STANDARD SUMMARY PROJECT FICHE

PROJECT NUMBER HU0007-01

1. Basic Information
1.1 Désirée Number: 

1.2 Title: Nation-wide Data Processing System for the Organisation of Public Prosecutions (hereinafter OPP) of the Republic of Hungary

1.3 Sector: Justice and Home Affairs

1.4 Location: Hungary - Budapest and OPP offices throughout the country

2. Objectives

2.1 Wider Objective:
Effective administration of the Acquis in the fields of justice and home affairs and judicial co-operation.

2.2 Immediate Objective:
The OPP performing its functions as prescribed by law as well as by relevant international instruments, especially in the fields of combating organised crime and corruption, and judicial co-operation.

2.3 Accession Partnership and NPAA priorities
The short and medium term priorities concerning the OPP are laid down in chapters 3.1 and 3.2 of the Accession Partnership. The include the following:

- improve data and telecommunication infrastructure to enable full participation in the Schengen Information System;
- fight against organised crime;
- strengthen capacities to deal with money laundering.

The NPAA contains the relevant priorities in Part A sections III.7.3 (combating organised crime) and III.7.4 (judicial co-operation), and in Part B chapter II (judicial capacity).

2.4 Contribution to National Development Plan – Not applicable

2.5 Cross Border Impact - Not applicable

3. Description

3.1 Background and Justification
The OPP is a centralised judicial organ subordinated to the Parliament through the person of the Prosecutor General. The Ministry of Justice has no powers to influence the OPP's activities either functionally, or administratively. The OPP is independent of the Judiciary as well. The Judiciary is an independent branch, having the Office of the National Council of Justice, in lieu of the Ministry of Justice, to carry out administrative tasks.

The new Act on Criminal Procedure assigns to the OPP the task of managing all phases of criminal proceedings, from investigation through trial and beyond. However, the OPP has
considerable powers even under the current system. Hungarian prosecutors play a central role in the whole criminal process as a supervising authority over all police, customs and tax investigations, and as an important figure in the administration of justice. They decide whether to prosecute or not, act before the courts, and supervise the execution of sentences. In addition, the OPP as a centralised judicial authority has exclusive competence in mutual assistance matters until the case is brought before the court. Consequently, its role in judicial co-operation is of decisive importance.

To fulfil these functions, the OPP requires hardware, software and communication facilities covering 134 prosecution offices (units). Data processing and communication systems must be installed that will have to encompass links to other relevant systems both national and international. National databases (population, land, company registers and criminal records and other criminal databases) will have to be approachable on-line.

The system will include software that operates the register of criminal offenders involved in any criminal process. The software has been developed by the OPP. It provides a new database, creating a powerful tool in combating organised crime.

3.2 Linked Activities

The capacity for a link-up with international law enforcement and judicial task systems, especially with those of the EU and its Member States is of special importance. The link-up was agreed as a requirement in the Action Plan in the Fight against Organised Crime of 21 April 1997.

The project is in line with the recommendations submitted by Member States experts after their 1st mission in Hungary in June 1997. The project resulted from the recommendations of the report in which it was identified as a priority.

The project is related to Phare projects HU97IB/JH02 (HU9703-02-02-01 and HU9703-02-01-04) and HU98-05-01:

- The first concerns legal and language training. A French twinning partner (ENM) will carry out the legal training of about 450 prosecutors between February and December 2000. The language training started in January 2000 and will be completed by the end of 2000. Since the 1997 project and the present IT project relate to totally different fields, overlapping is excluded.

- Phare project HU98-05-01 concerns the Strengthening of the Border Management System. It mentions prosecutors as prospective joint users with the Border Guards. Yet neither hardware, nor software or other system elements are to be provided for the OPP.

The project is an integral part of the overall Hungarian IT strategy, which calls for autonomous but compatible and mutually accessible IT systems. The OPP's strategic plan has been elaborated with due regard for these requirements. Compatibility will be ensured, in particular, with the data processing system of the courts (JUSTICIA.NET) and the systems of the Border Guard and the Customs and Finance Guard that are Phare supported under the 1998 and 2000 programmes.
3.3 Results

- A nation-wide IT network system for the OPP will be supplied and installed and will be fully operational.
- About 1,300 prosecutors will be trained in operating the system.

3.4 Activities

The project will include the designing, installing and operating of an IT system which will be compatible with those of the EU, its Member States, all Hungarian law enforcement bodies and the Hungarian courts. The Informatics Department of the General Prosecutor’s Office will commission the detailed systems analysis by issuing a limited tender, to be borne by its own budget.

The planned solution should be put in the wider environment of nation-wide networking, based on a new system organisation concept, which will ensure the compatibility with national and international networks. Configuration management will increase the ability of the OPP to add or remove locations. Data will have to be protected from failures and catastrophes and from unauthorised access. The system will be designed and developed as integrated distributed system suitable to the needs of the OPP both now and well into the future. Experts in informatics from the area of law enforcement, prosecution and judicial activities will be invited to technically assist in the preparation and implementation of the programme. The complete system plan and tender documents will be available at the time of signing the Financing Memorandum.

The system will be acquired in one tendering and contracting operations involving the purchase of hardware, software, communications, and operator training. The enduser training for 1,300 prosecutors will be funded Hungarian national sources.

4. Institutional Framework

The nation-wide structure of the OPP provides the institutional framework of the project. At a number of points, there will be institutional and technical links to the IT systems of the courts and of investigating authorities such as the Police, Border Guard, Customs and Finance Guard, and the Tax Authority Police. These connections will concern only data transmission. The OPP will not receive any hardware from other institutions.

The Office of the Prosecutor General through its Informatics Department will be responsible for the technical management of the project. The Organisation of Public Prosecutions will be the owner of the system after the completion of the project.

5. Detailed Budget

<table>
<thead>
<tr>
<th>Component</th>
<th>Phare Support</th>
<th>National Co-financing*</th>
<th>IFI</th>
<th>TOTAL : MEUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT System</td>
<td>Investment Support 2.5</td>
<td>Institution Building 2.5</td>
<td>2.5</td>
<td>5.0</td>
</tr>
<tr>
<td>Enduser Training</td>
<td></td>
<td></td>
<td>0.8</td>
<td>0.8</td>
</tr>
</tbody>
</table>
The IT system budget of 5.0 MEURO and the training budget of 0.8 MEURO will cover the basic requirements of the OPP. An indicative equipment list and the related cost calculations for the IT system are presented in Annex 4.

6. Implementation Arrangements

The programme will be implemented under the supervision of the Department of International, European, and Administrative Affairs of the Office of the Prosecutor General. The responsible senior programme officer of the project is the Director General of International, European, and Administrative Affairs. The CFCU will be responsible for the overall administrative and financial management of the project.

Data processing and communication equipment and the related software will be acquired in one tendering and contracting operation following the DIS. The local contribution shall be utilised in line with the rules of national public procurement law.

6.1 Implementing Agency

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Fax: (36-1) 327-5972
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SPO: Dr Ilona LÉVAI Director General, Secretariat, Office of the Prosecutor General
Address: Markó utca 16. 1372 Budapest
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Fax: (36-1) 269-2662
PO.Box 438 e-mail: ilona.levai@lugy.x400gw.itb.hu

6.2 Twinning - Not applicable

6.3 Non-standard Aspects - The DIS Manual will be strictly followed for the IT component of the system that is co-funded by Phare. The exclusively locally funded training component shall be utilised in line with the rules of national public procurement law.

6.4 Contracts

Supply and installation of an IT system including operator training in one contracting operation with an expected value of 5.0 million Euro. In addition, one locally funded training contract in line with the rules of national public procurement law.

7. Implementation Schedule

<table>
<thead>
<tr>
<th>Component</th>
<th>Start of Tendering</th>
<th>Start of Project Activity</th>
<th>Project Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT System/Training</td>
<td>October 2000</td>
<td>April 2001</td>
<td>December 2002</td>
</tr>
</tbody>
</table>

8. Equal Opportunity
OPP is an equal opportunity employer. Equal participation of men and women in training and operating activities will be assured consistent with the gender distribution at district, county and local prosecutors’ offices.

9. Environment – The project has no negative environmental effect

10. Rates of Return – Not applicable

11. Investment Criteria

11.1 Catalytic Effect
The Phare contribution will act as a catalyst for priority Accession-driven actions in the fight against crime. The IT network provides the background for the OPP to perform its tasks more efficiently. Without Phare support, the actions would take place much later.

11.2 Cofinancing
Local co-funding will cover more than half the project cost.

11.3 Additionality
The Phare intervention does not displace other financiers.

11.4 Project Readiness and Size
All preparatory work has been completed. The equipment tender can be launched after the endorsement of the systems specification to be prepared by the OPP from its own resources. The size of the project exceeds the minimum size required by Phare.

11.5 Sustainability
Relevant policies of the OPP ensure that the achievements will facilitate the efficient work complying with the European Union norms and standards after accession as well. Future maintenance and operating costs are applied for from the state budget where the OPP is a separate heading.

11.6 Compliance with state aids provisions
Investments will respect the state aids provisions of the Europe Agreement should these be applicable to the project.

11.7 Contribution to National Development Plan
Not applicable

12. Conditionality and Sequencing
Phare support will be conditional upon the implementation of the twinning project HU 98 JH 01 and upon the provision of co-financing from Hungarian sources.
ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule
4. Reference to feasibility studies.
### LOGFRAME PLANNING MATRIX FOR PROGRAMME

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Name</th>
<th>Total Budget</th>
<th>PHARE Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>HU007-01</td>
<td>Nation-wide Data Processing System for the Organisation of Public Prosecutions</td>
<td>5.8 MEURO</td>
<td>2.5 MEURO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contracting period expires</th>
<th>Disbursement period expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>30/09/2002</td>
<td>30/09/2003</td>
</tr>
</tbody>
</table>

#### Wider Objective
- **Indicators of Achievement**: Fulfilment of the law enforcement requirements and judicial tasks as identified in the National Programme for the Adaptation of the Acquis.
- **Assumptions and Risks**:
  - Government reports and screening
  - Government Annual review of the National Programme.
  - Commission reports on Hungary’s Progress towards Accession.

#### Immediate Objectives
- **Indicators of Achievement**: Investigation and judicial authority performance of the Organisation of Public Prosecutions equal to, or better than in comparable Member States.
- **Assumptions and Risks**:
  - Performance reports of the Organisation of Public Prosecutions
  - National crime statistics
  - Continued commitment to achieving the Acquis in the area of justice and home affairs
  - Appropriate staffing and staff development schemes for justice and home affairs institutions
  - Appropriate funding of investment and operations of justice and home affairs institutions

#### Outputs
- **Indicators of Achievement**: All services and supplies delivered at the right time and the contracted quality, as planned. 1,300 prosecutors trained in using the system.
- **Assumptions and Risks**:
  - Handing-over notes
  - Progress and completion reports of the Organisation of Public Prosecutions
  - Appropriate staffing and staff development schemes for the Organisation of Public Prosecutions
  - Appropriate local funding of investment and operations of the Organisation of Public Prosecutions

#### Inputs
- 2.5 Million Euro from the 2000 Phare Programme to match a co-finance contribution of 2.5 Million Euro of the Hungarian Government for the IT system and another local co-financing contribution of 0.8 Million EURO for the required enduser training.
Organisation of Public Prosecutions Project
HU0007-01

Annex 2

## Detailed Implementation Chart

<table>
<thead>
<tr>
<th>Component</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT Project</td>
<td>D D T T T T T</td>
<td>I I I I I I I I I I I I I I I I I</td>
<td>I</td>
<td></td>
</tr>
</tbody>
</table>

- D: Development
- T: Testing
- I: Implementation
## Cumulative Contracting and Disbursement Schedule

(Million Euro)

<table>
<thead>
<tr>
<th></th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>09/00</td>
<td>12/00</td>
<td>03/01</td>
<td>06/01</td>
</tr>
<tr>
<td>Contracting</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Disbursement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.3</td>
</tr>
</tbody>
</table>

NB:  
1. All contracting must be done by 30.09.2002  
2. All disbursements must be done by 30.09.2003
In the course of formulating the project, two technical objectives were set for the OPP’s data processing system that are practically inseparable.

1. Creation of the OPP’s nation-wide telecommunication system
2. Operation of the OPP’s central records, with computer-to-computer access at national level.

The developments necessary for creating the OPP’s nation-wide telecommunication system and for operating its central records cannot make do without one another.

The following criteria must be taken into consideration for creating the conditions necessary for providing the possibility to operate and query the OPP’s central records in a nation-wide network:

- services of the central records have to ensure the demands of all organisational units of prosecution offices throughout the country (as internal organisations [134 sites]);
- the same central records, however, need to ensure that organisations outside of the OPP are able to receive data they are authorised to obtain (external organisations such as the Ministry of Interior, National Police Headquarters, National Customs and Finance Guard Headquarters, Border Guards, etc. and their regional units);
- in order to ensure that the data queried are up to date, it is necessary to enter data in the central records within the shortest period after the general prosecution organisation (local general prosecution office) learns about such data;
- queries - from both internal and external organisations - have to be provided on-line, otherwise the system will lose its fundamental advantages;
- the central records contain personal, confidential and secret data, therefore high-level data protection has to be ensured in both query access (authorisation) and in data transmission (encryption);
- in the case of queries, two important aspects have to be taken into account:
  1. realistic response time, not exceeding some 10 seconds;
  2. the number of simultaneous queries, which may reach a value of between 500 and 1000 in case of full nation-wide installation.

The main criteria described above determine the necessary nation-wide system and the bases for its hardware and software installation.

Other necessary demands of prosecutorial activities also have to be taken into consideration in designing the system.

Such criteria are:

- operation of other prosecutorial applications (criminal law administration, private and public law administration, personnel system, management system, statistical systems, etc.)
- access to the X.400 data transmission system of the Government;
- access to state (external institution) databases and records in the framework of general prosecution activities (e.g. address records, land register, vehicle register, register of persons subject to police proceedings, register of expelled or wanted persons, etc.)
- regulated provision of Internet access (legislation records, company register, EU and NATO legal documents, etc.);
- creation of an electronic mailing system between OPP organisations;
• provision of data, voice and image transmission between OPP organisations;
• comprehensive central, network and system management of the nation-wide system.

In summary of the demands, it is necessary to design the following development modules of information technology that may be separated into basic units but function in a uniform manner:

• creation of an information technology centre suitable for operating central records and managing the nation-wide network (Office of the General Prosecutor, Computer Centre);
• creation of an information technology sub-centre and internal local area network (LAN) at chief prosecution offices (County / Capital / Chief Prosecution Offices, 20 LANs);
• creation of local area networks at local prosecution offices and other sites (City / District / Prosecution Offices - 112 LANs), and the Prosecutor General’s Office and the Computer Centre as individual units (2 LANs);
• setting up a data transmission network between the IT centre and chief prosecution offices;
• building of an access system ensuring data queries from external organisations, together with the necessary hack-proof, authorisation and encryption devices, with a single controlled point of entry/exit in the Computer Centre;
• designing of a protection system ensuring the linking of the prosecution organisation to external open systems (e.g.X.400, Internet), also with a single controlled point of entry/exit in the Computer Centre;
• building of a data transmission network between sub-centres in chief prosecution offices and local prosecution offices.

According to preliminary assessments, the establishment of a complex system of this standard requires an investment cost of around EURO 7-8 million subject to the data transmission band width, while the annual operating cost is about 10-15% of the purchase cost.

Costs include the initial purchase costs of building the nation-wide general prosecution IT network described above, of hardware and software tools, and the lease of data transmission lines.

They also include the data protection systems necessary for ensuring queries by external organisations and linking to external networks.

The minimum requirement - in the framework of a nation-wide network - is to install one PC ensuring communication in each local prosecution office and the construction of a basic configuration at county chief prosecution offices (postponing the construction of the local LAN). In this case the system is already operational but not full-scale, but the initial investment cost may be reduced and scheduled for a longer term.

The OPP is not planning to physically construct the data transmission routes necessary for operating the IT network because it is not profitable to build and operate this route. Therefore we intend to use the data transmission network of a specialised service provider if it is able to ensure a separate virtual private network for closed purposes.

The installation of the complete system may be staged in several phases in terms of space and time, but on-line data entry and on-line data query from a data base always up-to-date may be implemented only after complete installation.

On-line computer-to-computer connection between the OPP’s organisational units and computer-to-computer data transmission for transferring data to and receiving data from external organisations may be ensured only with a completely installed system.
## Expected IT System Costs (Excluding Enduser Training)

<table>
<thead>
<tr>
<th>Component</th>
<th>Cost MEUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Systems Design</td>
<td>0.23</td>
</tr>
<tr>
<td>Installation of Local Area Networks complete with network devices, servers,</td>
<td></td>
</tr>
<tr>
<td>PCs, printers, Software and installation:</td>
<td></td>
</tr>
<tr>
<td>County prosecution offices</td>
<td>1.54</td>
</tr>
<tr>
<td>Local prosecution offices and related sites</td>
<td>1.58</td>
</tr>
<tr>
<td>Office of the Prosecutor General, Computer Centre</td>
<td>0.48</td>
</tr>
<tr>
<td>Wider Area Networks, including routers, firewalls, one-time connection</td>
<td></td>
</tr>
<tr>
<td>costs of data transmission lines, software</td>
<td></td>
</tr>
<tr>
<td>County Prosecution offices</td>
<td>0.26</td>
</tr>
<tr>
<td>Local Prosecution Offices</td>
<td>0.73</td>
</tr>
<tr>
<td>Office of the Prosecutor General, Computer Centre</td>
<td>0.18</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>5.00</strong></td>
</tr>
</tbody>
</table>