

PROGRAM AND BUDGET COMMITTEE PROPOSALS

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This document brings together diverse proposals that can be put for consideration during the upcoming 35th Program and Budget Committee (PBC) meeting at the World Intellectual Property Organization (WIPO). Member States are invited to use or adapt these proposals, particularly in relation to the language used in the proposed Program and Budget 2024-2025.¹ The aim of these proposals is to foster the advancement of a balanced intellectual property system within WIPO's activities in alignment with the objectives of the Development Agenda (DA)² and the Sustainable Development Goals (SDG's)³. For detail and explanation on each proposal, please refer to the complementary document attached Annex 1. Some extra proposals and recommendations are included in Annex 1. For comparison charts go to attached Annex 2.

1. GENERAL PROPOSALS TO THE FINANCIAL AND RESULTS⁴

The draft P&B24-25 should be requested to be resubmitted detailing development expenditure by activity and by region, under each of the sectors.

2. COPYRIGHT SECTOR, BUDGET 2024-2025⁵

Text Proposal (**changes in bold**):

Copyright Law (Page 31)

- **Facilitating discussions in the SCCR to achieve balance in the copyright system by supporting member states in utilizing copyright exceptions and limitations;**
- Providing legislative advice to Member States to update and adopt balanced and effective national laws consistent with WIPO copyright, related rights, **and exceptions and limitations; (Page 32)**

¹ See proposed Program and Budget 2024-2025

https://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_35/wo_pbc_35_5.pdf

² See 45 recommendations at <https://www.wipo.int/ip-development/en/agenda/recommendations.html>

³ See Sustainable Development Goals (SDGs) at <https://www.undp.org/sustainable-development-goals>

⁴ See detailed explanation on page 8

⁵ See detailed explanation on page 11

- **Developing and providing technical assistance to Member States to effectively employ the copyright exceptions and limitations framework for the benefit of the public interest.**

Copyright Development (Page 32)

- Assisting national copyright offices and other competent public institutions in copyright related strategic planning and policymaking, as well as in their implementation of these strategies and policies, with the aim of supporting Member States in making more effective use of the copyright ecosystem **and their exceptions and limitations** to achieve their goals for sustainable development;

Expected Results and Performance Indicators (**changes underlined and in bold**):

<i>Strategic Pillar 4</i>	<i>Support governments, enterprises, communities and individuals to use intellectual property as a tool for growth and sustainable development</i>		
4.1 More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations	No. of national, sub-regional and regional projects, including those implemented through partnership frameworks, that have achieved their expected benefits or completed important milestones	4	8 additional
	<u>No. of trainings for the use copyright exceptions and limitations for the benefit of the public interest.</u>		

3. REGIONAL AND NATIONAL DEVELOPMENT (RND) SECTOR, BUDGET 2024-2025

a. Development Agenda Coordination paragraph replacement⁶

Development Agenda Coordination (Page 37) (**changes in bold**):

⁶ See detailed explanation on page 14

The Development Agenda (DA) sits at the core of what WIPO does. It establishes an ethos central to ensuring an inclusive IP system that benefits all. The cross-organizational coordination of the DA drives forward the effective implementation and mainstreaming of the DA recommendations in the substantive activities of the Organization based on the work of Member States in the Committee on Development and Intellectual Property (CDIP). An important way this is done is through implementation of DA projects agreed upon by the CDIP with a focus on ensuring concrete outcomes and developmental impact. Renewed emphasis will be on engaging with Member States and other stakeholders, both in Geneva and globally, to reinforce the DA's importance through new initiatives, projects and partnerships that propel the benefits of the DA and support the use of IP for growth and development. **Develop guidelines that outline how the principles of the Development Agenda should be integrated into its activities. Provide specific recommendations and practical steps for incorporating DA principles across all sectors and initiatives within WIPO.**

b. Additions to the RND Expected Results and Performance Indicators⁷

Expected Results and Performance Indicators (**changes underlined and in bold**) (Page 39):

Expected Result	Performance Indicators	Baselines	Targets
3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges	No. of matches between green in the biennium technology seekers and providers via the WIPO GREEN platform and through Acceleration Projects <u>No. of projects based on open and Public domain based contents</u>	11 (cumulative end 2022)	12 additional
<i>Strategic Pillar 4</i>	<i>Support governments, enterprises, communities and individuals to use intellectual property as a tool for growth and sustainable development</i>		

⁷ See detailed explanation on page 18

4.1 More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations

Implementation of topics on IP and Development discussed in the CDIP

CDIP work on IP and Development- related topics implemented in accordance with the agreed agendas of CDIP 28 and CDIP 29

Implementation of agreed work in accordance with the CDIP agenda

No. of national, sub-regional and regional projects, including those implemented through partnership frameworks, that have achieved their expected benefits or completed important milestones

26 projects

45

No. of projects based on IP flexibilities

4. GLOBAL CHALLENGES AND PARTNERSHIPS, BUDGET 2024-2025

a. Priorities set by WIPO Green should be decided in consultation with Member States⁸

Text Proposal (**changes in bold**):

Global Challenges (Page 59)

(...)

- **Member States shall be involved in the decision-making process of setting priorities for WIPO Green, potentially through the establishment of a new accountability body.**
- **The assessment of the initiative's results thus far and a renewed emphasis on measures to facilitate technology transfer of green technologies (including, but not limited to, compulsory licensing) should be included in the discussion.**

Expected Results and Performance Indicators (**changes underlined and in bold**) (Page 63)

Strategic Pillar 3

Provide high quality intellectual property services, knowledge and data that deliver value to users around the world

⁸ See detailed explanation on page 21

3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges	No. of matches between green technology seekers and providers via the WIPO GREEN platform and through Acceleration Projects	11 (cumulative end 2022)	12 additional in the biennium
	No. of tech transfers or access licenses supported by WIPO's global health initiatives, for which the IP component has been facilitated by WIPO <u>No. of open licenses, uses of public domain contents, and compulsory licenses.</u>	Not available	4

5. INFRASTRUCTURE AND PLATFORMS SECTOR, BUDGET 2024-2025

a. Database on Exceptions and Limitations to Copyright Law⁹

Text proposed (Page 43):

Global Databases

(...)

- **Developing a copyright exceptions and limitations Global Database search tool, including multilingual search systems.**

Expected Results and Performance Indicators (**changes underlined and in bold**) (Page 46):

<i>Strategic Pillar 3</i>	<i>Provide high quality intellectual services, knowledge and data that deliver value to users around the world</i>		
3.1 Wider and more effective use of WIPO's global IP systems, services, knowledge and data	No. of unique visitors to the Global Database Systems - PATENTSCOPE - Global Brand Database (GBD) - Global Design Database (GDD)	PATENTSCOPE: 1,493,595 (Q4 2022) GBD: 1,264,722 (Q4 2022) GDD : 138,815 (Q4 2022)	20% increase (biennium)
	Level of user satisfaction with WIPO Global Databases <u>- Database on Copyright Exceptions and Limitations</u>	PATENTSCOPE: 83% GBD: 70% GDD: 74%	≥ 85% satisfied or very satisfied

⁹ See detailed explanation on page 23

b. Proposed New Accountability Body¹⁰

Text Proposal (Page 42):

Member States shall be involved in the decision-making process of setting priorities for the Infrastructure and Platforms sector, potentially through the establishment of a new accountability body.

¹⁰ See detailed explanation on page 25

ANNEX 1

DETAIL ON PROPOSALS AND COMMENTARY TO THE THIRTY-FIFTH SESSION OF THE WIPO PROGRAM AND BUDGET COMMITTEE

The objective of this document is to provide diverse proposals and recommendations that address agenda items set for discussion during the Thirty-Fifth Session of the WIPO Program and Budget Committee (PBC). This upcoming session is scheduled to take place from May 22 to May 26, 2023. In addition to the proposals themselves, this document also includes background information to provide a better understanding of the issues at hand. The aim is to equip member States with the necessary knowledge and context to engage in informed and constructive discussions during the PBC session. To identify a specific topic or subject please use the following table of contents:

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I. GENERAL PROPOSALS TO THE FINANCIAL AND RESULTS¹¹

1. **The draft P&B24-25 should be requested to be resubmitted detailing development expenditure by activity and by region, under each of the sectors.**

Proposal:

To ensure transparency and facilitate a comprehensive understanding of development expenditure, its recommended requesting a resubmission of the draft Program and Budget for the period of 2024-2025 (P&B24-25). The resubmission should provide a detailed breakdown of development expenditure, specifying the allocation by activity and region within each sector. By requesting this additional information, the aim is to enhance accountability and enable stakeholders to assess the impact and effectiveness of development initiatives across different

¹¹ From October 2021 to October 2023, the Committee is being composed of the following Member States: Algeria, Argentina, Armenia (2021-2022), Azerbaijan (2021-2022), Bangladesh (2021-2022), Belarus (2022-2023), Brazil, Canada, Chile, China, Colombia, Czech Republic, Egypt, El Salvador, Estonia, France, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia (2022-2023), Iran (Islamic Republic of) (2021-2022), Iraq (2022- 2023), Italy, Jamaica, Japan, Kazakhstan (2021-2022), Kenya, Kyrgyzstan (2022-2023), Malaysia (2021-2022), Mexico, Mongolia (2022-2023), Morocco, Namibia, Nigeria, Oman (2022-2023), Pakistan (2021-2022), Panama, Poland, Qatar (2021-2022), Republic of Korea (2021-2022), Romania, Russian Federation, Saudi Arabia, Serbia, Singapore (2022-2023), Slovakia, South Africa, Spain, Sweden, Switzerland (ex officio), Syrian Arab Republic (2022-2023), Tajikistan (2022-2023), Tunisia, Republic of Türkiye, Turkmenistan (2022-2023), Uganda, United Arab Emirates (2022-2023), United Kingdom, United States of America, Uzbekistan (2021-2022), Viet Nam (2021-2022) (53)

activities and regions. This request will contribute to a more transparent and effective utilization of resources, promoting greater inclusivity and ensuring that development efforts are targeted and responsive to the diverse challenges and opportunities faced by different regions.

Background:

Insufficient details are provided regarding the specific content of development expenditure, as previously discussed, which raises concerns about how various activities can be categorized as such. The lack of specific information on sector activities makes it difficult to ascertain which initiatives are being classified as development expenditure and the extent of their coverage in different regions and countries.¹²

To enhance transparency and understanding, it is crucial to provide more comprehensive information about the nature of development expenditure, including clear criteria and guidelines for classification. This would enable member states to have a clearer picture of the activities encompassed by development expenditure and ensure a more accurate assessment of their impact and effectiveness.

Additionally, specifying the sector activities and their allocation within the development expenditure framework would facilitate a better understanding of the areas targeted for development and the geographical reach of these initiatives. This level of detail is essential for stakeholders to assess the alignment between expenditure allocation and the specific needs and priorities of different regions and countries.

By enhancing the transparency and specificity of information related to development expenditure and providing comprehensive coverage of sector activities, WIPO can foster greater confidence and understanding among its stakeholders and promote more effective and targeted efforts towards achieving developmental goals.

2. The Proposed Budget should follow the *program-based approach* instead of the *sector-based approach*.

¹² See PBC Budget 2020-21 at https://www.wipo.int/edocs/pubdocs/en/wipo_pub_360_pb20_21.pdf and compare with PBC Budget 2022-23 at <https://www.wipo.int/export/sites/www/about-wipo/en/budget/pdf/budget-2022-2023.pdf> and 2024-25 at https://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_35/wo_pbc_35_5.pdf. The Proposed Budget for the upcoming period should be aligned with the proven program-based approach rather than the sector-based approach that has recently been implemented, resulting in a reduction of 28 programs to 8 sectors.

Proposal:

The Proposed Budget for the upcoming period should be aligned with the proven program-based approach rather than the sector-based approach that has recently been implemented, resulting in a reduction of 28 programs to 8 sectors.

The program-based approach offers several advantages over the sector-based approach. Firstly, it provides a more comprehensive and detailed overview of the budget, allowing for a clearer understanding of resource allocation across various programs and activities. This level of granularity enables stakeholders to assess the allocation of funds and evaluate their effectiveness in achieving desired outcomes.

Secondly, the program-based approach ensures a more targeted and focused budgeting process. By organizing activities and initiatives into distinct programs, it becomes easier to identify specific objectives, monitor progress, and measure the impact of budgetary allocations. This promotes accountability and facilitates strategic decision-making, as resources can be allocated based on the priorities and needs of each program.

Furthermore, reverting to the program-based approach would maintain continuity with the traditional budgeting framework that has been successfully employed in the past. The familiarity and established practices associated with this approach would minimize disruptions and allow for a seamless transition.

By adopting this proposal, WIPO can benefit from the advantages of the program-based approach, including enhanced transparency, better resource allocation, and improved accountability. It would provide member States with a comprehensive understanding of the budget and facilitate effective decision-making to support the organization's mission and objectives.

Background:

A revised format for the biennial program and budget has been proposed and subsequently implemented. In essence, the recent change has created challenges in ensuring accountability and transparency regarding activities in each region. This is especially problematic for assessing the implementation of the Development Agenda and for Member States and regions to understand the impact of activities on them and to propose future actions accordingly.

Consequently, the ability to track and evaluate the effects of specific activities has become more difficult under the current structure.¹³

Furthermore, the current format of the WIPO budget lacks the ability to make meaningful comparisons with previous budgets. As a result, both WIPO and its Member States are losing the ability to track how the budget was approved and implemented prior to 2021.¹⁴ This lack of historical continuity hinders the ability to assess the effectiveness of past budgetary decisions and compromises the transparency and accountability of the budgeting process.

The current draft program and budget document falls short in terms of providing comprehensive information compared to previous versions. The sector-based presentation restricts the ability to closely observe the full scope of activities within each sector and the specific allocation of resources to individual activities. To address this issue, it is essential to request a revised submission of the P&B24-25 that includes a more detailed breakdown of the areas of work within each sector, accompanied by clear funding allocations, especially in the Annexes. This enhanced level of detail will facilitate a more thorough analysis and understanding of the proposed program and budget.¹⁵

Appendix Table 1 shows the difference in detail. In the 2020-21 Budget, WIPO's activities are divided into 32 "Programs" that are organized under 9 "Strategic Goals." The new system lacks this detail. It consists of 16 "Expected Results" organized under four "Pillars" (plus one "Foundation").

II. SPECIFIC PROPOSALS BY SECTOR

3. Copyright Sector, Budget 2024-2025

Text Proposal (changes underlined and in bold):

¹³ See PBC Budget 2020-21 https://www.wipo.int/edocs/pubdocs/en/wipo_pub_360_pb20_21.pdf and compare with PBC Budget 2022-23 at <https://www.wipo.int/export/sites/www/about-wipo/en/budget/pdf/budget-2022-2023.pdf> and 2024-25 at https://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_35/wo_pbc_35_5.pdf

¹⁴ See PBC Budget 2020-21 https://www.wipo.int/edocs/pubdocs/en/wipo_pub_360_pb20_21.pdf

¹⁵ See South Centre Background Note, Background note on the Thirty-Second Session of the Wipo Program and Budget Committee, 12 – 16 July 2021.

Copyright Law (Page 31)

The Copyright Law area leads the Organization's substantive work to shape the global copyright and related rights ecosystem by supporting Member States in joining WIPO copyright and related rights treaties, through updating their copyright laws as well as their legal and policy frameworks to facilitate full participation in the global creative marketplace. Specific initiatives in the next biennium include:

- Facilitating discussions in the SCCR on substantive agenda items and copyright-related emerging issues as per the SCCR agenda;
- **Facilitating discussions in the SCCR to achieve balance in the copyright system by supporting member states in utilizing copyright exceptions and limitations;**
- Supporting Member States regarding joining and implementing copyright treaties, in particular the Internet Treaties – the WCT and WPPT – the Beijing Treaty, and the Marrakesh Treaty;
- Facilitating the most constructive ways to make the SCCR not just a forum for norm-setting discussions, but also a venue for addressing non-binding/soft law solutions;
- Providing legislative advice to Member States to update and adopt balanced and effective national laws consistent with WIPO copyright, related rights, **and exceptions and limitations;** (Page 32)
- Developing toolkits to facilitate the work of cultural as well as educational and research institutions, and to support their digital and cross-border activities.
- **Developing and providing technical assistance to Member States to effectively employ the copyright exceptions and limitations framework for the benefit of the public interest.**

Copyright Development (Page 32)

The Copyright Development area of work supports the participation of developing countries and LDCs in the copyright ecosystem to derive greater economic value from their cultural and other creative works and industries. It does this by providing technical, legal and policy related capacity building and skills development, at the national, regional and interregional levels, including through projects financed by donors through Funds-in-Trust arrangements. Some of the specific initiatives in the next biennium will include:

- Assisting national copyright offices and other competent public institutions in copyright related strategic planning and policymaking, as well as in their implementation of these strategies and policies, with the aim of supporting Member States in making more effective use of the copyright ecosystem **and their exceptions and limitations** to achieve their goals for sustainable development;

- In addition to supporting governments, enhancing engagement and support to enterprises, particularly SMEs, communities and individual creators, to use copyright **and its exceptions and limitations** as a tool for growth and development through upgrading skills and capabilities at the institutional as well as individual levels;
- Designing and delivering tailor-made country-focused and creative sector-focused technical assistance programs, projects and tools to empower creators, cultural institutions and creative enterprises, other stakeholders in the value chain, as well as youth and women, to leverage copyright, **including exceptions and limitations**, more effectively and successfully.

Expected Results and Performance Indicators (**changes underlined and in bold**):

Expected Result	Performance Indicators	Baselines	Targets
<i>Strategic Pillar 2</i>			
<i>Bring people together and partner with stakeholders to shape the future of the global intellectual property ecosystem</i>			
2.1 Development of balanced and effective international normative frameworks for IP	Progress on the implementation of Chair's Summary from SCCR/42 agenda of the Committee	Chair's Summary from SCCR/42 demonstrating progress on agenda items as agreed by the Committee	Implementation of agreed work in accordance with the SCCR agenda
<i>Strategic Pillar 4</i>			
<i>Support governments, enterprises, communities and individuals to use intellectual property as a tool for growth and sustainable development</i>			
4.1 More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations	No. of national, sub-regional and regional projects, including those implemented through partnership frameworks, that have achieved their expected benefits or completed important milestones <u>No. of trainings for the use copyright exceptions and limitations for the benefit of the public interest.</u>	4	8 additional

4.2 Development of balanced and effective IP, innovation and creative ecosystems in Member States	No. and % of Member States satisfied with the legislative and policy advice provided	100%	≥ 90% satisfied or very satisfied
4.3 Increased IP knowledge and skills in all Member States	Level of satisfaction of participants in WIPO training and skills development programs	tbd	≥ 85% satisfied or very satisfied
4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully	No. of CMOs in developing countries and LDCs using WIPO Connect	35 CMOs for 41 Creation classes	76 CMOs for 100 Creation classes
	ABC: No. of accessible titles delivered to persons with print disabilities	667,135 (end 2022)	35% increase (biennium)
	No. of creators using WIPO for Creators Platform	n/a	tbd

Appendix Figure 1 demonstrates the relative size of the sector shares in the 2022-23 budget and the 2024-25 budget. In both, “Administration Finance and Management” and “Patents and technology” are the two largest sectors, consuming over half the budget, while “Regional and national development” consumes 9% of it.

4. Regional and National Development (RND) Sector, Budget 2024-2025

a. Development Agenda Coordination paragraph replacement

Development Agenda Coordination (Page 37)

The Development Agenda (DA) sits at the core of what WIPO does. It establishes an ethos central to ensuring an inclusive IP system that benefits all. The cross-organizational coordination of the DA drives forward the effective implementation and mainstreaming of the DA recommendations in the substantive activities of the Organization based on the work of Member States in the Committee on Development and Intellectual Property (CDIP). An important way this is done is through implementation of DA projects agreed upon by the CDIP with a focus on ensuring concrete outcomes and developmental impact. Renewed emphasis will be on engaging with Member States and other stakeholders, both in Geneva and globally, to reinforce the DA’s importance through new initiatives, projects and partnerships that propel the benefits of the DA and support the use of IP for growth and development. **Develop guidelines that outline**

how the principles of the Development Agenda should be integrated into its activities. Provide specific recommendations and practical steps for incorporating DA principles across all sectors and initiatives within WIPO.

Other possible changes and additions to the document:

The Development Agenda (DA) is not just a peripheral aspect of WIPO's work; it lies at the very core of the organization's mission. It embodies the principles necessary for fostering an inclusive and balanced intellectual property (IP) system that benefits all member states and stakeholders. To effectively implement and integrate the DA recommendations into WIPO's substantive activities, a coordinated effort is essential across all organizational levels. The Regional and National Development (RND) Sector shall coordinate with all other sectors at WIPO to move forward the Development Agenda.

To truly embrace the spirit of the Development Agenda (DA) and its recommendations, it is crucial to move beyond mere integration into WIPO's programs and strategic goals. A comprehensive assessment is needed to effectively address the concerns raised and to cultivate a balanced perspective on the opportunities and challenges presented by the intellectual property (IP) system. In this regard, a specific plan will be developed to outline the biennial implementation of the DA. This plan will encompass a range of activities aimed at promoting its principles and objectives. Additionally, an evaluation framework will be established to measure the impact of the activities undertaken to implement the Development Agenda. This will ensure that WIPO remains accountable and can track the progress and effectiveness of its initiatives in fulfilling the goals of the DA.

To ensure integration of Development Agenda (DA)¹⁶ principles into WIPO's activities, the following measures should be taken:

- **Develop guidelines that outline how the principles of the Development Agenda should be integrated into its activities. These guidelines should provide specific recommendations and practical steps for incorporating DA principles across all sectors and initiatives within WIPO.**
- **Establish a reporting mechanism to track and assess the integration of DA principles into its activities. This includes indicators and benchmarks that measure the progress and impact of DA integration. Regular reporting on these**

¹⁶ See 45 recommendations at <https://www.wipo.int/ip-development/en/agenda/recommendations.html>

indicators should be made publicly available to enhance transparency and accountability.

- **Engage with stakeholders, including developing countries, civil society organizations, and relevant international organizations, to solicit their input and feedback on the integration of DA principles. This collaborative approach will help ensure that the perspectives and needs of different stakeholders are considered in the implementation of the DA.**
- **Conduct periodic impact assessments to evaluate the effectiveness of its efforts in integrating DA principles. These assessments should examine the extent to which DA principles have been integrated into policies, programs, and projects, and assess their impact on promoting development and addressing the needs of developing countries.**

Background:

The definition of 'development' used by WIPO and its allocation of 'development expenditure' in its budgets have been a subject of ongoing controversy. Developing countries have raised concerns regarding the lack of clarity and explicit integration of Development Agenda (DA) principles into WIPO's activities.¹⁷ They have also expressed reservations about the broad interpretation of activities that can be considered as contributing to development. Under the current framework, any initiative involving a developing country or transition economy is categorized as development expenditure. This includes technical assistance projects aimed at improving IP infrastructure, which ultimately benefits all countries by enhancing their IP services. However, the need for greater transparency and specificity in identifying development-related activities within WIPO remains an important point of contention.

b. WIPO Secretariat must equally engage stakeholders from academia, civil society, public interest groups

Text Proposal (Bottom page 38 - after Skills and Knowledge Building):

Stakeholders from academia, civil society, and public interest groups

¹⁷ See South Centre Background Note, Background note on the Thirty-Fifth Session of the Wipo Program and Budget Committee, 22-26 May 2023. See also 34th Session Report at https://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_34/wo_pbc_34_17.pdf

To foster inclusivity and ensure a comprehensive approach to decision-making, it is imperative that the WIPO Secretariat actively engages stakeholders from academia, civil society, and public interest groups. The WIPO Secretariat should establish a formal framework for engaging stakeholders from academia, civil society, and public interest groups. This framework should outline mechanisms for soliciting input, facilitating dialogue, and incorporating diverse perspectives into WIPO's decision-making processes. This can include dedicated consultative platforms, information sharing and transparency, capacity building and awareness, and reporting and accountability. By actively engaging stakeholders from academia, civil society, and public interest groups, WIPO can tap into a wealth of expertise, diverse perspectives, and valuable insights. This inclusive approach will strengthen WIPO's legitimacy, enhance the quality of its decisions, and ultimately contribute to the development of balanced and effective intellectual property policies that serve the interests of all stakeholders.

Background:

It is imperative for Member States to establish principles for stakeholder engagement within WIPO. The WIPO Secretariat should actively involve stakeholders from academia, civil society, public interest groups, and existing entities such as private enterprises or representative groups of intellectual property holders.

Stakeholders within the intellectual property (IP) system encompass not only potential innovators and creators, including small and medium enterprises (SMEs), but also those affected by the IP system in terms of accessing goods and services. For instance, visually impaired individuals were represented in the discussions surrounding the WIPO Marrakesh Treaty, which seeks to enhance access to works for people with visual disabilities. This treaty focuses on limitations and exceptions within the copyright system that allow for cross-border usage to benefit these important users. WIPO should continue engaging with stakeholders such as libraries, public health groups, consumer groups, and others to further this work.

The principles for stakeholder engagement should not only outline the types of stakeholders involved but also ensure equal opportunities for stakeholders from developing countries. This includes providing an equitable platform for their participation in dialogues, work commissioned by WIPO committees, and regional/national level events. Inclusivity should extend to the use of consultants for technical work and the promotion of voluntary funds to facilitate the involvement of stakeholders from developing countries in crucial WIPO events. For instance, stakeholders from developing countries could participate as observers in committee meetings, as exemplified by the WIPO Committee on Genetic Resources, Traditional Knowledge, and Folklore (IGC).

c. Additions to the RND Expected Results and Performance Indicators

Proposed changes to the Expected Results and Performance Indicators (Page 38-40)
(changes underlined and in bold):

Expected Result	Performance Indicators	Baselines	Targets
<i>Strategic Pillar 1</i>			
<i>Reach out worldwide to explain the potential for intellectual property to improve the lives of everyone, everywhere</i>			
1.1 More effective communication and engagement world-wide to raise awareness of and increase knowledge about the potential of IP to improve the lives of everyone, everywhere	No. of unique visitors to the WIPO website and the websites of the External Offices	WAO: 3,211	20% increase (biennium)
		WBO: 12,765	
		WOC: 10,315	
		WeChat: 152,882 unique views of 119 articles	
		WJO: 28,395	
		WNO: 4,364	
		WRO: 18,218	
WSO: 4,262			
<i>Strategic Pillar 2</i>			
<i>Bring people together and partner with stakeholders to shape the future of the global intellectual property ecosystem</i>			
2.4 Effective interaction and partnerships with the UN, IGOs and NGOs in support of global goals to which IP can contribute	Progress on WIPO deliverables for the implementation of the new UN Programme of Action (PoA) 2021-2030 for LDCs	Progress made on the implementation of activities in all 8 focus areas of the WIPO Deliverables for LDCs	Progress on all WIPO deliverables
		<u>No. of participating UN, IGOs and NGOs</u>	
<i>Strategic Pillar 3</i>			
<i>Provide high quality intellectual property services, knowledge and data that deliver value to users around the world</i>			
3.1 Wider and more effective use of WIPO's global IP systems, services, knowledge and data	Total Membership	Madrid System (end 2022): 113 Contracting Parties (CPs)	6 additional members (3 per year)
		The Hague System (end 2022): 69 CPs to the Geneva (1999) Act; 34 CPs to the Hague (1960) Act	5 additional members to the Geneva (1999) Act; No additional members to the Hague (1960) Act
		Lisbon System (end 2022): 16 CPs to the Geneva (2015) Act; 30 CPs to the Lisbon Agreement (1958 & 1967) Acts	6 additional members to the Geneva (2015) Act; No additional members to the Lisbon Agreement (1958 & 1967) Acts

PROGRAM ON
INFORMATION JUSTICE AND
INTELLECTUAL PROPERTY

Expected Result	Performance Indicators	Baselines	Targets
<i>Strategic Pillar 1</i>			
<i>Reach out worldwide to explain the potential for intellectual property to improve the lives of everyone, everywhere</i>			
1.1 More effective communication and engagement world-wide to raise awareness of and increase knowledge about the potential of IP to improve the lives of everyone, everywhere	No. of unique visitors to the WIPO website and the websites of the External Offices	WAO: 3,211 WBO: 12,765 WOC: 10,315 WeChat: 152,882 unique views of 119 articles WJO: 28,395 WNO: 4,364 WRO: 18,218 WSO: 4,262	20% increase (biennium)
<i>Strategic Pillar 2</i>			
<i>Bring people together and partner with stakeholders to shape the future of the global intellectual property ecosystem</i>			
	Filing Rate	Madrid System applications: 69,000 (2022 preliminary) The Hague System Applications: 7,973 (2022 preliminary) Lisbon System international applications: 31	2024: 75,100; 2025: 77,700 2024: 9,980; 2025: 10,900 80 per year (160 applications for 2024/25)
Expected Result	Performance Indicators	Baselines	Targets
	No. of unique visitors to the Global Database Systems - PATENTSCOPE - Global Brand Database (GBD) - Global Design Database (GDD)	PATENTSCOPE: 1,493,595 (Q4 2022) GBD: 1,264,722 (Q4 2022) GDD : 138,815 (Q4 2022)	20% increase
3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges	No. of matches between green in the biennium technology seekers and providers via the WIPO GREEN platform and through Acceleration Projects	11 (cumulative end 2022)	12 additional
	<u>No. of projects based on open and Public domain based contents</u>		
<i>Strategic Pillar 4</i>			
<i>Support governments, enterprises, communities and individuals to use intellectual property as a tool for growth and sustainable development</i>			

4.1 More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations	Implementation of topics on IP and Development discussed in the CDIP	CDIP work on IP and Development- related topics implemented in accordance with the agreed agendas of CDIP 28 and CDIP 29	Implementation of agreed work in accordance with the CDIP agenda
	No. of national, sub-regional and regional projects, including those implemented through partnership frameworks, that have achieved their expected benefits or completed important milestones	26 projects	45
	<u>No. of projects based on IP flexibilities</u>		
4.2 Development of balanced and effective IP, innovation and creative ecosystems in Member States	No. and % of Member States satisfied Patents and Technology Law: 88% with the legislative and policy advice provided.	Trademarks, Industrial Designs and	$\geq 90\%$ satisfied or very satisfied
	No. of Member States, sub-regional and regional IP Offices using WIPO tools and methodologies for the enhancement of their IP and Innovation Ecosystems	Geographical Indications: 100%	
		Copyright: 100% 63 Member States	80
	<u>No. of capacity building projects on IP flexibilities</u>		
4.3 Increased IP knowledge and skills in all Member States	Level of satisfaction of participants in WIPO training and skills development programs	Africa: 95% Arab region: 93% Asia and the Pacific: 97% Latin America and the Caribbean: 96% LDCs: 97% TDCs: 95% EOs: 94%	$\geq 85\%$ satisfied or very satisfied
	% of participants who have successfully completed skills-based training programs	86%	$\geq 80\%$
	Success rate of participants taking knowledge and skills-based exams of advanced DL courses	tbd	$\geq 70\%$
	No. of sustainable IP training institutions (IPTIs)	15	21 cumulative
	No. of people trained by the IPTIs	87,967	5% annual increase

**No. of people trained
specifically on IP flexibilities**

4.4 More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully	No. of sustainable national TISC networks	46 sustainable national networks (cumulative end 2022) Maturity Level 1: 4 in total Maturity Level 2: 32 in total Maturity Level 3, including the provision of value-added services: 10 in total	50 sustainable national networks (cumulative)
	Level of satisfaction of Technology Transfer entities and other bodies with the services provided by WIPO	tbd	≥ 90% satisfied or very satisfied
	No. of unique visitors to the web-based services targeting inventors and SMEs, including no. of visitors downloading	225,178	20% increase (biennium)
Expected Result	Performance Indicators	Baselines	Targets
	No. of SME support institutions who are using WIPO materials and tools	14	30 additional
	No. of SMEs assisted by support institutions that use WIPO materials and tools	1,745	5,000 additional
	LDCs: No. of identified and deployed Appropriate Technologies (ATs) addressing development needs	1 AT identified (0 deployed)	4 ATs identified (of which 1 deployed)
4.5 Enhanced IP infrastructure for IP Offices	Average Service Level of IP Offices assisted (ranging from 1 to 5) through the IPAS suite of applications	3.6	≥ 3.5

5. Global Challenges and Partnerships, Budget 2024-2025

- a. **Priorities set by WIPO Green should be decided in consultation with Member States**

Text Proposal (changes underlined and in bold):

Global Challenges (Page 59)

Global Challenges addresses innovation and IP at the nexus of interconnected global issues, in particular global health, climate change and food security. By engaging across a wide range of IP-related global policy discussions and with a broad cross-section of stakeholders, it identifies opportunities to apply and scale up innovation-driven solutions that address global challenges and improve peoples' lives. Efforts in the next biennium will include initiatives aimed at:

- Promoting a more equitable and sustainable future where critical resources and technologies are accessible to all. This would be done by demonstrating the role of IP in increasing access to health as well as environmentally-friendly "green" technologies, including by: (i) expanding and strengthening the WIPO GREEN network with the aim of promoting innovation and deployment of green technologies to address climate change and food security issues, using the Green Technology Book and WIPO GREEN database as foundational elements; (ii) re-imagining WIPO's work at the intersection of IP and global health innovation with a focus on supporting cutting-edge approaches to expand access to health technologies; and (iii) further strengthening of the Trilateral Cooperation among WHO, WIPO and WTO to help address vanguard issues at the intersection of IP, trade and public health, including COVID-19 and Anti-Microbial Resistance (AMR);
- Further addressing climate action by expanding the WIPO GREEN Acceleration Project model to support partner-led match-making and green technology implementation.
- **Member States shall be involved in the decision-making process of setting priorities for WIPO Green, potentially through the establishment of a new accountability body.**
- **The assessment of the initiative's results thus far and a renewed emphasis on measures to facilitate technology transfer of green technologies (including, but not limited to, compulsory licensing) should be included in the discussion.**

Expected Results and Performance Indicators (Page 63)

Strategic Pillar 3

Provide high quality intellectual property services, knowledge and data that deliver value to users around the world

3.3 Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges	No. of matches between green technology seekers and providers via the WIPO GREEN platform and through Acceleration Projects	11 (cumulative end 2022)	12 additional in the biennium
	No. of tech transfers or access licenses supported by WIPO's global health initiatives, for which the IP component has been facilitated by WIPO <u>No. of open licences, uses of public domain contents, and compulsory licenses.</u>	Not available	4

Background:

Overall, the activities under WIPO Green suffer from a major lack of accountability. This requires re-imagining the existing model and more participation by Member States. The priorities set by WIPO Green should be decided in consultation with Member States, potentially via a new accountability body. An assessment of the results of the initiative so far, and a renewed focus on measures to ensure transfer of technology of green technologies (including but not restricted to compulsory licensing) should be brought to the discussion. Potentially, this should lead to a new area of work under WIPO Green or its reform.

6. Infrastructure and Platforms Sector, Budget 2024-2025

a. Database on Exceptions and Limitations to Copyright Law

Text proposed (Page 43):

Global Databases

The work related to Global Databases relates to Expected Result 3.1 of the MTSP and includes the management, implementation and operation of WIPO's public global databases, namely PATENTSCOPE, the Global Brand Database (GBD) and the Global Design Database (GDD). In addition, responsibilities also include the development of Machine Learning tools to enhance processing and worldwide access to IP data. The program of work for the next biennium will encompass:

- Continuing to expand the geographical coverage of the WIPO Global Databases by increasing the national and regional data collections, adding new sources of open

access non-patent literature, as well as improving the quality of data and timeliness of updating;

- Developing and further refining the WIPO Global Database search tools, including multilingual search systems, image similarity search and retrieval systems for trademarks and industrial designs, as well as for complex work units in patent texts using chemical compounds and Markush structures search. New search functions will also be studied, namely gene and sequences search, or citation search functions;
- Continuing to explore an enhanced and cost-efficient architecture and model for geolocations of data servers for faster access to Global Databases;
- Stewarding the digital transformation of the Organization’s work and delivery of services, including through the consolidation of the Organization’s expertise on advanced technologies, such as AI, in the Advanced Technologies Applications Center (ATAC);
- Proactively building on opportunities generated by Machine Learning technology progress and the increasing availability of IP data sets to improve the operations of Global IP systems, namely via applications such as: WIPO Translate, WIPO Speech to Text, WIPO image similarity search for Trademarks and Industrial Designs, and WIPO classification tools.
- **Developing a copyright exceptions and limitations Global Database search tool, including multilingual search systems.**

Expected Results and Performance Indicators (Page 46)

<i>Strategic Pillar 3</i>	<i>Provide high quality intellectual property</i>	<i>services, knowledge and data that deliver value to users around the world</i>	
3.1 Wider and more effective use of WIPO’s global IP systems, services, knowledge and data	No. of unique visitors to the Global Database Systems - PATENTSCOPE - Global Brand Database (GBD) - Global Design Database (GDD)	PATENTSCOPE: 1,493,595 (Q4 2022) GBD: 1,264,722 (Q4 2022) GDD : 138,815 (Q4 2022)	20% increase (biennium)
	Level of user satisfaction with WIPO Global Databases - Database on Copyright Exceptions and Limitations	PATENTSCOPE: 83% GBD: 70% GDD: 74%	≥ 85% satisfied or very satisfied

3.2 Improved productivity and service quality of WIPO's global IP systems, services, knowledge and data	Customer Satisfaction Index (CSI)	84% (2020/21 survey)	≥ 85% satisfied or very satisfied
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Background:

Information from the Database on Flexibilities continues to be disseminated.¹⁸ The Database allows for searching implementation of flexibilities in national IP laws in selected jurisdictions. However, the database is exclusive for patents information. Copyright should be considered to be included within the flexibilities of this database or a new one. See data base in link.

b. Proposed New Accountability Body

Text Proposal (Page 42):

Member States shall be involved in the decision-making process of setting priorities for the Infrastructure and Platforms sector, potentially through the establishment of a new accountability body.

Background:

Some activities at WIPO progress without a clear mandate or adequate consultation with Member States. Recognizing the importance of member-driven decision-making processes, its important to enhance transparency, accountability, and inclusivity by strengthening the mandate and consultation mechanisms within WIPO. By prioritizing meaningful engagement with Member States, we can ensure that activities undertaken by WIPO align with their collective vision and reflect their diverse perspectives.

The Infrastructure and Platforms Sector develops, implements and maintains the various databases, tools and platforms of the Organization that are targeted at and used by IP offices, IP professionals, researchers, and other specialized users in national, regional and global IP and innovation ecosystems. The sector also covers the use of technologies such as artificial intelligence to enhance and support the effectiveness and impact of these databases, tools and platforms. However, contrary to other sections that convene sessions of WIPO's permanent

¹⁸ See document CDIP/20/5 at https://www.wipo.int/edocs/mdocs/mdocs/en/cdip_20/cdip_20_5.pdf

committees (such as SCP, SCT, and SCCR), most of the work of this sector remains unaccountable.

Recognizing the critical role of these resources in facilitating effective IP management and promoting innovation, participation of Member States will ensure continuous improvement, relevance, and user satisfaction. WIPO will enhance its commitment to supporting the evolving needs of its stakeholders and optimizing the functionality of its IP-related infrastructure.

III. RECOMMENDATIONS ON DEVELOPMENT AGENDA (DA) AND SUSTAINABLE DEVELOPMENT GOALS (SDG'S)

7. Specific Development Agenda (DA) recommendations that can provide guidance for further work in the sectors or specific activities.

Recommendations:

- Specific recommendations: The budget should include explicit reference to the specific recommendations of the development agenda that will guide future work within each sector and activity. This will ensure a more focused and targeted approach to achieving the desired outcomes.
- Comprehensive description: Insufficient detail is provided under each sector and in the expected results to demonstrate the deliverables and outcomes expected from the implementation of the development agenda. The budget should include a comprehensive description of the initiatives, projects, and expected results associated with each sector to provide a clear understanding of the objectives and deliverables.
- Adequate budget allocation: The allocated budget for development agenda-related projects appears disproportionately low compared to the general budget. To address this, we propose a reassessment and appropriate increase in the budget allocation to support the effective implementation of the development agenda across all sectors.
- Diverse forms of engagement: The proposed budget seems to limit the notion of engagement with the development agenda primarily to CDIP projects. It is important to recognize and encourage a broader range of engagement mechanisms and initiatives that align with the development agenda. The budget should reflect this expanded approach to engagement.
- Mainstreaming responsibility: While the responsibility for mainstreaming the development agenda is assigned to the Development Agenda Division in the National

and Regional sector, it is essential to clarify how this division will ensure alignment among all sectors. This includes fostering collaboration on legislative and policy assistance to member states and addressing global challenges within the work conducted by the Global Challenges sector.

By incorporating these proposed improvements, the budget will better reflect the specific recommendations of the development agenda, provide clearer guidance, ensure adequate resource allocation, promote diverse forms of engagement, foster sector alignment, and underscore the value of the development agenda to WIPO's overall mission.

Background:

The document provides a broad overview of the development agenda recommendations without delving into the specific recommendations that would serve as guidance for further work in various sectors or specific activities. While it acknowledges that the Development Agenda cuts across all pillars, there is a lack of comprehensive description within each sector and the expected results, making it difficult to discern the anticipated deliverables. It is evident that the allocated budget for projects related to the Development Agenda is disproportionately low compared to the general budget. Furthermore, the document seems to adopt a limited perspective on the topic, primarily focusing on CDIP projects as the sole and primary form of engagement.

The responsibility for mainstreaming the development agenda lies with the development agenda division in the National and Regional sector. However, the document fails to clarify how this division will ensure alignment among other sectors in their respective work, particularly concerning legislative and policy assistance to member states and the initiatives undertaken by the global challenges sector. The value and relevance of the development agenda to WIPO are not adequately conceptualized, aside from acknowledging the use of intellectual property as a tool for development.

The table below shows that Development Agenda spending is a small share of the overall budget, and it has shrunk from 4.9% of total funding in 2020-21 to the present proposed budget.

Budget	Description in Budget	Thousands of CHF	% of total budget
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2020-21	Development Agenda Coordination	3,691	4.9%
2022-23	Development Agenda projects	2,024	2.5%
2024-25	Development Agenda projects	3,043	3.5%

8. Specific SDG recommendations that would provide guidance for further work in the sectors or specific activities.

Recommendations:

To enhance the alignment of WIPO's activities with the Sustainable Development Goals (SDGs), it is crucial to include specific SDG recommendations that provide clear guidance for further work within each sector and specific activities. The following actions are recommended:

- Sector-specific guidance: The budget should outline sector-specific guidance derived from the SDGs, highlighting the specific activities and initiatives that contribute to the achievement of each goal. This will enable a better understanding of how WIPO's work aligns with the SDGs and enhance transparency and accountability.
- Results-oriented approach: The expected results associated with each sector and activity should be clearly articulated in relation to the SDGs. This will provide a comprehensive overview of the deliverables and outcomes that can be expected, fostering a results-oriented approach to development work.
- Resource allocation: Adequate budget allocation should be made to support the implementation of SDG-related projects and initiatives. This will ensure that the necessary resources are available to effectively address the development challenges outlined in the SDGs.
- Monitoring and reporting: A robust monitoring and reporting mechanism should be established to track the progress made in achieving SDG-related objectives. This will enable ongoing assessment of the impact and effectiveness of WIPO's activities in contributing to the SDGs and facilitate accountability.

By incorporating these recommendations into the proposed budget, WIPO can demonstrate its commitment to sustainable development and ensure that its activities are aligned with the global

agenda set forth by the SDGs. This will not only enhance WIPO's relevance but also contribute significantly to the realization of a more inclusive, equitable, and sustainable world.

Background:

Similar considerations regarding the Development Agenda (DA) can be applied to the Sustainable Development Goals (SDGs).¹⁹ Currently, when WIPO reports on SDGs, it does so in a broad and generalized manner, suggesting that virtually all activities contribute to the implementation of SDGs. While there is a general consensus that WIPO activities should support the SDGs and the DA, there is disagreement on how the Program and Budget should articulate the mainstreaming of SDGs and the Development Agenda within WIPO's strategic framework and programs.

The WIPO Director General has provided guidance to WIPO managers to integrate the SDGs into all programs, similar to the mainstreaming of the Development Agenda. However, there is a lack of specific details on the expected linkages and a framework for monitoring these linkages through indicators. Developing countries have emphasized the need to expand these linkages and for the strategic results framework and programs, along with indicators, to better reflect how they incorporate the implementation of the SDGs and their targets.

Alternatively, the PBC should reach a consensus and reflect it in the conclusions by requesting the Director General to include in their annual report on WIPO contributions to the SDGs a more detailed description, organized by Strategic Goal, Program, indicators, showcasing the specific contributions to each SDG, and indicating the budget used. It is important to critically review the automatic assumption that all WIPO activities align with the SDGs. A thorough evaluation is necessary to ensure that the relationship between WIPO activities and the SDGs is carefully examined and aligned with sustainable development priorities.

IV. OTHER ITEMS

- 9. The draft P&B24-25 should follow the approved mechanism for P&B preparation by the General Assembly in 2006.**

¹⁹ See Sustainable Development Goals (SDGs) at <https://www.undp.org/sustainable-development-goals>

Proposal:

In order to ensure consistency and adherence to established guidelines, the draft Program and Budget for the period of 2024-2025 (P&B24-25) should follow the approved mechanism for P&B preparation as set forth by the General Assembly in 2006. By aligning the P&B24-25 with the approved mechanism, WIPO can uphold transparency and accountability in the budgeting process. This will enable a clear and structured presentation of the program activities, their associated budgets, and their alignment with the organizational goals and objectives. Furthermore, by adhering to the established guidelines, WIPO can facilitate a more effective evaluation and comparison of the current P&B24-25 with previous budgets, allowing for better tracking and assessment of resource allocation and implementation.

Background:

The restructuring aligns with the Multi-Year Strategic Plan (MTSP)²⁰ and incorporates its priority areas into the program and budget. As a result, the traditional program-based approach has been replaced by a sector-based approach, reducing the number of sectors from 28 to 8. Additionally, there is a notable reduction in expected outcomes. However, this new reporting scheme presents challenges in providing a comprehensive overview of the specific impact on each country or region and the corresponding activities associated with them.

It is important to highlight that the Multi-Year Strategic Plan (MTSP) is not a document approved by member states but rather a document created by the secretariat, which has been acknowledged by the Program and Budget Committee (PBC) and the General Assembly. In contrast, instead of presenting the Program and Budget (P&B) organized by sectors according to the MTSP, the secretariat should present the draft based on each substantive program, as outlined in the approved mechanism for P&B preparation by the General Assembly in 2006.²¹

10. The current proposed budget is insufficient in recognizing the need for balance in the development of the international IP system

Proposal:

It is crucial to recognize the need for balance in the development of the international IP system within the current proposed budget. A balanced approach acknowledges the importance of both intellectual property protection and the promotion of broader development goals.

²⁰ See Medium Term Strategic Plan (MTSP) 2022 – 2026
http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=541373

²¹ See South Centre Background Note, Background note on the Thirty-Fifth Session of the Wipo Program and Budget Committee, 22-26 May 2023

To address this, the following actions are recommended:

- **Enhanced recognition:** The proposed budget should explicitly acknowledge the significance of striking a balance in the international IP system. It should highlight the importance of aligning IP policies with other policies to foster development, rather than solely focusing on IP protection.
- **Policy space:** The budget should emphasize the need to preserve sufficient policy space for countries to determine the appropriate balance within their domestic contexts. This includes recognizing the importance of utilizing flexibilities under the IP system to address diverse development priorities such as poverty reduction, health promotion, agriculture, and industrial development.
- **Freedom to operate:** The proposed budget should acknowledge the challenges faced by innovators in terms of freedom to operate due to intellectual property rights. It should recognize that exclusive rights are not the only avenue for fostering creativity and innovation. Open and collaborative models should also be embraced as part of WIPO's approach.

Background:

The current proposed program should adopt a more nuanced view that emphasizes the need for a balanced international intellectual property (IP) system across all areas of IP rights. It is crucial to recognize the significance of the international IP system in allowing countries to have the necessary policy space to determine the appropriate balance domestically. This involves promoting the utilization of flexibilities within the IP system, enabling countries to align their objectives in various areas crucial to development, such as poverty alleviation, health promotion, agriculture, and industrial development.

When reporting on development and the implementation of Sustainable Development Goals (SDGs),²² it is essential to consider these elements and not solely focus on the users of the IP system who may be directly involved. By acknowledging the broader perspective and impact of the IP system, a more comprehensive and inclusive approach can be taken to ensure the effective promotion of development goals and the advancement of societal well-being.

As a UN agency, WIPO has an important role in promoting a comprehensive approach to intellectual property rights (IPR) that goes beyond solely focusing on IPR protection. The development dimension of IPRs entails considering the relationship between IP policy and other policies aimed at fostering development and the public interest. By adopting a broader

²² See Sustainable Development Goals (SDGs) at <https://www.undp.org/sustainable-development-goals>

perspective, WIPO can effectively contribute to the advancement of both intellectual property rights and development goals. It will enable WIPO to better serve its mandate as a UN agency and promote an environment that supports innovation, creativity, and the overall well-being of societies worldwide.

The proposed budget cuts funding for important “expected results”

Annex 2 Figure 2 shows the percentage change in funding for each “Expected Result” in the proposed 2024-25 budget. WIPO plans to slightly increase funding for most “Expected Results,” but the new budget WIPO will decrease funding in for the following:

- ER 3.1. Wider and more effective use of WIPO’s global IP systems, services, knowledge and data.
- ER 4.2. Development of balanced and effective IP, innovation and creative ecosystems in Member States.
- ER 3.3. Knowledge transfer and technology adaptation is facilitated through WIPO’s IP-based platforms and tools to address global challenges.
- ER 2.3. International dialogue and cooperation on Building Respect for IP.
- ER 2.4. Effective interaction and partnerships with the UN, IGOs and NGOs in support of global goals to which IP can contribute.

Annex 2 Figure 3 shows the relative size of spending for each of the expected results. "Improved productivity and service quality of WIPO’s global IP systems, services, knowledge and data" and "Digitally enabled, secure and sustainable operating environment and services" receive the largest shares of the budget, and these shares are growing. Activities related to technology transfer, working with the rest of the UN, and providing a forum for the negotiation of new IP norms receive a much smaller share.

11. Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget, Document WO/PBC/35/4²³

Proposal: The PBC should insist on a substantive review of the P&B proposal by each programme. Revise the document and review back for next session.

Background:

The proposed updated mechanism lacks a crucial element present in the existing mechanism approved by the General Assembly - the inclusion of a review of the Program and Budget (P&B) in the Program and Budget Committee (PBC) by each substantive program. However, the updated proposal only mentions a general review of the proposed Program and Budget, overlooking the need for a substantive review of the P&B proposal by each program. It is imperative that the PBC insists on amending the reference to the review by specifically highlighting the importance of conducting a substantive review of the P&B proposal by each program within WIPO. This inclusion will ensure a thorough evaluation of program-specific initiatives, resource allocations, and alignment with the organization's strategic objectives. By emphasizing the need for a substantive review, the PBC can enhance transparency, accountability, and informed decision-making processes within WIPO.

As an additional possible proposal, the missions in Geneva should remain the main focal point for WIPO communications with country agencies, and any contacts with national level "stakeholders" should also be informed, in advance, to the missions. This is a principle that should be requested to be introduced in the program and budget.

²³ At the ninth and tenth sessions of the Program and Budget Committee (PBC) in 2006, the PBC considered "Proposals on a new mechanism to further involve Member States in the preparation and follow up of the Program and Budget" (documents WO/PBC/9/4 and WO/PBC/10/2). These documents were prepared in response to the 2005 Assemblies of the Member States of WIPO (Assemblies) decision to recommend a new mechanism beginning with the Program and Budget for 2008/09. Following the recommendation of the tenth session of the PBC on the Program and Budget process (document WO/PBC/10/5), the forty-second session of the Assemblies in 2006 approved the document A/42/9.

ANNEX 2

**PROGRAM ON
 INFORMATION JUSTICE AND
 INTELLECTUAL PROPERTY**

Table 1: Comparison of the Strategic Goals and Programs listed in the 2020-21 budget, and the Pillars and Expected Results listed in the 2024-25 budget

2020-21 Budget: Strategic Goals and Programs	2024-25 Budget: Pillars and Expected Results
<p>STRATEGIC GOAL I. BALANCED EVOLUTION OF THE INTERNATIONAL NORMATIVE FRAMEWORK FOR IP</p> <ol style="list-style-type: none"> 1. Patent Law 2. Trademarks, Industrial Designs and Geographical Indications 3. Copyright and Related Rights 4. Traditional Knowledge, Traditional Cultural Expressions, and Genetic Resources <p>STRATEGIC GOAL II. PROVISION OF PREMIER GLOBAL IP SERVICES</p> <ol style="list-style-type: none"> 5. The PCT System 6. Madrid System 31. The Hague System 32. Lisbon System 7. WIPO Arbitration and Mediation Center <p>STRATEGIC GOAL III. FACILITATING THE USE OF IP FOR DEVELOPMENT</p> <ol style="list-style-type: none"> 8. Development Agenda Coordination 9. Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, LDCs 10. Transition and Developed Countries 11. The WIPO Academy 30. SMES and Entrepreneurship Support <p>STRATEGIC GOAL IV. COORDINATION AND DEVELOPMENT OF GLOBAL IP INFRASTRUCTURE</p> <ol style="list-style-type: none"> 12. International Classifications and Standards 13. Global Databases 14. Services for Access to Information and Knowledge 15. Business Solutions for IP Offices <p>STRATEGIC GOAL V. WORLD REFERENCE SOURCE FOR IP INFORMATION AND ANALYSIS</p> <ol style="list-style-type: none"> 16. Economics and Statistics <p>STRATEGIC GOAL VI. INTERNATIONAL COOPERATION ON BUILDING RESPECT FOR IP</p> <ol style="list-style-type: none"> 17. Building respect for IP <p>STRATEGIC GOAL VII. ADDRESSING IP IN RELATION TO GLOBAL POLICY ISSUES</p> <ol style="list-style-type: none"> 18. IP and Global Challenges <p>STRATEGIC GOAL VIII. A RESPONSIVE COMMUNICATIONS INTERFACE BETWEEN WIPO, ITS MEMBERS AND ALL STAKEHOLDERS</p> <ol style="list-style-type: none"> 19. Communications 20. External Relations, Partnerships and External Offices <p>STRATEGIC GOAL IX. EFFICIENT ADMINISTRATIVE AND FINANCIAL SUPPORT</p> <ol style="list-style-type: none"> 21. Executive Management 22. Program and Resource Management 23. Human Resources Management and Development 24. General Support Services 25. Information and Communication Technology 26. Internal Oversight 27. Conference and Language Services 28. Information Assurance, Safety, and Security 	<p>PILLAR 1. REACH OUT WORLDWIDE TO EXPLAIN THE POTENTIAL FOR IP TO IMPROVE THE LIVES OF EVERYONE, EVERYWHERE</p> <ol style="list-style-type: none"> 1. More effective communication and engagement worldwide to raise awareness of and increase knowledge about the potential of IP to improve the lives of everyone, everywhere <p>PILLAR 2. BRING PEOPLE TOGETHER AND PARTNER WITH STAKEHOLDERS TO SHAPE THE FUTURE OF THE GLOBAL IP SYSTEM</p> <ol style="list-style-type: none"> 2. Development of balanced and effective international normative frameworks for IP 3. WIPO brings the international community together to proactively address emerging issues and policy challenges at the global level relating to IP, innovation and creativity 4. International dialogue and cooperation on Building Respect for IP 5. Effective interaction and partnerships with the UN, IGOs and NGOs in support of global goals to which IP can contribute <p>PILLAR 3. PROVIDE HIGH QUALITY IP SERVICES, KNOWLEDGE & DATA THAT DELIVER VALUE TO USERS AROUND THE WORLD</p> <ol style="list-style-type: none"> 1. Wider and more effective use of WIPO's global IP systems, services, knowledge and data 2. Improved productivity and service quality of WIPO's global IP systems, services, knowledge and data 3. Knowledge transfer and technology adaptation is facilitated through WIPO's IP-based platforms and tools to address global challenges <p>PILLAR 4. SUPPORT GOVERNMENTS, ENTERPRISES, COMMUNITIES AND INDIVIDUALS TO USE INTELLECTUAL PROPERTY AS A TOOL FOR GROWTH AND SUSTAINABLE DEVELOPMENT</p> <ol style="list-style-type: none"> 1. More effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions, including through the mainstreaming of the Development Agenda recommendations 2. Development of balanced and effective IP, innovation and creative ecosystems in Member States 3. Increased IP knowledge and skills in all Member States 4. More innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully 5. Enhanced IP infrastructure for IP Offices <p>FOUNDATION 5. EMPOWER OUR PEOPLE TO WORK EFFECTIVELY, COLLABORATIVELY, AND INNOVATIVELY BY PROVIDING THEM WITH THE RIGHT RESOURCES, TRAINING AND ENVIRONMENT (FOUNDATION)</p> <ol style="list-style-type: none"> 1. A Secretariat that is empowered through a dynamic corporate culture and is provided with the right resources and training to work effectively, collaboratively and innovatively 2. Digitally enabled, secure and sustainable operating environment and services 3. Sound and prudent financial management and effective corporate governance and oversight

Figure 1: Percentage of Budget Allocated by Sector

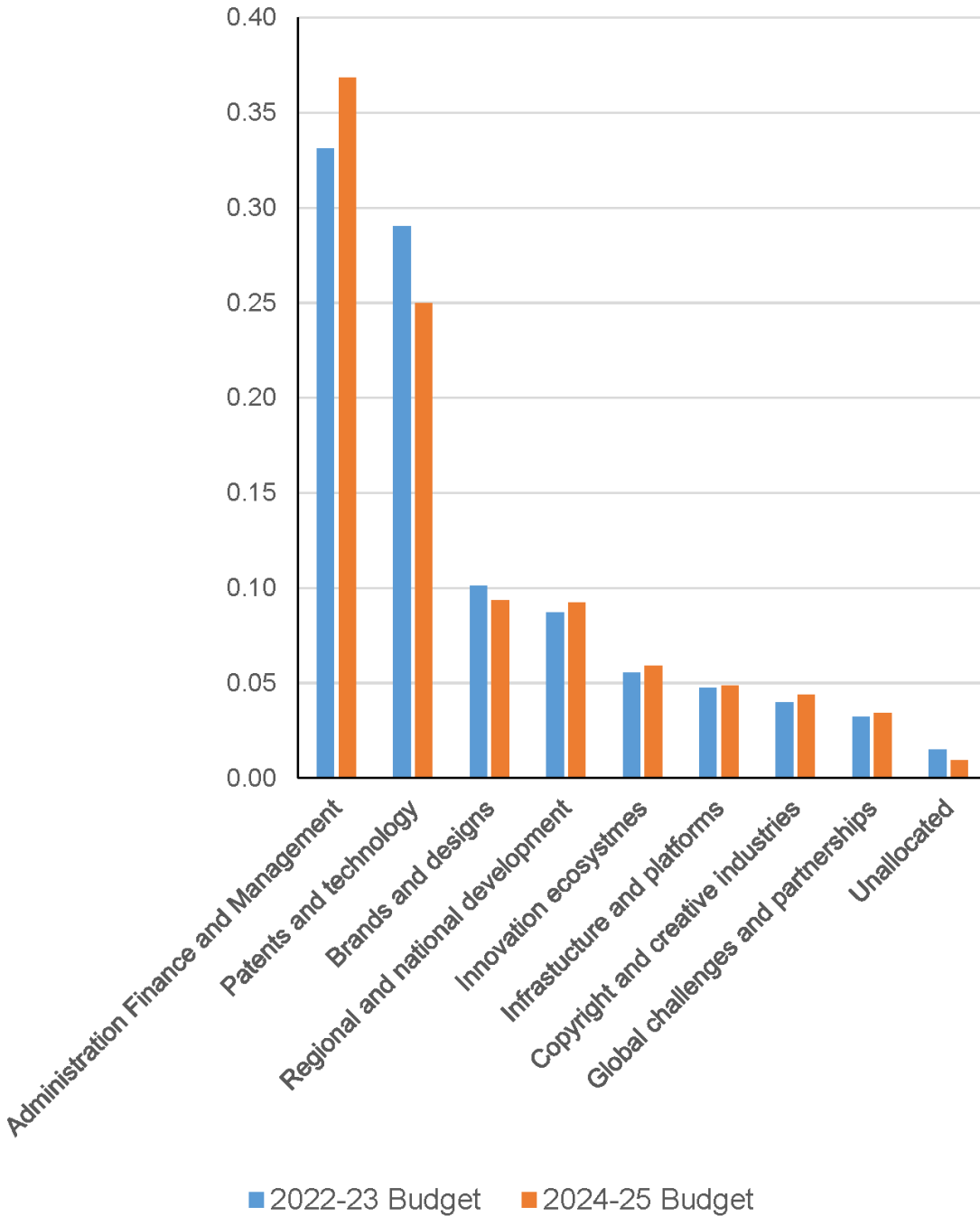


Figure 2: Percent change in spending per expected result in the proposed 2024-25 budget

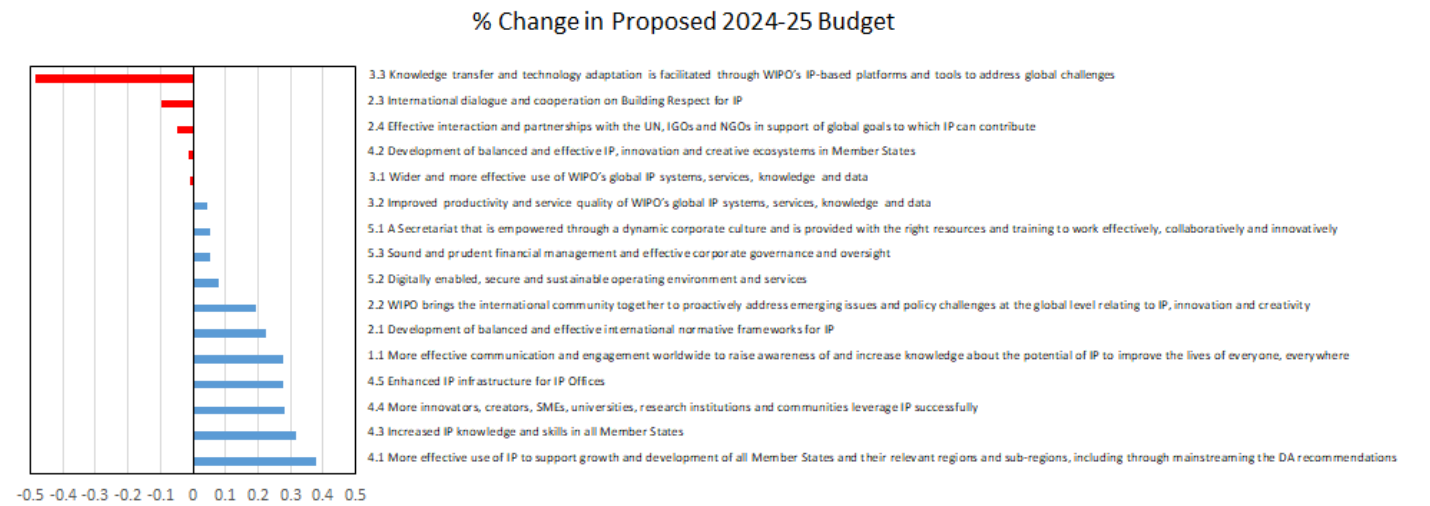


Figure 3: Total spending per expected result in thousands of CHF: 2022-23 budget v. 2024-25 Budget

