



Technical Assistance Report

Project Number: 38281
December 2005

Technical Assistance Republic of the Philippines: Debt and Risk Management Project

CURRENCY EQUIVALENTS

(as of 24 November 2005)

Currency Unit	–	peso (P)
P1.00	=	\$0.0184
\$1.00	=	P54.310

ABBREVIATIONS

ADB	–	Asian Development Bank
BLGF	–	Bureau of Local Government Finance
BOT	–	build-operate-transfer
BSP	–	Bangko Sentral ng Pilipinas
BTr	–	Bureau of Treasury
CAG	–	Corporate Affairs Group, Department of Finance
CSP	–	Country Strategy and Program
DBM	–	Department of Budget Management
DOF	–	Department of Finance
DRM	–	debt and risk management
GDP	–	gross domestic product
GFI	–	government financial institutions
GOCC	–	government-owned and -controlled corporation
IFG	–	International Finance Group, Department of Finance
LGU	–	local government unit
NEDA	–	National Economic Development Authority
NG	–	National Government
PSP	–	private sector participation
SSI	–	Social Security Institution
TA	–	technical assistance

TECHNICAL ASSISTANCE CLASSIFICATION

Targeting classification	General intervention
Sectors	Economic management, public policy
Subsector	Public finance and expenditure management
Theme	Governance
Subthemes	Public governance, financial and economic governance

NOTE

In this report, "\$" stands for US dollars.

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I. INTRODUCTION

1. The Government of the Republic of the Philippines requested the Asian Development Bank (ADB) to provide advisory technical assistance (TA)¹ for improved national government debt and risk management (DRM). The TA is included in the approved 2005–2007 country strategy and program²(CSP) for the Philippines. Fact-finding was conducted intermittently from 1 June to 12 August 2005, after which a memorandum of understanding regarding the objective, scope, cost estimates, financing, and implementation arrangements of the TA was signed by ADB and the Government. The TA design and monitoring framework is in Appendix 1.

II. ISSUES

2. As of end–2003 the total stock of public sector debt and quantified national Government (NG) contingent liabilities of the Philippines reached P5.8 trillion, the equivalent of 137.5% of Gross Domestic Product (GDP). This figure included NG debt (73.2% of GDP), debt of the 14 monitored Government–owned and –controlled corporations (GOCCs, 29.8% of GDP), debt of Government financial institutions and social security institutions (GFIs and SSIs, 17.2%), and contingent liabilities³ (17.3% of GDP). Over 5 years from 1998 to 2003, most of these debt stocks increased sharply. Consolidated general government debt more than doubled, from P1.5 trillion in 1998 to P3.1 trillion in 2003. GOCC debt grew by 137%, from P699 billion in 1998 to P1.66 trillion in 2003. Over the same period GFI debt rose by 49.7% and contingent liabilities by 134.5%. Preliminary 2004 data indicate that NG debt continued to grow.

3. In 2004, 37% of total government revenue had to be set aside for interest payments on NG debt, preempting investment and important social expenditures. The large fiscal burden of debt servicing, advances on guaranteed loans, and payment of guaranteed obligations under private sector participation (PSP) contracts has squeezed out spending on essential government services and weakened investor confidence in the macroeconomic stability of the country. For these reasons, the new ADB Philippines CSP emphasizes fiscal consolidation as the highest priority goal of ADB support.

4. The size of the stock of debt and contingent liabilities makes prudent DRM an essential component of any successful fiscal consolidation strategy for the Government. Considerable progress has been made in debt management in recent years, particularly in lengthening the average maturity of NG debt and in maintaining a diverse portfolio of NG obligations. However, this progress needs to be extended and expanded to further reduce the vulnerability of the budget and the economy to fluctuations, and to provide the Government with essential budget management tools to better maintain social and development expenditures. The growing stock of debt outside of the NG's own borrowing program, such as GOCC and GFI debt, and the challenging issues in accurately quantifying and assessing the level of contingent liabilities, pose the most serious risks.

5. Contingent liabilities expose the government to the possibility of unexpected and substantial obligations over a short period of time and could lead to a severe strain on its fiscal resources. Governments, however, seldom recognize the potential impact of these contingent

¹ The TA first appeared in *ADB Business Opportunities* (internet edition) on 13 July 2005.

² ADB. 2005. *Country Strategy and Program (2005-2007)*: Philippines. Manila.

³ This figure includes GOCC loans directly guaranteed by the Government, Government financial institutions guarantees assumed by the national Government, and guaranteed corporate issues. It does not include contingent liabilities related to build-operate-transfer or other private sector participation agreements, or unfunded pension liabilities.

liabilities. Since guarantees come due only if triggered by a particular event and in the short run have no immediate cost to the government, such contingent liabilities seldom appear in the government's books. Provisioning for such contingencies is not reflected in the budget and there are no clear mechanisms to cover them in case such guarantees are called. The impact of an unexpected fiscal strain due to the realization of sizable unprovisioned contingent liabilities could worsen fiscal and macroeconomic vulnerabilities.

6. At present a number of Government agencies are involved in distinct aspects of debt monitoring and approval. Under the 1987 Administrative Code, the Department of Finance (DOF) is responsible for "review, approval and management of all public sector debt...[to ensure] that all borrowed funds are effectively utilized and all such obligations are promptly serviced by the government." The Code further specifies that DOF will "undertake and supervise activities related to the negotiation, servicing and restructuring of domestic and foreign debt incurred or guaranteed by the government and its instrumentalities, including taking part in activities which affect the country's capacity to service foreign debt." Within DOF, the Bureau of Treasury (BTr), Domestic Finance Group, International Finance Group (IFG), Corporate Affairs Group (CAG), and Bureau of Local Government Finance (BLGF) are responsible for aspects of debt management.

7. BTr plays an important role through participation in programming, structuring, and timing of borrowing proposals in coordination with the Bangko Sentral ng Pilipinas (BSP) and Department of Budget Management (DBM), management of the borrowed funds; and monitoring of data on availments, repayments, and status of the public debt. However, BTr's contribution to debt management is limited since its responsibilities do not extend to other government debt obligations, such as GOCC and GFI debts. CAG is in charge of collecting information on debt positions of monitored GOCCs, GFIs, and SSIs. CAG's work is also impeded by gaps in its mandate. For example, the nature and degree of DOF's oversight functions over the financial operations of GOCCs, GFIs, and SSIs have not been sufficiently defined. In addition, information on contingent and off-book liabilities pertaining to GOCCs, other than those covered by direct NG guarantee, is not sufficient and not effectively monitored by the government. IFG processes all foreign borrowings, while BLGF has a mandate to monitor all local government unit (LGU) borrowing, provide inputs regarding LGU creditworthiness into the BSP approval process for LGU borrowing from commercial banks, and provide technical assistance to LGUs in matters related to credit financing of budget activities.

8. Outside of DOF, other key agencies involved in debt management are BSP, National Economic Development Authority (NEDA), and DBM. A number of inter ministerial task forces have been established to deal with issues related to government borrowing. One is the Development Budget Coordinating Council,⁴ which formulates the annual national borrowing program as a component of the national fiscal program. However, coordination among the various agencies involved in DRM often is not effective, and the capacity to develop and execute a comprehensive public sector borrowing strategy is therefore not present. Further serious gaps are (i) the lack of systematic tracking of contingent liabilities arising from guarantees on build-operate-transfer (BOT) and other private sector participation (PSP) projects, unfunded pension liabilities, and fiduciary guarantees issued by government guarantee

⁴ The Development Budget Coordinating Council has representatives from the Department of Budget Management (chair), DOF, BSP, NEDA and Office of the President.

agencies;⁵ (ii) the existence of separate tracking systems for official NG debt and GOCC/GFI debt; and (iii) the lack of mechanisms to produce data on GOCC/GFI debt on a timely basis.

9. Hence, no single agency has overall responsibility for monitoring and analyzing the Government's debt exposure and risk profile. There is a need to institutionalize a DRM framework for the national Government, and to establish a mechanism for formulating and executing the government's DRM strategy. The framework and strategy must be comprehensive and cover NG debt, GOCC/GFI/SSI debt, and the full spectrum of contingent liabilities. To achieve its goals, this framework should include the clarification of data reporting and monitoring responsibilities, creation of an overall risk analysis function in one central location, and establishment of effective, clear and appropriate processes to control the issuance of any new government debt obligations and agreements that create new contingent liabilities. A structure and the capacity for continuous debt risk assessment should be developed to analyze domestic and international economic developments—exchange rates, interest rates, and commodity prices—and incorporating the most current analysis of the full stock of contingent liabilities. Work on GOCC debt and contingent liabilities will build on and be closely coordinated with the efforts of the proposed ADB TA on GOCC Reform,⁶ which aims to improve GOCC financial performance and strengthen NG financial monitoring and oversight over GOCC operations.

III. THE TECHNICAL ASSISTANCE

A. Impact and Outcome

10. DOF has requested ADB TA with improving its DRM function, to establish a process for a more effective monitoring and coordination of DRM activities. The aim of the TA is to support the Government's fiscal consolidation program in the face of large debt obligations and contingent liabilities. The purpose of the TA is to establish an effective, comprehensive DRM institutional process, consistent with international best practices and following the guidelines prepared by the International Monetary Fund.⁷ The process will allow the Government to identify, evaluate, quantify, and provide appropriate budget cover for the NG's debt obligations and risk exposure from contingent liabilities.

B. Methodology and Key Activities

11. The TA will have two components.

1. Analytical Work on DRM Issues

12. This component will include the following tasks:

- (i) Outline of DOF options in determining DRM objectives, and preferred risk tolerance and strategies to manage debt and contingent liabilities in the public sector.
- (ii) Analysis of the current public sector debt profile and trends.

⁵ These include the Home Guaranty Corporation, Trade and Investment Development Corporation, and the Quedan and Rural Credit Guarantee Corporation.

⁶ *Technical Assistance to the Republic of the Philippines for Government-Owned-and-Controlled-Corporations Reform*, Manila, 2005 (proposed, December, 2005).

⁷ IMF and World Bank. 2003. *Guidelines for Public Debt Management—Amended*. Washington, DC (December).

- (iii) Analysis of the profile of all Government contingent liabilities, including those arising from contracts with independent power producers, BOT agreements, and a review of the fiduciary guarantee mechanism provided by the national Government to guarantee institutions.
- (iv) Analysis of current mechanisms for assessing proposals for GOCC and GFI projects that will entail direct or contingent obligations of the Government, and recommendations for improving those mechanisms.
- (v) Review of existing studies of Government pension obligations and projected financial conditions, particularly for the Government Service Insurance System (GSIS) and Social Security System (SSS), and, if necessary preparation of additional analysis and recommendations concerning the incorporation of unfunded pension liabilities in government DRM.

2. Support for a Strengthened DRM Function

13. This component will include the following activities:

- (i) Design of the DRM database, as well as a debt and contingent liability monitoring mechanism.
- (ii) Design of a risk management system to identify, quantify, monitor, and manage government's debt and CL portfolio, including the development of appropriate benchmarks, limits, or indicators. Contingent liabilities tracked by this system are to include guarantees issued to BOT/PSP contracts and guarantees issued to GOCC loans.
- (iii) Capacity development for all core agencies and offices engaged in DRM work, including CAG, IFG, and BTr in DOF, NEDA, and related institutions.
- (iv) Preparation of a report analyzing the current DRM function of the Government, and presenting options for strengthening and restructuring it.
- (v) Support for implementing the new DRM function.

C. Cost and Financing

14. The total cost of the TA is estimated at \$1,030,000 equivalent, comprising \$500,000 in foreign exchange and \$530,000 equivalent in local currency. The Government has requested ADB to provide \$720,000 to finance the entire foreign exchange cost as well as \$220,000 of the local currency cost. The TA will be financed on a grant basis by ADB's TA funding program. The Government will finance local currency costs of \$310,000 equivalent by providing office space, staff support, and other items. The TA cost estimates and financing plan are in Appendix 2.

D. Implementation Arrangements

15. DOF will be the Executing Agency. A steering committee comprising representatives from DOF-CAG, DOF-IFG, DOF-BTr, DOF-BLGF, BSP, and NEDA will be established before the consultants start work, and will meet quarterly to review progress. The Implementing

Agency will be DOF-CAG. DOF will designate an official of at least director rank as the project manager. Monthly meetings to review progress will be held between the DOF project manager, other DOF staff, and the consultants.

16. The TA will be implemented over 12 months, from March 2006 to February 2007. Policy dialogue and consultation will be carried out with public institutions, the private sector, and other aid agencies.

17. The TA will require about 12 person-months of international and 38 person-months of domestic consultants with expertise in government debt and credit management, government-owned enterprise finance, public finance economics, fiscal policy, national government accounting, and public administration law. The TA consultants will be engaged through a firm and recruited in accordance with ADB's *Guidelines on the Use of Consultants*, as amended from time to time, and other arrangements satisfactory to ADB for engaging domestic consultants. In light of the highly specialized nature of many of the assignments, and the importance of formulating the best possible risk management system for a country with as much exposure as the Philippines, quality-based selection of consultants is recommended. The outline terms of reference are attached as Appendix 3. Equipment will be procured in accordance with *ADB's Guidelines for Procurement*.

18. Within 1 month of the consultants' fielding, an inception report will be submitted, presenting initial findings. Within 3 months of fielding, an updated report presenting preliminary findings, a set of options for strengthening DRM work, and an action plan for TA implementation will be submitted to the project steering committee for guidance on options to develop more fully and endorsement of the action plan. A detailed report on options for strengthened DRM will be submitted at the end of month 5. A draft final report will be submitted to the committee and ADB no later than the end of month 13, and the final TA report will be submitted within 2 weeks of the conclusion of the consulting services.

IV. THE PRESIDENT'S DECISION

19. The President, acting under the authority delegated by the Board, has approved the provision of technical assistance not exceeding the equivalent of \$720,000 on a grant basis to the Government of the Philippines for the Debt and Risk Management Project, and hereby reports this action to the Board.

DESIGN AND MONITORING FRAMEWORK

Design Summary	Performance Targets/Indicators	Data Sources/Reporting Mechanisms	Assumptions and Risks
<p>Impact</p> <p>Fiscal consolidation effort supported by sounder management of risk exposure in government debt obligations and in contingent liabilities</p>	<p>Consolidated public sector deficit–GDP ratio</p> <p>Government expenditures on debt servicing, guarantees, and other liabilities are no more than 5% higher than budgeted amounts in any year.</p>	<p>DOF budget reports</p>	
<p>Outcome</p> <p>Improved and more comprehensive Government DRM function, covering national Government debt, GOCC debt, GFI debt, and contingent liabilities</p>	<p>Comprehensive DRM database is functioning.</p> <p>Clear DRM, monitoring, analysis and reporting procedures are established, covering the full range of government debt obligations and contingent liabilities.</p> <p>Regulations and procedures are in place for reporting from all relevant government agencies on all national Government debt and contingent liabilities.</p> <p>Government risk management systems are established.</p>	<p>Staff discussions with DOF</p> <p>Staff discussions with DOF and with GOCCs and other agencies involved in government debt issuance, approval or monitoring</p> <p>Staff discussions with DOF</p> <p>Staff discussions with DOF</p>	<p>Risks</p> <ul style="list-style-type: none"> • Political will to address DRM issues is weakened by political tensions. • Government fails to budget adequate resources for effective DRM. • Unexpected economic shock leads to immediate debt crisis, forcing a reprioritizing of government approach to DRM away from longer term systems and process development and into crisis management.
<p>Outputs</p> <p>1. Analytical studies, including government options regarding risk tolerance and debt management objectives; current profile of debt and contingent liabilities; study of contingent liabilities arising out of BOT and other private sector participation agreements</p> <p>2. A report presenting options for restructuring and strengthening Government's DRM</p>	<p>At least five relevant and helpful studies are submitted to DOF.</p> <p>Report is submitted.</p>	<p>Staff review and discussions with DOF</p> <p>Staff review and discussions with DOF</p>	<p>Assumptions</p> <ul style="list-style-type: none"> • The Government supports improved DRM by ensuring effective reporting lines from offices outside of DOF. • DRM work is adequately resourced to be sustainable and effective.

Design Summary	Performance Targets/Indicators	Data Sources/Reporting Mechanisms	Assumptions and Risks
<p>function.</p> <p>3. Design and creation of DRM debt and contingent liability database</p> <p>4. Proposed DOF risk management systems and procedures</p> <p>5. Staff training plan for staff of all core government agencies involved in DRM</p> <p>6. Training programs for staff of core government DRM agencies</p>	<p>Design is submitted and is a major input into the DRM database that is created with TA support.</p> <p>Risk management systems are developed and submitted to DOF, and are utilized.</p> <p>Plan is submitted and finalized with DOF.</p> <p>Training programs are held and staff have necessary core skills for effective DRM.</p>	<p>Staff review and discussions with DOF</p> <p>Staff review and discussions with DOF</p> <p>Staff review and discussions with DOF</p> <p>Staff review and discussions with DOF</p>	
<p>Activities with Milestones</p> <p>1.1 Inception report (within 1 month)</p> <p>1.2 Updated report with preliminary findings and options for strengthened DRM work , along with TA action plan (within 3 months)</p> <p>1.3 Interim report presenting detailed options for strengthened DRM function and implementation road map (within 5 months)</p> <p>1.4 DRM debt and contingent liability database created (by end of month 10)</p> <p>1.5 DRM staff with necessary training (by conclusion of project)</p>		<p>Inputs</p> <ul style="list-style-type: none"> • ADB—consulting services(12 person-months international and 38 person-months domestic) \$540,000, workshops and seminars \$55,000, equipment and supplies \$25,000, other items and contingency \$100,000 • Government— administrative and support costs including contingencies \$310,000, counterpart contributions including staff time, office space, workshop support, and others 	

ADB=Asian Development Bank; BOT=Build-Operate-Transfer; DOF=Department of Finance; DRM=Debt and Risk Management; GDP=Gross Domestic Product; GFI=Government Financial Institution; GOCC=Government Owned and Controlled Corporation; TA=Technical Assistance

COST ESTIMATES AND FINANCING PLAN
(\$'000)

Item	Foreign Exchange	Local Currency	Total Cost
A. Asian Development Bank (ADB) Financing^a			
1. Consultants			
a. International Consultants			
i. Remuneration and per diem	400.0	0.0	400.0
ii. Travel	20.0	0.0	20.0
b. Domestic Consultants			
i. Remuneration	0.0	145.0	145.0
2. Training, Seminars, and Workshops, Study Tour ^b	25.0	10.0	35.0
3. Equipment ^c	0.0	25.0	25.0
4. Miscellaneous (administration and support cost)	10.0	0.0	10.0
5. Contingencies	45.0	40.0	85.0
Subtotal (A)	500.0	220.0	720.0
B. Government Financing			
1. Office Accommodation and Counterpart Staff	0.0	165.0	165.0
2. Workshops and Seminars	0.0	20.0	20.0
3. Others (utilities, supplies, transport, etc.)	0.0	85.0	85.0
4. Contingency	0.0	40.0	40.0
Subtotal (B)	0.0	310.0	310.0
Total	500.0	530.0	1,030.0

^a Financed by ADB's technical assistance funding program.

^b The study tour will take 10–12 staff of Debt and Risk Management Office (DRMO) and other agencies involved in debt and risk management to a country with relevant experience, for familiarization with current best practices in debt and risk management. It is expected to take place within 3 months of the establishment of the DRMO.

^c Equipment will be computers and printers to become property of the counterpart staff upon completion of the project.

Source: ADB estimates.

OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

1. Consulting services to be provided over 12 months. This will comprise approximately 12 person-months international and 38 person-months domestic inputs. A firm will be contracted for the technical assistance (TA), with a project leader who will report to the Department of Finance (DOF) project manager and Asian Development Bank (ADB) project officer. Key tasks for each team member are outlined below.

2. **Debt and Risk Management (DRM) Team Leader** (international, 9 person-months). The consultant should be an expert in DRM, possibly a current or former government official from a country with a strong debt management function. The tasks are as follows:

- (i) Act as team leader for this TA, overseeing all progress and reporting as required to the DOF project manager and ADB project officer.
- (ii) As team leader, prepare an inception report after 1 month, an update and action plan for TA implementation after 2 months, brief (3-5 page) progress reports every 2 months thereafter, and a final report (10-15 pages) at the conclusion of the project.
- (iii) Assist DOF in determining DRM objectives, preferred risk tolerance and strategies to manage debt and contingent liability expansion, as part of a new and more comprehensive draft DOF DRM strategy. Assistance will take the form of written reports analyzing current trends and presenting recommendations based on international best practices, and workshops.
- (iv) Lead the development of a strengthened risk management system, present it to the project steering committee, and assist with its implementation.
- (v) Lead the development of a strengthened DRM framework, establishing procedures and responsibilities to ensure effective DRM coordination across government agencies and units.
- (vi) Review all relevant studies conducted relative to debt and contingent liabilities of NG;
- (vii) Analyze the current public sector debt and contingent liabilities profile and trends;
- (viii) Analyze the profile of all Government contingent liabilities, including those arising from contracts with independent power producers, build-operate-transfer (BOT) agreements, and a review of the fiduciary guarantee mechanism provided by the national Government to guarantee institutions.
- (ix) Analyze current mechanisms for assessing project proposals for government-owned and -controlled corporation (GOCC) and government financial institution (GFI) that will entail direct or contingent obligations of the Government, and recommend improvements of those mechanisms.
- (x) Review existing studies of Government pension obligations and projected financial conditions, particularly for the Government Service Insurance System

(GSIS) and Social Security System (SSS), and, if necessary prepare additional analysis and recommendations concerning the incorporation of unfunded pension liabilities in government DRM.

- (xi) Oversee the development of a policy recommendation presenting options for restructuring and improving the government DRM function.
- (xii) Provide inputs regarding the functions, requirements, and international practice of DRM functions, to assist in developing options for strengthening and restructuring the DRM function and in designing training for staff.
- (xiii) Provide inputs regarding the data requirements and analytical functions of DRM offices, to assist in creating the new debt database.
- (xiv) If a decision is taken to establish a new DRM unit or agency, organize a study tour to a suitable country for familiarization with the most current practices in DRM.
- (xv) Provide training to Government staff as requested based on the training needs assessment that the project will conduct.

3. **Short-Term Experts on Specific DRM topics** (international, 3 person-months). The experts will be experienced in undertaking short-term assignments on important technical topics such as contingent liabilities that may arise in the work.

4. **DRM Expert on National Government and Government Financial Institution Debt** (domestic, 10 person-months). The expert will be experienced in national Government debt and risk analysis and monitoring, with previous work in or supporting government DRM functions, to perform tasks 2(iii), 2(iv), 2(v), 2(vii), 2(viii), 2(ix), while focusing on issues relating to national Government debt, GFI debt, and fiduciary guarantees provided by the national Government to guarantee institutions.

5. **DRM Expert on GOCC debt and contingent liabilities** (domestic, 10 person-months). The expert will be experienced in risk analysis and monitoring of government contingent liabilities and guarantees, to perform tasks 2(iii), 2(iv), 2(v), 2(vii), 2(viii), 2(ix), while focusing on issues relating to contingent liabilities arising out of BOT and other PSP agreements.

6. **Short-term Experts on Specific DRM Issues** (as needed, total of 6 person-months). The experts will undertake short-term assignments on technical topics as they arise.

7. **Legal Advisor** (domestic, 3 person-months). The advisor should be experienced in managing legal and other procedural aspects of establishing and restructuring government units. Specific knowledge of fiscal agency functions will be a plus. The tasks are as follows:

- (i) Prepare a review of the current structure and roles of agencies in charge of DRM, and the legal basis for their performance of those functions.
- (ii) If agreement is reached on the structure of a new DRM function, develop the new legal framework for it and draft necessary administrative orders needed to establish it.

8. **Information Technology Expert** (domestic, 5 person-months). The expert should be experienced in all aspects of designing and creating financial databases that allow easy manipulation and analysis by end users and are easily maintained. The expert will design a DRM debt database combining national Government, GOCC and GFI debt, including the following tasks:

- (i) Identify the data needs for comprehensive debt reporting from GOCCs and GFIs.
- (ii) As necessary, provide assistance in drafting administrative orders to implement those procedures.
- (iii) Design the hardware and software needed for the database.

9. **Organizations/HR expert** (domestic, 4 person-months). The expert should be experienced in the organizational and human resources aspects of establishing and restructuring government units, including assessing training needs. Specific knowledge of fiscal agency functions will be a plus. The expert will undertake the following tasks:

- (i) Provide inputs into the development of options for creating a new governance structure for public debt management, including coordination and reporting mechanisms among the various agencies involved.
- (ii) Assess the training needs for government staff engaged in DRM work.
- (iii) Organize and oversee implementation of the training plan.