

## **Assemblies of the Member States of WIPO**

**Fifty-First Series of Meetings**  
**Geneva, September 23 to October 2, 2013**

PROGRAM PERFORMANCE REPORT FOR 2012

*Addendum*

At its 20<sup>th</sup> session (July 8 to 12, 2013), the Program and Budget Committee (PBC), requested that comments made by Member States in respect of the Program Performance Report (PPR) for 2012 be reflected in the report of the PBC as well as annexed to the PPR for 2012. In accordance with this decision, the said comments made by Member States are reproduced in the present document.

[Comments made by Member States  
on the PPR for 2012 follows]

**COMMENTS MADE BY MEMBER STATES DURING THE DISCUSSION OF THE PROGRAM PERFORMANCE REPORT FOR 2012 AT THE 20<sup>TH</sup> SESSION OF THE PROGRAM AND BUDGET COMMITTEE.**

1. The Chair opened discussion of the PPR for 2012 program-by-program.
2. There were no comments on Programs 1 and 2.
3. The Chair opened the floor for discussion on Program 3.
4. The Delegation of Algeria, speaking on behalf of the African Group, asked for an explanation of the restructuring of the presentation of activities under Program 3. The Delegation of Algeria believed that in 2012/13 the budget referred to copyright and related rights in a general manner, while this budget referred to three kinds of activities: normative and policy-related work, copyright infrastructure, and technical assistance to developing countries and least developed countries (LDCs). The Delegation requested the Secretariat to explain what chapters of the 2012/2013 budget covered the same activities, and what amounts were budgeted for copyright infrastructure projects. Specific information was requested about the TIGAR Project and its relationship with the Marrakesh Treaty on limitations and exceptions for visually impaired persons (VIPs). The concern was raised that there might be confusion of tasks between the TIGAR Project and the Marrakesh VIP Treaty. Specific information was also requested about what is involved in the TAG and WIPOCOS projects.
5. The Secretariat responded to the questions by indicating that TIGAR is an acronym that stands for Trusted Intermediaries Globally Accessible Resources. The term “trusted intermediaries” was another way to refer to the “authorized entities” that were included in the Marrakesh VIP Treaty. The TIGAR Project allows a trusted intermediary in one country access to copyright-protected works in accessible formats from a trusted intermediary in another country with rightsholder approval. The information communications and technology system that provided this line had been developed at WIPO and was in the first phase of development. It has been used to transfer some 450 books from one country to the other with the approval of each rightsholder. The project had been running for about three years and was coming to the end of its first phase. There had been discussions about how to enhance and elevate it to complement the Marrakesh VIP Treaty. The Secretariat responded further that “TAG” stood for “transparency, accountability and good governance.” The TAG Project was an initiative to work with interested collecting societies in developing and developed countries to develop a standard for self-assessment. To address the uncertainty in the range of quality in collecting societies around the world, the project would work with industry to fix this problem. The Secretariat explained that most collecting societies are run by private organizations although a few are run by governments. The door has been opened as wide as possible to participation in the TAG initiative and several collecting societies had decided to come on board. Once the standard was developed it would allow the international community to look at each collecting society participating in the initiative to see what level it had achieved with respect to transparency, accountability, and good governance, which are critical issues. The Secretariat went on to explain that the term “copyright infrastructure” at WIPO was used to refer mainly to information and communications technology (ICT) systems. It involved computers, databases, and the networks that link these databases to users in different parts of the world. The costs of these systems had fortunately decreased significantly due to the ability to use Internet-based platforms. The Copyright Infrastructure Division handled ICT initiatives to support a variety of voluntary activities associated with works protected by copyright and related rights, including the TIGAR Project and the TAG Project. This Division also handled WIPOCOS, an initiative started in 1991 in Africa to provide software to manage the back office functions for collecting societies, which were also referred to as collective management organizations. The Secretariat noted that WIPOCOS was undergoing updating and redevelopment in order to be prepared to meet the

increasing demand. The members of collecting societies, who owned or control rights of various types, for example in lyrics, musical works, or other types of published works, had turned the management of these rights over to the collecting societies. So a musician in Barbados who had rights in a sound recording can register the rights in that work with a collecting society in Barbados, which could manage those rights. In the Program and Budget, copyright infrastructure was addressed between paragraphs 3.9 and 3.14, under the subtitle referring to advancing the development of copyright infrastructure. The TIGAR Project and collective management organizations had specific references, and while the TAG program was not mentioned specifically but was included there.

6. The Delegation of Algeria, speaking on behalf of the African Group, asked how the Secretariat planned to reconcile the Marrakesh VIP Treaty, which was based on limitations and exceptions and did not require the agreement of the author, and the TIGAR Project, which involved the prior consent of rightsholders. The two mechanisms both address cross-border exchange of works but they did not have the same starting point. The African Group requested that priority be given to the Marrakesh VIP Treaty. The Delegation of Algeria, in its national capacity, asked for clarification of the Secretariat's activities with respect to related rights. Many of the activities described for Program 3 referred to copyright, but not to related rights.

7. The Secretariat responded that, in general, the copyright infrastructure projects did not differentiate between copyright and related rights. With respect to the WIPOCOS system, it initially dealt with copyright-protected works. It was enhanced over the last two years to include related rights, and the further enhanced system under developments will cover both copyright and related rights. The Secretariat explained that the TIGAR Project and the Marrakesh VIP Treaty were complementary and did not conflict. When the TIGAR Project had started two or three years earlier, in parallel with the treaty negotiations in the Standing Committee on Copyright and Related Rights (SCCR), permission had been needed from rights holders to transfer books across borders. Once the Marrakesh VIP Treaty would come into force, over time the permission aspect of the project would no longer be needed. However, the technology and experience that had been developed could be used to transfer works between trusted intermediaries in Country A and Country B when the treaty was in force and they were able to exchange works under the treaty provisions.

8. The Chair opened the floor for comments and questions on Program 4.

9. The Delegation of Algeria, speaking on behalf of the African Group, emphasized the importance of Program 4 for the African Group. It was pleased to see that all the activities were on track and looked forward to seeing more emphasis on the activities of Program 4. The Delegation requested some information regarding the reduction in the "2012/13 Budget After Transfers". The approved budget had been 5,034,000 Swiss francs, while the budget after transfers was 3,883,000 Swiss francs.

10. The Secretariat explained that the approved budget had made provision for a diplomatic conference which had, however, not taken place and was not going to take place within the current biennium. Therefore, the budget for the diplomatic conference had been transferred out of the Program.

11. The Chair opened the floor for comments and questions on Program 5.

12. The Delegation of Spain, noting the decrease in the average cost of processing an international application to 680 Swiss francs in 2012, a reduction of nine per cent compared to 2011, requested the International Bureau (IB) to provide further information on the average income received by WIPO for an international application so as to be able to determine the difference between average expenditure and average income per international application and the evolution of that difference over previous years.

13. In reply to the query by the Delegation of Spain, the Secretariat confirmed that the costs of processing international applications had steadily decreased in recent years, mainly as a result of continued efforts by the IB towards increasing efficiency and of the (electronic) formats and means by which applicants had been filing their applications, requiring less work at the IB, which had helped to lower processing costs. To date, however, the IB was not in a position to tie costs of processing and income received to individual applications. While the IB would be happy to explore this further, it appeared unlikely that this could be performed for each individual application. An alternative could therefore be to undertake a statistical analysis of both costs incurred and income received by class of application, noting that, in making a tie to income received, the risks of currency fluctuations also needed to be addressed. In concluding, the Secretariat summarized that the trend was that costs for the processing of PCT applications was decreasing; and that it was not currently possible to tie specific costs to individual applications or classes of application, but that the IB would be willing to analyze this issue further.

14. The Chair opened the floor for comments and questions on Program 31.

15. The Delegation of Germany sought a clarification concerning the expected growth in the number of applications, as indicated in the budget targets for 2014/15. The Delegation recalled that the volume of applications during the biennium 2012/13 remained below the original estimation due to the economic downturn. In order to be able to make an informed decision on the future budget, the reasons for the gap between what was originally expected and the actual number of applications filed should be highlighted.

16. In reply to the inquiry by the Delegation of Germany, the Secretariat explained that the said gap was largely due to the financial crisis. Furthermore, because of internal reasons in some countries, for example, delays in the proceedings for implementing the legislation, some of the expected accessions to the 1999 Act did not materialize in the 2012/13 biennium. However, positive indications of intention to join the Hague system have been given by China, the Republic of Korea and the United States of America, in 2014 and by Japan, in 2015. Those accessions would certainly contribute to a significant increase in the number of applications and also eventually of the income.

17. In reply to a question by the Delegation of Turkey about the delay in the launch of the new interface for the electronic filing of international applications (E-Filing), the Secretariat pointed out that the new E-Filing has been available on the web site of the Organization since June 3, 2013, and feedback from the users has been very positive. The minor delay in the launch was due to a set of requirements for the establishment of a personalized applicant's work bench. The work bench allows returning applicants to use the details of earlier applications to prepopulate new international applications. In addition, the applicant's work bench allows scenarios where an applicant can partially fill in an international application and return to it at a later stage. The management of those evolving requirements took a little longer than expected.

18. There were no comments on Program 7.

19. The Chair opened the floor for comments and questions on Program 8.

20. The Delegation of Algeria, speaking on behalf of the African Group, underlined the importance that the Group attached to this Program as it afforded an overview of the way the Development Agenda (DA) was being implemented. The Delegation thanked the Secretariat for the activities that were being carried out in order to ensure better coordination of the DA. Referring to the performance indicator related to the coordinating mechanism, the Delegation observed that the Traffic Light System (TLS) indicated that the performance for this Indicator was On Track. However, in reality the mechanism had not actually been implemented or approved by all of the committees within WIPO. And in those committees where this mechanism was actually mentioned, it was done on an *ad hoc* basis. The Delegation asked the

Secretariat as to what criteria was used to conclude that the performance was actually On Track. The Delegation further sought clarification as regards the reduction in the amount indicated as "Approved Budget" and the "Budget After Transfer", adding that the footnotes did not sufficiently explain the reasons for the difference.

21. The Delegation of Egypt referred to the performance indicator related to the "number of DA Recommendations that had been addressed by the CDIP through projects, activities and studies" and the related baseline which stated "42 recommendations (though not fully exhausted)". The Delegation understood that not all the recommendations were implemented and inquired if a document had been adopted in this regard. Further, the Delegation sought explanation as to the phrase "though not fully exhausted".

22. The Secretariat, replying to the observations by the Delegation of Algeria on behalf of the African Group, stated that the Program Performance Report related to Program 8 and not the whole Organization. The issue of coordination mechanism was something that all the different Programs or committees had to report upon. As for Program 8, it had met its objectives in collating all the reports emanating from the different committees. On the question of the reduction in the amount indicated as "Approved Budget" and the "Budget After Transfer", the Secretariat stated that there had been a transfer of funds from the budget of Program 8 to the Academy and that was where the difference came from. Another representative of the Secretariat added that an additional reason for the reduction was the cost efficiency measures, such as in travel costs, which had been implemented during the biennium.

23. On the question from the Delegation of Egypt in respect of the recommendations not fully exhausted and what did the "not fully exhausted" mean, the Secretariat recalled that it was the Member States which had decided that the implementation of the projects did not mean that the recommendations addressed by a project had been exhausted, and that other projects in the future could still be proposed by the Committee. So the phrase "not fully exhausted" referred to that understanding.

24. The Delegation of Brazil requested clarification as regards the expected result pertaining to the number of projects proposed by Member States that were tabled for consideration by the CDIP. As the baseline, there was only one project and the Delegation was interested to better understand how the contribution of Member States would be evaluated if it had more projects, even if they were not approved, and if that would mean more successful work of WIPO.

25. In reply to the clarification sought by the Delegation of Brazil, the Secretariat stated that the Secretariat's performance needed to be looked at in the context of the role of the particular Division, which as a coordinating body, to a large degree, was in the hands of the Member States. In other words, one could only begin to develop an expected result on the basis of what the Member States within the Committee generated. So if it was one project, as was the case, then one would have to develop some kind of basis and a baseline based upon that. So essentially it was in a bit of a straight-jacket and totally dependent on what the Committee proposed. If there were more than one project, then of course the baseline and the performance indicators would be modified accordingly.

26. The Delegation of Brazil, while thanking the Secretariat for the explanation, supplemented its question by adding that if there was not a target or one specific number or even the impact of the project that was implemented, how it could be used as an expected result. The Secretariat stated that the role of the Development Agenda Coordination Division, which was Program 8, was to facilitate the tabling or proposing projects before the CDIP by Member States. While the Secretariat encouraged Member States to come forward with new proposals, obviously, as stated by the Secretariat, it was an activity where the Secretariat's performance was dependent upon the cooperation of the Member States. At the same time, when it came to performance data, it was how effectively the Development Agenda Coordination Division had facilitated the work of a Member State, in this case Burkina Faso, and how had the Secretariat facilitated and

coordinated the presentation of that project, its discussion and approval in the committee. So the number of projects would not change when it came to the TLS, the performance of the Division, whether it was one or ten. Of course, there might be cases where the Secretariat or the Division fails to support a Member State very well in terms of translating a proposal into a project document. The Division's performance was primarily based upon how effectively it facilitated that work. If there were more proposals, the baseline would keep changing accordingly.

27. The Chair opened the floor for comments and questions on Program 9.

28. The Delegation of Algeria, on behalf of the African Group, made reference to the creation of a new Division, as reported under Program 9 of the PPR, and requested more information.

29. The Secretariat, explained that the new Division was essentially a division grouped around some activities which were the result of DA projects approved by the CDIP. Among these were the IP Technical Assistance Database, the Roster of Consultants Database and the IP Development Matchmaking Database. The new Division was meant to follow through and take these databases forward, to make use of them, incorporate them and use them as tools in WIPO's technical assistance programs. For instance, the matchmaking database was being used as a tool for promoting partnerships and technical assistance to developing countries and LDCs. Another DA project was developing a methodology on branding, which could likewise be mainstreamed into WIPO's technical assistance programs. This activity fell slightly between the cracks of the Organization, in between the sector for brands which essentially focuses on legislative and legal aspects of trademarks and geographical indications and the Development Sector. The new Division was enabling WIPO to now give practical effect on the role of branding in developing countries and LDCs, especially in the agricultural sector.

30. The Delegation of El Salvador referred to the different format of presentation of Program 9 *vis-à-vis* Program 10 in the PPR report, the latter giving great clarity regarding the cooperation and capacity building activities undertaken for Central European and Baltic States (CEBS), Central Asian, Eastern Europe and Caucasian Countries (CACEEC) as well as some Mediterranean countries. The Delegation requested the Secretariat for a similar level of detail especially as regards activities in the Latin America and the Caribbean region.

31. The Secretariat replied that it was a good suggestion to have a better alignment of the results frameworks of Programs 9 and 10 and this will be looked into. It explained that the current reporting format followed the approved results framework of the Program and Budget 2012/13 and that improvements had been introduced into the Program and Budget 2014/15.

32. The Delegation of Australia made reference to the performance indicator relating to the "Number of Groups of Offices participating in a common platform" (WIPO CASE) under the Expected Result "Enhanced technical and knowledge infrastructure for IP Offices", and the corresponding TLS, Not On Track, and requested more information. The Secretariat clarified that under the approved Program Budget 2012/13, the target for this performance indicator was three while the performance data for 2012 was one.

33. The Chair opened the floor for discussion on Program 10.

34. The Delegation of Turkey, requested clarification regarding the performance indicator on number of countries with updated national IP laws and/or regulations where the updated baseline was 10 countries. The performance data indicated that four countries had updated their legislation and that six more countries were planning to amend theirs. What impact did WIPO have on the legislative process given the fact that too many factors may influence on the process before signing proposed legislation into law and how does WIPO measure its impact? A second question from the Delegation related to the Enterprise Resource Planning (ERP)

System. The first generation of the ERP had been released which was going to be integrated and become one of the components of the ERP portfolio of projects. In this context, how would the performance indicators and related performance data be used as an input into performance management given the very broad and wide range of activities? What kind of preparations has been undertaken and would be undertaken towards the full implementation of the ERP? In response to the first part of the question the Secretariat clarified that the Program was providing support to the legislative processes always based on the concrete requests received from Member States. Such requests could concern various stages of the legislative process and the Program's impact would be measured accordingly. As regards the question related to the ERP, the Secretariat clarified that the PPR had elements which had been delivered by the new system. The efforts had been on many fronts, for example, integrating the budget utilization information into the Program Performance Report. This had come from the first phase of the ERP implementation. The Program and Budget proposal for 2014/15 was also a result of the work that had been done under the ERP system where both the results framework and the resources had been built up using the new component of ERP system.

35. The Chair opened the floor for discussion on Program 11

36. The Delegation of El Salvador thanked the Secretariat for the information meetings that it had organized the week before the PBC on Program 11. Several issues of interest to the Delegation had been clarified by these information meetings and the Delegation was in the process of analyzing the explanations provided by the Secretariat. The Delegation looked forward to receiving further clarifications on the coordination mechanisms that the Secretariat envisaged to establish in the 2014/15 biennium between the WIPO Training Center and the Bureau for Cooperation with Latin America and the Caribbean. The Delegation had understood from the Secretariat that the definition of such a mechanism was work in progress. Nevertheless, the Delegation remained keen to receive information on the matter.

37. The Delegation of Algeria, speaking on behalf of the African Group, emphasized the importance attached by African countries to the establishment of national IP academies and enquired as to the reason why the performance indicator relating to the establishment of Start-Up Academies in 2012 (document WO/PBC/2012, page 72) appeared as being "not on track". The Delegation also requested clarification from the Secretariat how it intended to respond to future requests for the establishment of IP academies on the African continent.

38. The Delegation of Turkey stated that it attached great importance to IP related education. It was a priority area for enhancing IP awareness and ultimately to enable effective use and enforcement of IP rights and the Government of Turkey had engaged already with several universities and research centers to foster such IP related education. Also, cooperation with WIPO had started two years back with a view to establishing a new graduate program on IP in Turkey. The Turkish authorities had identified the most suitable Turkish university for such endeavor following a complex evaluation process. Regrettably, the WIPO Academy had not followed up on the planned visit of a WIPO expert to conduct a feasibility study on this initiative. Finally, the Delegation expressed its appreciation for the success of the Distance Learning (DL) Program of the WIPO Academy and asked clarifications on the difference between the following two performance indicators: (i) "completion rate of DL courses" (which seemed to be "on track"); and (ii) percentage of DL course participants having passed the exam (which seemed to be "not on track").

39. With respect to the issue of the performance indicator relating to the start-up academies, the Secretariat stated that there had been a misunderstanding between, on the one hand, the colleagues who had drafted the performance indicator ("number of start-up academies established (DA projects)") and those who had established the related 2012/13 baseline ("two") and target ("six"). If the indicator was interpreted as meaning "number of start-up academies projects started", then the baseline "two" and target "six" made sense (because at the time of drafting the 2012/13 Program and Budget two such projects had indeed been started). If,

however, the said indicator was interpreted as meaning “number of start-up academies delivered”, then the baseline “two” made no sense because indeed at the time of drafting the 2012/13 no start-up academies had been delivered. At the same time, considering that the Phase II of the Start-Up Academies Project coincided with the 2012/13 biennium, it was normal that the six projects would not be fully deployed by the end of 2012, but only by the end of 2013. Furthermore, start-up academies projects had not necessarily a linear spending pattern and due to a number of reasons the deployment of project activities tended to intensify in the final phase. Also, the pilot phase had shown that in average the deployment of project activities took longer than initially estimated at the time of designing the project. The Secretariat remained confident that by the end of 2013 the performance indicator related to the start-up academies project would be “on track”.

40. Referring to the question by the Delegation of Turkey, the Secretariat explained that the existence of two different indicators for the DL Program was due to the fact that while advanced DL courses required passing a final exam, certain introductory did not and at the end of the course students would be awarded a certificate of completion without having to pass an exam. At the same time, it was important for the Program Manager to monitor the rate of enrolled students who completed any given course.

41. There were no comments on Programs 12, 13 and 14.

42. The Chair opened the floor for discussion on Program 15.

43. The Delegation of Hungary requested additional information related to the breakdown of countries being assisted by the Program and clarification concerning the chart contained on page 89, specifically, whether there have been any requests for software packages related to industrial designs during the period under review; and if there had been any, where it was indicated in the chart. The Secretariat responded that it would be happy to provide additional breakdown of information of the countries, which benefit from WIPO's technical assistance under this Program. As regards requests for industrial design automation systems, the Secretariat informed the Committee that such type of request had not been received. However, the IPAS system for patents could also be applicable and used for industrial designs. So there could be some IP Offices dealing with both patents, trademarks and industrial designs that would be able to use and extend IPAS to the design application procedures. The Secretariat did not know specifically which Offices were using the system for industrial design applications, but technically it was possible.

44. There were no comments on Program 16.

45. The Chair opened the floor for discussion on Program 17.

46. The Delegation of Algeria requested information on the Secretariat's legislative assistance activities referred to in Paragraph 17.2. The Secretariat recalled that legislative assistance was provided by the Secretariat upon Member States' request, in accordance with the standards and obligations contained in Part III of the TRIPS Agreement. In doing so, all flexibilities and options were indicated, in particular with references made to Articles 7 and 8 of the TRIPS Agreement, in order to ensure that the Member States, especially LDCs, were fully aware of the flexibilities available to them.

47. The Delegation of Brazil requested clarification on the Secretariat's activities undertaken to implement Expected Result VI.2 regarding systematic and effective cooperation and coordination between the work of WIPO and other international organizations in the field of building respect for IP. The Secretariat recalled the cooperation in the framework of the Global Congress on Combatting Counterfeiting and Piracy, where WIPO partners with INTERPOL, the World Customs Organization (WCO) and the private sector, and brings in some of the issues from the Advisory Committee on Enforcement (ACE). Another example was the joint activity



between WIPO and the United Nations Environment Programme (UNEP) to address equitable disposal of infringing goods, also an issue previously discussed in the ACE.

48. The Chair opened the floor for discussion on Program 18.

49. The Delegation of Iran (Islamic Republic of) asked the Secretariat to provide further information regarding paragraphs 18.2 and 18.7. Paragraph 18.2 mentioned that, working closely with Program 20, WIPO continued to contribute to, and participate in relevant policy processes and paragraph 18.7 regarding competition policy mentioned that a structured albeit informal cooperation with other 11 relevant organizations had been initiated. The Delegation asked for further information on this cooperation and participation, how this cooperation was organized and how the Member States were being kept informed about any discussion, result or decision in this respect.

50. The Secretariat stated in respect of Program 18.1 that the activities undertaken in cooperation with other intergovernmental organizations, specifically included cooperation with WHO and WTO. Since 2009, a trilateral cooperation addressed issues of trade, innovation and public health from a broader perspective. Since 2010, three Trilateral Symposia had taken place. Each of them had been opened by the three Directors General. The third symposium had taken place at WIPO last Friday and had covered the topic of *Medical Innovation - Changing Business Models* in the area of innovation in global health. Another outcome of this trilateral cooperation had been a publication entitled *Promoting Access to Medical Technologies and Innovation* addressing the intersections between public health, IP and trade. The joint Study had been presented by the three Directors General in February. Member States had been invited to all these events. Moreover, the Secretariat had provided three briefings on the activities of the Global Challenges Program since the last PBC to keep Member States informed.

51. Regarding paragraph 18.7., an informal cooperation had been initiated with World Trade Organization (WTO) and Organisation for Economic Co-operation and Development (OECD) on competition policy. This was a really informal cooperation where representatives of these three organizations had met and just updated each other on recent activities with a view to avoiding duplication of activities and making sure to contribute to whatever activities which they were doing in their respective areas. Since this was a very informal cooperation which had not generated any tangible outcome, such as a Joint Study or any joint meetings, the Secretariat had not briefed Member States beyond the information contained in this PPR.

#### Report on Activities of Program 18 (IP and Global Challenges)

52. The Secretariat provided an oral report on activities of Program 18 (IP and Global Challenges) (also distributed in paper copy to the Committee). It recalled the genesis of the Program which went back to the agreement between the United Nations and WIPO that captured already the nature of IP: on the one hand, to provide an incentive for creativity and innovation and, on the other hand, to facilitate technology transfer. It also clarified the objective, namely to accelerate economic, social and cultural development. This had confirmed the mandate of WIPO.

53. WIPO had increasingly been called upon to provide input into the rather complex questions of how IP and major public policy issues, such as public health, climate change and food security interrelate. In 2009, the IP and Global Challenges Program had been established. The Program had a practical approach in the sense of providing practical answers to practical questions, to cooperate with other major players in the area, in the sense of providing information on these issues as they relate to IP, and, very importantly, to provide practical tools and platforms that can, on the basis of the IP system, achieve tangible outcomes and results which have also a broader development dimension.

54. In the area of global health, the largest number of positive results had been achieved: in the joint cooperation with the World Health Organization (WHO) and WTO the three Symposia and the Trilateral Study and *WIPO Re:Search*. *WIPO Re:Search*, already presented at the last meeting, was an open innovation platform meant to boost innovation in the area of neglected tropical diseases, tuberculosis and malaria. These were areas where the market did not set sufficient incentives for innovation. Within the one year, *WIPO Re:Search* had doubled membership to 69 members. It had been possible to have meaningful uploads into the database which were available free of charge to any institution in the world that conducted research in the area of these diseases. 26 collaborations had been concluded, and many more were in the pipeline. An interesting new development was the establishment of a rather generous funding trust by Australia that allowed to finance hosting arrangements for scholarship of developing country researchers in public research institutions, universities or in the pharmaceutical industry. That would help build capacity to better address these issues and to better innovate in the area of these neglected diseases. One example was the collaboration between the Kumasi Center for Collaborative Research in Tropical Medicine in Ghana and the Stanford University in the United States of America. Another example was an agreement between the South African pharmaceutical company IThemba Pharmaceuticals and AstraZeneca.

55. In the area of climate change, most activities so far were centered on WIPO Green. This platform was not so much about innovation but more about transfer of already existing technologies. WIPO GREEN was currently in a pilot phase and was intended to be a marketplace for existing technologies that, first of all, enhanced transparency as to what technologies were available and what needs existed. It provided access to a network of partners which could give additional supporting services, such as training, capacity building, negotiating technology licenses, and could facilitate finance solutions. WIPO was working with a range of partners, including a regional development bank. This platform would be formally launched at the end of November in Geneva. United Nations Framework Convention on Climate Change (UNFCCC) Executive Secretary Christiana Figueres had already confirmed to attend this meeting.

56. In the area of food security, the Secretariat had not been able to undertake a similar amount of activities because the available resources needed to be focused on the currently more advanced projects. However, one Global Challenges Seminar on the topic and a Workshop on IP Innovation and Food Security in collaboration with the Tanzanian Ministry for Agriculture had been organized. In addition, the Secretariat was developing a strategy for a baseline study with stakeholders in the United Republic of Tanzania and the Norman Borlaug Institute for International Agriculture in the US.

57. The Chair asked when WIPO GREEN database would be ready and how developing countries would know about it so that it could be helpful and of mutual benefit for commercial transactions. His experience from working in different places was that many countries had challenges and already invented ideas, in Europe, Japan, etc. Therefore, if this database was accessible to people in different places, how would it be known?

58. The Delegation of Brazil asked for clarification on the decision making and the choice of projects to be implemented under this Program. As of today, Global Challenges only reported to the Program and Budget Committee (PBC). How could the Member States interact with the Program?

59. The Delegation of Egypt stated that this Program was very important because there were seven million Swiss francs being put into it. With regard to the targets, raising awareness and the decision making process on IP in establishing policies, WIPO was there to provide information and develop tools on IP to be used for transfer of technology to developing countries to be able to address the various different challenges faced. Egypt wanted to encourage discussions on this. However, some challenges remained unaddressed. The

presentation did not have enough detail to enable seeing how people could benefit from the activities undertaken, particularly with regard to data, for instance under *WIPO Re:Search*. There was some collaboration in 2012, five hosting agreements that had been established. Egypt encouraged this. But it would be good to have more detail about the possible benefits from such activities. Another challenge was to how present this evaluation. There had been some briefing sessions, in November 2012 and in March 2013 at the margins of other committees. But, the issues were not being dealt with by any particular committee, they were being discussed at the margins or in parallel sessions. It would be good to decide which would be the appropriate committee to deal with this and present exhaustive reports to such a committee, whether it was the SCP, the CDIP or another. It would be useful to have fuller information which would help to understand what was available for countries, what were the benefits. The Delegation thanked the Secretariat for the efforts.

60. The Delegation of Japan appreciated the ongoing activities addressing global issues, in particular *WIPO Re:Search* and WIPO GREEN in which Japan was actively involved. Regarding WIPO GREEN, the Delegation noted that the Conference on Climate Change Innovation in Africa held in Kenya this June was partially funded by WIPO and considered it important to create an environment for industry to voluntarily contribute to the global issues. The Delegation wanted to actively cooperate with WIPO for this purpose.

61. The Delegation of El Salvador stated that it was very interested in the topic, in *WIPO Re:Search* and WIPO GREEN. There were national requests for such initiatives. The Delegation echoed the statement of the Delegation of Egypt since greater information made Member States more aware of the projects and the possibilities. While it did not know how the Secretariat could actually satisfy the need for this, these initiatives should be made accessible to all Member States. Somehow it had to be done. The Delegation was awaiting with great interest the report for November and the issues for the next biennium which were coming up and were of great interest to it.

62. The Delegation of France followed up on some concerns that had already been raised. It noted a lot of interest around these global issues but was very surprised by the way that they were dealt with. There were agencies in charge of food security plus WIPO. But WIPO did not have the size or the experience for an equal partnership. It needed to be seen what WIPO could really bring to an issue which was not specifically IP in concrete terms. The World Meteorological Organization (WMO) knew the IP issues relative to their sector. Did WIPO have anything to add to that? Was WIPO already known as a partner agency on climate services at a particular level? The data classification was of course one of the most concrete issues. How was it ensured that data is kept up to date and is fully shared to allow the developing countries to make rapid progress? That was something very concrete. There was a Working Group on that at WMO. He had never heard of WIPO GREEN before. The issue was not UNFCCC. Regarding last week's meeting it had to be understood what was WIPO's added value to existing processes. The wording used was surprising. The Delegation did not know if WIPO had done anything on food security. Maybe there was something very specific about IP and food security. This was not clear. In terms of the Delegation's interaction with capital, there was a need to know more to decide what Programs were going to be implemented. How did WIPO positioned itself in terms of making sure that it was giving added value, that organizations were working correctly in terms of IP around their issue? If an organization was not working correctly with regard to IP in their specific area, WIPO could tell them that without necessarily being a partner agency. WIPO should broaden itself to deal with 20 issues that other agencies were already dealing with rather than seven, for instance, currently. In the organizations that the Delegate followed, WHO, International Labour Organization (ILO), WMO, he had never heard them saying that WIPO had been a very useful partner to them in this particular issue on climatological data and the way they were transferred, on medical data and the way were transferred. He had not heard anybody saying that WIPO had a marvelous way of transferring that can help them. The Member States needed to understand the legitimacy of WIPO actually being active in these areas because he felt like WIPO was trying to establish its mandate to

gain territory in some way. The idea was not for WIPO to gain territory in terms of its mandate. It had to do its core task so that Member States could see why there was an added value for WIPO in this area so that they could support WIPO as Member States.

63. The Secretariat explained that the key preoccupations regarding the launch of WIPO GREEN were how it was publicized and how duplication was avoided. The WIPO GREEN web site was already available as a pilot. It had not yet been promoted broadly because it had not yet been launched and was being tested. However, the Secretariat had already been speaking about it and had been engaging with many potential partners in order to avoid duplication. There might be other platforms trying to do similar things. There was, for example, a platform established in the context of United Nations Development Programme (UNDP), which was meant to facilitate technology transfer. The Secretariat was working with them to make sure not to duplicate data, but rather cross-reference data. Similar things were done with the Asian Development Bank, with the Association of University Technology Managers (AUTM) which had established a technology database, although not specifically in the area of green or environmentally sound technologies. WIPO GREEN was not a "me, too" thing but tried to avoid duplication and enhance coordination. In terms of publicity, the Secretariat was using the possibilities which it had at its disposal. Work with an increasing number of partners should spread word around. The Secretariat would be grateful for any support from Member States. Any Member State's institutions, anyone who could participate in WIPO GREEN was welcome to participate either as an entity that had technology to offer or as an entity that was seeking technology, or, in a third capacity, as an institution or an organization that could offer additional supporting services in that concept.

64. The Secretariat replied to the question of the Delegation of Brazil on decision making and implementation that first a reference for the projects was established in the draft Program and Budget which was approved by Member States. The first mention of the collaborative platforms which gave green light to start exploring possibilities in this area was in the Program and Budget for 2010/11. It had mentioned work on establishing collaborative platforms where WIPO would add its specific expertise and contacts in order to add value to the efforts to facilitate innovation and enhance the transfer of technologies in these particular areas. The collaborative platforms were further developed and step by step reported through the PPR. In that respect, there was a loop back to the Member States. The cooperation with other organizations was mentioned in several areas of the DA where it was said that WIPO should work with other international organizations from the perspective of the respective mandates, ensure policy coherence and avoid duplication.

65. Regarding the issue of information and participation of Member States raised by the Delegations of Egypt and El Salvador, the Secretariat clarified that as much information in as many fora as possible was provided. Information had been provided to the last session of the Standing Committee on the Law of Patents (SCP), and information sessions at the margins of both CDIP and SCP had been organized. Member States could participate by spreading word about these collaborative platforms among institutions that are potentially interested in collaborating. In Brazil, the Secretariat was working with the *Fundação Oswaldo Cruz (Fiocruz)* in *WIPO Re:Search*. The Theodor Bilharz Research Institute in Egypt was sending a researcher to the University of California. However, it was not WIPO who took the decision on whom to send where. WIPO was a provider of both platforms and provided the catalyst that hopefully facilitated cooperation, innovation and technology transfer. WIPO was not itself providing neither any material nor any scholarships. WIPO provided the platform on which this material was promoted and made available and where these contacts were facilitated.

66. The Secretariat expressed its gratefulness for the financing to a very large extent of the *Conference on Climate Change Innovation in Africa* in Kenya by the Japan Fund in Trust.

67. In response to the comments made by the Delegation of France, the Secretariat referred to a similar dialogue at the last meeting relating to WIPO GREEN and assured that WIPO was

neither engaging in mission creep nor was it trying to make itself more relevant than it was. There were in fact requests for information on how innovation and technology transfer actually worked and how that could happen in the area of these issues. WIPO did not correct anyone. WIPO participated, observed and acted as a resource, if it was requested, by making available neutral and fact based information and not by pushing anyone's agenda in any respect. WIPO did not have an agenda except that to follow the obligation as an international and UN organization to contribute to debates which took place in UN fora and to provide the expertise which it actually had in order to contribute to the overall UN goal: not only working as one but delivering as one. WIPO had definitely a contribution to make. WIPO's special area of expertise was not how meteorological data or medical data were being shared. WIPO could not really participate confidently on discussions that only dealt with public health. However, if the discussion was, for example, how the wealth of information available through the patent system could be used to, for example, determine freedom of operation in order to facilitate innovation in the area of medicines, of global health, then WIPO had a lot to offer. And that was the subject of one of the trilateral symposia which were organized together with the WHO and the WTO in 2011. WIPO was not overstating the importance of IP, but felt that it had to contribute to discussions in order to simply provide the expertise which it had and to add value from the specific expertise and specific contributions which it could make.

68. The Chair observed that France had raised a strategic question and had made a valid point. A trend could be observed in the UN system that each organization was trying to expand. One of the problems was that, for example, the ILO covered many issues and covered also human rights issues and WTO talked about food security. The question was valid not only regarding WIPO. It was a valid question for all the work of all the international organizations. The UN conference delivering as one, the UN Secretary General with the different organizations, what did they do and where to draw the line? The question was what the value added was. No one denied that there could be a role, but what was asked was what exactly the niche was. Food security was done in the Food and Agriculture Organization (FAO), in WTO, at the UN General Assembly. The question was where the value added in each one of them was, where the lines of each organization should be drawn. Of course each one felt that it wanted to increase its mandate. The United Nations High Commission for Refugees (UNHCR) talked about refugees but now there was talk about, for example, to go into humanitarian disasters. The Chair concluded that in response to the questions in the next year there was a need more for substance. There were very good headlines. But they needed more substance, more meat on the skeleton provided by the Secretariat. What could be done in this area? How were these examples helping? What was the niche that WIPO could provide so that Member States could say, yes, in the global challenges, there is a role for WIPO, or, no, there is no role and WIPO's money should not be spent on this issues. For Member States to be able to judge and make a value statement on whether WIPO should enter these other areas, they must have more information. Member States might want the Secretariat to go deeper into one area and might not want that in another area. In order to enable Member States to have this interesting dialogue in depth, Member States needed that information. The Chair hoped that the next year's report could be more focused and could give more details on some of these issues.

69. The Delegation of Brazil asked that for the next session written information was given prior to the meeting that could be forwarded to the capitals.

70. The Delegation of Belgium on behalf of Group B stated that the Group was very happy with the information provided. It might have been a little bit late. But there was also a late introduction of another document. The Group did not see the need to get further additional documents in this regard.

71. The Delegation of Egypt said that any additional information was always welcome. It was a good idea to provide it to Member States and the countries concerned to take account of the information. The written reports were very important, very useful, particularly for the parties concerned.

72. The Chair asked Group B to clarify the position that it did not want more information and opposed to the request of some members to have more information.

73. The Delegation of Belgium on behalf of Group B explained that it found that the Global Challenges Division was working perfectly well. Member States would be free to contact the Secretariat directly to receive more information. The Group reiterated that it did not see the need to come up with another layer of documents. There was already a big heap of documents on which to work further, and the Group was perfectly fine with the level of information received. On the further question of the Chair whether the Group was opposing that the Secretariat presented more information institutionally, the Delegation of Belgium on behalf of Group B clarified that it was not opposing anything, but stated that Member States are free to contact the Secretariat directly in an appropriate way, to contact the Global Challenges Division and ask for more information in this way.

74. The Delegation of Algeria explained that it saw that delegations were not asking for additional information, but they were asking that a report should not be just a presentation, but it should be a formal report like all WIPO documents. While the paper that had been introduced was very useful, it could not be sent as it was to capitals since it was not a formal working document. Nothing else was requested. The Delegation did not understand why Group B would oppose that.

75. The Secretariat stated that it was happy to provide information to Member States and asked for guidance on what delegations would like to have more. There was already the quite exhaustive PPR, pages 98 and more. It would be helpful to get guidance about what exactly delegations were looking for beyond what was have in the Report and in the presentation.

76. The Delegation of France agreed with what had just been said. It had indicated the information that were missing or lacking for Paris. But that was not urgent. Future indications had been given in this report and the Secretariat could submit things differently and complete them. A good compromise was to talk about this serenely in the coming months and to discuss the format and what information was missing. That could be adjusted as it progressed. If Member States felt that there were urgent, pressing questions, they could be dealt with. The point was to agree on the future format. The position of Group B did not have to be cumbersome. One had to engage in. That was just the specific way ahead. Perhaps in light of those discussions, there could be two or three additional supplemental discussions but no occasions should be missed to master the demand unless there was a special pressing urgency today. The way of submitting this information and data could be adjusted in the forthcoming exercise.

77. The Delegation of Egypt stated that it did not wish to make the tasks of the Secretariat more cumbersome. The Secretariat always submitted reports corresponding to needs and requirements. The Delegation suggested beginning with the results. There were, for example, outcomes for the activities linked to each result indicated. Now there were implementation indicators only. It might be possible to begin with the results. In the presentation was just given one example of cooperation between two institutions. Other examples for cooperation could be submitted, such as cooperation with Egypt. In this way, the countries could take advantage from this by exchanging experiences. This was a possibility for improvement of data and information. In this way, the forthcoming document would provide more information specifically within the framework of the results.

78. The Secretariat explained that the PPR, in fact, was a formal document provided to the Member States which could be easily used. Otherwise a plethora of extra papers would have to be read in connection with the PPR. Therefore, it suggested to expand the PPR in order to include those elements which were there and make them part of the formal approach. Those who wished to have that piece transmitted to capitals would just take it out of the PPR and send just the relevant pages.

79. The Delegation of Brazil explained that the idea of having information only on Program 18 was related to the special characteristics of the Program. This case was not related with the pattern of the draft budget proposal. Since the Program only reported to this committee, Member States should have more information compared to other Programs that already reported to other WIPO Committees.

80. The Secretariat clarified that there was already an expanded report for Program 5 on the PCT System. The PPR had a much more detailed presentation than for other Programs. And as some Member States had already said, this needed to be tied into the results framework so that it could be linked with delivery. The suggestion was to expand on the textual information under Program 18 to include those elements as had been done in other areas so that it was formally included in the PPR as part of Program 18's reporting of its activities.

81. There were no comments on Program 19.

82. The Chair opened discussions on Program 20.

83. The Delegation of the Republic of Korea inquired which of the indicators were related to the external offices to assess the contribution of external offices.

84. Regarding the indicators, the Secretariat explained that the reporting in the PPR was based on what had been approved in the 2012/13 Program and Budget. It was true that in the case of the 2012/13 results framework there were no explicit indicators for each external office in Program 20. The results frameworks had been considerably improved in the 2014/15 Program and Budget proposal, specifically for external offices under Program 20. In 2012/13, the external offices were feeding into expected results in many different Programs and Strategic Goals.

85. The Chair opened discussion on Program 21.

86. The Delegation of Turkey referred to the performance indicator concerned with percentage of queries for legal advice which receive prompt, independent and reliable responses from the Office of the Legal Counsel. In particular, the Delegation asked how WIPO maintained consistency with advice based on such queries when such queries were directed to many different parts of the Organization.

87. The Secretariat replied that this indicator related to legal queries directed specifically to the Office of the Legal Counsel. Queries are directed to other areas of the Organization and these are covered by indicators contained in relevant programs (for example, Programs 1, 2 and 3).

88. The Chair opened discussions on Program 22.

89. The Delegation of Turkey, referring to the first performance indicator ("percentage of WIPO programs using performance data for managing program performance), inquired whether 53 per cent in the performance data against the baseline of 20 per cent represented the percentage of Programs that used first generation the ERP EPM system. The Delegation wondered why not all of the Programs used this first generation model. It also emphasized that it acknowledged and appreciated the 53 per cent performance which was very well on track.

90. The Secretariat explained that in strengthening results based management (RBM) one of the endeavors had been to ensure the use of performance data not just to report on results but to actually use it internally, by management, to continuously improve performance. This indicator reflected how well program managers were using performance data generally and not necessarily the new system. The first phase ERP EPM involved planning and that was what had been currently implemented. The next phase would be the assessment and reporting. The

Secretariat reiterated that this indicator reflected how managers were actively using the same performance data to manage their day-to-day operations.

91. The Chair opened discussion on Program 23.

92. In response to questions from Member States, the Secretariat provided some additional workforce metrics. This additional information would also be provided in the Human Resources (HR) Annual Report 2013 which would be available at the PBC in September.

93. The Secretariat confirmed that overall workforce numbers had remained stable for the past three years. Within the overall total number of staff of 1,242, the number of fixed-termers had gone up, and the number of short-termers had declined, as a result of the contract reform. The overall number of staff remained unchanged partly due to an increase in productivity, particularly in the PCT and Madrid areas. In addition to the staff funded by the regular budget, WIPO had a small number of staff funded by other sources. Also WIPO employed a small number of non-staff which were consultants, fellows, interns, etc. which were about 5.8 per cent of the workforce. The Secretariat provided a breakdown of staff by sector. With regard to staff costs, the Secretariat added that the percentage of staff costs had also remained within the same range for the past three years, i.e., between 66 per cent and 68.3 per cent.

94. The staff performance management system of WIPO was reported to work satisfactorily with a high level of compliance. Training was centrally managed and an amount of 1.4 million Swiss francs had been allocated for the biennium. In addition, a significant amount of training was delivered through internal trainers. This internally provided training amounted to more than half of all training provided to WIPO staff.

95. On gender balance, the Secretariat stated that the overall gender balance had reached 50 per cent but imbalances continued to exist at different levels, particularly at senior Professional levels. WIPO was committed to achieving gender balance at all levels by 2020. A Gender and Diversity Specialist had joined the Secretariat on July 1, 2013.

96. With regard to geographic diversity, the Secretariat acknowledged the concerns expressed by several Member States that certain imbalances existed and needed to be addressed urgently.

97. On audit recommendations in the area of human resources management, the Secretariat confirmed that the number of open recommendations had declined from 52 in July 2012 to 15 in July 2013. The remaining 15 open audit recommendations related to the implementation of the ERP system planned for October 2013, to internal justice planned for implementation in January 2014, and to training.

98. The Delegation of Mexico, speaking also on behalf of GRULAC, reaffirmed its concern regarding geographic balance and requested improvements in the short and medium term, with indicators and clear goals within the HR strategy.

99. The Delegation of Poland reiterated the points raised by the Delegation of Mexico.

100. The Delegation of El Salvador thanked the Secretariat for its presentation and noted that it had made suggestions and comments in other committees with regard to geographical diversity. The Delegation wanted to know the criteria for determining nationality since many applicants had more than one nationality.

101. The Delegation of Iran (Islamic Republic of) had the same question as the Delegation of El Salvador and asked that details of nationalities of the staff be included in the HR Annual Report.



102. The Secretariat confirmed that only one nationality, the first nationality, was recognized for UN records, and that a detailed breakdown of nationalities of staff would be provided in the HR Annual Report.

103. The Delegation of Spain thanked the Secretariat for the presentation of HR data and for the engagement with Member States on the issue of staff. The Delegation suggested that an indicator on absenteeism should be re-introduced in Program 23. The Delegation asked for information comparing absenteeism rates among different UN organizations. The Delegation further requested that an indicator be added to monitor the percentage of staff costs so that Member States could see the evolution of costs and to ensure that the percentage does not increase as seems to be the tendency in the UN system.

104. With regard to absenteeism, the Secretariat noted that a study on occupational health had been conducted recently. Initial data suggests that WIPO absence rates were not significantly different from those of other UN organizations. The Secretariat had further taken measures to monitor and manage absenteeism. On the suggestion about introducing an indicator on staff costs, the Secretariat shared the analysis offered by the Delegation of Spain regarding the risks of an increase in the percentage of staff costs on the overall expenditure, reducing the resources available for other activities. In this regard the Secretariat welcomed the suggestion of an indicator and confirmed that the idea would be followed up.

105. The Chair asked the Secretariat to comment on a matter raised by the Delegation of Japan in relation to the PPR for 2012.

106. The Secretariat stated that regarding the Funds-In-Trust (FIT) Annex, some factual corrections had been received from the Delegation of Japan, and that these corrections would be duly reflected in the updated report.

107. The Chair opened the floor for discussion on Program 24.

108. The Delegation of Spain expressed satisfaction for the work which had been carried out by the Secretariat, including in terms of achieving efficiencies and savings. In its view, other indicators could be added even though the Delegation was not making specific suggestions at this point. It indicated that it would appreciate receiving, as last year, from the Secretariat a specific document on efficiencies and savings on the basis of which to make comments.

109. The Secretariat confirmed that such a document would be presented to the twenty-first session of the PBC, at the September session, similarly to what had been done last year on the same subjects and in the same context.

110. The Chair opened the floor for discussion on Program 25.

111. The Delegation of Spain inquired as to the use of Open Source software and Cloud computing and webcasting services and the difficulty of searching webcasts for particular entries and speakers.

112. The Secretariat replied that it already used Open Source Software extensively especially in the back end in running the computer servers. Regarding the use of cloud computing, the Secretariat stated that it already used Cloud to host some of ICT systems. At the same time, WIPO was part of a group of UN Agencies that were in the final stage of evaluating industry proposals for larger scale adoption of Cloud. However, WIPO had some unique challenges in the sense that almost all the ICT service providers were also WIPO's clients using WIPO's services. The Secretariat was also pleased to know that webcasting was well valued. Concerning the difficulty of searching a particular segment of video recording, currently there was no cost-effective way to build the indexing into the recording for search. As the technologies continued to evolve, the Secretariat would look into the feasibility of such implementation.

113. The Delegation of Turkey inquired as to the structure and function of the ICT Board and the status of implementation of core ICT services.

114. The Secretariat replied that ICT Board was chaired by the Director General and supported by the Assistant Director General for Administration and Management, the Assistant Director General for Global Infrastructure, and other Directors including the Chief Information Officer. The ICT Board was the top governing body for ICT matters in the Secretariat. Regarding the status of implementation of core ICT services, the Secretariat explained that the 38 core ICT services were critical infrastructure components used by almost all information systems and therefore were already in place. They had been identified as the primary targets for re-enforcement in the context of business continuity, which was in progress.

115. The Delegation of France inquired as to the use of mirror sites for data protection and security and the funding of ICT investment, which seemed to be automatically funded through the use of the reserves. The Delegation considered such investment as maintenance, which should be a part of regular expenditure coming from the regular budget and not be considered as an exceptional expense to be borne by the reserves.

116. The Secretariat replied that Mirror site was primarily to improve Secretariat's ability for business continuity, which was not directly related to the location of external offices. It was subject to very different set of considerations including data protection in the event of disasters. Data protection in the context of confidentiality was a different matter, which covered the mirror site as well as the primary site. On the funding of ICT investment, the Secretariat explained that investment in ICT was not automatically financed through reserves. For example, the improvements for the online access to WIPO meetings that had been well appreciated by the Member States had been financed by the regular budget (although the future capability in the New Conference Hall was financed by the reserves, just like the building itself).

117. The Chair opened the floor for discussion on Program 26.

118. The Delegation of Spain underlined that in Program 26 the majority of the indicators were on track. Nevertheless it was reported that the number of audits performed in high risk areas did not meet the target. The Delegation asked for explanation on what occurred and what was planned to be done to reach the overall biennium objective. As a second question, and eventually as a suggestion, the Delegation of Spain was wondering if it would be possible to establish an indicator to reflect the percentage of recommendations of high risk implemented by the Secretariat. The Delegation of Spain would like to follow up on how the Secretariat carries out high risk recommendations made by internal audit.

119. The Delegation of Germany had the same concern with regards to Program 26. There were six audits of high risk areas to be completed and four audits were completed in 2012. The Delegation of Germany would like to know when the remaining two audits would be completed and would like to have more information on those six high risk areas.

120. The Delegation of France pointed out that internal oversight plays a role in overall performance management and also on the quality of external accounting: the better the internal auditor worked, the better the reputation of the Organization was likely to be. The Delegation appreciated that the work carried out seemed to be of very high quality. It stressed the fact that the oversight's means were not up to the challenges and risks, so even if the work was of high quality, the quantity was lacking. The Delegation estimated that, compared to other smaller organizations, WIPO was big enough to have a good structure for independent internal oversight. Therefore the expectations were high and it seemed that the Division had not sufficient positioning in terms of monitoring or supporting the follow up of recommendations. The Delegation wished to mention that the level of reporting to Member States was a little disappointing because the Organization had a model of functioning which was quite unique and more difficult to understand for Member States. The Delegation added that with the difficulties

in accessing the reports, as it was already mentioned, it was not yet as good as it was expected. A qualitative enhancement was to be made with regards to the role played by internal audit toward the external audit. The Delegation emphasized that it was not a paradox, as external oversight/internal control was something natural and very important. The Delegation wished that some thought be given to the paradox of the indicators. As this fundamental paradox of internal audit was a real problem. The Delegation added that if a good auditor found lots of things, the report would have lots of alerts, but the problem was that it did not happen because people were afraid that the Member States would ask why there were so many things being flagged. The Delegation encouraged having a reflection on indicators that would be different from the approach of all other Programs. A solution would need to find out how to neutralize that paradox. The Delegation reminded all Delegates to keep that in mind and to have some thoughts about it, maybe not for 2014/15, but for 2016/17. A specific reflection on those indicators that affect internal oversight should be made on how to value that work, because for Member States, there was nothing better than a highly critical report from internal oversight. This was what Member States would value most.

121. The Director, Internal Audit and Oversight Division (IAOD) thanked the Delegations for their positive comments and provided clarifications on the questions asked by them. Concerning the results of the indicator on number of audits, the Director, IAOD explained that the reference level were of six audits in a year. Four were actually carried out in the first year. It was meant to be six per year so 12 for the biennium. There were actually four in 2012, the first year of the biennium. Four out of 12 was below the threshold of 40 per cent which was defined as necessary to reach "on track" indicator. In order to achieve a "green" indicator at least six out of the 12 reports were needed, but the reference point was still 12 for the biennium. As the Delegation of France underlined, that was a staging post. Four audit reports were issued instead of six for the first year of the biennium, but the Director, IAOD specified that the aim was still to have 12 overall during the biennium, hoping that next year it would come back with a green light for that without needing to explain any exceptions. The Director, IAOD gave the reasons why four reports had been completed, the first reason being independent of its responsibility which was that one of the auditors left in the middle of the year. He was replaced quickly by the end of the year, but if the Division had a very experienced auditor who knew the Organization well and left, once replaced, the new one did not know the Organization as well. So things were slowly getting started. The second reason given by the Director, IAOD was that IAOD implemented a new software to assist in planning work on individual assignments and in following up on open recommendations. The Director, IAOD outlined that the new software would benefit the whole organization in the months to come but that it was something that took time and resources of the Division. Those two reasons could justify why the intermediary objective of more audit reports was not reached. Coming back on the number of reports, the number of issues raised and the number of recommendations, the Director, IAOD thought that they were not really educative for the organization as it was possible to have a lot of reports without any recommendation out of them. The Director, IAOD added that IAOD was playing a role with others in internal control. For instance, the Joint Inspection Unit (JIU) and the External Auditor were playing a role. IAOD was playing a role but when it came to internal controls it was the primary responsibility of the Program managers. If Program managers had a robust internal control mechanism, there would be reports analyzing that internal control system but with a small number of recommendations. With regard to indicators, the Director, IAOD found indicators that already existed in the 2012/13 Program and Budget, they were decided in 2011. So these were not indicators that would have been chosen but the IAOD team worked to define better indicators. The Director, IAOD considered that in the 2014/15 Program and Budget the indicators were defined in a better way to help measure the quality of work and the quality of what had been done. So, for instance, implementation: percentage of recommendations implemented timely by the Organization was an indicator for 2014/15. The Director, IAOD came back to the software that was mentioned before, saying that it took time to establish it but that it was going to be helpful to monitor those indicators very closely. With regard to access to reports, Member States decided last year that on request they could access to audit and evaluation reports of the Division. The Director, IAOD mentioned that the Member States just

had to send a request to be granted access to those reports. It seemed to be quite a simple process. According to the Director, IAOD, those who had already taken advantage of that had not signaled particular problems, even after a couple of problems at the beginning. The Director, IAOD concluded with the resources of the Division and positioning and proposed to postpone that discussion for the budget discussion that probably would be the most appropriate place to discuss that.

122. The Chair opened the floor for discussion on Program 27.

123. The Delegation of Turkey stated that, with the introduction of the new WIPO Language Policy as stated in paragraph 27.2, the workload had increased dramatically compared to 2011. In order to handle the workload, WIPO had introduced computer assisted translation tools, which were going to be deployed in 2013. Those tools had the potential to reduce translation costs. WIPO had a plan to take further steps with fully-automated tools which might improve translation quality. The Delegation of Turkey requested that a short study be carried out by the Secretariat for the consideration of the related Committees, in particular the PBC, on the use of machine translation tools, examining whether they were used by other UN agencies, as well as their cost implications.

124. The Delegation of Spain praised the work of the translators and interpreters, in particular, in terms of quality and efficiency. The Organization had increased the number of Committees, and their meetings, for which translation and interpretation were officially provided and that was a budgetary challenge. However, despite the efforts being made, there were times when documents were not provided sufficiently in advance. At times it was difficult to fulfill the requirements. Looking at the Assemblies, one interesting indicator was the percentage of documents presented two months in advance. The two-month period had been instituted by WIPO in order to give delegations time to prepare. The Delegation asked whether the Secretariat was considering extending that rule not only to the Assemblies, but also to other Committees where documents were provided in the official languages. Another important issue was that of ensuring interpretation at all times for the Committees. Although there had been improvements over the past three months, several Committees had ended very late and it had not been possible to provide interpretation beyond 8 or 9 p.m. As that was also an indicator, in terms of quality of service, perhaps there was a need for an indicator which would make it possible to see if there could be an improvement in that regard, so there would be a minimum number of Committees for which it was not possible to provide interpretation throughout the working period of the Committee. Another possibility for consideration by the Committee or by the Secretariat was an indicator to help measure the evolution of the average page length of documents and perhaps reduce it. The longer documents were, the more expensive it was to translate them. Moreover, perhaps there could be an indicator that could help or motivate the Organization to make documents as short and succinct as possible. Such an indicator might help the Organization to contain costs to the lowest level because that would also help to increase quality of service.

125. The Delegation of Venezuela (Bolivarian Republic of) stated that the Delegation of Spain had highlighted some very important issues. In the Delegation's view, the linguistic issue was intimately related to the issue of development and the need to ensure that people could read and consider the documents in their own language in the capitals. WIPO had been making significant efforts along that road, although there were still some issues that remained to be resolved. There were two languages often used for work and that meant that documents in the other four languages often appeared later. However, in the opinion of the Delegation, the WIPO Secretariat could evaluate the number of documents that were used per Committee and per member per meeting. There were often very lengthy documents but not every meeting was attended by the same number of countries and there was a lot of wastage in terms of the carbon footprint and environmental impact. Huge documents were being produced for meetings attended by a small number of representatives and those documents were merely being recycled.

126. The Delegation of Belgium supported the statements made by the Delegations of Spain and Venezuela (Bolivarian Republic of) and suggested introducing an indicator providing information with regard to the average number of documents for each Committee. The Delegation asked whether there really was a need for lengthy verbatim reports. There was a precedent in the WTO, where shortened and summarized documents were being used and smaller Delegations always benefited from short documents. The Delegation concluded by asking whether it would be possible to start making certain changes concerning the number of documents.

127. The Secretariat stated that WIPO had introduced new computer-assisted translation (CAT) tools replacing the existing system. The CAT tools, which had been tested over several months in 2012, were focused on translation management, terminology databases and the workflow environment. A tool had been selected in 2013 and was currently being used by translation staff. It was felt that efficiency norms would definitely improve as a result. With the introduction of efficient CAT tools and the resulting improvements in terms of translation memory, it was hoped that the process would be rendered more cost efficient. The Secretariat added that machine translation, as it stood today, could not provide the quality standards required by WIPO. When the Language Policy was discussed at the General Assembly in 2010 and 2011, Member States had made it clear that while taking necessary steps to implement the Language Policy, the Secretariat should ensure that quality does not suffer. Quality was deemed to be the most important element when it came to the translation of WIPO documentation. However, the Secretariat was following developments with machine translation, as were other UN bodies, and would exercise appropriate options in the future. With regard to the statement made by the Delegation of Spain, the two-month time period for the presentation of documents was for all Committees, not just for the General Assembly. The Secretariat would try, as far as possible, to ensure that documents were ready in all the languages, two months before the start of the Committee.

128. With regard to the interpretation facilities that were available for the Committees, the Secretariat said that interpreters were hired for the duration of specific meetings. WIPO did not have staff interpreters, as such, and the Organization tried to plan its meetings and book interpreters at the beginning of the year. Interpreters were normally hired for a specified period of time during the week, normally 10 a.m. to 1 p.m. and 3 p.m. to 6 p.m. Quite often, arrangements were made to retain interpreters beyond 6 p.m. but at times it was not possible to provide interpretation in all the six languages because of the short notice provided to the organizers. If the schedule for the week was finalized at the beginning of the week, the chances of arranging interpretation beyond the scheduled hours was better, though ideally the timings should be known at the time of finalizing the contracts.

129. As to the length of documents, there would be an opportunity to discuss that issue when the Committee turned to the Program and Budget for the next biennium. When the Language Policy was adopted in 2011, concerns were raised about limiting the size of documents. At that time it was assessed that the volume of documentation would rise by about 18 percent, but the actual increase was 53 percent. One of the decisions taken, in principle, at that time was that the document size would be about 3,300 words (about ten standard UN pages). However, no limits had been placed on the documentation presented to WIPO by the Member States. Furthermore, a decision had been taken to the effect that if a study, survey or questionnaire had been requested by a particular committee, at the behest of the Member States, an executive summary of about ten pages would be provided along with that study. In such cases it is only the executive summary that would be translated into the other five languages. The study would be circulated in the source language, unless a request was made by a Member State or a group of Member States to have it translated into some other language. Some of those studies were about 400 pages in length. Normally, only the executive summary was translated into all six languages. However, there were cases where requests had been made to have the study translated into other languages. The average cost of translating one page in 2012 had been 177 Swiss Francs. The cost of translating a 400-page study was therefore quite considerable.

The Secretariat was trying to enforce rationalization and control measures for its documentation and some favorable results had already been seen in 2013, as compared to the length of documentation in 2012. The Secretariat would be happy to restrict the number of documents made available in print form. At the UN in New York, the 'PaperSmart' concept had been introduced and paper documents were no longer made available in the room for most meetings. Participants in meetings were encouraged to carry their own iPads or laptops and most of them were following the meeting using electronic copies of the documents. Anyone requesting a paper copy of a document had to wait until it was printed and made available. The Secretariat would be happy to introduce such a practice in WIPO, with paper copies being made available only on request, if so decided by the Member States.

130. With regard to verbatim reports of meetings, Member States had stated that they wished to retain the verbatim reports, rather than switching to summary reports or a Chair's summary. In 2012, the average length of a verbatim report for committee meetings was 194 pages. Some of the reports were 300 or 400 pages in length. In respect of timelines, the Secretariat said that it had to make WIPO documentation for Standing Committees and Main Bodies available in all the six languages. With regard to the Working Groups, it had been decided to consider the issue when the 2014/15 Program and Budget was discussed, based on the Secretariat's experience in implementing the Language Policy over the previous two years.

131. The Chair highlighted the fact that translation was expensive and that more needed to be done to reduce costs in that regard.

132. The Delegation of France underlined the importance of the issue of interpretation, stating that it was not easy to find an ideal solution. As to verbatim reports, the Delegation wondered whether a shorter document existed that would state what the status of the document was and what the regulations were, because what was currently being requested was not a translated verbatim in paper format. What was needed was a recording, which would allow participants to verify what had been said, with specific statements on specific points being translated if they were decisive in nature. With regard to other issues, there were statements on conclusions; however, there was a need to be able to pinpoint issues if problems arose. Other than that, there was no need for verbatim reports. The Delegation felt that it had often been misquoted in verbatim reports. Moreover, there was the question of validating verbatim reports. What could Delegations do if they disagreed with the contents of such reports? The cost of making corrections was enormous. The Delegation asked those delegations requesting verbatim reports to consider the possibility of carrying out checks using the recording.

133. The Delegation of Spain pointed out that it was impossible to predict the enormous scale of the work of the Standing Committees and that would explain why the two-month deadline for having documents ready in advance of a meeting was not always met. As to the issue of meetings that went on for longer than scheduled and the subsequent problem of the availability of interpretation, that question was both a financial and organizational one. Perhaps the Member States and the Secretariat should make greater efforts to ensure that meetings ended at the scheduled time. Meetings that continued beyond the time allotted did not necessarily make for better-quality discussions. In the view of the Delegation, the issue was one of self-control on the part of the Member States and the Secretariat. With regard to the length of documents, the Delegation said that some documents put forward by the Secretariat were only 15 or 20 pages in length, but only a summary was provided in the other languages. Such documents could not be considered to be long and should not pose a problem in terms of translation. The fact that only a summary of the said documents was being provided was a matter of concern. The Delegation wondered whether the Secretariat had any ideas in terms of indicators that could improve the situation with regard to the two-month requirement, the lack of interpretation at the end of meetings, and the rule concerning exceptionally lengthy documents and the translation of documents of a certain length. However, the Delegation was open to a debate on verbatim reports. The only real issue was the possibility of being able to verify statements when a problem arose. The Delegation did not see the added value of verbatim

reports but was much more concerned by the points it had raised and would like to see some progress made in that regard.

134. The Chair pointed out that the issue of interpretation and language services was to be discussed under Item 5 and again in September, when the Secretariat would prepare a document on the Language Policy. If an agreement was reached concerning verbatim reports and audio recordings, that decision could be adopted in September.

135. The Delegation of the United States of America supported the statement of the Delegation of France to the effect that there was no need for a written record, if an audio recording was available. However, the Delegation raised the issue of the indexing of such recordings and the problem of locating specific statements on a sound file. A text search could be performed on written verbatim records. If such issues could be resolved, then audio recordings could be used and significant savings made. Captioning and text streaming existed. As to the translation of statements into the other UN languages, the Delegation suggested that statements could be transcribed rather than translated from English at a later date.

136. The Delegation of Italy supported the statement of the Delegation of the United States of America, commenting that properly-indexed sound recordings would be a good solution. However, there was also the possibility of directly captioning the words of the interpreters, with revisions being carried out, should there be any factual errors.

137. The Delegation of Egypt stated that the issue of verbatim reports was one that required careful analysis. Certain countries still required full verbatim reports, in particular countries with very small delegations which could not always attend each and every meeting. In such cases, verbatim reports allowed delegations to follow what had been said in the various Committees and bodies. The Delegation agreed that translation was expensive and that machine and computer-assisted translation systems did not always capture the real meaning of texts. One solution might be to use both systems in tandem. A translation produced using machine translation or computer-assisted translation technology could be corrected or revised by a human translator, thus saving time and reducing costs.

138. The Delegation of the United States of America wished to clarify that if sound recordings could not be properly indexed and written verbatim reports had to be maintained, its suggestion would be to have text streaming into the other five UN languages when a statement was being made, rather than to have translation at a later stage. Such streaming would be recorded on paper. That approach would be cheaper than translation, with the words of the interpreters being transcribed.

139. The Delegation of El Salvador thanked the Secretariat and said that with regard to paragraph 27.9, concerning WIPO's measures to improve efficiency, the Delegation appreciated that the said measures, and, indeed any reduction in costs in the Organization, should not be detrimental to the interests of Member States. The Delegation welcomed the fact that the performance indicator system seemed to be working normally. The Delegation wondered whether it would be possible to be provided with information concerning the number of notifications of the Madrid system prior to the end of the year. As to the transcription of documents, one of the important elements in terms of the development of IP, the Delegation welcomed the fact that the summaries of the documents had been made available in Spanish. Some of those documents were lengthy but they reflected in-depth elements of studies. Representatives abroad might be bilingual but staff members back in capitals were not. Hopefully, that practice would continue. The summaries were more than satisfactory and that practice could perhaps be adopted by the PCT Working Group.

140. The Delegation of Venezuela (Bolivarian Republic of) pointed out that the issue of translation was a complex one and questioned whether the Committee was the right forum in which to discuss such matters. The cost of translation covered the experience and knowledge

of the translator involved, not merely the number of pages translated. With regard to the possibility of having full documents, summaries were prepared by one individual and were often subjective, although unintentionally. As to automatic translation, such an approach would only make the situation worse. Using automatic translation systems to produce documents that were subsequently revised by translators might prove to be more complicated than simply sending documents to a human translator. The Delegation reiterated its statement to the effect that the number of printed documents could vary from one Committee to another. Obviously, the Organization would have a greener and more environmentally-friendly image. The Secretariat should assess the average number of documents printed per Committee. It was often the case that large numbers of documents were produced for meetings that were in fact attended by very few people. The number of documents produced could be increased on request. Finally, interpreters and translators provided a solution to the "Tower of Babel" with which the Organization was confronted.

141. The Secretariat stated that the percentage of outsourcing had increased from 35 percent in 2011 to 56 percent the following year, due to the enhanced workload. With regard to in-house productivity, WIPO in-house translators had a norm of 1,500 words per day for translation and 4,500 words per day for revision. A recent survey done by IAOD showed that, of all the organizations in Geneva, WIPO had the highest productivity rate. If the Member States decided to move away from verbatim reports, the Secretariat would implement the decision. With regard to the issue of summaries being prepared for lengthy documents, even if they were only 15 or 20 pages in length, in 2011 the Member States had indicated a threshold of 10 pages. However, the Secretariat was exercising some flexibility in that regard, as it was important to ensure that the quality of documents was not adversely affected. With regard to audio recording and other suggestions, the matter would be examined in consultation with the Information and Communication Technology Department.

142. With regard to the intervention made by the Delegation of El Salvador regarding paragraph 27.9 and the implementation of certain efficiencies; the Secretariat clarified that the quality of services was not affected. The costs had been reduced as a result of negotiations with the service providers. With regard to Working Groups, the issue would be taken up when the budget for the next biennium was discussed. The Secretariat agreed with the statement of the Delegation of Venezuela (Bolivarian Republic of) concerning translation quality and the importance of not focusing too much on cost. At the end of the day, the Secretariat had to ensure that the documents made available to Member States were of good quality, reflected WIPO style, and conformed to the standards set by the Organization. For external translators, a rigorous selection procedure had been put in place, in order to ensure that Member States were provided with the right kind of documentation.

143. The Secretariat added that many of the comments that had been made were helpful and would be of assistance in preparing the final Language Policy document. There would be an opportunity to refine some of the indicators, when discussing the 2014/15 Program and Budget and the current discussion was timely. At WIPO, an opt-out approach to printed documents was employed whereby documents were made available in electronic form, unless a delegation specifically requested paper copies. Documents were not simply printed off and distributed to all delegations. As to web recording and the proposals made concerning indexing, there was a trade-off between the approach taken in terms of indexing and the associated cost. In that regard, the Chief Information Officer had spoken about the expense involved and that issue would be closely looked into. Other organizations had been examining the very same issue but WIPO had also to be mindful of the IP rights of its interpreters while considering the issue.

144. There were no comments on Program 28.

145. Discussion was opened on Program 29.



146. The Delegation of Germany asked for clarifications concerning the situation after the termination of the contract with the former General Contractor, more specifically in terms of delays and cost. The Delegation understood that the delivery date of the New Conference Hall Project had been postponed but that there would be no additional costs.

147. The Secretariat confirmed that the delivery of the Project had to be postponed to the end of February 2014, while the expected cost remained well within the approved budget. This information had been provided and periodically updated at the usual monthly briefings with Member States held since October 2012. The Secretariat took the opportunity to remind delegations that the Secretariat had been providing oral monthly briefings, as had been requested by the PBC in September 2012. The July 2013 briefing had been scheduled for July 11, between 2 and 3 p.m. in the Uchtenhagen Room and all delegations were welcomed to attend. As agreed with delegations present at the May 2013 briefing, there would be no briefing in August and September for obvious reasons (summer holiday period and the formal PBC and Assemblies sessions in September).

148. The floor was opened for discussions on Program 30.

149. The Delegation of the United States of America noted that of the seven performance indicators, four were not on track, two were not applicable, the latter due to the newness of the Division. Only one indicator was on track, the satisfaction level of individual participants, which was a good plus. The Delegation requested information as to the four that were not on track. The Delegation asked for clarification on the performance indicator of “users from developing countries of WIPO-developed tools, models and materials on innovation and its commercialization.” In particular, the Delegation asked why 1,167 users did not constitute at least 40 per cent of the 2,400 baseline (40 per cent being the threshold for “on track” that had been identified the Secretariat).

150. The Delegation of Algeria asked for additional information on the problems encountered in establishing Technology Transfer Offices (TTOs). With regard to performance indicators for national IP strategies, it stated that there was no information under the performance data (said none). Presumably there had not been many activities carried out. The Delegation asked for additional information on this issue.

151. The Delegation of Egypt supported the comments by the Delegations of the United States of America and Algeria regarding performance indicators which were not on track. The Delegation felt that Members needed to have regular reports, perhaps every couple of months, to be able to follow-up on these matters in order to be assured that efforts were being made, particularly for developing countries.

152. The Delegation of El Salvador asked for more concrete information on what had been done on certain projects, including establishing TTOs and with respect to the WIPO university initiative. With regard to the performance indicator on number of IP strategies, including an innovation and technology component, the Delegation was surprised to see “none” under performance data. Such sensitive topics should not be allowed to appear with no progress noted. The Delegation felt that things that had been done could well be reflected under this chapter. The Delegation asked for more concrete information on what had been done on certain projects, including establishing TTOs and with respect to the WIPO university initiative

153. The Delegation of Germany considered this Program to be of great importance and found it regrettable that on some points that there did not seem to be performance data. The Delegation was interested in what the expectation was for 2013 because it was under the impression that some of this lack of data might be remedied or some of the training, training of trainers that had not taken place might yet be taking place in 2013.

154. The Delegation of Italy asked whether the reduction in the financial envelope reflected in the PPR by redeployment of personnel affected the activities of the Division in implementing its work. The Delegation also wished to have additional information on the points raised by the previous speakers.

155. In response to the Delegations' questions, the Secretariat discussed the creation of the Innovation Division from two separate units small and medium-sized enterprises ((SMEs) and Innovation and Technology Transfer) in January 2012, the human resource-related challenges resulting from that combination, and that the key performance indicators had been established in 2011, before the arrival of its Director in February 2012. Regarding the TTO project for the Arab Region, the Secretariat observed that external funding had prevented the project from being on track. Regarding the WIPO University Initiative Program, the Secretariat observed that there was a shortage of personnel for that program. Regarding the number of national IP strategies, the Secretariat explained that a fair amount of advice had in fact been delivered (including in the TTO project), and that there would be more activity in this area. However, certain personnel experienced difficulties in moving the projects along. In all, the requisite 40 per cent – which would have required that two out of three national strategies be completed in 2012 – was not achieved. Regarding the number of users of WIPO-developed tools, models and materials on innovation and its commercialization, the Secretariat said that when the program started in its combined form (as referred to above), there was an assumption that the word "users" referred to people that WIPO was training who received the materials and were therefore enabled to deploy the tools they had received. A difference of interpretation arose later, and the question arose as whether the term "users" should require some qualification and verification that those people were actually, in their daily work, making use of the materials that they had been provided in the training. It was agreed to establish a survey to determine the number of users under this new interpretation; and indeed the PPR table on page 76 states: "In 2012, the survey required to determine the number of users had not yet been developed, hence, there is insufficient information to assess the number of users for 2012. The survey questionnaire has now been developed and is in use for 2013."

156. The Delegation of Brazil inquired as to the reason for the lower-than-expected usage of non-personnel resources for DA projects.

157. The Delegation of Egypt suggested that, since lack of external financial resources was responsible for not meeting certain targets, the Organization could finance these projects. the Delegation expressed support for projects for SMEs for the budget.

158. The Delegation of the United States of America, on the question of "users" *versus* "participants," and observing that "we don't have the data because the survey was not compiled or sent out," inquired whether this indicator, instead of being "not on track," should instead be designated "not available" to reflect the lack of data. The Delegation asked for clarification about the actual numbers (1,167 users vs. 2,400 users as a baseline).

159. The Secretariat responded by pointing out that 2,400 users was the baseline, while the target was actually 3,200. The Secretariat also observed that the indicator in this case, since the data available do not actually reflect the indicator, the TLS (Traffic Light System) could instead be "not available."

160. Regarding the Delegation of Brazil's question on DA projects, the Secretariat commented that there were two primary factors, including: (a) some difficulty in finding agreement among certain Member States about what they would be willing to do on certain pilot projects, which took much longer than expected; and (b) some of the human resource problems that were experienced during 2012 also interfered with greater progress on those projects. The Secretariat additionally observed that there are current discussions concerning ways in which the remaining work can be finished and delivered within 2013.

161. The Secretariat responded to the Delegation of Egypt's question regarding the Organization funding the TTOs projects by observing that this type of funding question was up to the Member States, and would have to be addressed in the context of the overall budget and a consideration of priorities.

162. The discussion on the PPR for 2012 was closed. The Chair read out the amended proposal for the decision paragraph.

163. The Program and Budget Committee (PBC), having reviewed the Program Performance Report (PPR), and recognizing its nature as a self-assessment of the Secretariat, recommended its approval to the General Assembly, subject to the comments, concerns and suggestions for improvement raised by Member States and reflected in the report of the PBC as well as annexed to the PPR (document WO/PBC/20/2).

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