

Combined Audit and Evaluation of the Office of the Legal Counsel

Internal Oversight Reports



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Evaluation Section
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LIST OF ACRONYMS

AFMS	Administration, Finance and Management Sector
ALS	Administrative Law Section
CGL	Contracts and General Legal Section
COVID-19	Coronavirus Disease-2019
EPM	Enterprise Performance Management
HRMD	Human Resources Management Department
ILOAT	International Labour Organization Administrative Tribunal
IOD	Internal Oversight Division
LCA	Legal and Constitutional Affairs Section
MTSP	Medium -Term Strategic Plan
OLC	WIPO Office of the Legal Counsel
PMSDS	Performance Management and Staff Development System
SOP	Standard operating procedures
ToR	Terms of Reference
UN	United Nations
UNEG	United Nations Evaluation Group
WAB	WIPO Appeal Board
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WJI	WIPO Judicial Institute

EXECUTIVE SUMMARY

1. This report of the Internal Oversight Division (IOD) documents key findings and conclusions of the combined audit and evaluation of the Office of the Legal Counsel (OLC), and presents recommendations to help OLC further enhance its relevance, effectiveness and efficiency to deliver on its mandate. Building on a “looking back to look forward” approach, this combined engagement assessed OLC in the framework of the Medium-Term Strategic Plan (MTSP) 2016-2021 to identify risks, challenges, good practices and lessons that apply in the framework of the MTSP 2022-2026.

2. Within this purpose, IOD developed a theoretical framework in consultation with OLC to guide data collection and analysis. Data collection relied on four main methods: workshop, documentary review, in-depth interviews and survey with internal stakeholders. Since OLC functions as a service provider, internal stakeholders’ perceptions and reports of Member States’ official meetings were used as proxy indicators to assess the effectiveness of services.

3. The evaluation adhered to the United Nations Evaluation Group (UNEG) Norms and Standards and UNEG Ethical Guidelines for Evaluations. The internal audit procedures were performed in accordance with the International Standards for the Professional Practice of Internal Auditing and Code of Ethics issued by the Institute of Internal Auditors. The combined engagement adopted a highly participatory approach.

4. The services of OLC are consistent with its mandate and relevant to the Organization’s strategic directions. In practice, it contributes to the creation of an enabling environment for the World Intellectual Property Organization (WIPO) to fulfil its mandate by delivering its activities and intended results in line with its guiding principles such as professionalism, objectivity, reliability, and sound and logical reasoning. This includes responding well to increasing demand, emerging risks, and changing circumstances.

5. OLC’s positioning, resources and capacities are adequate to deliver activities and results effectively and efficiently, which includes the adoption and promotion of collaborative approaches at three levels: internal, cross-sectoral and external. It also has tailored processes to manage information and knowledge, and mechanisms to ensure that roles and responsibilities within OLC are clearly articulated and understood.

6. While acknowledging the above findings, the following issues would need to be addressed:

- (a) While OLC has listed several program activities in the Results Based Management framework of the Organization, it however has identified only one performance indicator, and as a result, the contribution of OLC to the WIPO Results framework is incomplete since only one activity is measured;
- (b) OLC does not have a structured system or process in place to capture and manage stakeholders’ feedback, thus preventing further alignment with the customer-centric approach introduced by the MTSP 2022-2026;
- (c) There is a room for expanding written procedures and guidelines to further enhance learning, consistency, and institutional memory; and
- (d) Communication about the mandate and services of OLC needs more streamlining and alignment with the WIPO customer-centric approach highlighted in the MTSP 2022-2026.

7. With a view to enhancing the relevance, effectiveness and efficiency of OLC, and in particular with regards to further alignment with, and shifting towards a more customer-

centric approach as outlined in the MTSP 2022-2026, IOD makes the following two recommendations:

Recommendation 1. In line with the MTSP 2022-2026, OLC should adopt systems and/or processes to manage stakeholders' feedback with the twofold purpose of promoting a positive customer experience and improving its services for the benefit of the Organization. In collaboration with the Program Performance and Budget Division, it should design performance indicator(s) preferably building on stakeholders' perceptions that would account for reflecting the contributions of the three Sections to WIPO Results Framework.

Recommendation 2. In line with the MTSP 2022-2026 and to be consistent, strengthen learning, and preserve institutional memory, OLC should enhance its information and knowledge management processes and mechanisms, including in terms of:

- (a) Documenting processes and practices in the form of Standard Operating Procedures; and
- (b) Enhancing communication through further developing and enriching the intranet and internet pages of OLC.