

## Program and Budget Committee

**Thirty-Fourth Session**  
**Geneva, June 27 to July 1, 2022**

### LIST OF DECISIONS

*prepared by the Secretariat*

#### **AGENDA ITEM 1.** OPENING OF THE SESSION

#### **AGENDA ITEM 2.** ELECTION OF THE CHAIR AND TWO VICE-CHAIRS OF THE PROGRAM AND BUDGET COMMITTEE (PBC)

*The Program and Budget Committee (PBC) elected, for its sessions to be held in 2022 and 2023: Ambassador Indra Mani PANDEY (India) as the Chair of the PBC in 2022, and Mr. José Antonio Gil CELEDONIO (Spain), and Ms. María José LAMUS BECERRA (Columbia) as the Vice-Chairs of the PBC for the same period; and Mr. Jose Antonio Gil Celedonio as the Chair of the PBC in 2023, and Ms. María José LAMUS BECERRA (Columbia) as the Vice-Chair for the same period.*

#### **AGENDA ITEM 3.** ADOPTION OF THE AGENDA

document WO/PBC/34/1.

*The Program and Budget Committee (PBC) adopted the agenda (document WO/PBC/34/1).*

#### **AGENDA ITEM 4.** REPORT BY THE WIPO INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC)

document WO/PBC/34/2.

*The Program and Budget Committee (PBC) recommended to the WIPO General Assembly to take note of the "Report by the WIPO Independent Advisory Oversight Committee (IAOC)" (document WO/PBC/34/2).*

**AGENDA ITEM 5. REPORT OF THE WIPO INDEPENDENT ADVISORY OVERSIGHT COMMITTEE SELECTION PANEL**

document WO/PBC/34/3.

*The Program and Budget Committee (PBC) approved the recommendations of the Selection Panel for selection of five new members of the WIPO Independent Advisory Oversight Committee (IAOC), which appear in paragraph 33 of the Selection Panel's Report (document WO/PBC/34/3).*

**AGENDA ITEM 6. REPORT BY THE EXTERNAL AUDITOR**

document WO/PBC/34/4.

*The Program and Budget Committee (PBC) recommended to the Assemblies of WIPO, each as far as it is concerned, to take note of the "Report by the External Auditor" (document WO/PBC/34/4).*

**AGENDA ITEM 7. ANNUAL REPORT BY THE DIRECTOR OF THE INTERNAL OVERSIGHT DIVISION (IOD)**

document WO/PBC/34/5.

*The Program and Budget Committee (PBC) recommended to the WIPO General Assembly to take note of the "Annual Report by the Director of the Internal Oversight Division (IOD)" (document WO/PBC/34/5).*

**AGENDA ITEM 8. PROGRESS REPORT ON THE IMPLEMENTATION OF THE JOINT INSPECTION UNIT'S (JIU) RECOMMENDATIONS**

document WO/PBC/34/6.

*The Program and Budget Committee (PBC):*

*(i) took note of the present report (document WO/PBC/34/6);*

*(ii) welcomed and endorsed the Secretariat's assessment of the status of the implementation of recommendations under:*

- *JIU/REP/2021/6 (Recommendations 1, 2, 3, 5 and 6);*
- *JIU/REP/2021/5 (Recommendations 1 and 2);*
- *JIU/REP/2021/2 (Recommendation 3);*
- *JIU/REP/2020/8 (Recommendations 4 and 7);*
- *JIU/REP/2020/6 (Recommendations 1, 2, 3, 5 and 6);*
- *JIU/REP/2020/5 (Recommendations 1, 2 and 3);*
- *JIU/REP/2020/1 (Recommendation 3);*
- *JIU/REP/2019/9 (Recommendation 1);*
- *JIU/REP/2018/6 (Recommendations 5 and 8);*
- *JIU/REP/2017/3 (Recommendation 2);*
- *JIU/REP/2016/9 (Recommendations 2, 3 and 5) as set out in the present report; and*

*(iii) called on the Secretariat to propose assessments for the open recommendations made by the Joint Inspection Unit (JIU) for Member States' consideration.*

**AGENDA ITEM 9.** WIPO PERFORMANCE REPORT 2020/21

document WO/PBC/34/7.

*The Program and Budget Committee (PBC), having reviewed the WIPO Performance Report (WPR) 2020/21 (document WO/PBC/34/7) and the Internal Oversight Division (IOD) Validation Report of the WIPO Performance Report 2020/21 (document WO/PBC/34/8), and recognizing its nature as a self assessment of the Secretariat, recommended to the Assemblies of WIPO, each as far as it is concerned, to take note of the positive financial performance and programmatic performance of the Organization towards achieving the expected results in the biennium 2020/21.*

**AGENDA ITEM 10.** INTERNAL OVERSIGHT DIVISION (IOD) VALIDATION OF THE WIPO PERFORMANCE REPORT 2020/21

document WO/PBC/34/8.

*The Program and Budget Committee (PBC) took note of the IOD Validation Report on the WIPO Performance Report for 2020/21 (document WO/PBC/34/8).*

**AGENDA ITEM 11.** ANNUAL FINANCIAL STATEMENTS 2021; STATUS OF THE PAYMENT OF CONTRIBUTIONS AS AT MAY 31, 2022

(a) ANNUAL FINANCIAL REPORT AND FINANCIAL STATEMENTS 2021

document WO/PBC/34/9.

*The Program and Budget Committee (PBC) recommended to the Assemblies of WIPO, each as far as it is concerned, to approve the "Annual Financial Report and Financial Statements 2021" (document WO/PBC/34/9).*

(b) UPDATE ON INVESTMENTS

(c) STATUS OF THE PAYMENT OF CONTRIBUTIONS AS AT MAY 31, 2022

document WO/PBC/34/10.

*The Program and Budget Committee (PBC) took note of the "Status of the Payment of Contributions as at May 31, 2022" (document WO/PBC/34/10).*

**AGENDA ITEM 12.** ANNUAL REPORT ON HUMAN RESOURCES

document WO/PBC/34/INF/1.

**AGENDA ITEM 13.** SUPPLEMENTARY CAPITAL MASTER PLAN PROJECT

document WO/PBC/34/11.

*The Program and Budget Committee (PBC), recommended to the Assemblies of WIPO, each as far as it is concerned, to approve, from the WIPO Reserves, the funding of the PCT RSP Hybrid Phase project, amounting to a total of 9.945 million Swiss francs.*

*During the implementation of the PCT RSP Hybrid Phase project, WIPO will continue to update and optimize its data security technologies in a timely fashion, including in response to any concerns raised in this context, particularly by PCT users, and will report to Member States on an annual basis through the WIPO Performance Report, including on any audits conducted thereon.*

**AGENDA ITEM 14. REVISION OF THE FINANCIAL REGULATIONS AND RULES (FRR)**

document WO/PBC/34/12.

*The Program and Budget Committee (PBC):*

(i) *recommended to the WIPO General Assembly to approve the proposed amendments to the Financial Regulations as contained in the Annex to the present document WO/PBC/34/12 revised by the PBC as follows:*

1. *Proposed Regulation 2.16: "The involvement of Member States in the preparation of the proposed Program of Work and Budget for the next budget period shall be in accordance with the mechanism adopted by Member States".*
2. *Proposed Regulation 2.20: "The Director General shall submit the proposed Program of Work and Budget for the following budget period to the Program and Budget Committee for discussion, comments and recommendations, including possible amendments within a reasonable timeframe for consideration by the PBC".*
3. *Proposed Regulation 4.4: The Director General shall prepare a report on the achievement of the Expected Results and the financial performance based on the Program of Work and Budget in accordance with the mechanism adopted by Member States.*

*After the first year of the biennium, reporting shall include progress made towards the achievement of the Expected Results and budget utilization.*

*After the second year of the biennium reporting shall include the achievement of the Expected Results and financial information on the same accounting basis as the approved budget:*

- (a) *Actual income for the budget period;*
- (b) *Approved budget, budget after transfers in accordance with Regulation 3.4 and actual expenditure for the Organization and the Unions:*
  - i. *Any expenditure which is incurred in the exclusive interest of a given Union shall be considered as a "direct expense" of that Union.*
  - ii. *Any expenditure which cannot be attributed to the Unions, such as administration and management related costs, shall be considered as an "indirect expense" of that Union.*
- (c) *Changes arising from flexibility adjustments under Regulation 3.5;*
- (d) *The reporting shall provide a clear distinction between direct and indirect expenses.*

*The Director General shall also give such other information as may be appropriate.*

(ii) *took note of the amendments to the Financial Rules as contained in the Annex to the present document WO/PBC/34/12 modified as follows:*

- *Proposed Rule 103.8(a): The Director General shall designate a High Level Official in charge of Procurement (hereinafter "HLOP") to whom he or she hereby delegates authority and assigns responsibility for all WIPO procurement activities and the implementation of the regulatory framework governing the procurement functions of the Organization, subject to the provisions of Rules 103.3, 103.4, 103.5 and 105.2, concerning encumbrances and obligations.*

- *Proposed Rule 103.12: All officers who are involved in procurement action must observe the Staff Regulations and Rules and the standards of conduct required of international civil servants and any other obligation. In particular, they shall be accountable for their actions, respect the confidentiality, (without prejudice to employees' obligation to report waste, fraud or abuse), and integrity of the procurement process and disclose any possible conflict of interest that may arise in the course of carrying out their duties. Failure to do so may result in appropriate disciplinary action or other appropriate civil and/or criminal action.*
- (iii) *Requested the Secretariat to update the New Mechanism to further involve Member States in the Preparation and Follow-up of the Program and Budget (document WO/PBC/10/2) to reflect current practice and the Revised Financial Regulations and Rules for consideration at the 35<sup>th</sup> session of the PBC.*
- (iv) *decided that sustainability within Regulation 3.8 be discussed after the Director General presents a comprehensive assessment report on this issue at the 35<sup>th</sup> PBC session.*

**AGENDA ITEM 15. WIPO RISK APPETITE STATEMENT**

document WO/PBC/34/13.

*The Program and Budget Committee (PBC) took note of the Organization's Risk Appetite Statement, aligned to Expected Results in the Medium-Term Strategic Plan 2022-26, as set out in the Annex to document WO/PBC/34/13.*

**AGENDA ITEM 16. WIPO FUNDING PLAN FOR AFTER-SERVICE HEALTH INSURANCE (ASHI) LIABILITIES**

document WO/PBC/34/14.

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

**AGENDA ITEM 17. PRELIMINARY DRAFT OF THE TERMS OF REFERENCE OF THE 2021 EVALUATION OF WIPO EXTERNAL OFFICES**

document A/55/INF/11, WO/PBC/31/3 and WO/PBC/34/15.

*The Program and Budget Committee (PBC):*

- *considered, in detail, the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices (document WO/PBC/34/15). The amendments proposed thereto are contained in the document annexed to this decision;*
- *decided to continue the discussion on the draft Terms of Reference and its Annexes, contained in the document annexed to this decision, at its 35<sup>th</sup> session.*

**AGENDA ITEM 18. METHODOLOGY FOR ALLOCATION OF INCOME AND EXPENDITURE BY UNION**

document A/59/10, A/59/11 and A/59/INF/6.

*The Program and Budget Committee (PBC) decided to continue the discussion on the methodology for the allocation of income and expenditure by Union at the 35<sup>th</sup> session of the PBC.*

[Annex follows]

## Program and Budget Committee

**Thirty-Fourth Session**  
**Geneva, June 27 to July 1, 2022**

### PRELIMINARY DRAFT OF THE TERMS OF REFERENCE OF THE 2021 EVALUATION OF WIPO EXTERNAL OFFICES

*prepared by the Secretariat*

[1. At the Thirty-Third PBC session of the Program and Budget Committee (PBC) in September 2021, the PBC requested the WIPO Secretariat to provide a preliminary draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices, on the basis of inputs received from Member States, at least six months before the Thirty-Fourth PBC session. These inputs are reflected in square brackets throughout the document.

#### **A. Context [“and Purpose” – Pakistan, to remove; UAE not agree]**

2. The evaluation of the WIPO External Offices is to be undertaken in response to the decisions of the WIPO Member States noting, in particular, the following:

The decision of the Forty-Seventh (22<sup>nd</sup> Ordinary) Session of the WIPO General Assembly (October 5 to 14, 2015) to conduct “*an evaluation during 2021*” with reference to the ‘Guiding Principles regarding WIPO External Offices’ paragraph 22 of which states, “*The size and performance of the entire EO network shall be evaluated every five years by the PBC, which may request the support of WIPO External Auditors or independent external evaluators, with due regard to the different mandates and functions performed by the EOs. The terms of reference of such evaluation shall be decided by the PBC.*”<sup>1</sup>

3. The WIPO General Assembly at its Fifty-First (24<sup>th</sup> Ordinary) Session (September 30 to October 9, 2019) further decided to conduct an evaluation during 2021 of the entire network of WIPO External Offices with the Terms of Reference of such an evaluation to

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<sup>1</sup> A/55/INF/11

be decided by the WIPO Program and Budget Committee during its Thirty-First session in 2020. The General Assembly further decided<sup>2</sup>:

*"pending the results of the evaluation during 2021, defer the consideration of the current 10 applications of Member States for the 2018-2019 biennium to host new WIPO External Offices"*

*"consider opening up to 4 new WIPO External Offices, including in Colombia, from the current 10 applications in the biennium 2022-2023."*

4. Noting that the Thirty-First session of the Program and Budget Committee was unable to discuss the Terms of Reference owing to the COVID-19 pandemic, the Thirty-Third session of the Program and Budget Committee (September 13 to 17, 2021) took the following decision<sup>3</sup>:

*"The Program and Budget Committee (PBC) took note of the update on the status and progress of submissions made by Member States on views on the preparations of the Terms of Reference (ToR) of the 2021 Evaluation of WIPO External Offices and requested the Secretariat:*

- to develop a preliminary draft of the ToR taking into account the above-mentioned submissions by Member States reflecting all views contained therein and all relevant documents, including but not limited to the Guiding Principles regarding WIPO External Offices (document A/55/INF/11) and the Report of the External Auditor (document WO/PBC/31/3); and*
- to provide a preliminary draft to Member States at least 6 months before the 34th session of the PBC with the aim of discussing and further developing common understanding about the ToR's content and taking a decision on the ToR at the 34th session of the PBC."*

**["Purpose" – Pakistan]**

5. Based on the preceding, and as prescribed in the 'Guiding Principles', the purpose of the evaluation will be to examine the size and performance of the network of WIPO External Offices. The evaluation is to inform the deliberations of the Member States with respect to the pending applications from 10 Member States to host up to four new WIPO External Offices, noting that the decision on any new WIPO External Offices is a decision of the Member States in accordance with the decision of the Forty-Seventh Session of the WIPO General Assembly and the 'Guiding Principles' which it approved.

[Russian Federation: Para. 5 assumes that evaluation results should assist Member States in taking a decision on 10 pending applications for new External Offices. We believe that the issues concerned do not correspond to that objective. The proposed issues focus on the analysis of individual performance indicators of each Office rather than on the strategy for improving the network.](#)

[USA: the evaluation shall assess, in a comprehensive manner, the relevance, effectiveness, impact, sustainability and efficiency of WIPO's network of EOs and their adherence to the guiding principles contained in the GA decision, and their](#)

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<sup>2</sup> A/59/13 ADD.4

<sup>3</sup> WO/PBC/33/14



contribution to the advancement or achievement of WIPO's mandate, SGs, and relevant MTSP, during the period from 2018 to 2022 inclusively.

**[CHAIR'S ALT TEXT**

**5. "The evaluation should be conducted" ["The purpose of this evaluation is to conduct" – US] in a comprehensive manner ["with a view to assess and improve" – Algeria; Pakistan – not agree], [taking into account; Algeria – delete] the relevance, effectiveness, impact, sustainability and efficiency of WIPO's network of External Offices ["and their adherence to"; Algeria – "in line with"] the Guiding Principles, and ["and taking into account" – Algeria] their contribution to the advancement and achievement of WIPO's mandate, Strategic Goals, Development Agenda ["WIPO Program and Budget for the corresponding biennium" – Russia], recommendations, from 2015, or the date of establishment in cases of new External Offices, [to the year for which most recent data is available with WIPO] [Russia – only date corresponding to MTSP 2016 – 2021] ["the date of the beginning of operations" – Algeria] and including the most recent available data at the time of the evaluation - US. ] [Canada - "To the launch of the initial evaluation, and then every 5 years thereafter"]**

**["The evaluation is to inform the deliberations of the Member States with respect to the pending applications from 10 Member States to host up to four new WIPO External Offices" – Russia, at the end]**

**[Pakistan, Iran not support Chair's text alt para 5]**

6. In this context, the evaluation is intended to:

- [Improve the efficiency and effectiveness of individual External Offices or the network of External Offices toward informing a clear strategy to underpin the development of the network and whether to expand or contract the network as necessary, as identified and recommended by the External Auditor.]

[Russia – delete first bullet]

Algeria on behalf of the African Group proposed alternative wording to above bullet: [Improve the efficiency and effectiveness of individual External Offices or the network of External Offices toward informing a clear strategy to underpin the development of the network and whether to expand or contract the network as necessary, as identified and recommended by the External Auditor.]

- [Conduct an assessment of WIPO External Office activities, in consultation with the host country and the "individual" [Russia – delete] External Offices throughout the process on its impact, efficiency and effectiveness to program delivery of the Program and Budget. As such, the evaluation is intended to assist External Offices to improve their operations and service delivery and identify practical best practices of "individual"

[Russia – delete] External Offices for possible adoption across the entire network of External Offices.]

- [Examine the process and feasibility of opening new External Offices.]

[Russia – delete third bullet]

- [Provide critical information from which WIPO could develop a coherent strategy for the future of the External Office network and a sound basis for future decision making. It is important that in creating this strategy it incorporates a framework against which the Secretariat can better support the Member States decision making and the assessment of any future cases.]

Russian Federation: The last point of para. 6 thematically overlaps with the first and the third. Wording of the last para. seems more balanced and preferable.

Pakistan: suggests deletion of moving -paragraph 6 to section D.

Iran: suggests moving paragraph 6 to section D

UAE: suggests deletion of the last two bullet points.

India: suggests deletion of the last two bullet points.

Colombia: suggests deletion of the last two bullet points.

**[CHAIR'S SUGGESTION : MOVE TO SECTION D]**

[US – not in a position to accept para. 6 in its current form]

## B. Subject

7. The WIPO External Offices are the extended arms of the Organization in the field. Based on their detailed understanding of their areas of responsibility, the Offices catalyze what WIPO can offer, collaborating closely with WIPO Headquarters and connecting the Organization's assistance, services, and tools with evolving needs and priorities on the ground.<sup>4</sup>

Russia – proposes to keep the above paragraph

USA proposed wording of the above paragraph: The WIPO External Offices are part of the Organization in the field [Nigeria – maintain original first sentence]. Based on their ERs and KPIs and on their areas of responsibility specific circumstances of host countries, the Offices [“are expected to” – Pakistan] advance WIPO's goals and objectives, collaborating [Pakistan – add “by” before “collaborating”] closely with WIPO Headquarters and connecting the Organization's assistance, services, and tools with evolving needs and priorities on the ground.

Commented [A1]: Proposed addition by Algeria

Algeria – not agree with insertions in the above by Pakistan

**[CHAIR'S SUGGESTION : can go with US proposal if no objections]**

8. This evaluation will cover the seven offices that comprise the External Office network in WIPO. These offices are:
  - WIPO Algeria Office (WAO)
  - WIPO Brazil Office (WBO)

<sup>4</sup> WIPO Program of Work and Budget for 2022/23, page 39 of the English version.

- WIPO Office in China (WOC)
- WIPO Japan Office (WJO)
- WIPO Nigeria Office (WNO)
- WIPO Office in the Russian Federation (WRO)
- WIPO Singapore Office (WSO)

### C. Scope

9. The evaluator should conduct an overview of the activities of the External Offices and how these contribute to WIPO's objectives. [The evaluation will focus on the activities of ["the network" – Russia] WIPO External Offices implemented in the 2018/19 and 2020/21 biennia ["biennium" – Russia], taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and their host countries. For a more comprehensive understanding of the outcomes and impact of the External Offices, the evaluation may consider reviewing the activities of the External Offices over a longer period, i.e. 5 years (if applicable).]

[Pakistan: New proposed wording of paragraph 9: \[The evaluation will focus on the activities of WIPO External Offices implemented after the adoption of the Guiding Principles in 2015 and in case of two new offices in the African Region, from their date of their establishment, taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and their host countries](#)

[Algeria on behalf of the African Group, new proposed wording of paragraph 9: The evaluator should conduct an overview of the activities of the External Offices and how these contribute to WIPO's objectives. \[The evaluation will focus on the activities of WIPO External Offices implemented over a period, of 5 years if applicable, taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and their host countries. For a more comprehensive understanding of the outcomes and impact of the External Offices, the evaluation may consider reviewing the activities of the External Offices over a \(-\).\]](#)

[US: review to include 2022 or most recent data available at time of review](#)

[Russia: review for the full calendar period excluding 2022](#)

**[CHAIR'S ALT TEXT : The evaluation will focus on the activities of WIPO External Offices, taking into account the presence of recently opened External Offices and the impact of the COVID-19 pandemic on all External Offices and [Slovakia - "the presence of recently opened EOs and the specific circumstance of EOs and their host countries, including the impact of the Covid 19 pandemic"; US - OK] their host countries [“, as well as giving due cognizance to the length of operation of the External Offices, the different levels of development in their respective host countries and the kinds of services they provide” – Brazil]. The period under evaluation will [Russia – “correspond to the MTSP 2016 – 2021”] be from 2015, or the date of establishment [“date of beginning of operations” – Algeria] in cases of new External Offices, [“to the year” – US requested brackets] for which most recent data is available with WIPO.] [Singapore – “The evaluation should assist EOs to improve their operations and service delivery, and identify practical best practices of individual EOs for possible adoption across the entire network of EOs.”; US - OK] [US – “and including the most recent available data at the time of the evaluation”.] [Canada - “To the launch of the initial evaluation, and then every 5 years thereafter”; South Africa, India, Algeria, Iran – reservations.]**

## D. Objectives

10. In furtherance of the purpose of the evaluation and within the mentioned scope, the objectives of the evaluation will be to:

Pakistan suggestion to move bullets previously under paragraph 6:

- Assess whether External Offices are essential to the appropriate functioning of the World Intellectual Property Organization (WIPO) and fulfillment of its mandate and core objectives and add clear value, efficiency and effectiveness to program delivery of the Organization.

Algeria: not agree with “whether” – not support

India: agree with Algeria

Russia: agree with Algeria

- Carry out empirical and objective assessment of cost-effectiveness of maintaining the External Offices as compared to achieving similar objectives by other means.

India: not agree “maintain” – rest OK

- [Examine the process and feasibility of opening new External Offices including the budget implications of the establishment of the EOs for the Organization, possible efficiency savings as well as application procedure for hosting new EOs in line with para 2.11 of the External Auditor’s report as contained in WO/PBC/31/3

- [Provide critical information from which WIPO could develop a coherent strategy for the future of the External Office network and a sound basis for future decision making. It is important that in creating this strategy it incorporates a framework against which the Secretariat can better support the Member States decision making and the assessment of any future cases.]

UAE: Above two bullets to be deleted

Pakistan: wants to maintain the above two bullets

US: Key questions to be addressed.

- (1) Relevance. To what extent each WIPO External Office as well as the result of their activities serve the needs of Member States, stakeholders, and other intended beneficiaries.
- (2) Impact. What is the actual and expected impact of each WIPO EO as well as the network of Eos in the implementation/achievement of WIPOs mandate, WIPOs strategic goals and MTSP.
- (3) Effectiveness. To what extent is the work of each EO and the network as a whole effective in the implementation / advancement of WIPOs mandate, strategic goals, MTSP and needs of the host country / region.
- (4) Efficiency. How efficiently has each EO used the human and financial resources in its work directed at the implementation / achievement of WIPOs strategic goals, MTSP, and needs of host country / region.
- (5) Sustainability. To what extent are the results of each EO and the network as a whole sustainable in the long term. To this end, the evaluation must also identify the best practices and lessons learned in the implementation / advancement of WIPOs mandate, WIPOs strategic goals, MTSP, and needs of host country / region.

[Algeria: can agree with US proposal](#)

[UAE: Support US proposal](#)

- [Review and evaluate the achievements, effectiveness, and efficiency of the External Offices. It should provide evaluation on the basis of the performance indicators for External Offices as outlined in WIPO's Program and Budget, giving due cognizance to the length of operation of the External Offices, the different levels of development in their respective host countries and the kinds of services they provide.]

[Algeria on behalf of the African Group: suggested new wording of the above bullet: \[Review and evaluate the achievements, effectiveness, and efficiency of the External Offices. It should provide evaluation on the basis of the performance indicators for External Offices as outlined in WIPO's Program and Budget, giving due cognizance to the length of operation of the External Offices, the different levels of development in their respective host countries and the kinds of services they provide as well as the sufficiency of resources allocated to achieve the WIPO priorities.\]](#)

- [Enumerate an unbiased, uniform and transparent assessment tool to provide an accountable, effective and informative evaluation to Member States]
- [Assess whether the work of the External Office network applies the priorities set out in the 'Guiding Principles', WIPO's Medium-Term Strategic Plan for 2016-2021, and whether it contributes to the achievement of the Strategic Goals.]

[Algeria on behalf of the African Group: suggested new wording of the above bullet: \[Assess whether how the work of the External Office network applies the priorities set out in the 'Guiding Principles', WIPO's Medium-Term Strategic Plan for 2016-2021, and its contribution to the achievement of the Strategic Goals, including the WIPO development agenda and the Sustainable development goals.\]](#)

- [Provide an insight into the unique circumstances and local contexts influencing the implementation priorities of the External Offices, and with a view to the prospects of further developing the External Office network.]

[Russian Federation: The second objective specified in para. 10 supposes a development of a control tool. The meaning seems to be unclear. Is it a universal methodology or the tool only for this particular evaluation?](#)

Russia – “EOs do not relate to duties and responsibilities of national IP authorities, as it is stated in paragraph 9 of the Guiding Principle of WIPO External Offices.”

**[CHAIR's ALT TEXT :**

**10. In furtherance of the purpose of the evaluation and within the mentioned scope, the objectives of the evaluation will be to:**

**(1) Relevance. To what extent [each] [Russia – replace “network”] WIPO External Office as well as the result of their activities serve the needs of Member States, stakeholders, and other intended beneficiaries [“, with due regard to the different mandates and functions performed by the EOs” – Algeria].**

**(2) Impact. What is the actual and expected impact [of each WIPO EO as well as] [Russia ask to exclude] the network of EOs in the**

**implementation/achievement of WIPO's mandate, WIPO's strategic goals. MTSP [Russia – add “2016 – 2021”], [“WIPO Program and Budget for the corresponding biennium” – Russia] its Development Agenda and SDGs.**

- (3) Effectiveness. To what extent is the work of [each EO and] [Russia ask to exclude] the network as a whole effective in the implementation / advancement of WIPOs mandate, strategic goals, MTSP [Russia – add “2016 – 2021”] [“WIPO Program and Budget for the corresponding biennium” – Russia] and needs of the host country / region keeping in view the different levels of development in their respective host countries and the kinds of services they provide as well as the sufficiency of resources allocated to achieve the WIPO priorities.**
- (4) Efficiency. How efficiently has [each] [Russia – replace “network”] EO used the human and financial resources in its work directed at the implementation / achievement of WIPOs strategic goals, MTSP [Russia – add “2016 – 2021”], [“WIPO Program and Budget for the corresponding biennium” – Russia] and needs of host country / region.**
- (5) Sustainability. To what extent are the results of [each EO] [Russia ask to exclude] “and the network as a whole” [Algeria – delete] sustainable in the long term [“taking into account WIPOs Strategic Goals and the evolving needs of host countries” – Algeria – rest to be deleted]. To this end, the evaluation must also identify the best practices and lessons learned in the implementation / advancement of WIPOs mandate, WIPOs strategic goals, MTSP [Russia – add “2016 – 2021”], [“WIPO Program and Budget for the corresponding biennium” – Russia] and needs of host country / region.**
- (6) Others. Any other issue, highlighted in oversight or audit reports of WIPO on External Offices, during the period from 2015 [Canada – replace rest with – “to the launch of the initial evaluation and every 5 years thereafter”] to the year for which most recent data is available with WIPO. [US – “and including the most recently available data.”] [Nigeria – delete 6th bullet] [Russia – delete this paragraph]**

Russia – Terms of Reference should be in line with the Guiding Principles of EOs including paragraph 22 “the size and performance of the entire network of EOs should be evaluated every 5 years by the PBC”.

Russia – reservations on effectiveness, efficiency, sustainability – wants to see methodology

[Brazil – supports Chair's alt text but with the list “WIPO's mandate, WIPO's strategic goals. MTSP, its Development Agenda and SDGs” constant throughout]

[Pakistan – not agree with Chair's alt text, especially ‘relevance’ and ‘effectiveness’. Concerns with meaning of ‘sustainability’]

11. In line with 'Norms and Standards for Evaluation' (2016) of the UN Evaluation Group, a non-exhaustive list of possible evaluation questions is provided in Annex I.

## E. Methodology

12. In order to address the evaluation questions contained in Annex I, the methodology of the evaluation should be guided by the following considerations:

- [The evaluation will adopt both a retrospective as well as forward-looking approach.]
- [The evaluation should focus on a set of indicators and common parameters that are uniform/consistent between External Offices to be able to evaluate performance of individual External Offices.]

[Algeria on behalf of the African Group: \[The evaluation should focus on a set of indicators and specific parameters that are /consistent with each External Office situation to be able to evaluate performance of individual External Offices.\]](#)

- [The evaluation should assess performance using all relevant performance indicators and targets, taking into account users' and stakeholders' feedback.]

[Pakistan: new proposed wording of above bullet: The evaluation should assess performance using all relevant performance indicators and targets, including taking into account users' and stakeholders' feedback.\]](#)

- [The evaluation should take into account the different profiles, mandates, contexts and circumstances of existing External Offices, as well as the diverse aspects and levels of development among host countries and of local IP ecosystems.]
- [Empirical and objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.]

[Pakistan: new proposed wording of above bullet: \[objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.\]](#)

- [The External Offices themselves should participate in the evaluation process and provide replies or opinions on the criteria used for making the evaluations.] [The evaluation should include the active participation of the External Offices.]

[Pakistan: new proposed wording of above bullet: \[The evaluation should include the active participation of the External Offices.\]](#)

- [The host countries and their respective external offices should be consulted in a timely and adequate manner.]
- [The Evaluation should make references and integrate appropriate international principles on evaluations and audits.]
- [The evaluation shall be conducted in accordance with the United Nations Evaluation Group (UNEG) Standards for Evaluation in the UN System and the UNEG Code of Conduct for Evaluation in the UN System.]
- [The External Offices are solely WIPO entities and as such, they are to be evaluated in relation to the WIPO results-based management framework.]

Russian Federation: Considerations 8 & 9 of para. 12 contain similar provisions on the implementation of international auditing standards. We propose to keep only one of them.

US: Replacement of paras. 12, 13 and 14.

The evaluation team is expected to undertake the evaluation in a rigorous (transparent, fair, objective – Algeria, US - agree) and efficient manner to produce useful information and findings for WIPO Member States.

The methodology of the evaluation shall at least include the following:

- (a) Desk reviews of documents relevant to the work of each EO.
- (b) Interviews or focus group discussions [with Member States] [Algeria – delete], WIPO staff and beneficiaries. (Interviews with host countries and different stakeholders – Algeria, US – agree. Brazil – support; reincorporate reference to “WIPO staff” – Algeria supports Brazil. Uganda – “based on a set of criteria for transparency reporting on the revenue streams and other benefits for the host countries”.) Algeria - original sentence replaced.
- (c) Field visits as deemed necessary bearing in mind budget constraints.
- (d) Surveys.

Additionally, the evaluators may utilize any other appropriate methods necessary to fulfill the objectives (“in line with the Guiding Principles of the UNEG . . .” – Nigeria, US: “in line with the guiding principles contained in UNEG . . .”) as guided by the UNEG Norms and Standards for Evaluation 2016, WIPOs evaluation policy and WIPOs evaluation manual. in order to produce an in depth and well substantiated evaluation. Nigeria: concerns with this sentence – delete.

The WIPO Secretariat shall make available to the evaluators all relevant materials and information concerning the activities of each EO.

**[CHAIR’S ALT TEXT TO PARA 12,13 :**

**12. The evaluation should be undertaken in a [Iran add “in a purely technical manner”] rigorous, transparent, fair, objective and efficient manner, using objective indicators [which are common as well as specific to each External Office] [Russia – delete this text], users’ and stakeholders’ feedback, to produce useful information and findings for WIPO Member States [, including on added value, efficiency and effectiveness of the External Offices] [Pakistan – replace with “in line with the purposes and objectives of the evaluation”]. The evaluators may utilize any other appropriate methods necessary to fulfill the objectives in line with the principles contained in relevant UNEG documents. The methodology of the evaluation, should include [, but not be limited to,] [Russia - delete this text] the following:**

- (a) Desk reviews of documents relevant to the work of [each] [Russia – replace with “network”] EO.**
- (b) Interviews or [focus group discussions] [Russia – delete] with [Member States] [Algeria – delete; Russia supports], host countries and stakeholders, WIPO staff and beneficiaries.**
- (c) Field visits as deemed necessary bearing in mind budget constraints.**
- (d) Surveys. ]**

13. Based on the abovementioned considerations, the evaluation team will undertake, *inter alia*, the following:



[Nigeria: A rigorous and efficient evaluation to produce useful information and findings for WIPO Member States.](#)

- A desk review of relevant documents. This should include pertinent documents related to the work of the External Offices, the WIPO Assemblies, the WIPO Program and Budget Committee, and the External Auditor's Report. Additional documentation such as project documents and periodic progress reports, should also be included in the desk review.

[Pakistan: new proposed wording of above bullet: A desk review of relevant documents. This should include all pertinent documents related to the work of the External Offices including but not limited to the WIPO Assemblies, the WIPO Program and Budget Committee, and the External Auditor's Report. Additional documentation such as project documents and periodic progress reports, should also be included in the desk review.](#)

[Algeria on behalf of the African Group: new proposed wording of above bullet: A desk review of relevant documents. This should include pertinent documents related to the work of the External Offices, the WIPO Assemblies, the WIPO Program and Budget Committee, the Medium Term Strategic Plan \( MTSP\) and the External Auditor's Report. Additional documentation such as project documents and periodic progress reports, should also be included in the desk review.](#)

- The desk review should be complemented by interviews with all relevant internal stakeholders, including the External Offices.
- Surveys and, as required, interviews should be undertaken with relevant external stakeholders (at the regional and national levels, including beneficiaries of the activities of the External Offices, and host country authorities.)

[Russian Federation: The last point of para. 13 concerns the surveys of regional stakeholders. As we understand it, the regional level seems to be relevant only to Singapore Office.](#)

14. [Empirical and objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.] A non-exhaustive listing of possible criteria is contained in Annex II.

[Algeria on behalf of the African Group: new proposed wording of above bullet: objective criterion should be devised to measure the added value, efficiency and effectiveness of the External Offices.\] A non-exhaustive listing of possible criteria is contained in Annex II.](#)

[Russian Federation: Para. 14 duplicates consideration No. 5 of para. 12.](#)

**[Chair's Suggestion : Ask delegations if there is a need for separate para 14 in light of what Chair has proposed for para 12,13]**

Pakistan – retain reference to annexes

## **F. Management Arrangements**

15. The evaluation will be conducted by:

- [\[an independent/neutral organization and/or individual, knowledgeable in IP and innovation\]](#)

Pakistan and the African Group suggests deletion of the above bullet.

- [An independent body outside of WIPO so as to ensure the neutrality and objectivity of the evaluation.]

The African Group suggests deletion of the above bullet

- [The WIPO Internal Oversight Department (IOD)] [supported, when necessary, by third parties such as the WIPO External Auditors and independent external evaluators.]

Algeria on behalf of the African Group: proposed new wording of the above bullet: [The WIPO Internal Oversight Department (IOD)] [supported, if necessary, by third parties such as the WIPO External Auditors, Independent Advisory Oversight Committee (IAOC) and independent external evaluators.]

Pakistan suggests deletion of the above bullet.

Canada: delete references to IOD. US, Chile – agrees.

- [An independent external evaluator.] [In this regard, a committee should be established comprising [three or five] independent external evaluators, possibly one from the United Nations Evaluation Group and others from similar institutions.]

The African Group suggests deletion of the above bullet

- [The WIPO External Auditors or independent external evaluators.]

Pakistan: new proposed wording of above bullet: independent external evaluators.

The African Group suggests deletion of the above bullet

Russian Federation: 15, we stick to a position that the evaluation should be carried out by the Internal Oversight Division (IOD), that would be the most appropriate solution. The IOD is an independent oversight authority, which is aware of the WIPO structure, the priorities and specific character of WIPO's work on site, both under normal circumstances and during the pandemic. We suppose that the IOD could make a proper evaluation of External Offices.

US: replace paras 15 through 18.

US: The evaluation will be conducted by an external evaluation team. (Algeria – this should be in brackets)

Selection process of the external evaluation team shall be conducted in accordance with WIPOs established procedures.

(The evaluation should be carried out by IOD which should be assisted by an evaluation team. – Algeria) (US - disagree)

The evaluation team should possess the requisite skills, knowledge and experience required to conduct the comprehensive evaluation of EOes in a credible (transparent, fair and objective – Algeria. US - agree) and independent manner.

The team should be familiar with:

- [\(a\) WIPOs mandate \(Chile – “including the Development Agenda”\) \(US – “as contained in the WIPO Convention”\)](#)
- [\(b\) WIPOs strategic goals](#)
- [\(c\) MTSP](#)
- [\(d\) \(WIPO Development Agenda – Algeria\) \(US – agree\) \(Russia – include the WIPO program and budget for the corresponding biennium\) \(Chile – DA is already part of WIPO mandate\) \(US – “WIPO Development Agenda recommendations” or “WIPO Development Agenda” is OK\)](#)
- [\(e\) Guiding Principles](#)
- [\(f\) and other relevant documents](#)

[The team should hence include one professional lead evaluator and two experts in the field of IP. \(Algeria – delete reference to one professional and leave it to the WIPO Secretariat according to practice\)](#)

[The evaluation team should observe the UNEG guidelines, standards and norms for evaluations in the UN System, as well as the WIPO evaluation policy and manual in the conduct of the evaluation.](#)

[Nigeria – support Algerian proposals in the above.](#)

16. [The WIPO Secretariat should be actively engaged in conducting the evaluation given its expertise.]

[Pakistan: new proposed wording of above paragraph: \[The WIPO Secretariat should be actively engage with the evaluation team during the evaluation given its expertise.\]](#)

17. [The evaluation team should possess the requisite skills and knowledge required to conduct the evaluation in a credible and independent manner. The IOD Director will be the Team Leader responsible for conducting the evaluation and delivering the outputs as per the Terms of Reference. Program specialists working under the different projects covered by the evaluation should be available to meet (directly or indirectly) with the evaluation team. They should provide additional information when necessary.]

[Algeria on behalf of the African Group: proposed new wording of the above bullet: \[The evaluation team should possess the requisite skills and knowledge required to conduct the evaluation in a credible, objective, fair, transparent and independent manner. The IOD Director will be the Team Leader responsible for conducting the evaluation and delivering the outputs as per the Terms of Reference. Program specialists working under the different projects covered by the evaluation should be available to meet \(directly or indirectly\) with the evaluation team. They should provide additional information when necessary.\]](#)

[Pakistan: suggests to delete the above paragraph](#)

**[CHAIR’S ALT TEXT in LIEU OF para 15,16,17 :**

**15. The Evaluation will be conducted (“under the direct supervision of the IOD by an evaluation team to be nominated according to established practice” Algeria – rest to be deleted. Uganda – supports. Russia - supports) (US – “in consultation with IOD”) by an Evaluation Committee comprising (“inter alia,” Slovakia; Russia – not agree) of (3) (Slovakia – delete) members:**

- **(External Auditor)** [Russia – delete, the report of the External Auditor 2020 WO/PBC/31/3] (Algeria – delete reference to External Auditor)
- **(Chair of the IAOC)** [Russia – delete, current mandate of the IAOC does not include these functions]
- **Director IOD** [Russia – the Division not the Director]
- **(Independent Evaluation Team – Slovakia) (Russia – not agree)**

US – cannot accept Chair’s text. Want external. IOD can consult. Pakistan – supports. Canada – supports.

Iran – wants evaluation by the UN Evaluation Group

Japan – evaluation committee should include at least one IP expert

18. [The evaluation will be conducted within the budget of IOD.]

[Pakistan: suggests to delete the above paragraph](#)

**[CHAIR’S ALT TEXT :**

**14. The evaluation will be conducted within the approved budget of WIPO for the current biennium for appropriate action by the Committee.]**

#### **G. Expected deliverables and process**

19. The following are the expected deliverables of the evaluation in sequential order:

- Final Terms of Reference: to be agreed by the Member States
- Inception report: to include, *inter alia*, an evaluation matrix based on the evaluation questions and criteria of the Terms of Reference; an analysis of available data; an analysis of relevant stakeholders to be consulted during the evaluation process; and draft tools for data collection and analysis.
- Preliminary findings and conclusions: resulting from a comprehensive process of data analysis, triangulation and validation; to be presented to the Member States.
- First draft of the evaluation report: highlighting findings, conclusions and strategic recommendations; to be presented to the Member States.
- Second and final draft of the evaluation report: incorporating comments received on the first draft; to be shared with the WIPO Secretariat and presented to the WIPO Program and Budget Committee.

20. [The WIPO Secretariat will be responsible for monitoring the implementation status of management actions and timeframes related to evaluation recommendations, in consultation with the PBC, as appropriate.]

[Pakistan proposed rewording of the above paragraph: \[The external evaluation team will present the findings of the evaluation with PBC for appropriate actions by the Committee.\]](#)

[The African Group suggests deletion of the above paragraph.](#)

US: replace paras. 19 and 20

In addressing the key questions, the evaluation shall also suggest possible improvements to each EO in its work in the implementation / advancement of WIPOs mandate, WIPOs Strategic Goals, MTSP and needs of the host country / region.

The evaluation team will first prepare an inception report, containing a description of the evaluation methodology and the methodological approach; data collection and analysis methods; key stakeholders to be interviewed; performance assessment criteria and the workplan of the evaluation.

The evaluation team will then prepare a first draft evaluation report with preliminary findings and recommendations.

The final output of the evaluation shall be a concise and clearly organized report of reasonable length, composed of an executive summary, introduction and brief description of the work undertaken to implement / advance WIPOs mandate, WIPOs Strategic Goals, MTSP and needs of the countries / region by each EO, the evaluation methodology used, and clearly structured, well-founded findings, as well as recommendations.

The leader of the evaluation team will be required to present the final evaluation to the Program and Budget Committee. (Algeria – “for its consideration and possible way forward”)

Russia – not agree with the above

**[ALT CHAIR’s TEXT in lieu of para 19,20 :**

**15. The following are the expected deliverables of the evaluation in sequential order:**

- **Inception report to include, (inter alia) (Russia – delete), an evaluation matrix based on (the evaluation questions and criteria) (Pakistan – delete) of the Terms of Reference; an analysis of available data; an analysis of relevant (stakeholders) (Russia – replace with beneficiaries) to be consulted during the evaluation process; and draft tools for data collection and analysis.**
- **Preliminary findings and conclusions resulting from a comprehensive process of data analysis, (triangulation) (Russia – awaiting clarification of meaning) and validation; to be presented to the (Member States) (Algeria, Russia – replace with “PBC”).**
- **An Interim Evaluation Report highlighting findings, conclusions and strategic recommendations; to be presented to the (Member States) (Algeria – replace with “PBC”).**
- **The Final Evaluation Report (incorporating comments received on the Interim Evaluation Report) (US – delete; France - support) to be presented to the WIPO Program and Budget Committee.] (“for appropriate action by the Committee” – Pakistan)**

## H. Timetable

21. While some Member States presented detailed input concerning the timetable for the evaluation, this input is now out of date. Clearly, the timetable for the evaluation process will be driven by the progress of negotiations among the Member States on the Terms of Reference. Consequently, it is not possible at this time to articulate a timetable for the evaluation. In this regard, it should be noted that the Thirty-Fourth session of the WIPO Program and Budget Committee will be held from June 27 to July 1, 2022. It should further be noted that in line with the WIPO Languages Policy, documents for the Program and Budget Committee would need to be translated into all six languages of the UN System. Furthermore, in accordance with established procedure in WIPO, documents would need to be submitted to the Committee at least two months in advance.

### **[CHAIR'S ALT TEXT :**

**16. The Evaluation Committee shall make available its Interim Evaluation Report inter-sessionally and present its Final Evaluation Report to the (35<sup>th</sup>) (PBC Chair – delete) PBC for consideration and (appropriate action) (Algeria – replace with “possible way forward”) (by the Committee) (Uganda – delete) (Russia – “appropriate action by the committee” to be deleted).]**

[Annex I follows]

**[Annex I – Non-exhaustive list of possible evaluation questions]**

**(i) From the ‘Guiding Principles’**

- Is the WIPO External Offices network sustainable?
- Is the WIPO External Offices network adequately sized?
- Does the WIPO External Offices network add clear value?
- Does the WIPO External Offices network bring efficiency and effectiveness to program delivery?
- Does the WIPO External Offices network operate in accordance with the WIPO Results Framework?
- Does the WIPO External Offices network operate in a coordinated way with WIPO Headquarters?
- Does the WIPO External Offices network deliver results in a way that may not otherwise be achieved through operations at WIPO Headquarters?

**(ii) From the Report of the External Auditor**

- What is the additional contribution or impact External Offices make to the overall achievement of objectives?

[Algeria on behalf of the African Group: proposed new wording for the above bullet: What is the contribution or impact External Offices make to the overall achievement of objectives?](#)

- Following from a process evaluation, how do the External Offices operate in practice and work with other stakeholders?
- What are the overall costs incurred in maintaining current arrangements and what are the relative cost benefits against other means of achieving similar outcomes?

[Algeria on behalf of the African Group: proposed new wording for the above bullet: What are the overall costs incurred in maintaining current arrangements](#)

- What would be the business risks which flow from the maintenance or expansion of the network?

**(iii) Supplementary and additional questions from the inputs of the Member States**

*Consistency with the ‘Guiding Principles’*

- To what extent does each External Office comply with the ‘Guiding Principles regarding WIPO External Offices’?

*Consistency with the Results Framework and contributions to Strategic Goals*

- How closely do the activities of the External Offices align with WIPO’s Medium-Term Strategic Plan?
- How have the External Offices allowed WIPO to extend its outreach to explain the potential for intellectual property to improve the lives of everyone, everywhere?
- How have the External Offices helped Member States in the development of the IP ecosystems?

- What are the main factors that have facilitated or obstructed the achievement of expected results by External Offices?
- Is the Results Framework for the External Offices – as a network and individually – suitable and optimal? Does it support accountability?

#### *Program implementation - considerations*

- Are projects implemented within the framework of annual workplans using good practice project management tools (planning, design, monitoring and evaluation) and are results frameworks at the project level adequately linked to Organizational Goals and Expected Results?
- Are adequate monitoring and evaluation mechanisms in place to ensure that: a) information on results achieved is captured; b) information on progress made is available; c) lessons learned are generated for the design of future activities; and d) the future assessment of impact is facilitated?
- What are the implications of the shift to remote working brought on by the COVID-19 pandemic for the functioning of the External Offices? Can online platforms developed during the pandemic partially or completely take over the role of existing or future External Offices?

#### *Support for WIPO's Global IP Services*

- In what ways are the External Offices conducting initiatives for users of the IP systems, especially for SMEs, startups, and young people, to enhance innovation and creativity?

#### *Management and internal coordination*

- Do the activity reports and plans prepared by the External Offices align with the agreed work plans of the respective External Offices? What measures could be undertaken to enhance the activity reports and plans produced by external offices?
- Are External Offices' operations and the flow of information between Offices and the headquarters effective?
- How do the External Offices and the WIPO Regional Divisions negotiate areas of focus and ways of working and is their collaboration and cooperation efficient and effective?
- Does the performance of External Offices depend on the effective realization of key administrative processes managed by Headquarters? Are there any hurdles?
- How is the functioning of External Offices coordinated within the Secretariat and with Member States, including with host countries? Do the existing coordination mechanisms facilitate efficient and effective delivery in accordance with the Results Framework? If not, what measures or mechanisms should be put in place to improve performance?

#### *Engagement with stakeholders*

- How do External Offices operate in practice and work with national/regional stakeholders?
- What is the stakeholder assessment of the contribution made by External Offices?
- To what extent are the activities and outputs of External Offices aligned with the needs and demands of stakeholders, users and target groups?

#### *Budget and cost efficiency consideration*

- What cost efficiency measures could be introduced without impeding the achievement of results by External Offices?
- What are the criteria for budget allocation among different External Offices?
- Are the personnel and non-personnel resources allocated to the External Offices sufficient for the achievement of expected results?



- What are the costs and benefits of delivering activities either through the External Offices or through WIPO Headquarters?

*Host country considerations*

- What kind of support does each External Office receive from its host country?

*Coverage of the External Offices*

- What would be the implications of existing External Offices conducting approved WIPO program activities within a group of countries or Regional Group, as agreed by the Member States involved (without prejudice to the scope of the existing External Offices)?

*UN Sustainable Development Goals?*

- What activities are the External Offices conducting to contribute to achievement of the Sustainable Development Goals (SDGs)?

Russian Federation: Annex I contains questions that duplicate each other (e.g., questions 3 and 7 in the first block, issue 1 in the second one). It is necessary to eliminate the duplication.

The second question from the second block also requires clarification. «Following from a process evaluation, how do the External Offices operate in practice and work with other stakeholders», what does it mean if the evaluation has not been conducted yet?

The last question in block ii is also unclear. Why business risks need to be assessed if WIPO and its External Offices have nothing to do with the commercial component? Since the appropriate funds are regularly included in the Program and Budget of the Organization adopted by all Member States.

It is not clear why the question of the contribution to the achievement of Sustainable Development Goals (SDGs) is included. The Offices are considered as WIPO's local units, and the WIPO's Program and Budget contains linkages between each program and the SDGs.]

[Annex II follows]

**[Annex II – Non-exhaustive listing of possible evaluation criteria****(i) From the ‘Guiding Principles’**

The nature and effectiveness of:

- collaboration with the national IP office(s) of the host country(ies)
- the promotion of the effective use of WIPO's Global IP Services
- activities designed to raise awareness of intellectual property
- the delivery of customer service to the users of WIPO's Global IP Services, including treaties and conventions administered by WIPO
- the provision of assistance for using IP as a tool for promoting development and transfer of technology
- the provision of policy and technical support to national IP offices to increase the use of intellectual property

**(ii) Supplementary and additional criteria from the input of the Member States and the Report of the External Auditor***Consistency with the Results Framework and contributions to Strategic Goals*

- Performance of the individual External Offices in achieving Expected Results under the WIPO Results Framework, as reported by the WIPO Performance Reports.
- Impact of the activities of External Offices, including the provision of information, on building respect for intellectual property.
- Analysis of activities of the External Offices designed to raise awareness of the importance of the IP system among SMEs and startups.
- Analysis of the nature and effectiveness of the policy and technical support provided by External Offices to IP offices.

*Program implementation - considerations*

- A comparative analysis of each office's workplans and respective compliance reports, highlighting governance in each office, the distribution of activities and any special characteristics of those activities.
- The percentage of activities of External Offices which are also performed by the Secretariat through online or in-person activities.

*Support for WIPO's Global IP Services*

- Assessment of feedback from users of External Offices' services.
- Volume of applications for the PCT, Hague and Madrid systems from the areas of responsibility of an External Office, over time.

*Management and internal coordination*

- Adequacy of management controls and systems, procedures and the reliability of information for decision-making and accountability purposes.

*Engagement with stakeholders*

- Number of contacts which External Offices have, in particular with SMEs and start-ups.
- Utilization of External Offices by stakeholders within the area of responsibility of an External Office including, where applicable, outside of the host country.
- Assessment of feedback from stakeholders of External Offices.

*Budget and cost efficiency consideration*

- Budget allocated to the External Offices and their expenditure since their inception.

*Host country considerations*

- Contributions provided to External Offices by host countries.
- A detailed cost analysis for each office and a breakdown of the amounts provided by their host countries, enabling a comparison between the two.

Russian Federation: Some provisions of Annex 2 also duplicate each other.

Subparagraph ii contains a question on the percentage of projects involving External Offices and the Headquarters. How can this rate be correctly calculated if the project is implemented cooperatively (for example, the speaker was a staff member from Geneva, but the External Office provided the target audience and the promotion of the event among stakeholders)?

The question on the volume of international applications «from the areas of responsibility of an External Office» is not clear. How can we identify in general statistics the applications that have been filed as a result of the External Office activities? What if an applicant contacted an External Office after an application filing with questions about the examination procedure? We consider this question to be inappropriate and propose to delete it.]

[End of Annex II and of document]