findings are uneven, as trends in the graph below indicate. Fluctuations in these data trends are difficult to interpret, as no critical incident that could explain the peaks in the blue curve occurred in either 2017 or 2019. However, one clear tendency is that the number of requests filed by WIPO female employees is regularly higher than those submitted by men, a finding that stands out all the more in the data of Graph 5.

16 Interns, work-grant fellows, individual service-providers and agency workers are more vulnerable because of the precarious nature of their contractual status.
Activity Report 2019 in brief and an overview of 2016–2019

Graph 4: Cases by gender (in % of cases/year)

Graph 5: Cases by gender (in %) for the G, P1, P2, P3 segments

Graph 6: Cases by gender (in %) for the G, P1, P2, P3 segments on average over 4 years

Gender breakdown for a specific segment (G to P3)

Graph 5 shows the female/male (F/M) breakdown in percentage form for grades G, P1, P2 and P3. The green and purple curves show the F/M proportion within this group. The red and blue lines show F/M breakdown for cases submitted to the Ombudsperson within this same group. The case registration peaks (2017 and 2019) observed in the previous graph also appear here.

Graph 6 below confirms the above tendency, as it shows that G to P3 female staff represent (on average over 4 years) 70 per cent of consultations with the Office of the Ombudsperson while representing only 62 per cent of the workforce of this group. In comparison, men make up 38 per cent of the staff over that period but only 30 per cent of the cases submitted to the Ombudsperson.

Over-representation of women in the statistics of the Office of the Ombudsperson is a permanent feature, and even more so within this limited segment. It should also be recalled that all reports prepared by the WIPO Ombudspersons since 2009 noted similar results.

It thus seems the time has come to take a close look at this issue of over-representation (see Recommendation 1).

NB: Values calculated on the basis of the HR Annual Reports

17 For 2018 and 2019, the finer level of data allows for calculation of a specific percentage. The available HR data for 2016 and 2017 are less refined and are for reference only.
Breakdown of requests by grade

This section closes with Graph 7, which gives a picture of the grades of individuals who consulted the Ombudsperson. This breakdown is similar to that found in other international organizations. The graph figures are expressed in absolute values. If these data were to be weighted according to the segment size of each segment, the lines would be closer to the middle part of the graph. Representation of each of the segments appears to be fairly balanced.

It should nonetheless be pointed out that, in 2018 and 2019, there were no requests from the “Other” category, which includes grades DG, ADG, DDG (as well as any rare requests from outside WIPO). From this finding we could conclude that the higher categories face fewer problems than others and have resources to find a solution. However, a less optimistic interpretation would be that informal conflict management might not sufficiently be part of the range of management tools at that level of the pyramid.

Graph 7: Cases by grade (including non-staff)

High-risk groups

In any given year, one-third of the WIPO workforce operate under various and more or less flexible and precarious contract statuses. The Ombudsperson’s annual report mentions those groups each year, given that they are less protected and at higher risk of possible abuses.

In 2019, the Office of the Ombudsperson took note of the fact that WIPO has taken measures (Office Instruction 24/2019) that give non-staff personnel the possibility of lodging an official complaint in the event of harassment, discrimination or abuse of authority. This measure has significantly improved the level of protection that this type of personnel can enjoy. This, in turn, enhances the chances of informal resolution efforts. The Office Instruction focusing on the Office of the Ombudsperson was subsequently revised in 2019 as well (35/2019), to reflect those changes. We should look to see whether, as a result of this change, these usually unrepresented categories of personnel appear more in the 2020 statistics of the Office of the Ombudsperson.

Specific risks

For 2019, the same findings as in 2018 prevail: more than 90% of the people who came to consult the Ombudsperson were from countries of Western European or North America. This is a well-established tendency that we can also see in 2016 and 2017.

Year after year, the diversity of staff at WIPO is not reflected in our statistics. We should ask ourselves why.

The network of Relays (see below) offers broader access to the Office of the Ombudsperson and should make it possible to reach people who may not be very familiar with our Office or who feel uncomfortable with the idea of formally requesting third-party intervention. In the fall of 2019, a new call for volunteers was launched to provide the Relays network with individuals capable of communicating with the staff of diverse groups and origins who represent WIPO’s diversity. However, the process of integrating new Relays was postponed in early 2020, and this is still the case as the present report is being finalized. This topic can be taken up again as soon as the COVID-19 crisis ends.

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18 This does not mean that the Ombudsperson does not interact with staff members of these categories. But it can be noted that, in 2016-2019, all the meetings with those staff took place at the request of the Ombudsperson and not the other way around. Such meetings sometimes concerned a case to be resolved, and other times to take stock of the overall situation of a sector, etc.
Part II – Impact and quality

Evaluation by beneficiaries

The Ombudsperson sends an online evaluation questionnaire to all individuals who have sought out his services and to those who have participated in one of his training sessions. The questionnaire is housed on an external server, and the responses are anonymous.19

Because changes were made to the questionnaire at the end of 2017, the data presented below are a consolidation of the responses (approximately 90) received after those modifications and thus represent the period from January 2018 to December 2019. The full questionnaire can be found in the annexes of this report.

Standards of practice

Graph 8 provides a broad evaluation of the Ombudsperson’s professional activities by the individuals who consulted him. The evaluation covers the following eight dimensions:

1 Clarity: The Ombudsperson has been able to make his function and mandate clear.
2 Listening: The person felt listened to carefully and understood.
3 Neutrality: The Ombudsperson has remained neutral and shown that he is impartial.
4 Independence: The Ombudsperson acted independently.
5 Return/recommendation: The person will come back to the Ombudsperson if need be, or recommend that colleagues in difficulty meet with him.
6 Comfort/safety: The person has felt secure in his or her interactions with the Ombudsperson.
7 Usefulness: The meeting with the Ombudsperson and follow-up actions have had realistic (positive) impact on the situation under discussion.
8 Confidentiality: The Ombudsperson and the parties have complied with the commitment to confidentiality.

The findings indicate that the degree of trust in and credibility of the Ombudsperson are generally acknowledged. The dimension for which the fewest positive responses can be observed is that of realistic and tangible impact of the services offered (Usefulness):

13 per cent of the responses suggested that the services did not have any impact on their situation. Some of those respondents felt that the advice provided was not relevant. For others, their negative response stemmed from their perception that informal conflict management is inherently limited.

Nonetheless, nearly 80 per cent of the respondents found the interaction useful. In the following section, we will see that other responses received indicate that we can be happy with the impact of the Office of the Ombudsperson on the work environment at WIPO.

Regarding Confidentiality, the response rate for “Don’t know” was 21 per cent. This result stems from the fact that the respondents are not able to verify whether or not confidentiality was respected. Nonetheless, the comments made in the questionnaire do not seem to indicate that confidentiality is an issue:

– “I trust the Ombudsperson 100 per cent on confidentiality, but how can I know for sure that confidentiality has been respected?!”
– “I guess so but how can I tell?”
– “I have no way to verify, but he seemed sincere about it.”

In other words, it can be said that the absence of negative responses confirms that compliance with confidentiality by the Ombudsperson does not seem to be a significant cause of concern. It can be recalled here that the Ombudsperson is a member of the
International Ombudsman Association (IOA) and as such bound by its *Code of Ethics and Standards of Practice*. Confidentiality is one of the four pillars of this practice. The Ombudsperson can decide to disengage from this commitment only when there is sufficient evidence that someone’s physical or moral integrity is seriously at risk (e.g., risk of suicide, serious depression, risk of physical attack by a third person, for example) and that no other reasonable action is available as a solution.

**Impact**

**Impact on conflicts**: The questionnaire devoted a series of specific questions to *Usefulness*, in order to explore that dimension more fully. The findings are found in Table 2. The combined response rate of those having answered that the issue was settled or that the situation had improved was 78 per cent. This is a significantly high proportion, but the ratio of fully resolved cases (43 per cent) should be improved. This observation had already been made in the earliest Ombudsperson reports in 2009.

The previously mentioned limits to action thus need to be removed, and to do so WIPO must show more political determination. Indeed, as the Ombudsperson has no formal authority, achieving better results in this issue requires that the WIPO administration and upper echelons promote and support conflict resolution through informal channels.

Efforts along these lines were made in 2019 in particular, including through the establishment of training workshops on respect. However, more needs to be done to ensure that people who seek out the Ombudsperson are supported and encouraged to look for an amicable resolution (via mediation). The WIPO work environment must be one in which the workforce is free of the fear of reprisals of seeming like a “difficult person” (see *Recommendation 4*).

Encouraging findings were observed: The level of confidence in the internal justice system seems strong (only 3 per cent openly expressed distrust), and none of the responses indicated that a case presented to the Ombudsperson was subsequently brought to the formal WIPO bodies. But it should be noted that ambivalence on this topic can at times be heard: topics of hallway or cafeteria conversations suggest that there is not always solid trust in the WIPO institutions. Of course, one can answer back that such “on-the-street” surveys have no formal value, as people speaking out that way should engage in dialogue to improve those institutions before complaining. But such assertions do represent calls of distress or signs of frustration, and it would be a mistake not to listen to them. It is time for WIPO to sound out its staff to take see how it feels and to measure its commitment to WIPO, as well what critical views they may hold.

Here are some of the comments on usefulness/impact, selected for their suggestion that the amicable approach has benefits:

- “… I met with the Ombuds. I was surprised by his reflections and left feeling disappointed. But after calming down, I realized that I had over-reacted to an issue that moreover was something not under my responsibility. I appreciated the Ombuds’ frankness, honesty and crystal-clear communication.”
- “His ability to listen, understand, analyze and give relevant and suitable advice using graphic explanations and invitation to dialogue to find a friendly agreement.”
- “The discussion I had for preparing for a mediation was helpful in the eventual mediation.”
- “The need for frank dialogue.”

![Table 2](image-url)

<table>
<thead>
<tr>
<th>Impact on a conflict</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>The issue is settled.</td>
<td>43</td>
</tr>
<tr>
<td>Things have improved. I am not considering any other action.</td>
<td>35</td>
</tr>
<tr>
<td>The situation has not changed, but I won’t undertake any further action.</td>
<td>10</td>
</tr>
<tr>
<td>Situation has worsened.</td>
<td>6</td>
</tr>
<tr>
<td>Whether formal or informal, the internal justice system does not work at WIPO.</td>
<td>3</td>
</tr>
<tr>
<td>I don’t know.</td>
<td>3</td>
</tr>
<tr>
<td>I have filed a formal complaint.</td>
<td>0</td>
</tr>
</tbody>
</table>

20 According to the saying that “The absent are always in the wrong”.
Preventive Impact: The questionnaire responses show that the impact of the Ombudsperson’s activities on conflict prevention at work is considered to be significant. For example, more than 90 per cent of respondents answered that the information given by the Office of the Ombudsperson helps give a better structured and calm response in the event of misunderstanding or tensions. Further, 82% of those same respondents see a link with effective conflict prevention.

Graph 9: What do you think about the potential impact of the information during the session:

- Completely agree: 49%
- Tend to agree: 41%
- Tend to disagree: 41%
- Completely disagree: 10%
- Don’t know: 6%

With this in mind, the reader is invited to think about the maxim at the opening of this report: “The paradox of prevention is that, if you do it right, the steps you took seem overly cautious in retrospect...."
Confidential interviews

A confidential meeting with the Ombudsperson is a right; any person working at WIPO may request one. Such a request is made directly to the Ombudsperson; no intermediary or administrative or supervisory authorization is needed.21 Talks are strictly confidential and never the subject of a report or file to be submitted or archived.

From 2016 to 2019, between 800 and 1,00022 meetings took place.

The talks are confidential and are not reported. The Office of the Ombudsperson does not maintain files or records that could enable WIPO to ascertain the identity of persons who have come to seek advice or assistance.

How to contact the Ombudsperson:

- On-site: GBI 0.5
- Telephone: extension 7374 or mobile 079 447 11 71
- Email: marc.flegenheimer@wipo.int or ombudsperson@wipo.int

You can contact the Ombudsperson directly, without the need to go through a third party.

Mediation

Between 2016 and 2019, WIPO staff used mediation on only 11 occasions (40 if shuttle mediation is included23). These are few in number out of the nearly 400 cases over four years. This is regrettable given that a good half of the situations reported to the Ombudsperson showed excellent prospects for successful mediation. Too many people still refrain from trying mediation, for fear of retaliation, for fear of being perceived as a “difficult” person and, unfortunately, sometimes due to moral exhaustion in cases where the situation has worsened over weeks, months and sometimes years.

WIPO should not be happy with this state of affairs: the Ombudsperson calls on WIPO to promote mediation and make it a standard practice. The WIPO hierarchy in particular too often lacks conviction and commitment to this approach. As mentioned before with regard to dialogue, mediation must be understood in its capacity to act on the systemic and the social and cultural aspects of an organization, especially for its potential for long-term risk reduction and conflict prevention.

Meeting with WIPO personnel

The Ombudsperson participates in training and awareness raising of the people who work for WIPO as part of its prevention activities. He meets with newcomers at WIPO during induction courses, with staff participating in conflict management training sessions and in team meetings (of sectors, divisions, sections and others), etc.

From 2016 to 2019, the Ombudsperson participated in approximately: 12 induction courses, 20 conflict management training courses and 20 meetings at the section, division and sector levels.

Other services

A list of services and activities proposed by the Office of the Ombudsperson can be consulted on this Intranet page. The Ombudsperson is naturally available to answer questions about his mandate and services.

WIPO External Offices

The Ombudsperson regularly meets with the directors of the External Offices and their deputies when they come to Geneva for the Assemblies. As new External Offices open, it is important to provide them with access to the Office of the Ombudsperson in virtue of the principle of equity among all WIPO staff. To this end, it has been agreed that the Ombudsperson shall visit one External Office per year, circumstances permitting. The Ombudsperson was able to visit two External Offices over the 2016–2019 period.

21 See Articles. 11.2 and 11.3.1b) of the WIPO Staff Regulations and Rules.
22 For each recorded case, several meetings are usually needed: more often than not, two to four sessions and sometimes more. This is an estimate, as the Ombudsperson does not make a detailed account of all the meetings.
23 In shuttle mediation, the parties do not meet directly. Rather, the Ombudsman goes from one to the other with the conciliation proposals from each party in order to resume direct dialogue or even an agreement.
External professional networks

UNARIO

To keep up to date with professional practices and to be able to exchange views on the resolution of complicated cases, the UNARIO peer-to-peer exchange network has been established. It is made up of trained mediators in UN agencies, the World Bank, the IMF and other related organizations such as CERN, the ICRC, and the Global Fund against AIDS, tuberculosis and malaria. The UNARIO24 members based in Geneva meet approximately once a month. A worldwide UNARIO meeting is held each year in principle. The 2019 meeting took place in Bangkok, at the invitation of the World Bank. More than 30 international organizations attended.

International Ombudsman Association

The International Ombudsman Association (IOA) holds an annual conference in the United States and various regional meetings. As a member of the IOA, the Ombudsperson usually attends one of these meetings each year. He also participates in a network of European ombudspersons, a broad organization that includes the private sector, academia and healthcare sector.

The Relays

The Relays network of volunteers was established in 2018. This network operates under the supervision of the Office of the Ombudsperson, independently of the WIPO administration and hierarchy. It extends the reach of the Office of the Ombudsperson and offers staff members access to resolution channels that use conciliation or conflict prevention, offering the highest possible degree of close contact and informality. Confidentiality is guaranteed in the same way as in a meeting with the Ombudsperson. More details on the Relays are available here.

The Ombudsperson would like to warmly thank the members of the Relays network and looks forward to incorporating a second wave of volunteers in 2020.

The network should be used to the fullest: it is a “use-it-or-lose-it” process, like democracy and the right to vote!

Conclusion

Part of this report is being written as WIPO and the rest of the world are undergoing more or less strict lockdowns depending on the country, and as we are experiencing out of the ordinary relationships with our work and with our colleagues.

Several staff members have caught the virus during this period. It has been a difficult time for these people and their relatives, and we are saddened that the pandemic has taken from us a colleague who was known and appreciated by many staff members. This sad event was followed by a burst of solidarity in support of his family at the beckoning of the WIPO Staff Council, and many people responded with donations and words of condolence. These are times that allow us to realize the extent to which petty squabbling, the combat between egos, the harboring of grudges, and territorial bickering – which are often the topic of conversations at the Office of the Ombudsperson as well as in the cafeteria and in hallways – are merely wasted time and energy spent in vain.

This can help us realize that our workplace is worth more than the sum of its offices, computers, ergonomic chairs, working time and “core hours”. Isn’t the workplace also – and above all – a place of belonging and of human relations? Through his death and the burst of compassion that followed it, our colleague has taught us a lesson that we must not forget once the situation returns to normal.

As the Director-General wrote in one of his memos during the COVID-19 crisis raging in these first months of 2020, “The time has come for solidarity and mutual support”. A global crisis is helping us realize the importance of these values, and it is teaching us that we know how to work and produce, with effectiveness, while recognizing the importance of the human and relational aspects. What an error it would be, if, once the crisis has passed, we were to forget these lessons! The 2020 report may focus on the impact coronavirus will have had on our habits, be it at work or elsewhere, and – let us hope – for the better.

To conclude this report, and on a personal note, I would like to thank those who, during this crisis, have worked tirelessly to help preserve our good health, safety and work capacity, thereby protecting our jobs at the same time. Here I am referring to our colleagues in the health, security, IT and business continuity sections; the Human Resources staff, who have made sure that (among

other tasks) our salaries are paid. I am also grateful for
the assistance provided by external services such as
security officers; the workers who clean, disinfect and
maintain the WIPO premises; and others whom I haven’t
mentioned here and to whom I apologize for leaving out. I
offer my deepest thanks to all these people.
Annexes

Annex I: IOA Standards of Practice

These principles and standards were developed by the International Ombudsman Association (IOA), of which the WIPO Ombudsman is an active member.

Standards of Practice

Independence

1.1 The Ombudsman Office and the Ombudsman are independent from other organizational entities.

1.2 The Ombudsman holds no other position within the organization which might compromise independence.

1.3 The Ombudsman exercises sole discretion over whether or how to act regarding an individual’s concern, a trend or concerns of multiple individuals over time. The Ombudsman may also initiate action on a concern identified through the Ombudsman’s direct observation.

1.4 The Ombudsman has access to all information and all individuals in the organization, as permitted by law.

1.5 The Ombudsman has authority to select Ombudsman Office staff and manage Ombudsman Office budget and operations.

Neutrality and impartiality

2.1 The Ombudsman is neutral, impartial, and unaligned.

2.2 The Ombudsman strives for impartiality, fairness and objectivity in the treatment of people and the consideration of issues. The Ombudsman advocates for fair and equitably administered processes and does not advocate on behalf of any individual within the organization.

2.3 The Ombudsman is a designated neutral reporting to the highest possible level of the organization and operating independent of ordinary line and staff structures. The Ombudsman should not report to nor be structurally affiliated with any compliance function of the organization.

2.4 The Ombudsman serves in no additional role within the organization which would compromise the Ombudsman’s neutrality. The Ombudsman should not be aligned with any formal or informal associations within the organization in a way that might create actual or perceived conflicts of interest for the Ombudsman. The Ombudsman should have no personal interest or stake in, and incur no gain or loss from, the outcome of an issue.

2.5 The Ombudsman has a responsibility to consider the legitimate concerns and interests of all individuals affected by the matter under consideration.

2.6 The Ombudsman helps develop a range of responsible options to resolve problems and facilitate discussion to identify the best options.

Confidentiality

3.1 The Ombudsman holds all communications with those seeking assistance in strict confidence and takes all reasonable steps to safeguard confidentiality, including the following: The Ombudsman does not reveal, and must not be required to reveal, the identity of any individual contacting the Ombudsman Office, nor does the Ombudsman reveal information provided in confidence that could lead to the identification of any individual contacting the Ombudsman Office, without that individual’s express permission, given in the course of informal discussions with the Ombudsman; the Ombudsman takes specific action related to an individual’s issue only with the individual’s express permission and only to the extent permitted, and even then at the sole discretion of the Ombudsman, unless such action can be taken in a way that safeguards the identity of the individual contacting the Ombudsman Office. The only exception to this privilege of confidentiality is where there appears to be imminent risk of serious harm, and where there is no other reasonable option. Whether this risk exists is a determination to be made by the Ombudsman.

3.2 Communications between the Ombudsman and others (made while the Ombudsman is serving in that capacity) are considered privileged. The privilege belongs to the Ombudsman and the Ombudsman Office, rather than to any party to an issue. Others cannot waive this privilege.

3.3 The Ombudsman does not testify in any formal process inside the organization and resists testifying in any formal process outside of the organization regarding a visitor’s contact with the Ombudsman or confidential information communicated to the Ombudsman, even if given permission or requested to do so. The Ombudsman may, however, provide general, non-confidential information about the Ombudsman Office or the Ombudsman profession.

3.4 If the Ombudsman pursues an issue systemically (e.g., provides feedback on trends, issues, policies and practices) the Ombudsman does so in a way that safeguards the identity of individuals.
3.5 The Ombudsman keeps no records containing identifying information on behalf of the organization.

3.6 The Ombudsman maintains information (e.g., notes, phone messages, appointment calendars) in a secure location and manner, protected from inspection by others (including management), and has a consistent and standard practice for the destruction of such information.

3.7 The Ombudsman prepares any data and/or reports in a manner that protects confidentiality.

3.8 Communications made to the ombudsman are not notice to the organization. The ombudsman neither acts as agent for, nor accepts notice on behalf of, the organization and shall not serve in a position or role that is designated by the organization as a place to receive notice on behalf of the organization. However, the ombudsman may refer individuals to the appropriate place where formal notice can be made.

Informality and other standards

4.1 The Ombudsman functions on an informal basis by such means as: listening, providing and receiving information, identifying and reframing issues, developing a range of responsible options, and – with permission and at Ombudsman discretion – engaging in informal third-party intervention. When possible, the Ombudsman helps people develop new ways to solve problems themselves.

4.2 The Ombudsman as an informal and off-the-record resource pursues resolution of concerns and looks into procedural irregularities and/or broader systemic problems when appropriate.

4.3 The Ombudsman does not make binding decisions, mandate policies, or formally adjudicate issues for the organization.

4.4 The Ombudsman supplements, but does not replace, any formal channels. Use of the Ombudsman Office is voluntary, and is not a required step in any grievance process or organizational policy.

4.5 The Ombudsman does not participate in any formal investigative or adjudicative procedures. Formal investigations should be conducted by others. When a formal investigation is requested, the Ombudsman refers individuals to the appropriate offices or individual.

4.6 The Ombudsman identifies trends, issues and concerns about policies and procedures, including potential future issues and concerns, without breaching confidentiality or anonymity, and provides recommendations for responsibly addressing them.

4.7 The Ombudsman acts in accordance with the IOA Code of Ethics and Standards of Practice, keeps professionally current by pursuing continuing education, and provides opportunities for staff to pursue professional training.

4.8 The Ombudsman endeavors to be worthy of the trust placed in the Ombudsman Office.
Annex II: IOA Code of Ethics

International Ombudsman Association (IOA)  
IOA Code of Ethics

Preamble

The IOA is dedicated to excellence in the practice of Ombudsman work. The IOA Code of Ethics provides a common set of professional ethical principles to which members adhere in their organizational Ombudsman practice.

Based on the traditions and values of Ombudsman practice, the Code of Ethics reflects a commitment to promote ethical conduct in the performance of the Ombudsman role and to maintain the integrity of the Ombudsman profession.

The Ombudsman shall be truthful and act with integrity, shall foster respect for all members of the organization he or she serves, and shall promote procedural fairness in the content and administration of those organizations’ practices, processes, and policies.

Ethical principles

Independence
The Ombudsman is independent in structure, function, and appearance to the highest degree possible within the organization.

Neutrality and impartiality
The Ombudsman, as a designated neutral, remains unaligned and impartial. The Ombudsman does not engage in any situation which could create a conflict of interest.

Confidentiality
The Ombudsman holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so. The only exception to this privilege of confidentiality is where there appears to be imminent risk of serious harm.

Informality
The Ombudsman, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention.
Annex III: IOA Case Reporting Categories

1. Compensation and benefits

1a Compensation: Rate of pay, salary amount, job salary category.

1b Payroll Administration.

1c Pension.

1d Leave: annual; sick; maternity; excluding special leaves, sabbaticals, suspension for disciplinary reasons.

1e Health Insurance and Medical Entitlements (including medevac, DSA, companion ticket, etc…).

1f Dependent Benefits (including child education grant).

1g Taxes.

1h Recruitment Entitlements (relocation grant; shipment; etc…).

1i Separation Entitlements (repatriation grant; shipping; severance indemnities, etc…).

1j Travel Entitlements (ticket, DSA, hotel, excluding medical travel).

1k Special Operations/Hazard Entitlements (including R&R).

1l Other.

2. Evaluative relationships

(Excluding harassment, discrimination and retaliation)

2a Interpersonal Differences, interpersonal conflicts involving differences in personalities/suspicions of hidden motives/mistrust/different work styles.

2b Respect/Treatment: Demonstrations of inappropriate regard for people, not listening, dismissive or rude behavior, unfair or preferential treatment.

2c Reputation: Potential impact of rumors or gossip about professional or personal matters.

2d Communication: Quality or quantity of communication.

2e Team Climate and Morale: Prevailing norms, behaviors or attitudes in work unit.

2f Performance Management and Feedback: supervisory effectiveness in performance coaching, work assignment and support; feedback (or lack of) given outside of regular performance appraisal.

2g Performance appraisal and grading: Disagreements with the fairness of performance evaluation or grading.

2h Other.

3. Peer and colleague relationships

(Excluding harassment, discrimination and retaliation)

3a Interpersonal differences, interpersonal conflict involving differences in personalities/suspicions of hidden motives/mistrust/different work styles.

3b Respect/treatment: Demonstrations of inappropriate regard for people, not listening, dismissive or rude behavior, unfair or preferential treatment.

3c Reputation: Potential impact of rumors or gossip about professional or personal matters.

3d Communication: Quality or quantity of communication.

3e Team Climate and Morale: Prevailing norms, behaviors or attitudes in work unit.

3f Other.

4. Job and career

4a Job Application/Selection and Recruitment Processes: recruitment and selection processes, facilitation of job applications, short-listing and criteria for selection, disputed decisions linked to recruitment and selection.

4b Post Classification and Description.

4c Involuntary Transfer/Change of Assignment: Removal from prior duties, unrequested change of work tasks.

4d Terms/Conditions of Contract: Position security/Ambiguity/Contractual limitations

4e Career Progression or Opportunities: Delay/Denial of promotion; lack of opportunities for career advancement.

4f Rotation and Duration of Assignment: Non-completion or over-extension in a job or location; area of rotation.

4g Resignation.

4h Termination.

4i Non-renewal of Contract.

4j Abolition of Post.

4k Career Development: Coaching/Mentoring/Training/ lack of opportunities for skill development.

4l Retirement Process.

4m Special Leave: Approval of return from SLWOP, SLWFP, excluding suspension for disciplinary reasons.

4n Loan/Secondment/Transfer: Inter-agency mobility; terms of loan, return from loan.

4o Other.
5. Legal, regulatory, financial and compliance

5a Criminal Activity: Threatened, planned, observed; fraud.
5b Waste and abuse of funds: Inappropriate actions that abuse or waste, organizational finances, facilities or equipment; property damage.
5c Harassment (Excluding Sexual): Behavior that creates a hostile or intimidating work environment; bullying/mobbing, abusive, threatening or coercive behavior.
5d Sexual Harassment: Unwelcome sexual conduct.
5e Discrimination (Excluding Gender): Different treatment compared with others or exclusion from some benefit on the basis of race, age, national origin, religion, etc. .
5f Gender Discrimination: Different treatment compared with others or exclusion from some benefit on the basis of gender.
5g Retaliation: Punitive behaviors for previous actions or comments; whistle-blower.
5h Investigative/Disciplinary processes: Fairness/duration/adherence to rules and regulations during investigations/disciplinary measures.
5i Visa Status: Issues arising in acquiring or relinquishing travel or residency status for international staff members or their dependents.
5j Geographical and Gender Representation: non-compliance with policy or issues arising from the application of policy.
5k Other.

6. Safety, health, wellbeing and physical environment

6a Safety: Physical safety, injury.
6b Meeting local requirements for training and equipment, including transportation.
6c Physical Working/Living Conditions: Temperature, odors, noise, available space, smoking, ergonomics.
6d Lighting, cleanliness, etc.
6e Security: Adequate lighting, metal detectors, guards, access to building by outsiders, anti-terrorists measures.
6f Work/Life: Issues with flexible working arrangements/schedules.
6g Stress deriving from work related issues: Post-Traumatic Stress.
6h Disability and Accessibility: Temporary, permanent, reasonable accommodation, assistive technology.
6i Other.

7. Services/administration

7a Quality of Services: How well services were provided, accuracy or thoroughness of information, competence.
7b Responsiveness/Timeliness: Response time or time to completion.
7c Interpretation or Application of rules: Impact of administrative actions based on the interpretation of policy.
7d Behavior of Service Provider(s): How an administrator or staff member spoke to or dealt with a constituent, customer, or client, e.g., rude, inattentive, or impatient.
7e Other.

8. Organizational, leadership and management

8a Organizational Climate/Morale.
8b At the organizational level: distinct from 2e) and 3e).
8c Organizational Culture.
8d Organizational Communication: Content, style, timing, effects and amount; quality of communication about strategic issues at the organizational level (distinct from 2d) and 3d).
8e Change Management: making, responding or adapting to organizational changes, quality of leadership in facilitating.
8f Restructuring and Relocation: effects of reprofiling, organizational/unit downsizing relocation or reorganization.
8g Leadership and Management (Quality/Capacity of Management): Quality/capacity of management/leadership decisions; management styles; accountability and transparency, priority setting and/or funding.
8h Abuse of Authority/Positional Power: Improper use of a position of influence, power or authority against subordinates.
8i Other.

9. Values, ethics and standards

9a Core values: non adherence to core organizational values (integrity, professionalism, respect for diversity).
9b Accountability and transparency: issues with taking personal ownership for responsibilities and deliverables/operating in compliance with organizational rules and regulations, secrecy.
9c  **Personal conduct**: issues with fulfilling private obligations, respecting local laws and using the privileges and immunities of the organization.

9d  **Conflict of Interest**: appearing to benefit improperly or to have a third-party benefit improperly from certain associations, relationships or financial interests (including honors, gifts or remuneration; favoritism to family or friends; outside employment/activities; business interests…).

9e  **Use and Protection of Information**: using or divulging confidential information without proper authorization.

9f  **Other**.
Annex IV: User satisfaction questionnaire

Enquête de satisfaction - User Survey
Bureau du Médiateur OMPI - WIPO Office of the Ombudsman

Chère Collègue, Cher Collègue,

Soucieux d’assurer une évolution constante de ses services, le bureau du Médiateur de l’OMPI requiert votre opinion à propos de l’interaction - directe (entretien, conseil, médiation) ou indirecte (session d’information ou formation) – que vous avez eu avec l’Ombudsman. L’anonymat des répondants est garanti par le bureau du Médiateur.

La participation à ce questionnaire prend en moyenne moins de 10 minutes. Nous vous remercions de contribuer ainsi à l’amélioration constante des services proposés.

Marc Flegenermer
Médiateur OMPI

*****************************************************************************

Dear Colleague,

Wishing to ensure services of the highest quality, WIPO’s Office of the Ombudsman requires your feedback the interaction - whether direct (meeting, counselling, mediation) or indirect (information session) – you have had with the Ombudsman. Anonymity of each respondent is guaranteed by the Office of the Ombudsman.

Participation in this questionnaire takes less than ten minutes. We thank you for contributing to the continuous improvement of the services offered.

Marc Flegenermer
WIPO Ombudsman
<table>
<thead>
<tr>
<th>Données démographiques - Demographical information</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>* 1. Sexe - Gender</th>
</tr>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>* 2. Catégorie Professionnelle - Grade</th>
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</tr>
</tbody>
</table>

Si vous avez répondu "Autre" veuillez préciser - If "Other" please specify

<table>
<thead>
<tr>
<th>* 3. Comment avez-vous appris l'existence des services offerts par le bureau du Médiateur ?</th>
</tr>
</thead>
<tbody>
<tr>
<td>How did you learn about the services offered by the Office of the Ombudsman ?</td>
</tr>
<tr>
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<td></td>
</tr>
</tbody>
</table>

Si vous avez répondu "Autre" veuillez préciser - If "Other" please specify
**Enquête de satisfaction - User Survey**  
Bureau du Médiateur OMPI - WIPO Office of the Ombudsman

### Interaction - Contacts

1. What was the nature of your contact with the Ombudsman?
   - J'ai soumis un problème ou un conflit pour en vue de sa résolution.  
     I submitted an issue or a conflict for the purpose of resolving it.
   - J'avais besoin de conseils pour faire de la prévention du conflit  
     I was looking for advice on conflict prevention.
   - J'ai assisté à une séance d'information/formation donnée par le Médiateur  
     I attended an information or training session facilitated by the Ombudsman.
   - Vous avez participé à une séance de formation/formation ET vous avez eu un entretien individuel avec le Médiateur  
     You attended a training/information session AND had one-to-one talks with the Ombudsman as well.
   - **Autre**  
     Other

If you have responded "Autre" please specify:

[Input field]

---

* User Survey by Bureau du Médiateur OMPI - WIPO Office of the Ombudsman*
Enquête de satisfaction - User Survey
Bureau du Médiateur OMPI - WIPO Office of the Ombudsman

Information donnée - Information given

Vous avez indiqué avoir assisté à une séance d'information ou de formation ; les questions qui suivent permettent de vérifier que l'information partagée était pertinente et utile.

You flagged your participation to an information or training session; the following questions enable us to verify that the information provided was relevant and useful.

* 5. A quel type de session avez-vous assisté?
What kind of session did you attend?

☐ WIPO induction programme for newcomers
Programme d'accueil OMPI pour les fonctionnaires nouvellement engagés-es

☐ Conflict management programme
Formation à la gestion des conflits

☐ Information given in a staff meeting
Information donnée lors d'une réunion d'équipe

☐ Autre
Other

Si vous avez répondu "Autre" veuillez préciser - If "Other" please specify

☐

* 6. Le contenu de la présentation à laquelle vous avez assisté était:
Regarding the content, the session which you attended was:

<table>
<thead>
<tr>
<th>Clair</th>
<th>Complete</th>
<th>Utile</th>
<th>Useful</th>
<th>Concret</th>
<th>Realistic</th>
<th>Pertinent</th>
<th>Relevant</th>
<th>Indispensable</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Complete agree</td>
<td>☐ Tend to agree</td>
<td>☐ Tend to disagree</td>
<td>☐ Completely disagree</td>
<td>☐ Don't know</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Commentaires - Comments

☐
**7. S'agissant de la forme, la session était:**
Regarding the format, was the session:

<table>
<thead>
<tr>
<th>Tout à fait d'accord - Complete agreement</th>
<th>Plutôt d'accord - Tend to agree</th>
<th>Plutôt pas d'accord - Tend to disagree</th>
<th>Pas du tout d'accord - Completely disagree</th>
<th>Je ne sais pas - I don't know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trop courte/Too short</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Trop long/Too long</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Ouverte et transparent/Open and transparent</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Commentaires - Comments

**8. S'agissant de l'impact possible des informations dispensées, pensez-vous que:**
What do you think about the potential impact of the information during the session:

<table>
<thead>
<tr>
<th>Tout à fait d'accord - Complete agreement</th>
<th>Plutôt d'accord - Tend to agree</th>
<th>Plutôt pas d'accord - Tend to disagree</th>
<th>Pas du tout d'accord - Completely disagree</th>
<th>Je ne sais pas - I don't know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mieux informé-e, je sais comment mieux régler/Better informed I know how to better react</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Cela peut aider à prévenir des conflits/It could have a preventive effect on conflicts</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Commentaires - Comments

**9. Les questions qui suivent portent sur les prestations directes du Médiateur (conseil, écoute, médiation, résolution de problèmes) si vous en avez bénéficié veuillez cliquer Oui, dans le cas contraire cliquez Non.**
The following questions allow you to rate the quality of the direct interaction you had with the Ombudsman (mediation, sounding board, orientation, conflict resolution) if applicable click Yes, if not click No.

- ☐ Oui je souhaite aussi apprécier les prestations directes du Médiateur - Yes I also wish to evaluate the direct interaction with the Ombudsman
- ☐ Non je n'ai pas eu d'autres contacts avec lui en dehors de la session à laquelle j'ai assisté - No aside of the session, I had no direct contacts with the Ombudsman
Enquête de satisfaction - User Survey
Bureau du Médiateur OMPI - WIPO Office of the Ombudsman

Appréciation - Appreciation

Votre appréciation qualitative des services proposés par le Médiateur
Your qualitative appreciation of the services offered by the Ombudsman

* 10. Depuis combien de temps étiez-vous confronté au problème discuté avec le Médiateur avant de le consulter?
How long were you faced with the problem that you discussed with the Ombudsman before consulting him?
- Des années
- Years
- Des mois
- Months
- Plusieurs semaines
- Weeks
- Cela vient d'arriver
- It just had happened

Commentaires - Comments

* 11. Le Médiateur a répondu rapidement à ma demande
The Ombudsman responded quickly to my request
- Tout à fait d'accord
- Completely agree
- Plutôt d'accord
- Tend to agree
- Plutôt pas d'accord
- Tend to disagree
- Pas du tout d'accord
- Completely disagree
- Je ne sais pas
- I don't know

Commentaires - Comments

* 12. Je me suis senti-e en confiance durant l'entretien
I felt at ease during the meeting
- Tout à fait d'accord
- Completely agree
- Plutôt d'accord
- Tend to agree
- Plutôt pas d'accord
- Tend to disagree
- Pas du tout d'accord
- Completely disagree
- Je ne sais pas
- I don't know

Commentaires - Comments
**13. The Ombudsman explained his role in a clear and useful way**

- Tout à fait d'accord
  - Completely agree
- Plutôt d'accord
  - Tend to agree
- Plutôt pas d'accord
  - Tend to disagree

Commentaires - Comments

**14. During the meeting I felt listened to and understood**

- Tout à fait d'accord
  - Completely agree
- Plutôt d'accord
  - Tend to agree
- Plutôt pas d'accord
  - Tend to disagree

Commentaires - Comments

**15. Confidentiality was respected by the Ombudsman**

- Tout à fait d'accord
  - Completely agree
- Plutôt d'accord
  - Tend to agree
- Plutôt pas d'accord
  - Tend to disagree

Commentaires - Comments
* 16. Le Médateur a su garder une attitude impartiale et neutre.
The Ombudsman maintained an impartial and neutral attitude

- Tout à fait d'accord
  - Completely agree
- Plutôt d'accord
  - Tend to agree
- Plutôt pas d'accord
  - Tend to disagree

Commentaires - Comments

* 17. Le Médateur a fait preuve d'indépendance par rapport aux parties concernées par la situation discutée avec lui.
The Ombudsman demonstrated his independence from the parties concerned by the situation discussed with him

- Tout à fait d'accord
  - Completely agree
- Plutôt d'accord
  - Tend to agree
- Plutôt pas d'accord
  - Tend to disagree

Commentaires - Comments
### Impact

- Quelles conséquences vos échanges avec le Médiateur ont-ils eu sur votre situation?
- As far as prevention and/or resolution of conflicts, how did your discussions with the Ombudsman impact your situation?
18. Que pensez-vous des affirmations ci-dessous ?
What do you think of the following statements?

<table>
<thead>
<tr>
<th>English</th>
<th>Totaux et accord</th>
<th>Plutôt d'accord</th>
<th>Plutôt pas d'accord</th>
<th>Pas du tout d'accord</th>
<th>Ne s'applique pas à ma situation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Les options discutées étaient pertinentes et réalistes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Après la rencontre j'ai mieux su gérer ma situation - Following the discussion I knew how to better handle my situation</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Il m'a orienté(e) vers d'autres services aptes à apporter des solutions à mon problème - He referred me to other services that can provide solutions to my problem</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Il m'a permis de mieux comprendre les droits et les devoirs de chacun(e), y compris les miens - He has enabled me to better understand the rights and duties of each person, including mine.</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Cela m'a permis de rétablir un dialogue avec l'autre partie - A constructive dialogue with the other party could be reestablished</td>
<td></td>
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</tbody>
</table>

Si vous souhaitez commenter l'un des points ci-dessus ou en rajouter - Additional thoughts/comments
19. Quel aspect dans l'échange avec le Médiateur vous a été le plus utile et pour quelle raison?
What aspect of the exchange with the Ombudsman did you find most useful and why?

20. Quel aspect dans l'échange n'a pas été utile, et pourquoi selon vous?
What aspect of the exchange was not useful and according to you, why?

* 21. En résumé, avez-vous trouvé son aide:
In summary, have you found his support:

- Très utile - Very useful
- Plutôt utile - Quite useful
- Plutôt pas utile - Not very useful
- Pas utile - Not useful
- Je ne sais pas - I don't know

* 22. Si à l'avenir vous ou un-e de vos collègues faites face à une autre situation problématique:
If in the future you or one of your colleagues is faced with another problematic situation, would you:

<table>
<thead>
<tr>
<th>Auriez-vous à nouveau recours à ses services?</th>
<th>Oui absolument - Yes absolutely</th>
<th>Probablement - Probably yes</th>
<th>Plutôt non - Probably not</th>
<th>Absolument pas - Absolutely not</th>
<th>Ne sais pas - I don't know</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Use his services again?</td>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

| Recommenderiez-vous à un-e collègue d'aller y prendre conseil avant d’agir? - Recommend a colleague to seek advice from him before acting? |
|-------------------------------------------------|-----------------------------|--------------------------|-------------------------------|---------------------------|
|                                                 | Oui absolument - Yes absolutely | Probablement - Probably yes | Plutôt non - Probably not | Absolument pas - Absolutely not | Ne sais pas - I don't know |
|                                                 |                          |                          |                              |                           |                           |
23. Et finalement, si vous repensez à ce qui vous a fait prendre contact avec le Médiateur, laquelle de ces affirmations décrit au mieux votre situation actuelle?

And finally, if you think back to what made you contact the Ombudsman, which of these statements best describes your current situation?

- Le problème est réglé, tout va bien - The issue is settled, everything is Ok
- Génalement les choses vont mieux même si des problèmes subsistent - Je n’envisage pas d’autre action - Overall things have improved although some problems remain. I am not, however, considering further action
- La situation n’a pas changé mais je m’entreprindrai rien de plus - The situation has not changed but I won’t undertake any further action
- J’ai déposé une réclamation formule - I filed a formal grievance
- La situation a empiré - Situation has worsened
- Ferme ou informel, le système de justice interne ne fonctionne pas à l’OMPI - Whether formal or Informal, the internal justice system does not work at WIPO
- Je ne sais pas - I don’t know
- Aucun de ces choix ne s’applique - None of the above apply

Veuillez commenter votre choix ou mentionner si l’issue a été autre - If you selected “Other” please specify
Enquête de satisfaction - User Survey
Bureau du Médiateur OMPI - WIPO Office of the Ombudsman

Terminé ! - Done !

Je vous remercie d’avoir pris le temps de remplir ce questionnaire et de la confiance que vous m’avez accordée en me soumettant vos cas.

I thank you for taking the time to fill out this questionnaire and for the trust you have shown by coming to consult in my office.