

Terms of Reference for the Independent Review of the Implementation of the Development Agenda Recommendations

(Informal session May 23, 2014)

Background

At its 2007 General Assembly meeting, WIPO Member States adopted forty-five Development Agenda Recommendations. The 2010 WIPO General Assembly, when adopting the Coordination Mechanism, requested “the CDIP to undertake an independent review of the implementation of the Development Agenda Recommendations at the end of the 2012-2013 biennium. Upon consideration of that review, the CDIP may decide on a possible further review. The Terms of Reference and the selection of independent IP and development experts will be agreed by the CDIP. ¹[see annex I – Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities] [annex II – DA recommendations]

Purpose and scope of the review

The independent review (the “Review”) shall assess, in a comprehensive manner, the relevance, effectiveness, impact, sustainability and efficiency of WIPO’s work in the implementation of the Development Agenda Recommendations during the period from 2008 to 2013.

[Chair #3] The independent review (the “Review”) shall assess, in a comprehensive manner, the relevance, effectiveness, impact, sustainability and efficiency of WIPO’s work undertaken to implement the Development Agenda Recommendations (hereinafter referred to as “WIPO’s Work”) during the period from 2008 to 2013

Key questions to be addressed

1. Relevance: to what extent WIPO’s Work and the results of its activities for the implementation of the Development Agenda Recommendations serve the needs of Member States, stakeholders and other intended beneficiaries?
2. Impact: what is the impact of WIPO’s Work in the implementation of the Development Agenda Recommendations? To this end, the Review must address the actual impact of WIPO’s work in the implementation of the Development Agenda Recommendations at various levels and across WIPO’s bodies and programs.

¹ Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities

3. Effectiveness: to what extent is WIPO's Work effective in the implementation of the Development Agenda Recommendations? To this end, the Review must address whether WIPO's work has been effective in achieving the outcomes in line with the Development Agenda Recommendations and also, whether the project-based approach has been effective.
4. Efficiency: how efficiently has WIPO used the human and financial resources in its work directed at the implementation of the Development Agenda Recommendations?
5. Sustainability: to what extent are the results of WIPO's Work sustainable in the long term? To this end, the Review must also identify the best practices and the lessons learned from the WIPO's Work in the implementation of the Development Agenda Recommendations with the view to achieving sustainable outcomes in future.

Methodology

The review team is expected to undertake the Review in a rigorous and efficient manner to produce useful information and findings for WIPO member states.

The methodology of the Review shall at least include the following: a) desk review of documents relevant to the implementation of the adopted Development Agenda Recommendations; b) interviews or focus group discussions with Member States, WIPO staff and beneficiaries; c) field visits, as deemed necessary, bearing in mind budgetary constraints; d) surveys. Additionally, the reviewers may utilize other appropriate methods in order to produce an in-depth and well-substantiated Review.

The WIPO Secretariat shall make available to the reviewers all relevant materials and information concerning the implementation of the Development Agenda Recommendations.

The Review Team

Selection process of the Review Team shall be conducted in accordance with the WIPO's established procedures.

The Review Team should possess the requisite skills and knowledge required to conduct the review in a credible and independent manner. The team should be familiar with WIPO's mandate and experienced in [GRULAC: the delivery of] technical assistance and capacity building activities in developing countries and LDCs. The team should hence include two experts in the field of IP and development, and one professional lead evaluator.

[Chair #3]

The Review Team should possess the requisite skills, knowledge and [practical] experience required to conduct the review in a credible and independent manner.

The team should be familiar with (a) WIPO's mandate, (b) Development Agenda Recommendations, including technical assistance, and (c) the development challenges of WIPO Member States.

The team should hence include two experts in the field of IP and development, and one professional lead evaluator.

The Review Team should observe the UNEG guidelines, standards and norms for evaluations in the UN system, as well as the WIPO Evaluation Policy (2010) in the conduct of the Review.

Deliverables

In addressing the key questions, the Review must [may] also suggest possible improvements to WIPO's performance and its work in the implementation of the Development Agenda Recommendations.

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

The Review Team will then prepare a first draft Review report with preliminary findings and recommendations.

The final output of the Review shall be a concise and clearly-organized report of no more than 10 to 15 thousand words, composed of an executive summary, introduction and brief description of the work undertaken to implement the adopted Development Agenda Recommendations, the evaluation methodology used, and clearly-structured, well-founded findings, as well as relevant recommendations.

The Leader of the Review Team will be required to present the final Review to the Committee on Development and Intellectual Property (CDIP).

Budget

Budget Item Description	Unit cost SFR	Total SFR
Expert honoraria (2 experts)	20,000	40,000
Lead evaluator's honorarium	25,000	25,000

Mission to Geneva during the Review process , including a briefing session with WIPO Member States; (Leader of the Review Team and 2 experts, 2 weeks)	13,500/ mission	40,500
Mission to Geneva for the presentation of the final report by the Leader of the Review Team (3 days)	10,000/ mission	10,000
Publication, translation and distribution of final review report	132/ sheet	3,960 ²
Field visits (Lump sum for 5 missions)	8,000 / mission	40,000
Provision for unforeseen costs	n/a	2,000
Total budget		161,460

Monitoring

The reviewers must keep the WIPO Secretariat informed of progress made in the Review on a regular basis.

[GRULAC] The WIPO Secretariat will keep Member States informed on the [UK outcome of the] selection process of the Review team, the inception report and the first draft Review.

² Cost estimate based on a document of 15,000 words.

TIMELINE

ACTIVITY	WEEKS																																							
Commencement of the review process: agreement of the CDIP on the ToR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
1. Drafting and publication of the Request for Offers (RfO)																																								
2. Pre-screening of candidates ³																																								
3. Selection of candidates for the Review team ⁴																																								
4. WIPO administrative approval																																								
Expected Output (1,2,3,4 above): Review Team Constituted																																								
5. Preparation of the Inception Report by the Review team																																								
Expected Output: Draft Inception Report of maximum 15 pages including structured review questions and/or survey questionnaires for key stakeholders consultation																																								
6. Review team visit to WIPO – Meetings with Member States Representatives and relevant WIPO Staff ⁵																																								

³ If Member States decide to be involved in the selection process, a clear deadline would need to be set and respected, allowing a timely initiation of subsequent activities.

⁴ Id.

⁵ This activity also entails the acceptance of the Inception Report. Its time frame may be revised if Member States decide to be involved in the Inception Report's acceptance procedure.

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