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EVALUATION REPORT FOR THE PROJECT ON STRENGTHENING THE CAPACITY OF NATIONAL IP GOVERNMENTAL AND STAKEHOLDER INSTITUTIONS TO MANAGE, MONITOR AND PROMOTE CREATIVE INDUSTRIES, AND TO ENHANCE THE PERFORMANCE AND NETWORK OF COPYRIGHT COLLECTIVE MANAGEMENT ORGANIZATIONS

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1.   The Annex to the document contains an external independent Evaluation Report for the Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations, undertaken by Ms. Lois Austin, Consultant, London, United Kingdom.

2.   *The CDIP is invited to take note of the information contained in the Annex to this document.*

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Executive Summary

This document sets out the Final Evaluation Report for the evaluation of the Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations.

The project was approved during the third Session of the Committee on Development and Intellectual Property (CDIP) in April 2009. The project consisted of two individual components with one component focusing on the creative industries and the other focusing on collective management organizations (CMOs). The project aimed to achieve the following:

Creative Industries Implemented between April 2009 and February 2010	- Assisting Member States in developing and improving the capacity of national IP institutions in assessing the economic importance of the creative sector and the management of IP in the creative industries; - Preparing the ground and building a foundation upon which national IP institutions, creators and stakeholders of creative industries would be able to further develop and improve their institutional capacity; - Introducing the WIPO measurement tools for assessing the economic contribution of the creative industries and to raise awareness of IP as a factor for economic, social and cultural development; - Promoting an understanding of the broader impact of creative industries on social, economic and cultural development; and facilitating the introduction, by Member States, of indicators for measuring the performance of creative industries; and - Supporting, professionalising, and deepening the individual creators' understanding of IP so as to effectively manage IP-based assets in the formulation of business development policies/strategies.
CMOs Implemented between April 2009 and July 2014	Enabling CMOs in nine selected developing countries to: - Fine-tune collective copyright management in the era of digital copyright management and electronic data exchange; - Accomplish collective management business according to international state-of-the-art standards and deliver timely, effective and efficient value-added services to national creators, copyright industries and consumers; - Set-up a modern and sustainable data exchange system, networking the CMOs and linking them to international digital collective management systems; - Achieve a common, cost-effective and easily-affordable registration system for the constitution of a sub-regional decentralised database for the identification of works and rights owners to process distribution of royalties; - Construct national databases of works, authors, right holders and various interested parties according to international standards and facilitating access to these resources by other CMOs for effective and transparent distribution and repatriation of revenues to rights owners; - Use the momentum generated to expedite the creation of CMOs and their networking in countries and regions where they do not exist.

This evaluation has been undertaken by an independent consultant applying the following methodology:

- Interviews with key stakeholders from the project team and the WIPO Secretariat.
- Key document review of relevant documentation.
- Incorporation of factual corrections from the WIPO Secretariat into the final evaluation report.

The evaluation's objectives are to understand what worked well within the project and what did not by assessing the project design framework; project management; measuring results achieved to date; and assessing the likelihood of sustainability of results achieved.

Key Findings

Key findings are presented within each of the three focus areas of the evaluation:

- Project design and management
- Project effectiveness
- Sustainability of the project

Project design and management

Key Finding 1: *The project documentation allows for a brief overview of the project in order to keep Member States informed of the main activities planned. It does not sufficiently highlight the individual and unconnected nature of the two projects contained within the one project document. The documentation does not provide guidance for project managers with regard to project management and implementation approaches.*
Key Finding 2: *A number of risks to the project were identified in advance of and during implementation in the original project documentation and progress reports. Mitigation strategies were planned for addressing such risks and in some cases identified risks did arise and relevant mitigation approaches were adopted to overcome them.*
Key Finding 3: *Both components of the project have incorporated approaches to ensure their responsiveness to emerging trends either through the inclusion of adaptation to new technology on workshop agendas (creative industries) or through monitoring technological developments in order to be able to respond to external change as necessary (CMOs).*
Key Finding 4: *Neither component of the project has required significant input or involvement of other entities within the WIPO Secretariat. The two other internal actors that have had some involvement are the Africa Bureau for the creative industries component and the IT Division for the provision of technical inputs to the CMO component.*
Key Finding 5: *There has been limited involvement of the Member States in either component of the project although they have been regularly informed of project progress.*
Key Finding 6: *The creative industries component of the project was able to respect planned project timeframes with all activities implemented by early 2010. The CMO component of the project experienced a number of delays due to unforeseen challenges and the necessity to significantly re-orient the project's direction leading to an implementation timeframe of 64 months.*

The project documentation for the two projects covered by DA Recommendation 10 is sufficient in order to provide an overview of both projects, particularly to inform Member States of their content and progress. The documentation does not however provide detailed information on project management methodologies or requirement specifications, particularly

in relation to the CMO project which was relatively complex and which suffered a number of setbacks during its implementation.

Both projects are assessed to be addressing needs for different target groups. The creative industries project addressed the increased demand for substantive information and practical tools for measuring the economic contribution of the creative industries and management of IP in the creative industries. The CMO component aimed to address the need of CMOs in developing countries in relation to their integration into the world system of rights information in collective management. Although for this latter component the project was not able to entirely fulfil this objective, work continues by WIPO to focus on this.

A number of risks to the projects were identified within the project documentation, specifically in relation to the CMO element. Mitigation strategies were put in place in order to address these risks should they arise and a number of those strategies were applied during the project's lifetime.

Neither project relied on significant inputs from other entities within the WIPO Secretariat for implementation. However, the Africa Bureau was involved in terms of assisting in the setting up of one of the workshops under the creative industries project (in the Seychelles) in terms of jointly deciding upon participants, speakers and topics for discussion. In the later stages of the CMO project, when internal solutions were sought in order to develop WIPOCOS software and resolve technical issues, WIPO's ICT Division was brought on board and acted as an important service provider for the project.

The Member States were involved in the projects to varying degrees, with inputs required from Member State governments for the creative industries component taking the form of requesting WIPO to hold a seminar/workshop and also proposing participants. For the CMO component, Member States were involved at intervals through for example, participation in consultative meetings.

Both components of the project were approved for implementation in 2009 and the creative industries component was completed by February 2010. Due to a number of challenges faced by the CMO component and the need to re-orient the direction of the project, this component was not completed until 2014 and the activity continues today in its new form under WIPO's regular budget.

Effectiveness

Key Finding 7: *For the creative industries element of the project the project objectives were successfully achieved within the planned timeframe. Some minor logistical challenges were faced for some of these workshops but these were successfully overcome.*
Key Finding 8: *The creative industries component of the project was able to achieve short term results in terms of participant satisfaction in the workshops but it has not been possible within the timeframe of the project to assess whether there have also been longer term benefits and satisfaction for the participants.*
Key Finding 9: *The CMO component of the project was able to achieve one of its planned seven objectives due to a number of significant challenges, including insufficient project management personnel and the breakdown of formative elements of the envisaged project. The appropriate decision to amend the direction of the project was taken during the implementation timeframe.*

Effectiveness measures the extent to which the project met the objectives for which it was established.

The key objectives of the creative industries element of the project included:

(i)   Preparing the ground and establishing a foundation to enable national IP institutions, creators and other stakeholders of creative industries to be able to further develop and improve their institutional capacity;

(ii)   Introducing the WIPO measurement tools for assessing the economic contribution of the creative industries and raising awareness of IP as a factor for economic, social and cultural development; and

(iii)   Supporting and strengthening individual creators' understanding of the management of IP.

The main activities of the project were the holding of seminars and workshops in different regions in order to address these objectives. Four such events were held – in Cameroon, the Seychelles, Dominica and the Philippines – at which presentations were given and discussions held on the methodologies, practicalities and benefits of undertaking economic studies in relation to IP and the creative sectors. Participants and speakers represented a wide range of interests including attendees from the government, the creative industries, academia and the private sector. Reports from the workshops highlight that the majority of participants expressed an interest in studies being undertaken in their country/region. Feedback from participant evaluations of the different events was very positive with the majority expressing satisfaction with the workshops as a whole as well as with the topics covered and the quality of the speakers. These evaluations were held immediately after the workshops and there has been no subsequent monitoring of whether the information and knowledge shared at the events has had a longer term impact.

The CMO component of the project had seven different objectives and although a number of different activities were carried out in order to try and achieve these objectives, only one (the upgrade of WIPOCOS software) was achieved within the project's lifetime. The project faced a number of significant challenges during its implementation, many of which had not been foreseen in the original project documentation or plan. For example, the need for WIPOCOS software to be enhanced was not envisaged and this element took longer than expected to complete due to the complexity in the business logic design and its software implementation. Other challenges include the need for more highly qualified software development staff and oversight than originally envisaged. These issues came to light during project implementation and as a result the Member States were informed that the project would be redirected and a new approach followed which involved the development, design and deployment of the WIPOCSO software and web-based applications in order to enable the CMOs in the nine pilot countries involved[1] to undergo a systematic streamlining process in order to support the management of copyright in the digital environment. At this stage, WIPO brought its ICT Division into the project in order to support the delivery of an enhanced system. The re-orientation of the project required lengthy discussions with key partners in the creative industry such as the International Confederation of Authors and Composers Societies (CISAC) and the Societies' Council for the Collective Management of Performers' Rights (SCAPR) to ensure that the re-engineered WIPOCOS might benefit from their expertise in the data management field.

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[1] The nine pilot countries were part of the West African Copyright Network (WAN)

Although achievement against objectives as originally foreseen was minimal, the re-designed project with new more achievable objectives is ongoing under WIPO's regular budget.

Sustainability

> *Key Finding 10:* *Without ongoing monitoring of the participants it is not possible to measure the longer term impact of the creative industries events. A number of follow-up requests were made after the events and the undertaking of economic studies using the WIPO methodology continues as one of WIPO's regular activities.*

> *Key Finding 11:* *The re-oriented CMO component of the project is now supported through WIPO's regular budget and continues to target least developed countries within West Africa but also in other parts of Africa, the Caribbean and Asia regions.*

With regard to the creative industries component of the project a number of requests for similar workshops emanated from the events held under the project. The feedback from participants relating to the benefits of the workshop was positive although it has not been possible to assess longer term benefits due to lack of monitoring.

As has been noted, the CMO component of the project suffered a number of challenges in its original form but with the new revised project specification the project now targets least developed countries not only in Africa but also in Asia and the Caribbean and has a new set of objectives. The project is now being implemented in a pilot phase with two CMOs to ensure that the benefit of continuation outweighs the risks.

Recommendations

In order to respond to the Key Findings of this evaluation, four recommendations for future action are proposed.

A Project design and management

Recommendation 1

(Relevant Key Finding 1)

Where complex projects are to be implemented, project documentation would benefit from including guidance for project managers with regard to project management and implementation approaches.

Recommendation 2

(Relevant Key Finding 1)

In future, it would be practical in terms of reporting and follow up, to ensure that individual and separate projects are presented within separate project documentation.

B Effectiveness

<u>Recommendation 3</u>

(Relevant Key Finding 7)

Organising workshops and seminars can involve complicated logistical set-up and a reliance upon local partners. Prior to establishing such events a thorough assessment of partners on the ground should be undertaken to ensure that selected partners can be relied upon to help plan the events in sufficient detail to avoid having to deal with on-the-spot practical and logistical difficulties.

<u>Recommendation 4</u>

(Relevant Key Findings 8 and10)

Post-event participant monitoring at time intervals of some weeks, months or years after the event should be factored into future project design in order that WIPO has a better understanding of the effectiveness and impact of events which would help ensure that events and their content are designed in the most effective way.

Acronyms and Abbreviations

CCL	Caribbean Copyright Link
CDIP	Committee on Development and Intellectual Property
CISAC	The International Confederation of Authors and Composers Societies
CMO	Collective Management Organisation
COSAP	Copyright Society of Composers, Authors and Publishers Inc.
DA	Development Agenda Recommendation
SCAPR	The Societies' Council for the Collective Management of Performers' Rights
SGAE	The General Society of Publishers and Authors
ToR	Terms of reference
WAN	West African Copyright Network
WIPO	World Intellectual Property Organisation
WIPOCOS	WIPO Software for Collective Management Organizations or Societies

Project Evaluation

Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations

CDIP Recommendation DA_10_04

1 Introduction

This document is the evaluation report for the evaluation of the World Intellectual Property Organisation (WIPO) "Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations" - (DA Recommendation 10).

Development Agenda Recommendation 10 proposes the following:

> "To assist Member States to develop and improve national IP institutional capacity through further development of infrastructure and other facilities with a view to making national IP institutions more efficient and promote a fair balance between IP protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with IP."

2 Project Background

The project consisted of activities designed to assist in the improvement and strengthening of national institutions and stakeholder organisations dealing with and representing the creative industries. It aimed to enhance their understanding of the role of IP for the effective management and development of creative industries, and to facilitate the establishment of regional or sub-regional networks for the collective management of copyright and neighbouring rights.

In effect, the project consisted of two separate components which were managed and implemented independently of each other. The first component focused on the **creative industries** concentrating on:

- Assisting Member States in developing and improving the capacity of national IP institutions in assessing the economic importance of the creative sector and the management of IP in the creative industries;

- Preparing the ground and building a foundation upon which national IP institutions, creators and stakeholders of creative industries would be able to further develop and improve their institutional capacity;

- Introducing the WIPO measurement tools for assessing the economic contribution of the creative industries and to raise awareness of IP as a factor for economic, social and cultural development;

- Promoting an understanding of the broader impact of creative industries on social, economic and cultural development; and facilitating the introduction, by Member States, of indicators for measuring the performance of creative industries; and

- Supporting, professionalising, and deepening the individual creators' understanding of IP so as to effectively manage IP-based assets in the formulation of business development policies/strategies.

Implementation of this element of the project started in April 2009 and was completed in 2010. The second component focused on **Collective Management Organisations (CMOs)** concentrating on enabling CMOs in nine selected developing countries to:

- Fine-tune collective copyright management in the era of digital copyright management and electronic data exchange;

- Accomplish collective management business according to international state-of-the-art standards and deliver timely, effective and efficient value-added services to national creators, copyright industries and consumers;

- Set-up a modern and sustainable data exchange system, networking the CMOs and linking them to international digital collective management systems;

- Achieve a common, cost-effective and easily-affordable registration system for the constitution of a sub-regional decentralised database for the identification of works and rights owners to process distribution of royalties;

- Construct national databases of works, authors, right holders and various interested parties according to international standards and facilitating access to these resources by other CMOs for effective and transparent distribution and repatriation of revenues to rights owners; and

- Use the momentum generated to expedite the creation of CMOs and their networking in countries and regions where they do not exist.

The CMO component of the project took a pilot approach, aiming to provide CMOs grouped within the West African Copyright Network (WAN)[2] with a series of tools to enable the establishment of a common digital collective management platform by standardising and expediting the exchange of information among them and the rest of the world, for the identification of works and relevant interested parties, so that the distribution of royalties could be carried out in a fair, equitable and balanced way.

Within the CMO component of the project, a supplementary project was included **– the Caribbean Copyright Link** (CCL) project. This project focused on linking aspects of the member societies' work which were being managed separately. This included a regional sampling method/system for works used in the Caribbean and the promulgation of harmonized distribution rules for collected royalties.

Project implementation of this component of the project started in April 2009 and was completed in July 2014. Within this timeframe, the CMO component of the project faced a number of challenges in relation to achieving original project objectives, resulting in amended timelines and deadlines for the project. This is discussed in further detail below.

3   **Evaluation purpose and objectives**

This evaluation focuses on assessing the project(s) as a whole rather than on individual activities undertaken. The evaluation concentrates on the project's contribution to assessing the needs of Member States and identifying the resources or the means to address those needs, its evolution over time, its performance including project design, project management, coordination, coherence, implementation and results achieved.

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[2] Benin, Burkina Faso, Cote d'Ivoire, Gambia, Ghana, Guinea, Mali, Niger, Nigeria, Senegal and Togo.

The evaluation's objectives are twofold:

- **Learning from experiences** during project implementation: what worked well and what did not work for the benefit of continuing activities in this field. This includes:

    o Assessing the project design framework;

    o Appraising project management including monitoring and reporting tools;

    o Measuring and reporting on the results achieved to date; and

    o Assessing the likelihood of sustainability of results achieved.

- **Providing evidence-based evaluation information** to support CDIP's decision-making process.

4   Evaluation methodology

The evaluation was undertaken by an independent consultant and was participatory in nature. Information was gathered from the following sources:

- **Stakeholder interviews**[3]: interviews were held with the project team and with senior WIPO managers.

- **Documentary review**: key documentation was reviewed and examined to identify data relating to performance, project design, project management, results and implementation.[4]

Data collected was analysed and a draft evaluation report written which was submitted to WIPO on February 5, 2015. Factual corrections provided by the WIPO Secretariat were included in order to produce the Final Evaluation Report.

As part of the evaluation the consultant is required to present the Final Evaluation Report during the fifteenth session of the CDIP to be held in April 2015.

The project timeframe considered for this evaluation is 64 months (April 2009 – July 2014).

5   Key findings

This section, in which the key findings are presented, is organized on the basis of the three evaluation areas as set out in the evaluation Terms of Reference (ToR) – project design and management, effectiveness and sustainability. Each evaluation question is answered directly under the relevant heading of each area addressing the two different components of the project – (a) **creative industries** and (b) **CMOs**, separately where necessary.

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[3] See Appendix III
[4] See Appendix IV

5.1   Project design and management

Key Finding 1: *The project documentation allows for a brief overview of the project in order to keep Member States informed of the main activities planned. It does not sufficiently highlight the individual and unconnected nature of the two projects contained within the one project document. The documentation does not provide guidance for project managers with regard to project management and implementation approaches.*

Key Finding 2: *A number of risks to the project were identified in advance of and during implementation in the original project documentation and progress reports. Mitigation strategies were planned for addressing such risks and in some cases identified risks did arise and relevant mitigation approaches were adopted to overcome them.*

Key Finding 3: *Both components of the project have incorporated approaches to ensure their responsiveness to emerging trends either through the inclusion of adaptation to new technology on workshop agendas (creative industries) or through monitoring technological developments in order to be able to respond to external change as necessary (CMOs).*

Key Finding 4: *Neither component of the project has required significant input or involvement of other entities within the WIPO Secretariat. The two other internal actors that have had some involvement are the Africa Bureau for the creative industries component and the IT Division for the provision of technical inputs to the CMO component.*

Key Finding 5: *There has been limited involvement of the Member States in either component of the project although they have been regularly informed of project progress.*

Key Finding 6: *The creative industries component of the project was able to respect planned project timeframes with all activities implemented by early 2010. The CMO component of the project experienced a number of delays due to unforeseen challenges and the necessity to significantly re-orient the project's direction leading to an implementation timeframe of 64 months.*

Appropriateness of project documentation

The project proposal follows standard WIPO project proposal formats. It provides a clear overview of the different objectives of each of the two components of the project as well as providing some elaboration on the different strategies for each component. What is perhaps less clear from the documentation, and from the title of the project, is the distinctive nature of each component of the project which is in effect two individual projects (with one having a sub-project element as well), managed by different project officers against different timelines and with different budgets.

The distinctive nature of the two projects included within the same project documentation (with one focusing on the creative industries and the other focusing on CMOs) has meant that implementation timeframes have been different with one project being completed as planned by 2010 but the second project not being completed until mid-2014.

Although the creative industries element of the project was relatively simple (primarily the organisation and undertaking of workshops and seminars which are part of the WIPO's regular activities), the CMO element was more complex. The project document does allow for an overview of the project but it does not go into detail on the project management methodologies planned and utilised or provide a detailed requirement specification. Progress reports highlight some difficulties in relation to project management of the CMO project at various strategies but do not provide detail as to the nature of these difficulties, more highlighting that they were

overcome. The document does contain sufficient guidance to inform Member States of the main activities planned.

Needs identification (Coherence)

The need for the project can be identified in Development Agenda Recommendation 10 which proposes:

> "To assist Member States to develop and improve national IP institutional capacity through further development of infrastructure and other facilities with a view to making national IP institutions more efficient and promote a fair balance between IP protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with IP."

Creative Industries Component

The project documentation highlights an increased demand for substantive information and practical tools on the economic contribution of the creative industries and management of IP in the creative industries, as well as on the enhancement and effectiveness of CMOs. The documentation states that IP institutions need better tools to assess the development potential of creative industries, whilst creators need better tools to manage their IP in such a way that a balanced IP benefits both stakeholders and users.

In addition, the project documentation acknowledges that the ability of creators in managing their IP-based assets, in particular copyright, is a major challenge in a large number of WIPO Member States.

In order to address these needs, the project responded to requests either for a research study on the economic contribution of the creative industries at national or sub-regional level or for a workshop to highlight what undertaking such a study would mean. The methodological tool for undertaking such studies had already been developed outside of the DA project and having undertaken some 50 such studies, there is a confidence within WIPO that the methodology works in order to show what the creative sector contributes in terms of GDP or trade for example. The project was based on requests which were existing at the time of the project's inception and led to the establishment of seminars/workshops in the Seychelles, the Philippines, Dominica and Cameroon.

CMO Component

Another documented need is that of CMOs in developing countries relating to their integration into the world system of rights information in collective management. The project aimed to address this need by enhancing the use of information communications technology (ICT) for filling the digital gap in the field of international electronic data exchange for the operation of selected CMOs, fostering their capacity to cope with service-oriented business practices and accessing the international repertoire to increase the repatriation of revenues to creators.

Initial identified risks (Coherence)

Creative Industries Component

Although not highlighted in the project documents, one of the risks involved in the creative industries element of the project related to ensuring that the project activities (i.e. a workshop/seminar) were undertaken with the most appropriate partner. In order to mitigate this risk the project manager held discussions with WIPO colleagues as well as externally to ensure

that the institutions and people involved were the most appropriate in terms of being able to represent a wide range of stakeholders. In addition, having limited knowledge of local partners was identified a risk during project implementation, particularly in relation to ensuring the smooth-running of workshops. This was a challenge that was encountered in relation to the Cameroon workshop where some of the logistical and practical aspects of ensuring that the workshop ran smoothly had to be addressed on the spot by WIPO staff.

CMO Component

A number of risks and challenges were foreseen for the CMO component in the initial project documentation and progress reports. These are highlighted in Table 1 below:

Table 1: Risk and mitigation strategy

	Foreseen risk	Proposed mitigation strategy
CMO Component		
i	Limited ability of the CMOs to manage the business, particularly where Government regulation provides a restraining framework.	Training and support from WIPO.
ii	Limited levels of involvement of the selected network of CMOs throughout project implementation and their will to manage the system at the end of the project.	To reinforce the institutional framework of the CMOs association and full involvement of the relevant Member States.
iii	CMO capacity to establish an efficient direction to their relationship with some NGOs and The International Confederation of Authors and Composers Societies (CISAC) in particular.	Ensuring CISAC participation in and endorsement of the project.
iv	The Web-based platform being located in the wrong place.	
v	The challenge of interconnecting the WAN database with existing international systems where terms may have already been negotiated.	Training and support by WIPO and insistence on adherence to established international operating standards. Seeking of partnerships with appropriate private sector industries and non-profit organizations and associations with the required know-how.

Responsiveness to emerging trends (Coherence)

Creative Industries Component

Two of the events supported through the creative industries project focused on the publishing industry (Cameroon and the Philippines). New technology is closely related to the business model in the publishing industry, so specific points in the workshop agendas addressed how these industries should or could adapt in light of technology. More broadly, the discussions on the potential for undertaking an economic study at all the workshops and seminars reflected the need for such studies to take into account digital challenges that may be faced.

CMO Component

The CMO component of the project was not able to deliver within the project timeframe, so in that sense it has not responded to emerging trends. However, in a more general sense, it has

been necessary for the project to continually respond to change by for example monitoring the way in which CISAC works in order to stay informed and ensure that the project could react and respond. An ongoing monitoring of emerging trends and changes was a key part of the project's activities.

Contribution of entities within the WIPO Secretariat (Coordination)

There has been little involvement of other entities within the WIPO Secretariat for either component of the project as they have focused on themes which fall directly under the responsibility of the Culture and Creative Industries and Global Infrastructure Sectors.

For the creative industries component, the Africa Bureau did help to organise the Seychelles sub-regional seminar in 2009, jointly deciding upon invitees, speakers and topics for discussion.

The CMO component had limited reliance on other entities within the WIPO Secretariat. The project did however rely on and coordinate increasingly on WIPO's ICT Division, which acted as an important service provider, in order to ensure effective WIPOCOS software development and resolution of technical issues.

Involvement of Member States (Coordination)

Creative Industries Component

Involvement of the Member States at country level was an essential part of the creative industries project with governments writing a letter to WIPO to request the workshop/seminar. Some governments were more actively involved than others with, for example, the Government of the Philippines being very engaged through their presence at the workshop and the provision of contacts to be invited. For the regional workshops governments were asked to appoint participants.

CMO Component

Beyond keeping the Member States informed of project progress through the standard reporting processes at the CDIP meetings there has been little opportunity or requirement for involvement of the Member States. However, CMOs from a number of Member States have been involved where this has been practical. For example, there was regular discussion with the WAN CMOs in order to agree upon which nine countries would be involved in the project. This included a meeting in Paris in February 2010 where the project was presented to the African Committee of CISAC of which all nine WAN CMOs are a member. Following the decision to re-orient the project with a revised project timeline in 2010 the specification for the WAN database system was presented to the WAN participating Member States at a consultative meeting held in Dakar, Senegal in February 2011. The meeting was organized jointly by WIPO and the Government of Senegal. In addition, at the final activity funded, a meeting in Geneva in May 2014, CMOs from Benin, Senegal, Kenya, Barbados and Ukraine were present to discuss the ongoing project requirement definition. This project focused upon how to re-orient the project.

For the CCL element of the CMO component of the project, the President of the CCL was called upon to provide invaluable input and advice on the scope of the project and the relevant Member States participated in a study which involved appointed regional consultants.

Project timeframe

Both components of the project were approved for implementation in April 2009.

Creative Industries Component

The creative industries element of the project was implemented within the project timeframe with all workshops/seminars held by February 2010. Although there was a slight delay in the holding of the Philippines workshop (as explained below) this did not impact on overall project implementation.

CMO Component

The CMO component of the project was due for completion by 2011. However, due to the delays in implementation (discussed below) a request for extension was made until 2015. All project activities (from the re-oriented project design) were implemented by mid-2014 although the budget was not entirely utilised with some CHF 300,000 remaining unspent. Due to the length of time that the project was implemented and also as a result of the different direction that the project took within its lifetime, the project was managed by a number of different project managers at different periods.

5.2   Effectiveness

Key Finding 7: *For the creative industries element of the project the project objectives were successfully achieved within the planned timeframe. Some minor logistical challenges were faced for some of these workshops but these were successfully overcome.*

Key Finding 8: *The creative industries component of the project was able to achieve short term results in terms of participant satisfaction in the workshops but it has not been possible within the timeframe of the project to assess whether there have also been longer term benefits and satisfaction for the participants.*

Key Finding 9: *The CMO component of the project was able to achieve one of its planned seven objectives due to a number of significant challenges, including insufficient project management personnel and the breakdown of formative elements of the envisaged project. The appropriate decision to amend the direction of the project was taken during the implementation timeframe.*

Effectiveness is considered to be a measure of the extent to which a project is meeting the objectives for which it was established. This evaluation is not designed to assess individual project activities but more broadly the project as a whole and its contribution to assessing the needs of Member States. The project indicators can be found at Appendix V to this report.

Creative Industries Component

The key objectives of the creative industries element of the project included:

(iv)   Preparing the ground and establishing a foundation to enable national IP institutions, creators and other stakeholders of creative industries to be able to further develop and improve their institutional capacity;

(v)   Introducing the WIPO measurement tools for assessing the economic contribution of the creative industries and raising awareness of IP as a factor for economic, social and cultural development; and

(vi)   Supporting and strengthening individual creators' understanding of the management of IP.

The main activities involved in the project were the holding of seminars and workshops in different regions. The workshops and seminars covered different topics, as requested by participating Member States as can be seen below:
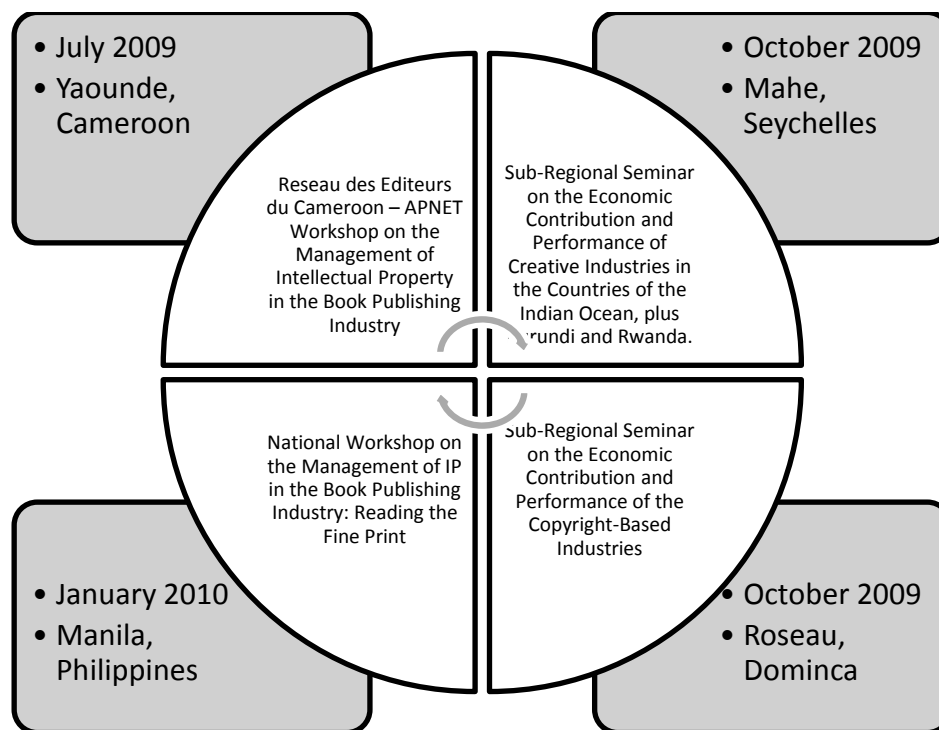

Figure 1: Overview of creative industries seminars and workshops

It was found however that the costs involved in organising these events were higher than anticipated, which resulted in a smaller number of stakeholders benefitting from the project than anticipated. The table below shows the number of planned and number of actual participants per event:

Table 2: Creative Industries workshops and seminars

Event	Planned no. of participants	Actual no. of participants
Reseau des Editeurs du Cameroon – APNET Workshop on the Management of Intellectual Property in the Book Publishing Industry July 2009 Yaounde, Cameroon	20	40 (Majority from Cameroon. The remaining came from Gabon; Equatorial Guinea; Chad; Central Africa Republic; Republic of Congo; Democratic Republic of Congo)
Sub-Regional Seminar on the Economic Contribution and Performance of Creative Industries in the Countries of the Indian Ocean, plus Burundi and Rwanda.	29	20

Event	Planned no. of participants	Actual no. of participants
October 2009 Mahe, Seychelles		
Sub-Regional Seminar on the Economic Contribution and Performance of the Copyright-Based Industries October 2009 Roseau, Dominica	31	25 (Three from each of the six OECS Full Member States and two from each of the three Associate Member States. The rest from the OECS secretariat and from host country)
National Workshop on the Management of Intellectual Property in the Book Publishing Industry: Reading the Fine Print January 2010 Manila, Philippines	60 - 80	50

The Manila workshop had originally been planned for October 2009 but had to be delayed until January 2010 as the Philippines had been struck by super typhoon Megi/Juan in October 2009. This did impact the budget which had envisaged implementation in 2009 but could therefore not be used until 2010.

Output indicators were developed in line with the expected results of the workshops and seminars. Achievement against these objectives and indicators is discussed below.

A key objective of the project was to **initiate expressions of interest for undertaking national research on the economic importance of copyright-based industries**, translating and/or publishing existing research or preparing country specific awareness rising materials. Reports of the workshops and seminars highlight that the majority of participants expressed such an interest. In the Seychelles for example, one of the speakers had recently been involved in a WIPO economic study in Jamaica and the country level experience in the study was discussed at the sub-regional seminar. Two weeks after the seminar, the Director General of the Seychelles National Arts Council requested WIPO for more information on the modalities for undertaking such a study, notifying WIPO that a focal point for the study within their organisation had already been identified.

The sub-regional seminar in Dominica was held in response to a request for a study on the economic contribution of the copyright-based industries in the Member States of the Organization of Eastern Caribbean States. The seminar allowed for highlighting data collection practices and it was agreed that the study would go ahead.

In order to contribute to improved awareness of the economic importance of copyright, WIPO invited speakers to the seminars/workshops who have worked on similar projects in order to explain the concept of the economic study. Awareness was expressed by participants through participating countries making enquiries for similar research to be undertaken for them. In addition, publications were distributed at all the seminars/workshops to ensure that participants had access to relevant material.

Another expected result was that **discussions on appropriate tools to assess the national/regional performance and economic contribution of the creative industries and enabling governments to identify areas for policy intervention would take place**. In order to achieve this, workshop participants represented a broad range of stakeholders (including

from the creative industries as well as from governments) and this broad representation was specifically request by WIPO in setting up the workshops. The seminars and workshops were attended by a wide **range of stakeholders**, both as participants as well as speakers. For example, in the Seychelles there were representatives from thirteen[5] countries as well as from the African Investment Development Bank. WIPO invited one representative from the private sector and one from the public sector from each of the eight countries from the region. In Cameroon there were also participants from the academia.

In addition, the publications distributed at the workshops were geared towards laymen in the attending industries in order that they could be used for onward training. Distance learning courses for certain subjects (e.g. publishing) were offered at the workshops to also allow participants to increase their knowledge. The Cameroon workshop provides an example of discussions on relevant tools and potential areas for policy intervention. Part of the discussion there focused on the publishing industry and the distribution of published works where publishers highlighted a number of impediments (relating to taxes for example) to selling published works at reasonable prices. The workshop allowed for a discussion between representatives of the industry and the government relating to this.

Requests for launching of studies on the economic contribution of copyright-based industries was another of the indicators against which project progress was measured. All the workshops have resulted in such requests for research. For example, following the Cameroon workshop discussions were held with Tanzania, Malawi and Kenya to follow up the research undertaken there and reports on those three countries were subsequently published. Another example from the Philippines is that the workshop there was followed with a request for a study on the impact of copyright piracy and this was undertaken as a pilot study, based on the WIPO methodology and will be published in 2015. Following the Dominica workshop a regional study was pursued the year after the event and there have also been requests from other Caribbean states for similar studies. A number of requests for studies came out of the Seychelles workshop including from Madagascar, Burkina Faso, Tanzania and Mozambique.

In order to measure the short term impact of the workshops and seminars, it was expected that over 50 % of the participants in the seminars confirm, at the end of the seminar, that they have at least been satisfied with the seminar regarding the achievement of the objectives set. In order to assess this, participants were asked to complete evaluation forms once the workshops were completed. The results were positive although they are only able to highlight the impact/success of the events immediately after their completion and not any longer term impacts in terms of retention and use of the knowledge shared. The effectiveness of the technical assistance provided through the project can only really be evaluated in the weeks, months and even years after the event through correspondence with or visits to the participants and this has not been possible during the project timeframe. Requests for such follow-up were made following the Dominica workshop and in the Seychelles. As a result a specific workshop on Managing Copyright in Music Business was held in Antigua in June 2010 although this was outside of this project's framework.

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[5] This includes countries invited to participate as well as countries where some of the speakers emanated from.

The evaluations completed by the sub-two regional seminar participants highlighted the following[6]:

Figure 2: Participant feedback from the sub-regional seminars
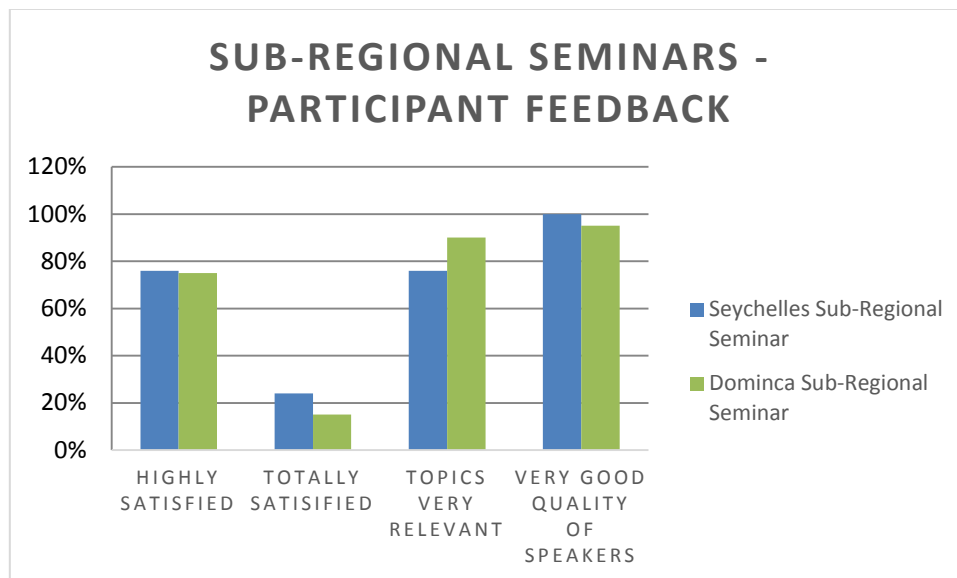
Similar feedback was sought from the Philippines national level workshop participants with evaluations highlighting the following:

Figure 2: Participant feedback from the Cameroon and the Philippines national workshops
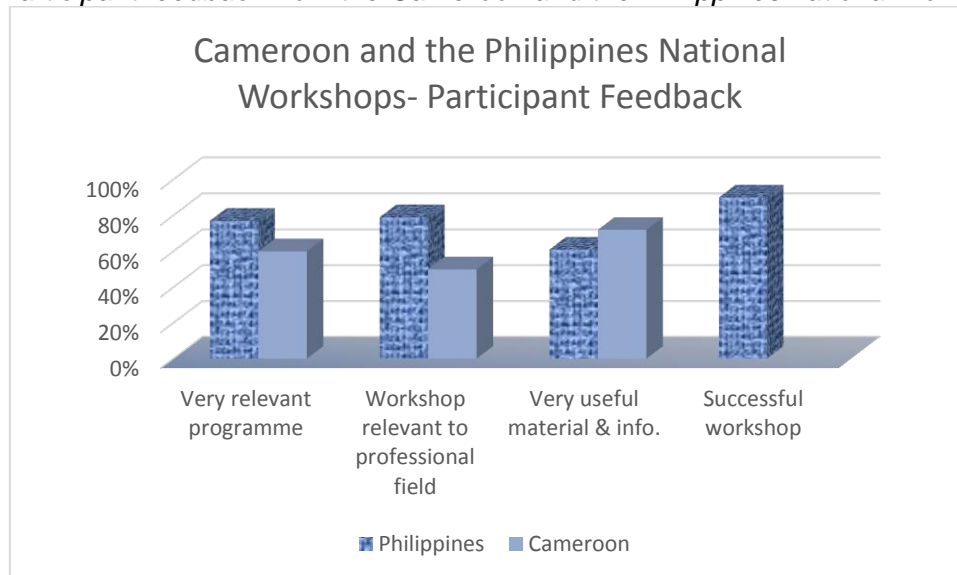
Participants in the Philippines also requested a follow-on workshop and proposed broadening the participation for future events to include authors/writers academia, policy makers and other stakeholders.

The creative industries element of the project was completed in line with the planned project timeline.

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[6] *Source: Project progress reports*

It has not been possible to assess the longer impact of the seminars and workshops held as part of this project as there has been no monitoring funding available since the project finished in 2010.

CMO Component

Progress in terms of achieving objectives of the CMO component of the project has been limited for a number of reasons. Key factors include:

- The WAN pilot project required prior enhancement of the WIPOCOS software under a related project with the performers' umbrella organisation – the Societies' Council for the Collective Management of Performers' Rights (SCAPR). This had not been foreseen in the original project document or plan and the enhancement took longer than expected due to the complexity in the business logic design and its software implementation.

- Examination of the WAN project plan highlighted that in order to facilitate WIPOCOS to meet emerging business requirements in the complex on-line music environment, the use of a more efficient database software was required as well as web-based technologies to facilitate the interconnect of WIPOCOS users to each other and to necessary international systems.

- The delivery of the WAN project required more highly qualified software development staff including at the level of oversight.

- The need for WIPOCOS enhancement to support the WAN project and emerging CMO business requirements notably related rights and interconnectivity to other sub-regional and international collective management systems.

- The selection of suitable project personnel with the requisite technical competence and professional experiences.

Following examination of the WAN project as a result of these implementation challenges a new approach was developed which involved the development, design and deployment of the WIPOCOS software as well as web-based applications and related activities to enable the CMOs in the nine pilot countries to undergo a systematic streamlining process in order to support the management of copyright in the digital environment. As a result, WIPO brought in its ICT Division in order to support the delivery of an enhanced system. This in turn led to the development of a new functional specification (in 2012) leading to a complete review of the scope of the project and its potential impact on the overall framework of WIPO's role and function in global copyright infrastructure and services for developing countries on request. Although the objectives of the project as it was originally envisaged were not achieved, a number of activities were undertaken during the project's 64 month timeframe. These included:

Table 3: CMO project activities

Progress report provided to the CDIP	Focus during implementation period	Activities implemented	
October 2010	Selection of CMOs from nine countries and fine tuning of their business rules and operations. Capacity building for the moderinsation of selected mobile operating system business operations. Gathering and harmonisation of their databases. Development of a WIPO-sponsored IT platform. Creation of a network data center in one of the CMOs. Development and upgrading of database software and development of an integrated and decentralised regional database system.	i)	The drafting of a concept paper of the WAN project and its project and preparation of its provisional workplan.
		ii)	Preparation of tasks for the WAN project field consultant.
		iii)	A consultative meeting for the WAN project was held in Lome, Togo in March 2010 (four months after the original planned meeting date of November 2009). The meeting was organised in cooperation with WIPO and the Government of Togo and was attended by the Directors General and representatives of the Bureaus and Societies of all the WAN project countries. Representatives from CISAC, the CCL and the General Society of Publishers and Authors (SGAE) also attended the meeting.
		iv)	A meeting on exploring the potential partnership of CISAC in the WAN was held in Paris in February 2010.
		v)	A WIPOCOS technical working group meeting was held in Geneva in June 2010 with SCAPR's participation.
		vi)	An evaluation of the WIPOCOS project/system and its way forward was undertaken which led to the recognition of the need for enhancements to WIPOCOS to support current and emerging business requirements.
November 2011	Following the revised timeline that was submitted to the sixth CDIP session (October 2010), the focus was to redevelop the WIPOCOS application in a modern software environment and develop the WAN database system to support current and emerging business requirements for the WAN CMOs and eventually for use in other developing countries.	i)	The development of a WIPOCOS user specification. This served as the essential baseline reference document necessary for WIPOCOS enhancement for development work.
		ii)	Meeting of the WIPOCOS technical working group in Denmark in September 2010. SCAPR participated in the meeting. An additional meeting was held in Geneva in June 2011 to discuss the support of related rights management by WIPOCOS and its relationship to international systems for performers' CMOs.
		iii)	Development of a WIPOCOS five-module system.
		iv)	The development of a functional specification for the WAN database system. This was presented to the WAN participating Member States at a consultative meeting in Senegal in February 2011.

Progress report provided to the CDIP	Focus during implementation period	Activities implemented	
		v)	The establishment of a technology partnership. An offer was made by Google to develop the WAN database system on the understanding that it would be managed and operated by WIPO.
		vi)	The development of a new WIPOCOS application by WIPO's ICT Department.
September 2012	The re-engineering of the WIPOCOS software itself and the networking system and architecture linked to the WIPOCOS for the CMOs	i)	Re-engineering of WIPOCOS to employ the latest web-based architecture allowing the WIPOCOS system to be used via a web browser without the need to install additional software on a users' work station.
		ii)	WIPOCOS can now either be hosted centrally by WIPO or by an external service provider as a cloud-based solution.
		iii)	WIPOCOS now based on open source software components taking account of the latest open standards
		iv)	Design of the database and system architecture completed and interested parties documentation module completed.
		vii)	The successful deployment of the current WIPOCOS in several CMOs within the WAN and outside.
September 2013	Following the termination of the partnership with Google (which was intended to deliver the regional and international data management and connectivity components of the project) discussions were started with CISAC and SCAPR to fill the gap.	i)	Software was developed for the documentation of works by individual CMOs.
		ii)	A full set of system requirements was drafted and circulated to industry experts.

Progress report provided to the CDIP	Focus during implementation period	Activities implemented
August 2014	Development of a business model for the system and creation of an expert group to advise on system development.	i) Work progressed on developing a business model for the long-term sustainable development and operation of the system. ii) In April 2014, a workshop was held in Geneva to bring together representatives of CMOs who will potentially use the new system, to review the High Level Business Requirements and to create a Business Expert Group that will advise the project team during the development of the system. iii) A Request for Proposals (RFP) process was started in early 2014 to identify a partner for the development of the system. The evaluation was completed and contract negotiations were in progress at the end of the DA-supported time period of the project (up to July 2014). The partner will deliver software for the local components of the system (to be deployed in CMOs) and for the share components of the system (to link CMOs in regional networks and to link with international rights management systems). iv) A technical project manager was recruited to lead the project through the development and pilot phases.

In 2010, it was acknowledged that the CMO component of the project needed a new direction. As a result a new project timeline was developed. In addition there was greater involvement of WIPO ICT staff and a focus on ensuring that the web-based applications would be capable not just of meeting the requirements of the pilot project but flexible enough for use in other regions. The initial strategy of forming a partnership with Google never came about meaning that WIPO sought internal solutions to reengineer the WIPOCOS system within WIPO together with the ICT Division.

From 2010 to June 2014 a number of activities were undertaken in accordance with the revised implementation timeline (submitted to the sixth session of the CDIP in 2010) although progress remained slow. The new focus of the project since 2010 was to redevelop the WIPOCOS application in a modern software environment and develop the WAN database system to support current and emerging business requirements for West African CMOs and eventually for use in other developing countries.

There remained a number of challenges during this phase. However, by mid-2014 a final set of key deliverables emanating from the re-oriented project had been completed with the re-engineering of the WIPOCOS software and system. There are a number of reasons why the final set of activities took longer to implement than planned. These include:

- The work that was planned within the context of a public-private partnership between WIPO and Google – after much discussion, this partnership never took place.

- Lengthy discussions were necessary with CISAC and SCAPR – key partners in the creative industry – to ensure that WIPOCOS re-engineered might benefit from their expertise in the data management field.

With seven overarching objectives for the CMO component of the project (as listed below), although a number of individual activities were implemented during the 64 month project timeframe (see Table 3 above), the only objective against which there was progress was that of upgrading the WIPOCOS software (objective 2). This was communicated to the CDIP in the project's last progress report in November 2014.

Objective 1:   Provision of IT equipment

Objective 2:   Upgraded software (WIPOCOS)

Objective 3:   Database of CMOs musical works repertoire accessible and secure

Objective 4:   Deployment package

Objective 5:   Accomplishment of collective management business in a networked e environment according to international state-of-the-art standards

Objective 6:   Developing an IT platform and creating a data centre

Objective 7:   Achieving a common, cost-effective and easily affordable registration system for the identification of works and rights owners.

For the **CCL** component of the project a number of major activities were successfully completed including:

- The holding of a project coordination meeting in Barbados in January 2010. The meeting was organised by WIPO in cooperation with the Copyright Society of Composers, Authors and Publishers Inc (COSAP) and attended by representatives of CCL societies from Jamaica, Saint Lucia and Trinidad and Tobago.

- A team of four regional consultants was selected in February 2010 and they began working on the development of a common system of royalty distribution and implementation of a cost-effective sampling system in the region in April 2010.

- Experts undertook a review of the distribution rules of the four societies involved in the project.

The CCL element of the project was due to start in January 2010 but was delayed until April of that year. The CCL project was due to be completed by August 2010 but this was delayed until November 2010 in order to ensure that objectives were achieved. Ultimately, the final report of the project was submitted to WIPO in May 2011 and the report covered the work undertaken by the CCL project team between April 2010 and April 2011. The report provided recommendations and proposals for further work. The project evaluation highlighted that the delay experienced in the project was due to poor communications and inadequate project control.

Monitoring and use of data

The initial project document provides a useful overview of the project outputs and objectives (see Appendix V) and related outcome indicators in order to assist in project self-evaluation.

Creative Industries Component

The two workshops and two seminars undertaken under the creative industries component of the project were reviewed and evaluated upon their completion. Partnering IP institutions and other relevant government and stakeholder organisations were involved in these reviews and self-evaluations, as well as the participants. These evaluations have helped WIPO to understand the short term or immediate impact of the events on those attending but have not allowed for any longer term analysis of impact in terms of participant learning and use of knowledge imparted.

In addition, the standard WIPO reporting templates were completed in order to provide progress reports to the Member States.

CMO Component

In order to review the CMO pilot project regular reports to WIPO Senior Management and periodical reporting to WIPO Member States was undertaken throughout the duration of the project using the standard CDIP status reporting tools. This allowed for the WIPO Secretariat to inform the Member States of the project delays and to ensure that Member States were informed of the essential change in direction of the project.

5.3   Sustainability

Key Finding 10: *Without ongoing monitoring of the participants it is not possible to measure the longer term impact of the creative industries events. A number of follow-up requests were made after the events and the undertaking of economic studies using the WIPO methodology continues as one of WIPO's regular activities.*

Key Finding 11: *The re-oriented CMO component of the project is now supported through WIPO's regular budget and continues to target least developed countries within West Africa but also in other parts of Africa, the Caribbean and Asia regions.*

Creative Industries Component

As has been noted, following some of the events implemented under the project, requests were made for further similar workshops in order that participants could continue to benefit. One such workshop was held in Antigua for those who had benefitted from the Dominica workshop.

As has already been discussed, due to the lack of regular post-event monitoring at various time intervals it is not possible to assess whether or not the learning and knowledge that was shared during the different workshops and events has had any longer term impact on the knowledge and activities of participants.

CMO Component
The project aimed to ensure that the model used in the CMO pilot project, as well as the tools developed and deployed, could be customised to replicate and establish similar pilot projects under WIPO programmes to fit the needs of other groups of countries and/or CMOs.

It was also envisaged that after completion of the project, a "CMO Networking Tool-Kit" would be elaborated in order to capitalise on the project's approach and methodology, delivery

strategy, country selection criteria and customisation of the tools and software for replication in other regions.

The CMO component of the project has now been included as part of WIPO's regular budget and although not focusing specifically on West Africa (as was the case with the Development Agenda funded project) it continues to target least developed countries, many of which are in Africa, but it now also includes countries in the Caribbean and Asia regions. The project is now being implemented in a pilot phase with two CMOs to ensure that the benefit of continuation outweighs the risks.

6   Conclusions

In order to address DA Recommendation 10 it was necessary to create two individual and separate projects with different project teams with one component focusing on the creative industries and the other concentrating on CMOs.

Creative Industries Component

The creative industries component of the project aimed to improve the understanding and contribution to enhancing of the economic value of the creative sector. It aimed to do this through the holding of a series of different national workshops and sub-regional seminars, targeting different geographical areas and to highlight WIPO's tested methodology for analysing the economic contribution of the creative industries in order to promote country and regional level studies in this thematic area.

The workshops were held in Africa (two events), Asia (one event) and the Caribbean (one event). Feedback from workshop participants on their satisfaction with the events, the relevance of topics discussed and the quality of the materials and speakers was extremely positive although the effectiveness and impact of the workshops in the longer term is hard to assess.
Each of the events has resulted in requests for economic studies and WIPO has subsequently been able to respond positively to a number of these requests.

CMO Component

The CMO element of the project faced a number of challenges during its implementation which resulted in the achievement of only one of the project's original seven objectives. Those responsible for the project addressed these challenges in collaboration with the WAN participating Member States. WIPO's ICT Department was also brought on board to resolve technical issues. With all the challenges that became apparent during the project implementation timeframe, the effectiveness of the project was compromised by a potential lack of initial solid analysis of the ubiquity of the Internet to interconnect national ICT systems. Another factor in the delay and lack of progress of project activities was the initial strategy of working with Google whereby WIPO would deploy a part of the WIPOCOS system to connect with Google. After many months of discussion between WIPO and Google it transpired for a number of reasons that it would not be possible to create this partnership, leaving WIPO with no solution for the central database. As a result, in 2012 the project took on a new direction and the project's strategy was reoriented to try and find an internal (WIPO) solution e.g. to reengineer the system within WIPO together with the ICT Division. This re-orientation allowed for the successful reengineering of WIPOCOS and the project continues in its new format today under WIPO's regular budget.

7   Recommendations

In order to respond to the Key Findings of this evaluation, six recommendations for future action are proposed.

A   Project design and management

Recommendation 1

(Relevant Key Finding 1)

Where complex projects are to be implemented, project documentation would benefit from including guidance for project managers with regard to project management and implementation approaches.

Recommendation 2

(Relevant Key Finding 1)

In future, it would be practical in terms of reporting and follow up, to ensure that individual and separate projects are presented within separate project documentation.

B   Effectiveness

Recommendation 3

(Relevant Key Finding 7)

Organising workshops and seminars can involve complicated logistical set-up and a reliance upon local partners. Prior to establishing such events a thorough assessment of partners on the ground should be undertaken to ensure that selected partners can be relied upon to help plan the events in sufficient detail to avoid having to deal with on-the-spot practical and logistical difficulties.

Recommendation 4

(Relevant Key Findings 8 and 10)

Post-event participant monitoring at time intervals of some weeks, months or years after the event should be factored into future project design in order that WIPO has a better understanding of the effectiveness and impact of events which would help ensure that events and their content are designed in the most effective way.

[Appendix I follows]

Appendix I: Terms of Reference

Title of Assignment:	**Project Evaluation: Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations**
Name of unit/sector:	**Development Agenda Coordination Division (DACD)/ Development Sector**
Place of Assignment:	**Evaluator's place of residence/duty**
Expected places of travel (if applicable):	**During your assignment, you will undertake two missions to WIPO Headquarters, Geneva, Switzerland (date to be determined)**
Expected duration of assignment:	**From December 15, 2014, to April 20, 2015**

Objective of the assignment

The present document represents the Terms of Reference (TOR) for the evaluation of the Development Agenda Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations, approved during the third session of the Committee on Development and Intellectual Property (CDIP), held in Geneva in April 2009. The project document for this project is contained in document CDIP/3/INF/2. The project implementation started in April 2009 and was completed in July 2014. The project consists of activities designed to assist in the improvement and strengthening of national institutions and stakeholder organizations dealing with and representing creative industries, in enhancing their understanding of the role of IP for the effective management and development of creative industries, and to facilitate the establishment of regional or sub-regional networks for the collective management of copyright and neighboring rights.

The project was implemented under the supervision of the following Project Managers:

(a) Mr. William Meredith, for the project's Collective Management Organizations component; and

(b) Mr. Dimiter Gantchev, for the project's Creative Industries component.

This evaluation is intended to be a participative evaluation. It should provide for active involvement in the evaluation process of those with a stake in the projects: project team, partners, beneficiaries, and any other interested parties.

The main objective of this evaluation is two-fold:

> 1. Learning from experiences during project implementation: what worked well and what did not work well for the benefit of continuing activities in this field. This includes assessing the project design framework, project management, including monitoring and reporting tools, as well as measuring and reporting on the results achieved to date and assessing the likelihood of sustainability of results achieved; and

> 2. providing evidence-based evaluative information to support the CDIP's decision-making process.

In particular, the evaluation will assess the extent to which the project has been instrumental in:

> (a) Identifying the potential of creative industries through economic analysis and practical management;

> (b) accomplishing collective management business in a networked environment according to international state of the art standards;

> (c) Developing an IT Platform and creating a Data Center; and

> (d) Achieving a common, cost effective and easy-affordable registration system for the identification of works and rights owners.

To this end, the evaluation, in particular, will focus on assessing the following key evaluation questions:

Project Design and Management:

> (a) The appropriateness of the initial project document as a guide for project implementation and assessment of results achieved;

> (b) the project monitoring, self-evaluation and reporting tools and analysis of whether they were useful and adequate to provide the project team and key stakeholders with relevant information for decision-making purposes;

> (c) the extent to which other entities within the Secretariat have contributed and enabled an effective and efficient project implementation;

> (d) the extent to which the risks identified in the initial project document have materialized or been mitigated; and

> (e) the project's ability to respond to emerging trends, technologies and other external forces.

Effectiveness:

    (a)   The usefulness of the Project in Assisting Member States in:

    (i)   Developing and improving the capacity of national IP institutions in assessing the economic importance of the creative sector and the management of IP in the creative industries; and

    (ii)   Accomplishing collective management business according to international state-of-the-art standards and delivery of timely, effective and efficient value added services to national creators, copyright industries and consumers.

    (b)   The effectiveness of the Project in:

    (i)   Promoting an understanding of the broader impact of creative industries on social, economic and cultural development; and facilitate the introduction, by Member States, of indicators for measuring the performance of the creative industries; and

    (ii)   Setting up of a modern and sustainable data exchange system in networking the CMOs and linking them to international digital collective management systems.

Sustainability

The likelihood for continued work in WIPO and its Member States on improvement and strengthening of national institutions and stakeholder organizations dealing with and representing creative industries in enhancing their understanding of the role of IP for the effective management and development of creative industries.

Implementation of Development Agenda (DA) Recommendations

The extent to which the DA Recommendation 10 has been implemented through this project.

In addition, the project time frame considered for this evaluation is 63 months (April 2009 – July 2014). The focus shall not be on assessing individual activities but rather to evaluate the project as a whole and its contribution in assessing the needs of Member States and identify the resources or the means to address those needs, its evolution over time, its performance including project design, project management, coordination, coherence, implementation and results achieved.

In pursuance to the above-mentioned objective, the evaluation methodology is aimed at balancing the needs for learning and accountability. To this end, the evaluation should provide for active involvement in the evaluation process of those with a stake in the project: project team, senior managers, Member States and national intellectual property (IP) offices.

The external evaluation expert will be in charge of conducting the evaluation, in consultation and collaboration with the project team and the Development Agenda Coordination Division (DACD). The evaluation methodology will consist of the following:

    (a)   Desk review of relevant project related documentation including the project framework (initial project document and study), progress reports, monitoring information, mission reports and other relevant documents.

(b)   interviews at the WIPO Secretariat (project team, other substantive entities contributing to the project, etc.); and

(c)   stakeholder interviews.

Deliverables/services

The evaluator will deliver:

(a)   An inception report which contains a description of the evaluation methodology and methodological approach; data collection tools (including eventual surveys of beneficiaries and stakeholders); data analysis methods; key stakeholders to be interviewed; additional evaluation questions; performance assessment criteria; and evaluation work plan;

(b)   draft evaluation report with actionable recommendations deriving from the findings and conclusions;

(c)   final evaluation report which includes an executive summary and structured as follows:

(i)   description of the evaluation methodology used;

(ii)   summary of key evidence-based findings centered on the key evaluation questions;

(iii)   conclusions drawn based on the findings; and

(iv)   recommendations emanating from the conclusions and lessons learned.

(d)   comprehensive executive summary of the final evaluation report.

This project evaluation is expected to start on December 15, 2014, and be finalized on April 20, 2015. The reporting language will be English.

3.   Reporting

The Consultant will be under the supervision of the Director of the Development Agenda Coordination Division (DACD). In addition, the evaluator shall:

(a)   Work closely with the Development Agenda Coordination Division (DACD) and the IP Office Business Solutions Division. You shall also coordinate with the Project Managers and Program Managers in WIPO's Creative Industries Section and the IP Office Business Solutions Division,as required; and

(b)   ensure the quality of data (validity, consistency and accuracy) throughout the analytical reporting phases (inception report and final evaluation report).

4.   Profile

Ms. Lois Austin has significant experience in designing, implementing, reviewing and evaluating projects at a both policy and practical level, as well as a proven track record in data collection and analysis, program and people management. Ms. Austin also has a previous experience

with WIPO, she conducted evaluation reports on completed Development Agenda Projects, namely the Project on Intellectual Property (IP) and the Informal Economy (document CDIP/8/3 Rev), and the Pilot Project for Establishment of Start-Up National IP Academies - Phase II (document CDIP/9/10 Rev. 1).

5. Duration of contract and payment

The contract will start on December 15, 2014 and will finish in April 20, 2015. During this period, the following schedule should be followed:

The inception report should be submitted to WIPO by January 15, 2015. WIPO's feedback shall be communicated to you by January 20, 2015. The draft evaluation report shall be submitted to WIPO by February 15, 2015. Factual corrections on the draft will be provided to you by February 20, 2015. The final evaluation report shall be submitted by March 1, 2015. The final version of the evaluation report containing a management response in an annex shall be considered by the fifteenth session of the CDIP, to be held from April 20 to 24, 2015. You will be required to present the evaluation report during that CDIP session.

[Appendix II follows]

INCEPTION REPORT

***Project evaluation – Project on Strengthening the Capacity of National
IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote
Creative Industries, and to Enhance the Performance and Network of Copyright
Collective Management Organizations***

Table of Contents

1.   Introduction

This document is the inception report for the evaluation of the WIPO *Project on Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations* (DA Recommendation 10_04). This document outlines the purpose, objectives, methodology implementation plan and timeframe of the evaluation. The final report will be based on this inception report, pending approval from the client. A proposed structure for the final report is detailed in Appendix I.

2.   Purpose and Objectives

The main evaluation objective is two-fold:

    i)   To learn from experiences gained during project implementation: what worked well and what did not work well for the benefit of continuing activities in this field. This includes assessing:

        (a)   the project design framework;

        (b)   project management including monitoring and reporting tools;

        (c)   results achieved to date; and

        (d)   sustainability of results achieved.

    ii)   To provide evidence-based information to support CDIP's decision-making process.

The evaluation will assess the extent to which the project has been instrumental in:

- Identifying the potential of creative industries through economic analysis and practical management;
- Accomplishing collective management business in a networked environment according to international state of the art standards;
- Developing an IT platform and creating a data centre;
- Achieving a common, cost-effective and easily-affordable registration system for the identification of works and rights owners.

3.   Evaluation Methodology

The evaluation will be participatory in nature and allow for the involvement of relevant stakeholders. Accessing any external stakeholders will be dependent upon WIPO's ability to introduce the evaluator to them and on their willingness and availability to be interviewed.

Information will be gathered from a range of sources using different research methods (predominantly interviews with stakeholders and documentary review) allowing for triangulation and cross-referencing of the data gathered.

The project timeframe considered for this evaluation is 63 months (April 2009 - July 2014). The focus will not be on assessing individual activities but the project as a whole and its contribution in assessing the needs of Member States and the resources or the means to address those needs, its evolution over time, its performance including project management, coordination, coherence, implementation and results achieved.

3.1 Key Evaluation Questions

The following table outlines the key evaluation questions and proposed methodology for evaluating against those questions. The methodology is organised on the basis of three key evaluation themes – Project Design and Management; Effectiveness; and Sustainability.

Theme	Key Questions	Proposed Indicators	Data Collection Tools	Information Sources
Project Design and Management	How appropriate was the initial project document as a guide for project implementation?	Extent of appropriateness of Project Document	Document review Interviews	Documentation WIPO Secretariat
	To what extent have other entities within the Secretariat contributed and enabled effective and efficient project implementation?	Level of contribution of different entities	Document review Interviews	WIPO Secretariat
	To what extent have the risks identified in the initial project document materialized and/or been mitigated?	Extent of risks arising and being mitigated	Document review Interviews	Documentation WIPO Secretariat
	How has the project responded to emerging trends, technologies and other external forces?	Levels of flexibility and ability to respond change	Document review Interviews	Documentation WIPO Secretariat External stakeholders
	What project monitoring, self-evaluation and reporting tools are in place? How have they been used?	Presence and usage of monitoring and reporting tools	Interviews Document review	WIPO Secretariat Documentation
	What project monitoring has been undertaken? How is the monitoring data used? Was it useful for the project team and key stakeholders to enable decision-making?	Extent of monitoring and usage of monitoring data	Document review Interviews	Documentation WIPO Secretariat

Theme	Key Questions	Proposed Indicators	Data Collection Tools	Information Sources
	What project reporting has been in place? Was it useful for the project team and key stakeholders to enable decision-making?	Extent and usage of reporting	Document review Interviews	Documentation WIPO Secretariat
	What project self-evaluation has taken place? How as analysis from self-evaluation been used/useful?	Extent and usage of self-evaluation	Document review Interviews	Documentation WIPO Secretariat

Effectiveness	How useful has the project been in developing and improving the capacity of national IP institutions in
	   a) assessing the economic importance of the creative sector and
	   b) the management of IP in the creative industries?
	Was an initial baseline developed in order to measure the state of development and improvement?
	
	How has the effectiveness of relevant seminars and workshops been measured?
		Development and improvement of relevant capacity in selected IP institutions	Document review
			
			Interviews
				Documentation
				
				WIPO Secretariat
				
				Partners/External stakeholders

	How effective has the project been in assisting Member States to accomplish collective management business according to international state of the art standards and delivery of timely, effective and efficient value added services to national creators, copyright industries and consumers? How has effectiveness and efficiency in this area been measured by the project?	Ability of nine selected CMOs in developing countries to function in line with accepted standards.	Document review Interviews	Documentation WIPO Secretariat Partners
	How effective has the project been in promoting an understanding of the broader impact of creative industries on social, economic and cultural development?	Effectiveness of seminars and workshops and other dissemination/communication activities	Document review Interviews	Documentation WIPO Secretariat

Theme	Key Questions	Proposed Indicators	Data Collection Tools	Information Sources
	How effective has the project been in facilitating the introduction, by Member States, of indicators for measuring the performance of the creative industries?	Extent to which indicators for performance measurement have been introduced		
	How effective has the project been in setting up a modern and sustainable data exchange system in networking the CMOs and linking them to international digital collective management systems? What have been the challenges in this area and how has WIPO addressed those challenges?	Extent to which a data exchange system has been established and linked to international digital collective management systems Creation of a network data center Development/upgrading of suitable DB software	Document review Interviews	Documentation WIPO Secretariat
Sustainability	What is the likelihood for continued work in WIPO and by its Member States on improvement and strengthening of national institutions and stakeholder organizations dealing with and representing creative industries in enhancing their understanding of the role of IP for the effective management and development of creative industries?	Commitment by WIPO and its Member States to continue work in this area.	Interviews	WIPO Secretariat Member States Other stakeholders

3.2 Research tools

The proposed research tools – document review and semi-structured interviews - will be used for each of the different themes and throughout all the relevant questions. The following table provides further information on these tools and how they will be deployed.

Tool	Description	Information source
Document review	Review of key documentation	WIPO documentation
Interviews	Approximately 10-15 semi-structured telephone interviews	- WIPO Secretariat (project team and other entities) - Member states - National IP offices - Partners

The focus will be upon gathering qualitative data using iterative and comparative processes where the design and findings of each step impact the structure and approach of subsequent review phases. Data gathered will be compared and analysed on the basis of the three main evaluation themes.

4. Implementation plan, deliverables and timeframe

Using the Terms of Reference as a basis, five different phases of the evaluation are envisaged:

Phase 1 - Inception phase

In designing the Inception Report, the evaluator aims to meet/discuss with key stakeholders including WIPO Secretariat staff. These interactions are considered as an informal clarification and discovery process to: identify key issues in the evaluation design; confirm the full group of stakeholders involved; agree upon outputs; and ensure a well-targeted methodology.

Phase 2 - Documentation review

The desk review provides an objective entry point for the evaluation, and serves as a broad survey of existing data and information related to the project.

Phase 3 - Stakeholder interviews

Based on the outcomes of the desk review, an interview guide will be created (using the key questions as a basis) and stakeholder interviews will be undertaken. The evaluator will undertake detailed interviews with an agreed set of key informants. The evaluator will work closely with WIPO to develop and refine this list of informants to ensure a nuanced understanding of the subject matter. Interviews will be conducted by telephone. Interviews will focus on qualitative data collection.

Phase 4 - Report Production

Data collected through the desk study and stakeholder interviews will be analysed and triangulated in order to produce the key findings and linked recommendations in the final evaluation report. An initial draft report will be provided and client comments incorporated where appropriate.

Phase 5 - Evaluation Presentation

The evaluation will be presented at the fifteenth session of the CDIP in April 2015.

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	Key steps and timeline	15 January 2015	Mid -January 2015	Mid-January – 6 February 2015	15 February 2015	20 February 2015	1 March 2015	April 2015
Phase 1	**Creation and approval of inception report**							
Phase 2	**Research tool creation & desk review**							
Phase 3	**Data collection & analysis**							
Phase 4	**Delivery of draft report**							
Phase 4	**Client comments on report**							
Phase 4	**Delivery of final report**							
Phase 5	**Evaluation presentation**							

Deliverables:

The following key deliverables are foreseen for this evaluation:

- Inception report
- Draft evaluation report
- Final evaluation report

In addition, the author will present the findings of the evaluation during the fifteenth CDIP session of April 2015.

Annex One: Draft structure for final report

1. Executive summary

2. Introduction (with background to the project)

3. Description of the project objectives evaluated

4. Overview of evaluation objectives & methodology

5. Key findings:

- Project design and management
- Effectiveness
- Sustainability

6. Conclusions & recommendations

7. Annexes:

• Key informants
• List of documents/publications consulted
• Research instruments used (interview guidelines)
• Inception report
• Mini-bio on the author of the report

[Appendix III follows]

Appendix III: Persons Met

Discussions were held with the following stakeholders as part of the evaluation:

	Name		Position	Interview/ Discussion date
1.	Mrs Maya	Bachner	Director, Program Performance and Budget Division, Department of Program Planning and Finance Administration and Management Sector	20 January 2015
2.	Mr Dimiter	Gantchev	Deputy Director and Head Creative Industries Section, Culture and Creative Industries Sector	8 and 19 January 2015
3.	Mr Georges	Ghandour	Senior Program Manager, DACD, Development Sector	19 January 2014
4.	Ms Anne	Leer	Deputy Director General, Culture and Creative Industries Sector	19 January 2015
5.	Mr William	Meredith	Director, IP Office Solutions Division, Global Infrastructure Sector	8 and 19 January 2015
6.	Mr Yves	Ngoubeyou	Senior Program Officer, Regional Bureau for Africa	20 January 2015
7.	Ms Neema	Nyerere	Senior Program Officer, Department for Africa and Special Projects, Regional Bureau for Africa Development Sector	20 January 2015
8.	Mr Simon	Ouedraogo	Deputy Director and Senior Advisor, Copyright Infrastructure Division, Culture and Creative Industries Sector	19 January 2015
9.	Mr Julio	Raffo	Senior Economic Officer, Economics Section, Economics and Statistics Division	20 January 2015
10.	Ms Carol	Simpson	Head, Caribbean Section, Regional Bureau for Latin America and the Caribbean, Development Sector	20 January 2015
11.	Mr Andrew	Tu	Senior Deployment and Business Support Manager, IP Office Business Solutions Division, Global Infrastructure Sector	19 January 2015
12.	Mr David	Uwemedimo	Director, Copyright Infrastructure Division, Culture and Creative Industries Sector	19 January 2015

[Appendix IV follows]

Appendix IV: Documents Reviewed

1. The Project document CDIP/3/INF/2:
    http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_3/cdip_3_inf_2.pdf

2. Progress Report 1
    CDIP/6/2 (Annex VIII): http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=144382

3. Progress Report 2
    CDIP/8/2 (Annex VII): http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=186340

4. Progress Report 3
    CDIP/10/2 (Annex III): http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=217828

5. Progress Report 4
    CDIP/12/2 (Annex III): http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=249743

6. Progress Report 5
    CDIP/14/2 (Annex I): http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=285690

7. Program Performance Report 2010/11
    http://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_19/wo_pbc_19_2.pdf

8. Program Performance Report 2012
    http://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_20/wo_pbc_20_2_rev.pdf

9. Program Performance Report 2012/13
    http://www.wipo.int/edocs/mdocs/govbody/en/wo_pbc_22/wo_pbc_22_8.pdf

[Appendix V follows]

Appendix V: Project Outputs, Indicators and Objectives

A.   For the part of the Project concerning Creative Industries

Project Outputs[7] (Expected result)	Indicators of Successful Completion (Output Indicators)
Seminars: Improved awareness of the economic importance of copyright. Discussions on appropriate tools to assess the national/regional performance and economic contribution of the creative industries and enabling governments to identify areas for policy intervention. Requests for launching of studies on the economic contribution of copyright-based industries.	Expression of interest in undertaking national research on the economic importance of copyright-based industries, translating and/or publishing existing research or preparing country specific awareness rising materials. Participants in the seminars represent a broad range of stakeholders (i.e. individual and corporate creative industries, government institutions represented, IGOs, NGOs, banking and financing institutions). Identification of the most appropriate indicators for measuring performance of the creative sector. Over 50 % of the participants in the seminars confirm, at the end of the seminar, that they have at least been satisfied with the seminar regarding the achievement of the objectives set. Number of requests, number of studies, publication or other WIPO materials.

Project Objective(s)	Indicators of Success in Achieving Project Objective(s) (Outcome Indicators)
Workshops: Raised awareness on the role of IP for the operation of creative enterprises; and transfer of practical knowledge on the management of IP by creative industries and support institutions.	Demand for WIPO publications and tools on management of IP in specific creative industries. Number of trained participants. Request for training based on WIPO tools.

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[7] As per the original Project Document, Section 3.2.

B.   For the part of the Project concerning Collective Management

Project Outputs[8] (Expected result)	Indicators of Successful Completion (Output Indicators)
Specialized training modules on collective management.	Customized training modules developed in the first three months of project fitting the needs of each CMO.
Drafting of collective management business rules/CMOs assessment.	Adoption and implementation of business rules (documentation, licensing and distribution) compatible with international standards.
Provision of IT Equipment.	CMO IT infrastructure compatible with networking requirements for easy access to databases.
Upgraded Software (WIPOCOS).	WIPOCOS' ability to automate all the CMO's operations and to allow access to international databases (WID, IPI, IPN, VRDB, etc).
Database of CMOs musical works repertoire accessible and secure.	Database uniform in each CMO and compatible with data exchange system adopted.
Deployment package.	Number of training packages, officials trained, data captured and processed by period.

C.   For the part of the Project concerning CCL

Project Outputs[9] (Expected result)	Indicators of Successful Completion (Output Indicators)
Strengthen national IP institutional capacity through a standard, methodological and integrated approach in the collection, allocation and distribution of royalties within CCL societies.	Formulation and delivery of standardized rules for royalty distribution – enhanced ability to process and distribute royalties by CMOs.
The implementation of a cost-effective sampling system given the operating peculiarities of each territory.	Establishment and delivery of sampling procedures – ease in establishing regional log for use by CMOs.
Training in the use of the new rules and sampling method.	Demonstrated understanding and use of the new systems (rules and sampling) by staff members of CMOs – incorporation of procedures into work-flow.

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[8]   As per the original Project Document, Section 3.2.
[9]   As per the original Project Document, Section 3.2.

Project Objectives	Indicators of Success in Achieving Project Objective (Outcome Indicators)
Identification of the potential of creative industries through economic analysis and practical management.	Development of specific research or business projects; setting up of monitoring mechanisms for the performance of the creative sector; specialized publications and manuals.
Accomplishment of collective management business in a networked environment according to international state-of-the-art standards.	Networked CMOs are using business rules compatible with international standards by November 2010.
Developing an IT Platform and Creating a Data Center.	Databases in 9 CMOs are uniform, accessible as a whole (online or off-line) and from all networked CMOs by September 2011.
Achieving a common, cost-effective and easy-affordable registration system for the identification of works and rights owners	Each networked CMO has access to international databases and can register works and interested parties accordingly, by October 2011.

[End of Appendix V and of document]