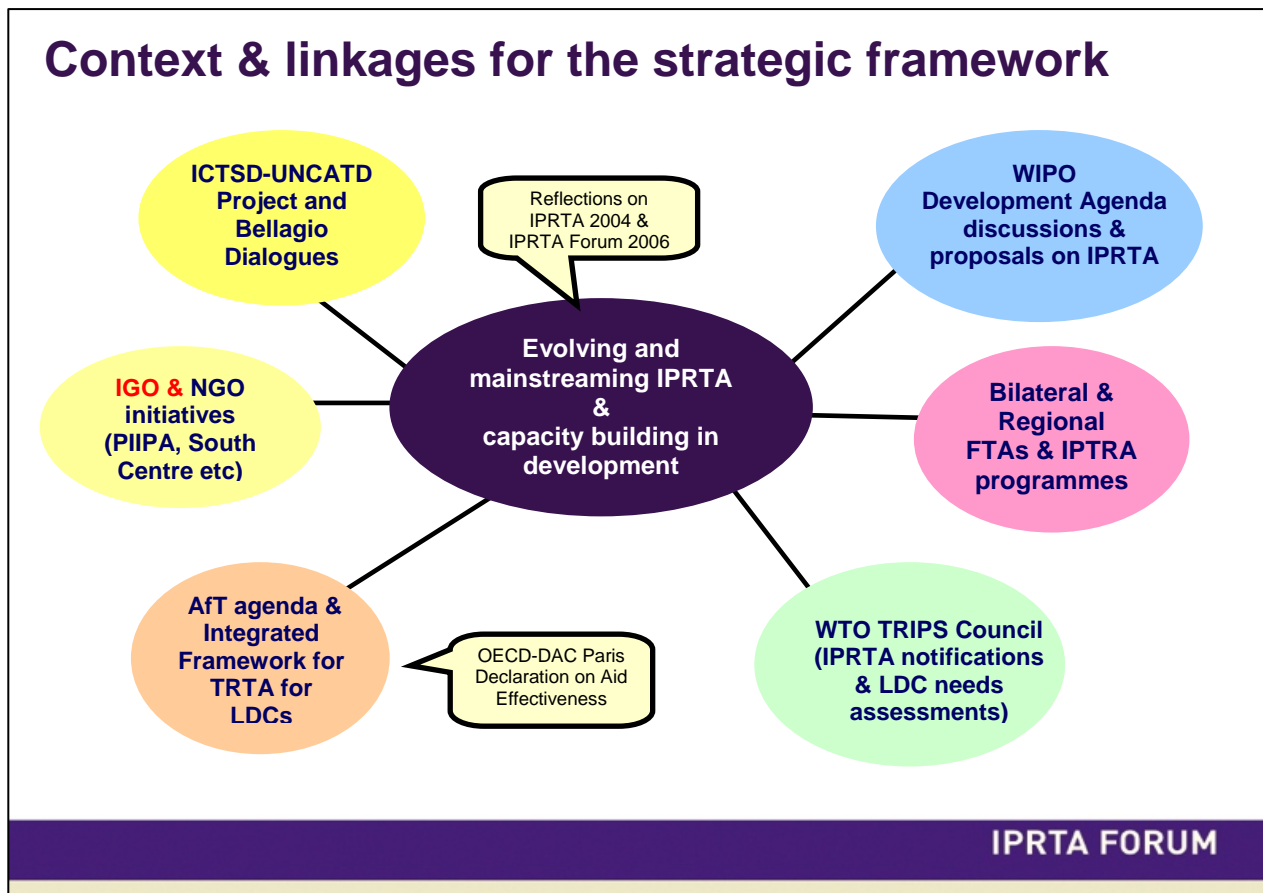
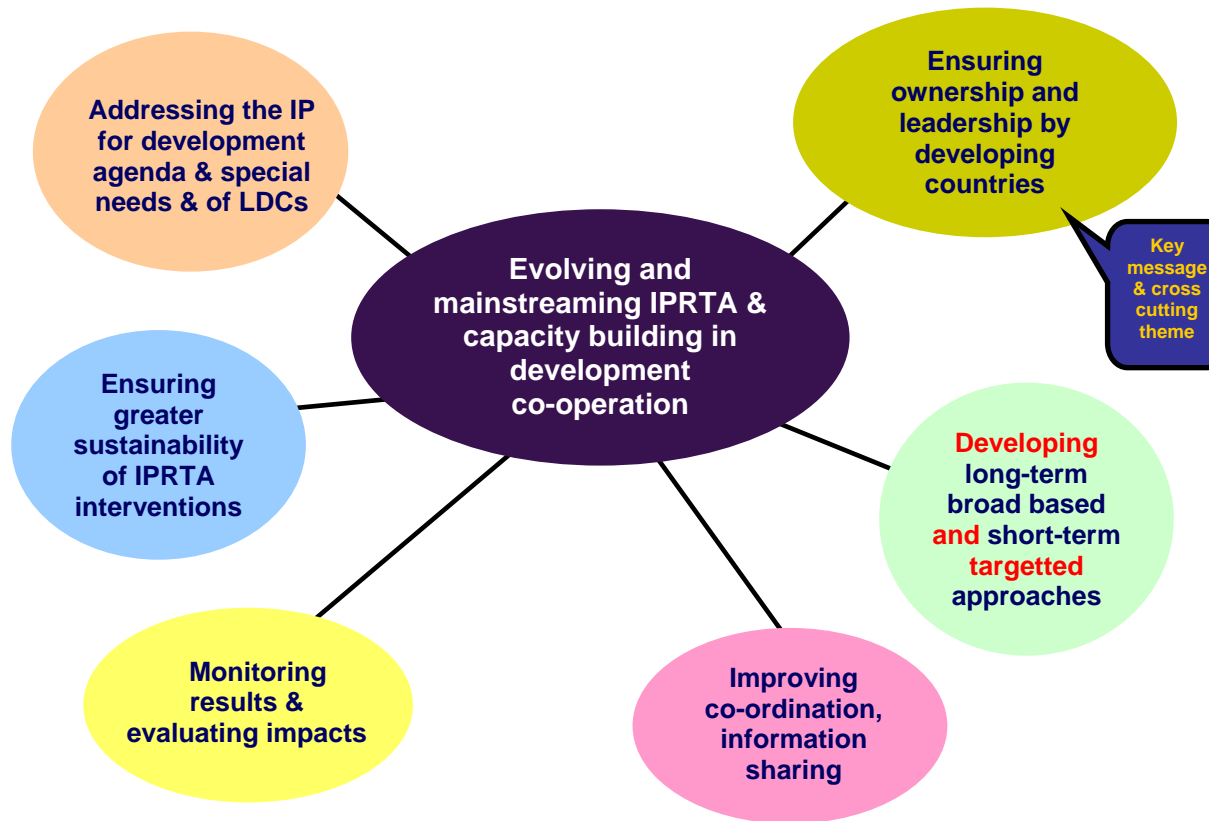


COMMENTS BY PARTICIPANTS AT THE STAKEHOLDER WORKSHOP, BANGKOK, DECEMBER 2006 ON THE DRAFT MEDIUM TERM STRATEGIC FRAMEWORK FOR EVOLVING & MAINSTREAMING IPRTA



Orientations and strategic objectives



IPRTA FORUM

Work Cluster 1: Building the capacity of developing countries to develop and lead regional and national strategies

Possible options	Notes & issues to consider	Comments by participants
<p>1. Regional and national workshops for developing countries to support development and leadership of broad, based national/regional strategies for IPRTA and capacity building</p>	<ul style="list-style-type: none"> • Co-organised and funded by donors and stakeholders from developing countries • Experts and resource persons from donor agencies and stakeholders to attend, help develop materials, share lessons • Could be run at sub-regional and national levels • Emphasis on building transferable, practical skills over 1 week max residential period • Include development of handbook? 	<ul style="list-style-type: none"> • Would be of value if predicated on the prior existence of an adequate knowledge base • To develop the absorptive capacity of stakeholders before organizing the workshop (contact, information, video training, etc) • To identify the leaders (regional and national context) • To take into account the different level of capacities among the “countries” in the region and “institutions” at the national level • To design and implemented strategies in 2 tracks:(1)national and (2) regional • To take into account the need for parallel processes different speeds of regional and national processes (short, medium and long terms) • To invite participants outside the region as to share inter- regional experiences in the development of a strategic vision • Co organized and co financed with local funds (matching funds or joint bilateral plus multilateral efforts) • To allow an open process to all interested parties • To prepare methodological note, case studies or a collection of transferable experiences could assist in generating best practices • The best practices could be disseminated in briefs series and electronically • To facilitate and coach could be necessary to ensure coherence

Work Cluster 1: Building the capacity of developing countries to develop and lead regional and national strategies

Possible options	Notes & issues to consider	Comments by participants
		and output driven processes
<p>2. Earmarked funding by donors for small grants or technical assistance to support developing countries prepare, coordinate and monitor national/regional strategies</p>	<ul style="list-style-type: none"> • Grants in range of US\$ 50,000 – 300,000? (depends on the ambition of the project) • Countries could submit short proposals & Terms of Reference with grant applications to participating donor(s) • New grant mechanism and/or existing TA mechanisms? • Parallel dialogues with donors re: programming via national or regional "round tables" – critical for success 	<ul style="list-style-type: none"> • Good idea and should be done in a continuous basis • This step was considered as a first step to ensure the success of the strategy • To use tool needs assessment • To transfer management skills to design and implement the strategy • To create a steering committee with donors and stakeholders • To identify roster of independent regional/national consultants • May provide an opportunity for developing countries higher up the scale to start acting as TA providers for less advanced developing countries and LDCs. A combined strategy and action plan is needed to increase the likelihood of success. A like-economy approach (as opposed to a sub-regional approach) should also be considered
<p>3. National/Regional strategy "simulation workshops" with donors and developing countries to "pilot test" the</p>	<ul style="list-style-type: none"> • Modelled on event held by the IF agencies in Sep 2005? • Participants from donors and developing countries 	<ul style="list-style-type: none"> • Planning should take into account the importance of broad-based national strategies (linking up national policies on culture, trade, innovation, etc) so that the relevance of the IPRTA process can be presented in a positive light. This can assist developing country policy makers in the task of obtaining political support for IPRTA,

Work Cluster 1: Building the capacity of developing countries to develop and lead regional and national strategies

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approaches under Option 1 and 2 above	<ul style="list-style-type: none"> Simulation of a national case as a pilot to examine "teething problems" and implementation challenges Periodic reviews and evolution to improve methodology 	<p>but may be less achievable in the context of an LDC. It should also be borne in mind that ownership and relevance of IPRTA is an issue for donors as well as recipients</p> <ul style="list-style-type: none"> ONE GROUP OF PARTICIPANTS SAW NO VALUE IN THIS OPTION AND SUGGESTED DELETING IT, BUT ADDING THE ADDITIONAL TWO OPTIONS
<p>4. Opportunity to revise the national/ intra regional strategy yearly</p> <p>(OPTION ADDED BY WORKSHOP PARTICIPANTS)</p>	<ul style="list-style-type: none"> To allow periodic reviews and evolution to improve methodology To reflect changes of the strategy in activities to be undertaken 	<ul style="list-style-type: none">
<p>5. Create a stakeholders' contact group network on more permanent basis</p> <p>(OPTION ADDED BY WORKSHOP PARTICIPANTS)</p>	<ul style="list-style-type: none"> Define the composition Define budget Define the skills needed by the members of the contact group 	<p>The contact groups should undertake:</p> <ul style="list-style-type: none"> Inter-ministerial co-ordination Define the responsible institution Open ended – multi-stakeholder, public- private Implementation Sustainability, also after end of project Reporting Monitoring and evaluation <p>Some funds will be needed to maintain the contact groups for at least two (2-5) years after the definition of the strategy</p>

Work Cluster 2: Addressing the special needs and challenges of LDCs for IPRTA and capacity building

Possible options	Notes & issues to consider	Comments by participants
<p>1. Integrate IP reform and capacity building agenda into the DTIS process under the enhanced Integrated Framework for LDCs</p>	<ul style="list-style-type: none"> • Are IF agencies willing to do this? • Would LDCs support it? • Would IF Trust Fund require additional funds? • Would have the potential advantage of mainstreaming IPRTA within the overall national trade & development strategy 	<ul style="list-style-type: none"> • IF Trust Fund would not necessarily require additional fund but bilateral Donors should contribute to a basket fund, which would be used for the implementation of the action matrix • LDC group in Geneva could act as a strong proponent of this proposal • There must be strong linkages to other sectors of national or regional development strategies and co-operation
<p>2. Integrate the IP reform and capacity building agenda into national Poverty Reduction Strategies</p> <p>(OPTION ADDED BY WORKSHOP PARTICIPANTS)</p>		<ul style="list-style-type: none"> • Additional Funds would be required • Would IMF, UNDP & World Bank be willing to create the platform for this? • Would LDCs support it? The level of ownership that goes into the needs assessment would be a strong indicator of the support from LDCs • Would have the potential advantage of mainstreaming IPRTA within the overall national trade & development strategy • What would be the follow-up mechanism?

Work Cluster 2: Addressing the special needs and challenges of LDCs for IPRTA and capacity building

Possible options	Notes & issues to consider	Comments by participants
<p>3. Further to the WTO TRIPS Council November 2005 Decision LDCs shall undertake comprehensive needs assessment diagnostics and prepare national strategies</p> <p>(One group of participants commented that Option 3 was not in fact “optional”– rather it was a requirement and pre-condition of Options 1 and 2 above)</p>	<ul style="list-style-type: none"> • Would donors and LDCs support it? • Who would undertake these diagnostics? • How would these be co-ordinated & funded? • What would be the follow-up mechanism? • Would the process be demand-driven? • Would there be good linkages to other sectors of national/regional development strategy & co-operation? 	<ul style="list-style-type: none"> • The process would have to be clearly demand driven otherwise it will not work • How to initiate such needs assessments? • How would it be co-ordinated? (should WIPO, ARIPO, South Centre and other developing country international organisations act as co-ordinators?) • Who would undertake the assessments? Consultants? • How to disseminate information to the LDCs? • Needs assessment cannot be separated from a national or regional development strategy • Should a common diagnostic tool be used (such as the one available on iptaforum.org)? Or should a suite of tools be offered for use as required? What other tools could be used? • How would these be co-ordinated and funded? Donors should contribute to a pool of funds (basket mechanism) and where appropriate LDCs may contribute in kind (e.g. hotel accommodation, transportation, etc) • There must be strong linkages to other sectors of national or regional development strategies and co-operation • Information gathering is often going to be a challenge in LDCs to inform the needs assessment

Work Cluster 2: Addressing the special needs and challenges of LDCs for IPRTA and capacity building

Possible options	Notes & issues to consider	Comments by participants
		<p>– related experiences to date have demonstrated this and have highlighted the problems in building a complete picture of needs</p> <ul style="list-style-type: none"> • This would be a potentially high-value target area for initiatives like the IPRTA Forum to make concrete and unique contributions in and that would not otherwise happen. It would have a very broad and strategic impact both in responding to the needs of individual LDC needs, as well as the multilateral IP system as a whole • At the same time, whilst the TRIPS council decision presents a key opportunity for LDCs and IPRTA, the implementation of the decision needs to involve capitals actively and not just Geneva missions – how to ensure broad and effective participation? • A first step is probably to raise awareness about this particular provision within the TRIPS council decision of November 2005 as even key actors appear not to have taken it on board to the same extent as the rest of the decision (i.e. the extension of the LDC transition period for TRIPS agreement)
<p>4. Donors continue to make grant & loan funding available for IPRTA and capacity building in LDCs over the medium term including under the Aid for</p>	<ul style="list-style-type: none"> • Earmarked funding or <i>ad hoc</i> initiatives? • Co-ordination challenges for LDCs & Donors? • Risks of duplication of effort? • More or less demand driven than options 1 & 2? 	<ul style="list-style-type: none"> • Do not want <i>ad hoc</i> initiatives but rather short term targeted and long term broad based approaches • Identification of gaps in order to allow for better coordination among LDCs and Donors

Work Cluster 2: Addressing the special needs and challenges of LDCs for IPRTA and capacity building

Possible options	Notes & issues to consider	Comments by participants
Trade Agenda	<ul style="list-style-type: none">• Realistic to expect additional funding availability?	<ul style="list-style-type: none">• Funding for IPRTA and in kind contributions

Work Cluster 3: Develop the IPRTA Forum into a resource network and knowledge hub

Possible options	Notes & issues to consider	Comments by participants
<p>1. Develop the IPRTA Forum into a "virtual" resource network with contact points in donor agencies, developing countries and international institutions/NGOs</p>	<ul style="list-style-type: none"> • Lowcost, participatory & non exclusive • Aids information sharing & co-ordination initiatives • Deepens dialogue across wide range of issues • Would not require heavy governance structure and bureaucracy 	<ul style="list-style-type: none"> • Maintaining momentum between bi-annual formal meetings through a virtual resource network would be welcomed • A virtual resource network could provide an on-line environment to facilitate information sharing and co-ordination initiatives to increase the pool of options available and to help ensure that recipients needs are matched with donor contributions • A virtual resource would be low cost and has the potential to be participatory and non-exclusive • Although not necessarily requiring a heavy governance structure, there are risks associated with wider participation in the IPRTA Forum • Participation should be dependent on demonstrating a willingness to contribute positively • A gatekeeper would be required to ensure this, but the detail of how the gatekeeper role should operate requires further consideration - a small working group could be established to consider this • Who would handle this initiative? • Who would provide resources?

Work Cluster 3: Develop the IPRTA Forum into a resource network and knowledge hub

Possible options	Notes & issues to consider	Comments by participants
		<ul style="list-style-type: none"> • What is the legitimacy of the IPRTA Forum?
<p>2. Expand the IPRTA Forum website as a knowledge hub and on-line resource for donors, developing countries and international institutions/NGOs</p>	<ul style="list-style-type: none"> • New web-pages for all areas of IPRTA • Commission issue papers & case studies • "Donor & Country profiles" to aid match-making • Portal for other relevant sites and resources (e.g. WIPO, IPRSonline.org, etc) • Periodic E-newsletters to "signpost" new resources, events, dialogues and programmes 	<ul style="list-style-type: none"> • Collating currently available resources in a knowledge hub is relatively resource neutral • There needs to be careful consideration of matching the expectations of donors and recipients, but efforts to highlight the impact of TA may be undermined if recipients do not have the knowledge base to evaluate resultant benefits etc effectively • Links to resources on other websites would allow both donors and recipients to be sensitive to the logic of what will work in the local context • The initiative is, to some extent, dependent on the generating new information but the pooling of information currently held by OAS, EPO and others may assist in this respect, possibly augmented by further survey work/interviews with donors and recipients. This information could be collated on a regional or a country-by-country basis • Greater sophistication in evaluation tools/checklists is required to ensure that resources are relevant and useful to donors and recipients and these tools should be prepared in

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		<p>partnership</p> <ul style="list-style-type: none"> • A knowledge hub would assist in the provision of more reliable resources and would add value • A central hub for expanded information on current laws would be welcome – for example through enlargement of WIPO’s Collection of Laws for Electronic Access (CLEA) database • New web-pages for all areas of IPRTA would be useful to direct users to the appropriate resources and to ensure that discussions do not become too diffuse • Commissioning papers and case studies would assist recipients that may not be aware of the IPRTA options available and who may perceive donors to be inflexible on available inputs while, conversely, recipients may not have a clear view of their own needs • Needs assessment will help to break the dependency culture • Improving the effectiveness of targeted IPRTA can help to attract further donors in the future • Sharing experiences and reporting the results of resource evaluation can act as a springboard for future TA initiatives • Country-by-country reporting creates useful resources and should be encouraged

Work Cluster 3: Develop the IPRTA Forum into a resource network and knowledge hub

Possible options	Notes & issues to consider	Comments by participants
<p>3. Bi-annual IPRTA Forum Stakeholder Conferences (next one early 2008?)</p>	<ul style="list-style-type: none"> • Face to Face gatherings of IPRTA Forum Network • Review issues, track progress, discuss new proposals, exchange contacts and ideas • Funding, timing, location of conferences? • Cost-sharing by network members? 	<ul style="list-style-type: none"> • In terms of reviewing issues and tracking progress, a resource network and a knowledge hub would add value by informing the bi-annual IPRTA Forum Stakeholder Conferences and would contribute to the knowledge base • In addition to bi-annual conferences, small sub-groups could assist by helping to keep track of on-going initiatives and exchange contacts • Cost effectiveness and future site visits (such as the visit to the Thai Department of Intellectual Property as part of the Bangkok Stakeholder Workshop) would be facilitated best by prioritising developing country venues for future meetings