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PROPOSALS FOR AMENDMENTS TO THE INTERNAL OVERSIGHT CHARTER BY THE INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC)

Document prepared by the WIPO Independent Advisory Oversight Committee

Report of the IAOC on the Proposed Amendments to the WIPO Internal Oversight Charter

1. At its 25th session, the Program and Budget Committee (PBC) directed the Independent Advisory Oversight Committee – IAOC – (“the Committee”) to “propose forward looking amendments to the WIPO Internal Oversight Charter with a view to ensure it is a model within the UN system for the efficiency, independence and transparency of investigatory processes involving allegations against senior officials.”
2. The Committee is pleased to submit the attached proposed amendments to the Internal Oversight Charter for consideration by the General Assembly.
3. In preparing its proposals, the Committee has been mindful of the recommendation of the Joint Inspection Unit (JIU) in their 2010 report on Ethics in the United Nations system (JIU/REP/2010/3), calling for a mechanism to investigate allegations against the Executive Head, including reporting the outcome of the investigation directly to the legislative body, and of the comments of the United Nations Secretary General and the United Nations Chief Executives Board on the recommendation of the JIU.
4. As requested, the Committee’s proposals cover various categories of senior officials, i.e. the Director General, the group of Deputy Directors General and Assistant Directors General and the Director, Internal Oversight Division (IOD). The Committee has designed the proposed processes to be consistent between these categories to the extent possible.
5. The Committee notes from its work that in a significant portion of cases, allegations received are not credible, material or verifiable, or, if established, would not constitute misconduct. Furthermore, allegations may be obviously unfounded or even frivolous. Referring

such cases to a third party for investigation may violate the rights of the individual concerned and damage his/her reputation. The Committee therefore cautions against referring complaints to an external investigative body, unless a prior internal preliminary evaluation has confirmed the need for an investigation. The Committee makes proposals to ensure the integrity and credibility of such preliminary evaluations.

6. To ensure the integrity and transparency of the investigative process, the Committee proposes in-built checks and balances for all major procedural decisions. The proposed amendments, therefore, require two decision-makers to concur on the next step (i.e. whether to close the matter or to pursue the matter).

7. The Committee wishes to underline that confidentiality is of utmost importance, in particular at the commencement of the investigative process, when allegations have not yet been substantiated and evidence has still to be gathered. At this stage of the process, the number of decision-makers and of those privy to the case should be kept to a minimum in order not to jeopardize the success of the investigation, but also in order to protect the rights of the individuals concerned.

8. With regard to its own role in the investigative process, the Committee wishes to recall that, in accordance with its Terms of Reference (document WO/PBC/24/4) approved by the General Assembly, it is an expert advisory and oversight body. It therefore does not seem appropriate for the Committee to take an active role in directly managing investigations or parts thereof. However, the Committee foresees its involvement at certain stages of the process where expert advice may be required, such as developing the Terms of Reference for an external referral or identifying the most suitable external provider for the case in question, or vetting the Director, IOD for conflict of interest situations.

9. In case of allegations against the Director General, the Committee believes that the decision to refer the matter to an external investigative body should not be taken by the Director, IOD, to avoid any perception of limited independence or conflict of interest. The Committee therefore suggests that such decision be taken jointly by the Chairs of the General Assembly and of the Coordination Committee. Once the decision has been taken, the Committee does not see any impediment for the Director, IOD to manage the referral process, interacting with the external provider, or to provide support to the Chairs to the General Assembly and of the Coordination Committee, as required in the course of the process, such as assisting in redacting the investigation report or producing a summary thereof.

10. The Committee wishes to emphasize that the primary purpose of an investigation report is to serve as a basis for the subsequent sanctions process. It contains not only findings and conclusions, but also the detailed evidence required to withstand legal scrutiny during that process and, if needed, during a judicial trial. Given the nature and content of the report, a meaningful redaction usually faces major practical difficulties. The Committee therefore suggests that investigation reports concerning senior officials should come with a summary of findings and conclusions as a suitable tool for meeting the information needs of stakeholders, protecting the rights of named individuals and of upholding transparency without disclosing investigative details.

11. Where an investigation report leads to disciplinary proceedings, the disciplinary authority in cases concerning DDGs/ADGs or the Director, IOD is clear. As per WIPO Staff Rule 10.1.2 (d) and (e), the authority to apply disciplinary measures is vested in the Director, HRMD and in the Director General, respectively.

12. In cases concerning the Director General, such authority and responsibility is vested in the appointing body, i.e. the General Assembly. The Committee suggests that Member States determine the modalities of how the General Assembly should discharge this responsibility and how the decisions of the General Assembly should be arrived at.

13. While a larger group would be more representative, it also bears higher risks for confidentiality and thus for the due process rights of those involved – at a stage where no final determination as to misconduct has yet been made and the presumption of innocence prevails. In the view of the Committee, there are several options for taking the decision whether or not to initiate a disciplinary procedure.

(i) One option could be to entrust the Chairs of the General Assembly and of the Coordination Committee to jointly take the decision, after consultation with Member States, to initiate a disciplinary procedure.

(ii) Another option could be to entrust a small “Special Committee” of the Coordination Committee or of the General Assembly, representing all Regional Groups, to review the investigation report and decide whether to initiate a disciplinary procedure; such Committee could assume some functions similar to the Ethics Committee of the World Bank, which is mandated, *inter alia*, to deal with allegations of misconduct against the World Bank President.

(iii) A third option could be to entrust the Coordination Committee, deliberating in closed session, to take such decision.

14. The Committee would assume that the final decision on disciplinary measures, if any, rests with the General Assembly, unless delegated to another body. The body entrusted with initiating a disciplinary procedure would therefore, as a result of the disciplinary process, submit a proposal, for approval by the General Assembly, to either close the case or to apply a disciplinary measure.

15. The proposed amendments also include a provision to grant Member States, under condition of confidentiality, access to the original version of internal audit and evaluation reports, which have been published in a redacted version or which have been withheld from publication.

16. In the context of the proposed amendments to the Internal Oversight Charter, the Committee suggests considering an amendment to WIPO Staff Regulation 1.7(c), which currently lists the Director, IOD only as one of many channels for reporting allegations of wrongdoing (“[...] a hierarchical supervisor, the Office of the Director General, the Director of the Internal [Audit and] Oversight Division or the chair of the Coordination Committee [...]”). In the view of the Committee, the Director, IOD should be designated as the primary and preferred channel of reporting alleged wrongdoing to ensure the timely receipt of all complaints by the office that has been entrusted with WIPO’s investigation function.

17. This report and the proposed amendments to the Internal Oversight Charter have been prepared after consultation with the Director General, the Legal Counsel and the Director, IOD. Any comments received have been taken into account in finalizing this report and the proposed amendments.

18. The Committee stands ready to provide Member States with further clarifications as requested during the 48th session of the WIPO General Assembly and to answer any questions in that regard.

19. The WIPO General Assembly is invited to approve the amendments to the WIPO Internal Oversight Charter as contained in the Annex to document WO/GA/48/16.

[Proposed amendments to the WIPO Internal Oversight Charter follow]

Amendments proposed by the Independent Advisory Oversight Committee (IAOC) for consideration by the WIPO General Assembly

A. INTRODUCTION

1. This Charter constitutes the framework for the Internal Oversight Division (IOD) of the World Intellectual Property Organization (WIPO) and establishes its mission: to examine and evaluate, in an independent manner, WIPO's control and business systems and processes in order to identify good practices and to provide recommendations for improvement. IOD thus provides assurance as well as assistance to Management in the effective discharge of their responsibilities and the achievement of WIPO's mission, goals and objectives. The purpose of this Charter is also to help strengthen accountability, value for money, stewardship, internal control and corporate governance in WIPO.
2. The internal oversight function in WIPO comprises internal audit, evaluation and investigation.

B. INTERNAL OVERSIGHT DEFINITIONS AND STANDARDS

3. In accordance with the definition adopted by the Institute of Internal Auditors (IIA), internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.
4. The internal audit function in WIPO shall be carried out in accordance with the International Standards for the Professional Practice of Internal Auditing and the Code of Ethics promulgated by IIA and adopted by the Representatives of Internal Audit Services of the United Nations Organizations, Multilateral Financial Institutions and Associated Intergovernmental Organizations (RIAS).
5. An evaluation is a systematic, objective and impartial assessment of an on-going or completed project, program or policy, its design, implementation and results. The aim is to determine the relevance and fulfilment of objectives, its efficiency, effectiveness, impact and sustainability. An evaluation should contribute to learning and accountability and provide credible, evidence-based information, enabling the incorporation of findings and recommendations into the decision-making processes of WIPO.
6. Evaluations in WIPO shall be carried out in accordance with the standards developed and adopted by the United Nations Evaluation Group (UNEG).
7. An investigation is a formal fact-finding inquiry to examine allegations of or information concerning misconduct **and** other wrongdoing **involving WIPO personnel** in order to determine whether they have occurred and if so, the person or persons responsible. **Investigations may also examine alleged wrongdoing by other persons, parties or entities, deemed to be detrimental to WIPO.**
8. Investigations in WIPO shall be carried out in accordance with the Uniform Principles and Guidelines for Investigations adopted by the Conference of International Investigators and with WIPO's regulations and rules.

C. MANDATE

9. The internal oversight function provides the Management of WIPO with independent, objective assurance, analyses, appraisals, recommendations, lessons learned, advice and

information, through the undertaking of internal audits, evaluations and investigations. Its objectives include:

- (a) Identifying means for improving WIPO's relevance, effectiveness, efficiency, and economy of the internal procedures and use of resources,
- (b) Assessing whether cost-effective controls are in place, and
- (c) Assessing compliance with WIPO's Financial Regulations and Rules, Staff Regulations and Rules, relevant General Assembly decisions, the applicable accounting standards, the Standards of Conduct for the International Civil Service, as well as good practice.

D. AUTHORITY AND RESPONSIBILITY

10. The Director, IOD reports administratively to the Director General but is not part of operational management. The Director, IOD enjoys functional and operational independence from Management in the conduct of his/her duties. In the exercise of his/her functions, he/she takes advice from the WIPO Independent Advisory Oversight Committee (IAOC). He/she has the authority to initiate, carry out and report on any action, which he/she considers necessary to fulfil his/her mandate.

11. The Director, IOD and oversight staff shall be independent of all WIPO programs, operations and activities, to ensure impartiality and credibility of the work undertaken.

12. The Director, IOD and oversight staff shall conduct oversight work in a professional, impartial and unbiased manner and in accordance with good practice, standards and norms generally accepted and applied by the United Nations system organizations, as detailed in Section B above.

13. For the performance of his/her duties, the Director, IOD shall have unrestricted, unlimited, direct and prompt access to all WIPO records, officials or personnel, holding any WIPO contractual status, and to all the premises of WIPO. The Director, IOD shall have access to the Chairs of the General Assembly, the Coordination Committee, the Program and Budget Committee and the IAOC.

14. The Director, IOD shall maintain facilities for the submission of complaints by individual staff members as well as any other internal or external parties, concerning alleged misconduct, wrongdoing or irregularities including but not limited to: fraud and corruption, waste, abuse of privileges and immunities, abuse of authority, and violation of WIPO regulations and rules. Notwithstanding the foregoing, the mandate of the Director, IOD normally does not extend to those areas for which separate provision has been made for review, including workplace-related conflicts and grievances, personnel grievances arising from administrative decisions affecting a staff member's terms of appointment, and performance issues and performance-related disagreements. It rests with the Director, IOD to determine whether such matters may involve wrongdoing and should be handled by IOD or whether they should be referred to other internal bodies.

15. The right of all staff and personnel to communicate confidentially with, and provide information to the Director, IOD, without fear of reprisal, shall be guaranteed by the Director General. All WIPO staff members shall take appropriate steps to ensure that the confidentiality of such communications is maintained. This is without prejudice to measures that may be taken under WIPO Staff Regulations and Rules regarding ~~allegations~~ ~~claims~~ which are intentionally and knowingly false or misleading or made with reckless disregard for accuracy of the information.

16. The Director, IOD shall respect the confidential nature of, and protect from unauthorized

disclosure, any information gathered or received in the course of an internal audit, evaluation, or investigation, and shall use such information only in so far as it is necessary for the performance of his/her duties.

17. The Director, IOD shall liaise regularly with all other internal and external providers of assurance services to ensure the proper coordination of activities (External Auditor, Risk Officer, Compliance Officer). The Director, IOD shall also periodically liaise with the Chief Ethics Officer and with the Ombudsperson.

E. CONFLICT OF INTEREST

18. In the performance of their oversight work, the Director, IOD and oversight staff shall avoid perceived or actual conflicts of interest. The Director, IOD shall report any significant impairment to independence and objectivity, including conflicts of interest, for due consideration of the IAOC.

19. Notwithstanding the foregoing, where allegations of misconduct concern the staff of IOD, the Director, IOD shall ~~inform and~~ seek the advice of the IAOC on how to proceed.

20. Allegations of misconduct against the Director, IOD shall be reported to the Director General, who shall, ~~at the earliest opportunity-~~ inform the Chairs of the Coordination Committee and ~~seek the advice of the IAOC on how to proceed.~~ The IAOC shall conduct or arrange for conducting a preliminary evaluation. Based on its results, the Director General shall, with the concurrence of the Chair of the Coordination Committee, close the case or refer the matter for investigation to an independent external investigative entity. In case of referral, the IAOC shall provide advice on the Terms of Reference of the investigation and on a suitable investigative entity ~~and may, in consultation with them, decide to refer the matter to an independent external investigative authority.~~

21. Allegations of misconduct against WIPO personnel at the Deputy Director General and Assistant Director General levels shall be reported to the Director, IOD, who shall, at the earliest opportunity, inform the Director General and the Chair of the Coordination Committee.

22. Allegations of misconduct against the Director General shall be reported ~~to~~ by the Director, IOD, who shall, at the earliest opportunity, ~~inform to~~ the Chairs of the General Assembly ~~and with a copy to the Chairs~~ of the Coordination Committee and ~~seek the advice of the IAOC on how to proceed.~~ Unless advised otherwise by the IAOC, the Director, IOD shall conduct a preliminary evaluation of the allegations. Based on its results, the Chair of the General Assembly shall, with the concurrence of the Chair of the Coordination Committee, request the Director, IOD to close the case or to refer the matter for investigation to an independent external investigative entity. In case of referral, ~~tThe Director, IOD shall seek the advice of the~~ IAOC shall provide advice on the Terms of Reference of the investigation and on a suitable investigative entity ~~on how to proceed further.~~

~~22.23.~~ Where the advice of the IAOC is required, such advice shall normally be provided within two weeks, unless the complexity of the matter requires more time.

F. DUTIES AND MODALITIES OF WORK

~~23.24.~~ The internal oversight function contributes to the efficient management of the Organization and the accountability of the Director General to the Member States.

~~24.25.~~ To carry out his/her mandate, the Director, IOD shall conduct audits, evaluations, and investigations. The types of audits should include, but not be limited to, performance audits, financial audits, and compliance audits.

~~25.26.~~ To effectively implement WIPO's internal oversight functions, the Director, IOD shall:

- (a) Establish long and short term internal oversight work plans in coordination with the External Auditor. The annual work plan shall be based, where relevant, on a risk assessment to be carried out at least annually, on which basis work would be prioritized. In preparing the annual work plan, the Director, IOD shall take into account any suggestions received from Management, the IAOC or from Member States. Prior to finalizing the internal oversight plan, the Director, IOD shall submit the draft plan to the IAOC for its review and advice.
- (b) In consultation with Member States, establish policies for all oversight functions, i.e., internal audit, evaluation, and investigation. The policies shall provide rules and procedures on the access to reports while ensuring rights to due process and the preservation of confidentiality.
- (c) Prepare, for review by the IAOC, and issue an internal audit manual, an evaluation manual, and an investigation manual. Such manuals shall include the terms of reference of the individual oversight functions and a compilation of applicable procedures. They shall be reviewed every three years or earlier.
- (d) Establish and maintain follow-up systems to determine whether effective action has been taken in response to oversight recommendations, within a reasonable time. The Director, IOD shall periodically report in writing to Member States, the IAOC and the Director General on situations where adequate, timely corrective action has not been implemented.
- (e) Liaise and coordinate with the External Auditor and monitor the follow-up of their recommendations.
- (f) Develop and maintain a quality assurance/improvement program covering all aspects of internal audit, evaluation and investigation, including periodic internal and external reviews and ongoing self-assessments in accordance with the applicable standards. Independent external assessments shall be conducted at least once every five years.
- (g) Liaise and cooperate with the internal oversight or similar services of other organizations of the United Nations system and of Multilateral Financial Institutions, and represent WIPO in relevant inter-agency meetings.

26-27. In particular, the Director, IOD shall assess:

- (a) The reliability, effectiveness and integrity of WIPO's internal control mechanisms.
- (b) The adequacy of organizational structures, systems and processes to ensure that the results WIPO produces are consistent with the objectives established.
- (c) The effectiveness of WIPO in meeting its objectives and achieving results and, as required, recommending better ways of achieving such results, taking into account good practices and lessons learned.
- (d) Systems aimed at ensuring compliance with WIPO's regulations, rules, policies and procedures.
- (e) The effective, efficient and economical use, and the safeguarding of human, financial and material resources of WIPO.
- (f) Significant exposure of WIPO to risk and contributing to the improvement of risk management.

~~27.28.~~ The Director, IOD shall also undertake investigations into allegations of misconduct or other wrongdoing. The Director, IOD may decide to proactively initiate investigations based on risks identified.

G. REPORTING

~~28.29.~~ At the completion of each audit, evaluation or investigation, the Director, IOD shall issue a report, which shall present the objectives, scope, methodology, findings, conclusions, remedial action or recommendations of the specific activity concerned and include, if applicable, recommendations for improvements and lessons learned from the activity. The Director, IOD shall ensure completeness, timeliness, fairness, objectivity and accuracy in the reporting of internal audits, evaluations and investigations.

~~29.30.~~ Draft internal audit and evaluation reports shall be presented to the program manager and other relevant officials directly responsible for the program or activity that has been the object of the internal audit or evaluation, who shall be given the opportunity to respond within a reasonable time to be specified in the draft report.

~~30.31.~~ Final internal audit and evaluation reports shall reflect any relevant comments from the managers concerned and, if applicable, the related management action plans and timetables. Should the Director, IOD and the program manager be unable to agree on the findings of a draft audit and evaluation report, the final report shall contain the opinion of both the Director, IOD and of the managers concerned.

~~31.32.~~ The Director, IOD shall submit final internal audit and evaluation reports to the Director General with a copy to the IAOC and the External Auditor. Upon request, the External Auditor shall be provided with any supporting documentation of internal audit and evaluation reports.

~~32.33.~~ The Director, IOD shall publish internal audit and evaluation reports, as well as Management Implication Reports resulting from investigations, on the WIPO website within 30 days of their issuance. If required to protect security, safety or privacy, the Director, IOD may, at his/her discretion, withhold a report in its entirety or redact parts of it. [However, Member States my request access to reports withheld or to the original version of reports redacted; such access shall be granted under condition of confidentiality at the offices of IOD.](#)

[34.](#) The Director, IOD shall submit final investigation reports to the Director General [with a copy to the Director of the Human Resources Management Department.](#) [The External Auditor and the IAOC shall have access to investigation reports upon request.](#)

~~33.35.~~ [The Director, IOD shall submit](#) ~~For~~ final investigation reports involving WIPO personnel at the Deputy Director General and Assistant Director General levels, [to the Director General with copies,](#) ~~IOD shall provide a copy of the report~~ to the Chairs of the General Assembly and of the Coordination Committee, ~~with copies to the Chair of the~~ the IAOC and ~~to~~ the External Auditor. [The Director General shall, at the earliest opportunity, inform the Chairs of the General Assembly and of the Coordination Committee as well as the IAOC and the External Auditor of the final disposition of the case and the reasons thereof. However, in case of termination, prior consultation of the Coordination Committee is required. Final investigation reports concerning the Director General shall be submitted to the Chairs of the General Assembly and Coordination Committee for any action deemed appropriate, and copied to the IAOC, and to the External Auditor.](#)

[36.](#) Final investigation reports concerning the Director General shall be submitted to the Chairs of the General Assembly and of the Coordination Committee for appropriate action [by the General Assembly] with copies to the IAOC, the External Auditor and the Director, IOD.

- (a) If the investigation does not substantiate the allegations made, the Chair of the General Assembly shall, after consultation with the Chair of the Coordination Committee, request the Director, IOD to close the case.
- (b) If the investigation substantiates allegations of misconduct, the IAOC shall, at the earliest opportunity, inform Member States, through the Regional Group Coordinators, that such findings, conclusions and/or recommendations have been made.
- (c) The Chairs of the General Assembly and of the Coordination Committee [shall provide Member States with a redacted summary of the report's findings, conclusions and recommendations and]

[shall consult with Member States to review the investigation results and decide whether to initiate a disciplinary procedure]

[shall convene a Special Committee, consisting of x members of the Coordination Committee/of the General Assembly, in order to review the investigation results and decide whether to initiate a disciplinary procedure]

[shall convene the Coordination Committee in order to review the investigation results and decide whether to initiate a disciplinary procedure]

~~33.— The External Auditor and the IAOC shall have access to investigation reports.~~

~~34.37. Final~~All investigation reports, drafts, materials, findings, conclusions and recommendations are fully confidential, unless disclosure is authorized by the Director, IAOD or by the Director General. However, the Chair of the General Assembly may, in concurrence with the Chair of the Coordination Committee, authorize access for Member States, under condition of confidentiality, to final investigation reports concerning the Director General. ~~In cases where investigation report findings and/or recommendations apply to the Director General, the IAOC shall, at the earliest opportunity, report to Member States that such findings and/or recommendations have been made~~

~~35.38.~~ For oversight matters of a minor or routine nature, which do not require formal reporting, the Director, IOD may issue communications to any concerned WIPO manager.

~~36.39.~~ The Director General is responsible for ensuring that all recommendations made by the Director, IOD are responded to promptly, indicating actions taken by Management regarding specific report findings and recommendations.

~~37.40.~~ The Director, IOD shall submit, on an annual basis, a report to the Director General, with a copy to the IAOC, regarding the implementation of recommendations made by the External Auditor.

~~38.41.~~ The Director, IOD shall submit, on an annual basis, a summary report to the WIPO General Assembly, through the Program and Budget Committee (Annual Report). The Director General and the IAOC shall be provided with a draft version of the Annual Report for their comments, if any. The Annual Report shall give an overview on the internal oversight activities conducted during the reporting period, including the scope and objectives of such activities, the schedule of work undertaken and progress on the implementation of internal oversight recommendations. The Director General may submit comments on the final Annual Report in a separate report as deemed appropriate.

~~39.42.~~ The Annual Report shall include the following, *inter alia*:

- (a) A description of significant issues and deficiencies relating to WIPO's activities in general, or a program or operation in particular, disclosed during the period.

- (b) A description, including the financial impacts, if any, of those investigative cases found to be substantiated and their disposition, such as disciplinary measures, referral to national law enforcement authorities, and other sanctions taken.
- (c) A description of all high priority internal oversight recommendations made by the Director, IOD during the reporting period.
- (d) A description of all recommendations which were not accepted by the Director General, together with his/her explanations for not doing so.
- (e) An identification of high priority recommendations in previous reports on which corrective action has not been completed.
- (f) Information concerning any significant management decision which in the view of the Director, IOD constitutes a serious risk for the Organization.
- (g) A summary of any instance where IOD's access to records, personnel and premises was restricted.
- (h) A summary of the report submitted by the Director, IOD to the Director General regarding the status of implementation of external audit recommendations.
- (i) A ~~C~~ confirmation of the operational independence of the internal oversight function and ~~information shall comment~~ on the scope of ~~the internal oversight~~ his/her activities and the adequacy of resources for the purposes intended.

H. RESOURCES

- ~~40.43.~~ In presenting Program and Budget proposals to the Member States, the Director General shall take into account the need to ensure the operational independence of the internal oversight function and shall provide the necessary resources to enable the Director, IOD to achieve the objectives of his/her mandate. The allocation of financial and human resources including in-sourcing, outsourcing or co-sourcing of services shall be clearly identified in the Program and Budget proposal, which will take into account the advice of the IAOC.
- ~~41.44.~~ The Director, IOD shall ensure that IOD comprises staff, appointed in accordance with WIPO Staff Regulations and Rules, which collectively possess the knowledge, skills and other competencies needed to perform the internal oversight functions. He/she shall promote continuing professional development to meet the requirements of this Charter.
- ~~42.45.~~ The Director, IOD shall be a person with high qualifications and competence in oversight functions. The recruitment of the Director, IOD shall be based on an open, transparent international selection process to be conducted by the Director General in consultation with the IAOC.
- ~~43.46.~~ The Director, IOD shall be appointed by the Director General after endorsement by the IAOC and the Coordination Committee. The Director, IOD shall have a non-renewable fixed term of office of six years. On completion of the fixed term of office he/she shall not be eligible for any further employment in WIPO. Steps should be taken, where possible, to ensure that the start of the terms of the Director, IOD should not be the same as that of a new External Auditor.
- ~~44.47.~~ The Director General may dismiss the Director, IOD only on specific and documented grounds and after endorsement by the IAOC and the Coordination Committee.
- ~~45.48.~~ The performance appraisal of the Director, IOD shall be made by the Director General after receiving input from and in consultation with the IAOC.

J. REVISION CLAUSE

~~46.49.~~ This Charter shall be reviewed by the Director, IOD and the IAOC, every three years or earlier, if necessary. Any proposed amendments by the Secretariat to the Charter shall be reviewed by the IAOC and the Director General and shall be submitted to the Program and Budget Committee for approval.

[End of Annex and of document]