

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

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 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.
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

¹ Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities

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, knowledge and experience required to conduct the comprehensive review in all six clusters of the Development Agenda 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, including one with practical experience in delivery of IP technical assistance, and one with practical experience in dealing with development challenges, and one professional lead evaluator².

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.

² Regardless of the background of the experts, the team must review the implementation of the recommendations in all the six clusters of the DA.

Deliverables

In addressing the key questions, the Review shall 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 reasonable length, 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 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 ³ (2 experts) | 20,000 | 40,000 |
| Lead evaluator's honorarium ⁴ | 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 |
| Field visits (Lump sum for 5 missions) | 8,000 / mission | 40,000 |
| Provision for unforeseen costs | n/a | 2,000 |
| Total budget | | 161,460 |

³ The Member States have given flexibility to the Secretariat to allocate additional budget, should additional time be required by the Experts to fulfill the task defined in these Terms of Reference.

⁴ The Member States have given flexibility to the Secretariat to allocate additional budget, should additional time be required by the Lead Evaluator to fulfill the task defined in these Terms of Reference.

Monitoring

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

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

Budget

| Budget Item Description | | Unit cost \$K\$ | Total \$K\$ |
|--|--|-----------------|-------------|
| Expert honoraria (2 experts) | | 4,000 | 8,000 |
| Lead reviewer's honoraria | | 22,500 | 22,500 |
| Meets to discuss during the Review process, including a meeting with the WHO Member States (1 expert of the Review Team and 2 experts) | | 1,000 | 1,000 |
| Mission to Geneva for the inception of the Review by the Review Team | | 1,000 | 1,000 |
| Review Team's travel and subsistence | | 1,000 | 1,000 |
| Field visits (umpire and 2 experts) | | 5,000 | 5,000 |
| Promotion for the Review Team | | 2,000 | 2,000 |
| Total budget | | | 34,500 |

TIMELINE

[illegible]

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| | 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 | |
| Expected Output: - Finalized Inception Report. - Documentation of the results of meetings with stakeholders. - Collection of data and information. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7. Review work | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8. Consideration of the draft Review Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9. Finalization of the Review Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Expected Output (7,8,9 above): Draft and final Review report delivered | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10. Formatting, translation and publication of the Review Report as a CDIP document | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Expected Output: Final Review report. The final report will be translated into official WIPO languages and published on CDIP webpage 3 months prior to its presentation to the fifteenth session of the CDIP, in May 2015, by the lead reviewer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Based upon this table, if the review process is to commence after the fourteenth session of the CDIP (fourth week of January 2015), it would be achieved by the mid of November 2015 and the Review Report could be considered during the seventeenth session of the Committee, in May 2016. This timeline is established on the assumption of a full working period. However, lower work activity is expected during the months of July and August could potentially delay some activities.