

11TH EDF

REGIONAL PROGRAMMING ORIENTATIONS – December-2013

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1. INTRODUCTION

Europe is a long-standing supporter of regional integration and cooperation in ACP countries, and is set to remain so, as the EU has again clearly stressed this priority in its Agenda for Change – the blueprint for a higher-impact, more results-oriented EU development policy going forward. (Communication of 13 October 2011, COM (2011) 637 and Council Conclusions of 14 May 2012).

The strategic policy framework governing EU support for ACP regional integration is defined by the ACP-EU Cotonou Partnership Agreement and was formalised in the Commission Communication of 6 October 2008 on "*Regional integration for development in ACP countries*".

In this Communication, regional integration and cooperation has been broadly defined as the process of overcoming, by common accord and through regional institutional process, political, physical, and economic barriers that divide countries from their neighbours, and of collaborating in the management of shared resources and regional common goods.

The main lines of this framework remain valid and will lie at the core of EU support. However, EU, ACP States and their regional organisations must learn from 10th EDF experience: more can be done with EU funding, and better. There is a clear need to draw lessons from the past and outline the best way forward. The present programming orientations meet these concerns and translate the policy framework in new operational terms, in accordance with the Cotonou agreement.

The regional programming exercise will be based on these orientations, the policy documents mentioned above as well as ACP regions priorities. It will also take into account EU regional strategies. These orientations provide the general guiding principles for the programming of the RIPs. It is worth underlining that, whenever deemed more effective and efficient for the regional cooperation, these orientations can be discussed and adapted to the specificities of each region.

To make sure that all partners involved in the programming process, including non-state actors, are fully aware of these orientations, the latter will be made available on the webpage of Regional and National EU Delegations, and of ACP Secretariat.

2. THE FRAMEWORK FOR REGIONAL INTEGRATION AND COOPERATION

The EU is committed by the Cotonou Agreement to provide effective assistance to achieve the objectives and priorities which the ACP States have set in the context of regional cooperation and integration. Programming will be prepared, as a shared responsibility, by the EU and the duly mandated regional organisation(s)¹ – DMROs -, in close collaboration with the ACP States in the region concerned, and according to the principles of ownership, subsidiarity and complementarity.

¹ Current official list is: For West Africa: ECOWAS (Economic Community Of West African States); WAEMU (West African Economic and Monetary Union). For Eastern/Southern/Indian Ocean Africa: COMESA (Common Market for Eastern and Southern Africa), EAC (East African Community). IGAD (Intergovernmental Authority on Development), IOC (Indian Ocean Commission), SADC (Southern Africa Development Community). For Central Africa: CEMAC (Communauté économique et monétaire de l'Afrique centrale), CEEAC/ ECCAS (Communauté Economique des Etats de l'Afrique Centrale / Economic Community of Central African States). For the Caribbean: CARIFORUM (Forum of the Caribbean Group of African, Caribbean and Pacific States). For the Pacific: PIFS (Pacific Islands Forum Secretariat)

Programming shall take place at the level of each region decided by the ACP States. In the complex case of Africa, where the membership of several relevant regional organisations overlaps, the RIP should correspond, according to the Cotonou Agreement, to the combined membership of these organisations. As a result, subject to agreement of the regions concerned, 3 RIPs should be considered in Africa: Western Africa, Central Africa and East and Southern Africa / Indian Ocean.

All analyses converge to emphasize the strategic importance of regional integration and cooperation for both political stability, economic development and for an optimal management of regional public goods. This is especially evident in the ACP group, which is fragmented with many small islands in Pacific, Caribbean and Indian Ocean, and every African country sharing its borders with an average of 4 neighbours.

Since the mid-1990s, the achievements of ACP regional integration are far from negligible, and pave the way to create customs unions and free-trade areas. Specific challenges vary from region to region, but progress is nevertheless often offset by obstacles which are clearly identified. First, regional integration suffers from a weak implementation of regional agreements at national level. Moreover, national development strategies do not sufficiently integrate the regional dimension. As a result, regional markets remain fragmented and many issues such as security, trade, agriculture, infrastructure or environment are not properly addressed at the regional level.

According to the Cotonou Agreement, regional integration and cooperation aim to:

- Promote peace and stability, as well as conflict prevention and resolution
- Enhance economic cooperation and integration through the build-up of larger markets, the free movement of persons, goods, services and capital among ACP countries, the promotion and expansion of trade among ACP countries and with third countries, and the gradual integration of ACP States into the world economy.
- Promote the management of sustainable development challenges with a transnational dimension through, *inter alia*, cooperation, coordination and harmonisation of regional cooperation policies.

Accordingly, the above areas will constitute the axes of EU regional cooperation under the 11th EDF. With a view to improving the effectiveness and efficiency of regional policies, cooperation shall develop and strengthen the capacities of regional integration institutions and organisations set up by the ACP States.

As indicated below (points 3.1, 3.2.1, 4.1, 4.2.1), the regional organisations are the pillars of the process of regional integration, but their impulse and coordination can only be meaningful if they are effectively relayed to all other levels of the region, in the first place by national administrations, but also by autonomous technical organisations, regional development banks and all other actors which might contribute to the regional treatment of a problem. A functional division of labour, which varies from area to area in accordance with the principles of subsidiarity, is the *sine qua non* for an effective process of cooperation and integration. Therefore, the RIP should also support national governments in matters of regional integration and promote trans-border or national projects with a specific regional dimension. The 11th EDF aims to help achieve this goal by concentrating in the RIP, the entire set of supports that the European Union can bring to this complex process, whether this support is allocated to the regional or national level or to other relevant actors in the region.

The new approach is designed primarily to strengthen regional organisations so as to enable them to fulfil their mandate and ensure their stakeholder impulse and coordination role in the integration and cooperation processes:

- The DMROs, with the European Union, will identify the relevant implementing actors, either directly during initial programming or later in the implementation of the RIP, on the base of selection criteria identified in the RIP. They will also make sure that the actions envisaged are in accordance with the provisions of the RIP (see below for details). They will monitor the implementation of the RIP through the Steering Committee.

- An individual allocation may be granted to each DMRO, according to its mandate, for capacity building and project management. These allocations will be defined during the programming process and may well be comparable to those involved in the 10th EDF. Under this umbrella, EU support should be concentrated on a very limited number of sectors and specific objectives, aligned on the regional policy agenda and strategies adopted by the duly mandated regional organisations and their member states. The EU's policy priorities, its specific strategic orientations for a given region, the assessment of EU comparative advantages and the Commission's implementation capacity will also be considered.

Adequate complementarity and coherence among instruments and intervention levels will considerably increase the impact and visibility of the European Union's development aid efforts. The regional programming process should be conducted in relation to national and intra-ACP levels to strengthen complementarity and coherence both at the level of the instruments and interventions.

Finally, it is worth recalling that regional cooperation can also involve non-ACP developing countries, Overseas Countries and Territories and EU outermost regions according to the provisions of annex IV, article 6 of the Cotonou Agreement.

3. A NEW APPROACH FOR SUPPORT TO REGIONAL INTEGRATION AND COOPERATION

Based on the lessons learnt from the 10th EDF, the present programming orientations propose a new approach to the 11th EDF, which can be summarized as follows:

3.1. RIPS focused around specific objectives and results.

The Regional Indicative Programme –RIP- will be an instrument to prioritise actions and to foster regional and national ownership of supported programmes. It will include an assessment of the regional strategies and priorities pursued by the member states through the DMROs and in particular an analysis of the process and prospects of regional economic integration and integration into the world economy.

EU support will be identified on the basis of each region' strategic development plan and will result from a joint assessment of challenges and objectives to be achieved with EU funding. The RIP will be negotiated and adopted by common agreement between the EU and the DMROs, thus ensuring the full ownership of the latter throughout the programming process:

Practical programming implications

In each of the 5 RIPs , and according to art 10 of Annex IV of Cotonou Agreement, the DMROs and the EU shall specify:

- 1) The priority areas of EU aid;
- 2) Specific objectives to be pursued in each priority area;
- 3) For each specific objective, the main expected results to be achieved as well as related indicators;
- 4) The most appropriate measures to be taken by the DMROs and their Member States to achieve the specific objectives;
- 5) The operations which can be financed to contribute to the objectives and results.

The general rule should be that, as far as possible, the RIP should detail, from the outset, the objectives of our regional cooperation as well as the results to be achieved and the responsibilities of different regional and national stakeholders in order to facilitate implementation. Nevertheless, under each priority area, a share of funds could remain unprogrammed. In that case, the RIP will indicate criteria for the use of the funds.

3.2. Division of responsibilities.

As a general rule, the financial management of the RIP shall be decentralised. However, whenever appropriate, actions may be carried out under the direct responsibility of the European Commission.

In the case of decentralised management, the execution duties will be carried out by the Regional Authorising Officers (RAOs), i.e. DMROS, Member States of the region or other stakeholders in the region. RAOs will assume financial responsibility only for the implementation tasks entrusted to them, as explained in article 35 of the Annexe IV of the Cotonou Agreement. They will also be responsible for submitting financing requests related to tasks which are entrusted to them.

3.2.1. Working with Duly Mandated Regional Organisations as Regional Authorising Officers (RAOs).

DMROs, beyond their exclusive prerogatives in terms of programming and regional cooperation/supervision, should be in charge of implementing concrete actions for which they will act as Regional Authorising Officers (RAOs) and propose the most adequate implementation modality(ies). The related actions could, in some cases, be confined to developing their capacities and their traditional coordination functions, or also extend to the fields of activity where they have proved most effective:

- To foster the effectiveness and efficiency of regional policies, the RIP will support capacity development of regional organisations that are set up and duly mandated by the ACP States. It will support them in implementing their core mandate.
- Each DMRO could also receive a support for a few key actions, which will include the upgrading of their capacities.

Practical programming implications

On this basis, the RIP shall specify in each priority area and for each specific objective:

- 1) An indication of resources allocated to each DMRO
- 2) The main expected results to be achieved as well as related indicators
- 3) The most appropriate measures to be taken by the DMROs to achieve the specific objectives
- 4) The operations that each DMRO will manage with EU funding.

3.2.2. Working with other stakeholders in the region as RAOs.

In addition to the DMROs, Member States and other stakeholders² in the region will be, according to their value added and the principles of subsidiarity, in charge of concrete actions for which they will act as Regional Authorising Officers (RAOs) and propose the most adequate implementation modality.

In order to ensure that regional projects and programmes are endorsed and implemented by the most appropriate stakeholders, to promote synergies between all regional actors and to reduce the gap between national and regional programming, the EU and DMROs shall give indications in the RIP on: (i) the type of operations to be implemented at the national level, especially trans-border or national/multi-country actions with a specific regional dimension; (ii) as well as the type of operations to be implemented by other regional organisations.

The EU and DMROs should specify in the RIP where national authorities can contribute through the most appropriate measures and operations to achieve the objectives in its priority areas. EU Delegations should also consider, with the DMROs and their Member States, the possibility to support other regional organisations³ set up by ACP States, which were not mandated for negotiating and adopting the RIP.

Last but not least, Member States and other regional stakeholders logically take on the financial responsibility of the projects for which they are RAOs.

Practical programming implications

On this basis, the EU and DMROs will specify in the RIP, for each priority area and related objectives:

- 1) An indication of resources allocated to national and other regional stakeholders
- 2) The main expected results to be achieved as well as related indicators
- 3) The most appropriate measures to be taken by the Member States and/or the other regional organisations to achieve the specific objectives
- 4) The operations that Member States or other regional stakeholders will manage with EU funding.

During the implementation of the RIP, requests for financing can be directly submitted by NAOs or other regional organisations, acting as RAOs. DMROs will be consulted in order to check if their requests are in accordance with the provisions of the RIP.

3.3. Leveraging investment to support regional cooperation and integration actions

Through blending operations, the EU should provide a credible response to ACP investment needs by mobilising additional public and private financing and by increasing its cooperation with financial

² Mandated by the ACP states of the region concerned.

³ According to provisions of Annex IV Cotonou Agreement, article 6, point 3.b.

institutions, including Regional Development Bank and development financial institutions that have experience working with the private sector in ACP countries.

Blending operations may be especially relevant to support EU policy objectives and regional strategies in ACP countries. They can support vital infrastructure investments at national or regional level, in sectors⁴ like energy, transport, environment, water and sanitation, agriculture, thereby contributing to the achievement of development objectives set by the regional strategies. They can also support private sector development and in particular small and medium enterprises (SMEs) as well as contribute to social sector investments. Blending is not only about leveraging additional financing. First and foremost, it is a tool to achieve development policy objectives. DMROs, their Member States and EU shall therefore define allocations and strategic priorities and criteria for cooperation with financial institutions within each priority area of the RIP which foresees blending activities.

Blending operations will be decided through regional EU blending facilities⁵ for Africa, Caribbean and Pacific. The priorities and criteria mentioned above will constitute a mandate given by the DMROs to the EU to manage within the regional facility the strategic orientation of the projects. The EU will indeed make sure that eligible financial institutions, active in EU regional facilities, design blending operations fully in line with the established strategic approach. The early involvement of eligible financial institutions in the preparation of the RIP is important for a comprehensive assessment of priorities and criteria.

Practical programming implications

On this basis, the EU and DMROs will specify in the RIP in which priority areas and for which specific objectives resources will be reserved for blending operations. It will also indicate how much resources will be reserved to that effect. Finally, it will contain, in a specific annex, strategic priorities and criteria for actions to be supported by financial institutions within the areas concerned.

3.4. Delivering aid for trade at national level.

In the area of regional economic integration, the EU will support the efforts of DMROs to build regional integrated markets and to foster a gradual integration of the region into the world economy. This action at regional level should be complemented and backed up by the implementation of aid for trade at the national level so as to reinforce national capacities, as well as to relay and make successful the decisions adopted at regional/ multilateral level to spur trade and consolidate markets.

Practical programming implications

The EU and DMROs will specify in the RIP the selection criteria on the basis of which national authorities will be selected to benefit from aid for trade support.

4. THE GOVERNANCE OF THE RIP

The DMROs and regional EU Delegations, in close cooperation with EU national Delegations, EU Headquarters and national authorities in the region, share the responsibility for the preparation of the draft RIP, and subsequently of the draft reviews' reports, as well as for the setting up of the new governance structure of the RIP which must ensure the following objectives:

- The orientation of the funds in a manner consistent with regional strategies

⁴ Worth noting that, depending on the type of action envisaged, infrastructures could also be financed through classical decentralized management modalities.

⁵ Blending operations will be implemented in principle through the regional EU blending facilities. There can be exceptions, notably when the EU blending facilities do not offer the appropriate framework for project implementation.

- The creation of a space for dialogue and consultation between all stakeholders
- The coherence of the actions implemented at all levels
- The satisfactory management of the funds and clear identification of financial responsibilities.

The present section provide the general guiding principles for the governance of the RIPs but subsequent discussions and adaptations of these to each region's specificity will fall under the responsibility of EU and DMROs in each region.

4.1. The Regional Steering Committee (RSC) (See flowchart 1)

It will be composed of:

- The EU the DMROs.

Both will be co-chairing . According to the issues on the agenda, each partner (EU, DMRO) will internally designate the Regional Delegation(s) / DMRO(s) which will co-chair.

The Regional Steering Committee is a mechanism of concertation and effective mobilisation of the EU and ACP stakeholders within the region concerned, as well as a tool combining strategic guidance and monitoring functions. This Committee does not intend to dilute the governance of the RIP, the latter remaining under the joint leadership of the DMROs and the European Union, but rather to strengthen it. Indeed, by creating a link with all the stakeholders concerned, the Steering Committee will provide the DMROs and the EU with all the information necessary to enlighten their choices and shore up their decisions at every stage of the RIP (during initial programming but also during reviews).

More precisely, its role will be as follows:

- In the programming phase it will identify the needs and constraints on regional integration, and thus enable to build consensus on the priorities on which the RIP should focus. It will also allow the explanation, in a formal setting and jointly, of the proposed new approach and the conditions under which stakeholders may have access to funds
- The Committee will create a space for policy dialogue and will thus improve the monitoring of regional integration, since the state of play of related policies, regardless of their level (national, regional), can be examined whenever deemed opportune by the DMROs and the EU
- It will also, on a regular basis, monitor implementation of projects financed by the RIP, on basis of reports or other documents provided by the implementing body
- Formulate possible recommendations after carrying out the above tasks.

Depending on the agenda, the co-chairs can invite:

- the National Authorizing Officers (NAOs) of the region
- the national EU Delegations of the region
- the implementing bodies others than NAOs and Regional Organisations having signed the RIP any other entity whose punctual participation to the works of the RSC would be deemed opportune by the co-chairs.

The RSC will meet formally once a year and more often if necessaryThe agenda of the RSC works (meetings, consultations...), the reporting on the latter, as well as the opinions and findings contained in the related documents, are the sole responsibility of the EU and the DMROs.

4.2. The members of the Regional Steering Committee

4.2.1. The "Duly Mandated" Regional Organisations" (see flowchart 2)

As co-chair of the Regional Steering Committee, DMROs are an essential pillar of the regional programming architecture. They will ensure oversight of the regional cooperation process through the following prerogatives:

- Programming will result from an "exchange of views" between the EU and DMROs (art 8 Annex IV Cotonou agreement)
- It will largely be based on development plans of the region (but will also take into account the "Agenda for Change" and the EU specific strategy for the region).
- The RIP is co-drafted and adopted/signed by them, in joint agreement with the EU (art 10 annex IV Cotonou Agreement)
- DMROs will remain RAOs for those actions entrusted to them, identified in the RIP, and corresponding, in principle, to their core mandate and responsibilities (notably of coordination) in terms of regional integration. For this purpose, each DMRO will have access to direct funding within one (or more) of the priority areas of the RIP
- They will inform the Regional Steering Committee on (i) the implementation of their commitments on the regional integration process; (ii) the implementation of the actions under their responsibility
- DMROs are systematically kept informed on the identification/action fiches to be submitted to EU HQs. They will carry out a control of consistency, of the envisaged action, with the provisions of the RIP and with the regulatory frameworks and strategies put in place at the regional level. Moreover, they can formulate any other recommendation regarding the content of the fiches
- Jointly with the EU Regional Delegation, they manage the TCF (Technical cooperation facility).

4.2.2. The EU Regional Delegations (see flowchart 3)

They are the other pillar of the whole regional programming architecture:

- As co-chair of the Regional Steering Committee and together with the DMROs, they ensure oversight of the regional cooperation process
- EU Regional Delegations collaborate with the concerned DMROs in the drafting of the RIP
- On behalf of EU HQs, they conduct the policy dialogue with the regional organisations
- Jointly with DMROs, they draft the identification/action fiches for the actions implemented by the regional organisation to which they are attached
- They receive comment on the identification/action fiches submitted by National EU Delegations
- Jointly with the DMROs, they manage the TCF.

4.2.3. The National Authorizing Officers of the region (see flowchart 4)

- At the request of the co-chairs, NAOs are associated to the preparation of the RIP
- NAOs⁶ may act as RAOs⁷ to implement national actions with a specific regional scope and linked with a regional strategy

⁶ In the context of small islands States, the function of RAO could possibly be taken up by one NAO acting on behalf of a group of States.

⁷ The option of deputy RAO could also be envisaged, should it be considered more efficient and effective, and provided that the sharing of the financial responsibility with the principal RAO (the DMRO) is clearly established.

- As RAOs, they will be fully involved at the identification/formulation, implementation and monitoring stages for the projects attributed to them. They will also assume financial responsibility for the latter
- NAOs inform the Regional Steering Committee on the implementation of: (i) the regional integration commitments at national level; (ii) the projects for which they are RAOs.

4.2.4. The national EU Delegations (see flowchart 5)

- At the request and under the guidance of the Regional EU Delegations, they will be associated with the preparation of the RIP
- In that respect, their main role will consist in making proposals as for the possible implementation of part of the regional programme by the national authorities of the countries in which they operate or by other regional implementing bodies having their HQs in these countries
- Once the RIP is signed, and jointly with their ACP counterparts, they draft identification/action fiches for actions due to be implemented by the partners mentioned above and submit them to EU HQs
- They submit these identification/action fiches to Headquarters as well as to the concerned EU Regional Delegation, for information of the DMROs.

4.2.5. The other organisations and bodies from the region (see flowchart 6)

- On invitation of the co-chairs, they will be consulted during the preparation of the RIP
- They may act as RAOs⁸, provided that they have been identified in the RIP
- As RAOs, they will be fully involved at the identification/formulation, implementation and monitoring stages for the projects attributed to them. They will also assume financial responsibility for the latter
- They inform the DMROs on the implementation of the actions for which they are RAOs.

5. DIVISION OF LABOUR WITH EU MEMBER STATES AND OTHER DEVELOPMENT PARTNERS

Strong coordination, particularly at the RIP programming stage, with and appropriate consultation of EU Member States and other development partners present in the region is essential. Coordination/consultation should also cover EIB, other European Development Finance Institutions, International Finance Institutions as well as Regional Development Banks active in the region. Moreover, Non State actors, including private sector representatives, must be consulted during the preparation of the RIP.

6. FINANCIAL ALLOCATIONS

The allocated resources shall comprise:

6.1. Indicative programmable allocation to cover support to regional integration, sector policies, actions in support of the priority areas of EU aid.

The allocations will be determined in the course of the programming process.

⁸ The option of deputy RAO could also be envisaged, should it be considered more efficient and effective, and provided that the sharing of the financial responsibility with the principal RAO (the DMRO) is clearly established.

6.2. An envelope for each ACP region to cover unforeseen needs

This envelope would cover unforeseen needs such as those defined in Article 72, 72a and 73 of the Cotonou Partnership Agreement where, given the cross-border nature and/or scope of the unforeseen need, such support can more effectively be provided at regional level. These funds shall be accessible under the conditions set out in Articles 72, 72a and 73 of the Cotonou Partnership Agreement, where such support cannot be financed from the Union's budget. Complementarity between actions provided for under this allocation and possible intervention at country level shall be ensured.

The amount of the allocation is fixed at €0 until a need arises. In that case, the EU and its regional partners will proceed to a replenishment of the allocation according to the applicable procedure.

7. REVIEW PROCESS

Financial cooperation between each ACP region and the EU will be sufficiently flexible to ensure that operations are kept constantly in line with the situation, priorities and objectives of the region concerned and the EU.

Mid-Term, End of Term and/or, if needed, ad hoc reviews will be undertaken to adapt the indicative programme to evolving circumstances and to ensure that they are correctly implemented. Following the completion of these reviews, the EU may revise the resource allocation in the light of current needs and performance.

In order to ensure flexibility, it will be possible to adapt the indicative programme by an exchange of letters if reallocation of resources among the sectors of the RIP represents less than 20% of the initial indicative allocation.

8. PROCESS (STEPS AND CALENDAR)

- First Step (September-December 2013): Launch of the programming process in each region: Presentation of the present programming orientations and EU/ACP analysis for each region.
 - Second step (November 2013 – February 2014): Joint analysis by EU Delegations and their ACP counterparts of priorities and actions to be implemented by DMROs and other National/regional actors.
 - Third step (March 2014 – May 2014): Consolidation of the above contributions in a draft RIP to be endorsed by the Regional Steering Committee (EU represented at HQ level) + submission to EU HQs.
 - Fourth step (June- September 2014): Finalisation of the RIP in EU HQs and approval by the Commissioner and HR/VP.
 - Fifth step (October 2014): the RIP is submitted to the EDF Committee. Subsequently, it will be submitted to the DMROs heads for approval.
- Sixth step: Commission final decision process and co-signature of the RIPs with DMROs.