1. **Basic Information**
   **Objective 5 - Justice and Home Affairs**
   1.1 **CRIS Number:** 2003.004-341.05.02
   1.2 **Title:** Strengthening the National Capacities of the Lithuanian Prosecution
   1.3 **Sector:** Justice and Home Affairs
   1.4 **Location:** Prosecutor General’s Office of the Republic of Lithuania

2. **Objectives**
   **2.1 Overall Objective:**
   The overall objective of this 3,44 MEUR Phare project, of which 0.77 MEUR is national co-financing, by implementing twining and investment component, is to strengthen the efficiency of operation of the Lithuanian Prosecution in the process of administration of justice and safeguarding of lawfulness.

   **2.2 Project Purpose:**
   The project will have the following purposes:
   - to increase efficiency of criminal prosecution and defence of lawful personal, State and public interests and rights
   - to facilitate due implementation of the new legal framework in the area of prosecution following practise in the EU Member States
   - to strengthen the administrative/managing system of the Prosecutor’s Office
   - to reinforce prosecutors’ training system
   - to establish prosecutor offices’ network and make IS/IT fully operational

   **2.3 Accession Partnership and NPAA priority**
   In this area, the Accession Partnership 2001 foresees the priorities and objectives listed below:
   - Complete judicial reform
   - Ensure due implementation of the new Code of Criminal Procedures as well as that of the Criminal Code
   - Strengthen co-operation among all bodies (including judiciary) in the fight against organised crime
   - Strengthen the fight against fraud

   The *Action plan for reinforcing Lithuania's administrative and judicial capacity* also express the importance to “adopt the new Code of Criminal Procedures and ensure its due implementation as well as that of the Criminal Code; continue training of specialised judges and prosecutors including in *Acquis* related matters” (under Priority 2 of “Political criteria” part, 1.1. Democracy and the Rule of Law).

   The *NPAA 2002* specifies the following priorities concerning the role of the public prosecution in the area of democracy and the rule of law:
• Strengthening of the law enforcement institutions and of the judiciary is a long-term priority;
• In-service training of the staff of legal institutions;
• Democratisation of administering the system of the prosecutor’s office; better legal regulation of its activities, greater efficiency in performing its functions.

2002 Regular Report on Lithuania’s progress toward accession reads: “The Prosecutor’s Office needs to be further reinforced through the rapid adoption and effective implementation of relevant new legislation. In this respect, it should be ensured that the planned reorganisation of the Prosecutor’s Office further strengthens the independence and professionalism of prosecutors. Further improvements still have to be made to ensure adequate working conditions and upgrade equipment”. This Regular Report underlines the need to improve the professional capacity of prosecutors.

3. Description

3.1 Background and justification

The Prosecutor’s Office of the Republic of Lithuania, as the aggregate of prosecutors, is an independent component of the judiciary, which assists in the administration of justice and seeks to ensure legitimacy. The existing legal status of the Prosecutor’s Office should be evaluated according to the reform of the national legal system.

In the Regular Report 2002, the Commission stated that due attention should be given to ensuring proper implementation of the new legislation. The preparation for due implementation of the new Code of Criminal Procedure and the new Criminal Code is recognised as a priority of the Prosecutor’s Office activities and was approved by the Resolution No. IX-909, 2002 of the Seimas (Parliament) of the Republic of Lithuania.

At present the Prosecutor’s Office gear up efforts for the due implementation of new Code of Criminal Procedure (adopted on 14 March 2002), the new Criminal Code (adopted on 26 September 2000) and the new Penitentiary Code (adopted on 27 June 2002). These new laws will enter into force in 2003.

According to the new Code of Criminal Procedure, the major function of a prosecutor is the implementation of criminal prosecution, i.e. the organisation, co-ordination and control of pre-trial investigation, and the pursuit of a public charge in criminal cases. Under these particular circumstances, the Prosecutor’s Office of Lithuania (prosecutors) is given a wide range of powers related to the most urgent issues of the sector “Justice and Home affairs” (organised crime and corruption; protection of financial interests and money laundering; illicit migration, drugs, human trafficking, etc.). The Prosecutor’s Office (prosecutors) also carry out other functions: executes and controls the execution of requests for legal assistance in the criminal matters; co-ordinates the activities of the law enforcement institutions against crime; according to the law defends personal, national and public rights and interests during the investigation and in court, etc.

New recommendations and regulations (on allocation of investigation of criminal activity among pre-trial institutions; on the order of control over pre-trial investigation terms; on termination of pre-trial investigation under the Article 213 of the new Code of Criminal Procedure; recommendations on drawing reports upon completion of pre-trial investigation (Article 218 of the new Code of Criminal Procedure); on drawing the bills of indictment, completion of the process under the criminal order, completion of the process under the accelerated process; on application of provisions of the Articles 169 and 171 of the new Code of Criminal Procedure, etc.) for the due implementation of new legal framework are to be about completed in the Prosecutor’s Office (by 3 December 2002 these acts should be
presented to the Prosecutor General for the approval). Progress is achieved on new legislation on the Prosecutor’s Office and on a new Statute of Service at the Prosecutor’s Office. Monitoring the managing/administrative system and functions of prosecutors (taking into account the new legal framework also) is underway. To pursue a scheme approximately 130 prosecutors by the end of this year will participate in specialized trainings on the new Criminal Code and the new Code of Criminal Procedure. These arrangements should ensure a steady rhythm of work in the first stage of new legal framework.

Hereby current efforts of the Prosecutor’s Office are directed to main objective to strengthen administrative capacities, which would have direct impact to the quality of prosecution, also to pre-trial and court proceedings. Present and short-term perspectives in the area of criminal law imply that a large-scale of proceedings should be performed within a period of several years after the new laws comes into effect. In this regard the Project is timely and important.

The Regular Report 2002 underlines the need to improve the professional capacity of prosecutors, especially those newly appointed, in particular as regards operational procedures and complex investigations, as well as in the area of Acquis. This is fundamental to guaranteeing the quality of legal proceedings and the respect of procedural rights as well as of professional ethics. One of the preferable ways for solution of this matter is reinforcement of prosecutors’ training system by use of the EU best practice in this field.

The Prosecutor General’s Office (PGO) is responsible for the training of prosecutors. The planned activity of the Prosecutor General’s Office for 2003 is final formulation of Prosecutors’ Training strategy /by 2006/. The main objective of the Strategy is to strengthen professionalism of prosecutors by continuous training including Acquis related matters. Training strategy will be based on long-term programmes (2-3 weeks courses) divided into local (due implementation on the new Codes) and external (Acquis-related matters) parts. At present the draft Regulation on Vocational Training of Lithuanian Prosecutors is also being prepared in PGO.

The training of prosecutors is being developed by the Training Division of Prosecutor General’s Office which is fully functional and suitable for prosecutors training sessions foreseen to be implemented in the project. Training Division consists of five prosecutors and a referent and, if needed, it may be expanded for the implementation of the Prosecutor’s Training Strategy after its passing by the Prosecutor General. It is planned to strengthen training of own trainers, and thus reinforce the training of all prosecutors. In this particular area Twining input is necessary.

At present prosecutors training is based on organising training seminars on different subjects of law. In 2001, 44 seminars and conferences were conducted by Training Division, training 420 prosecutors. During 9 months of 2002, 48 seminars on various legal subjects were conducted, training 398 prosecutors. Meanwhile, in 2000 only 145 prosecutors took part in above mentioned events. The training work has been organised in co-operation with various local (Lithuanian centre of human rights, Ministry of Justice, etc.) and foreign (TAIEX, CEELI, etc.) institutions.

As regards training on the new legal framework approximately 130 prosecutors from all Lithuania by the end of this year will participate in specialized trainings on the new Criminal Code and the new Code of Criminal Procedure.

According to the Regular Report 2002, further improvements in the Prosecutor’s Office still have to be made to ensure adequate working conditions and upgrade equipment. The Prosecutor’s Office in the process of its work faces several problems, which could increase in the conditions of new legal framework. The main problems are: computerisation of prosecutor’s offices. Currently, there are 400 computerised work places for 871 prosecutors and 601 employees in the Prosecutor’s Office. A large proportion of the equipment is obsolete,
impacting the quality of work, particularly in the performance of prosecutors’ direct duties. This situation has gradually improved by purchasing more modern equipment every year using national resources for that purpose. The draft of the Investment Plan on implementation of the new Criminal Code, new Code of Criminal Procedure, new Penitentiary Code and computerisation of the Prosecutor’s Office for 2003-2004 is prepared in PGO. According to this investment plan the computerisation of the prosecutors offices should be strengthened from 2003. Another problem is absence of common network of prosecutor offices. Some progress has been made in forming the internal networks at the Prosecutor General’s Office and 5 county prosecutor’s offices (Vilnius, Kaunas, Klaipeda, Panevezys and Siauliai). However, these networks do not provide a possibility to integrate the telecommunication and computer systems. The gradual change of these networks by integrating the prosecutors offices of regions and cities is foreseen. The common networks of the prosecutor offices would provide a possibility to strengthen both internal and external collaboration. This would reduce the current data vacuum and increase the data access. Developing the prosecution databases. At present some work using internal recourses is done in developing the databases on criminal cases and personnel management. However, its expansion/development is foreseen. Lack of information in the application of new criminal legislation may deeply influence the process quality and efficiency. Therefore additional attention should be drawn to the future needs’ evaluation.

These problems could be solved or reduced by establishment of prosecutors offices’ network and making IS/IT fully operational (see Annex 4). In the second quarter 2002 the Guidelines on Further Development of IS/IT in the Prosecutor’s Office were prepared and approved by the Deputy Prosecutor General. These Guidelines provide for introduction of common network and prosecution databases enhancement, also relevant training.

The proposed project with the major investment element, including the relevant training, is timely and relevant and will properly support further development of the Prosecutor’s Office. Fast and proper implementation of this project would ensure necessary measures for a better work of the Prosecutor’s Office and would have impact on the efficiency of criminal proceedings.

During the preparation of the project the civil society was not consulted, whereas the project is connected with further implementation of the legal framework in the area prosecution.

3.2 Linked activities

- Phare project no. LT 01.07.02 Strengthening the Capacity of Lithuania’s Judiciary, which is underway, connected only to training of prosecutors in the area of judicial co-operation in criminal matters (extradition, mutual legal assistance, transfer of sentenced persons, transfer of proceedings, etc.). PGO will assist the Ministry of Justice (as the Lithuanian Twining partner) in organizing seminars for prosecutors.

- Horizontal Phare programme no. ZZ 99 10.02.01 on Developing Judicial Co-operation in Criminal matters in Estonia, Latvia and Lithuania, which assisted the Baltic States in formulating National Action Plans (NAP) and in international judicial co-operation concerning criminal matters.

- Juvenile Justice programme 1999 - 2002 (LIT/99/005; component no. 3), which is provided under United Nations Development Programme. The concrete objectives of this Component are to specialise prosecutors in juvenile cases and form special divisions within the General Prosecutor's Office and, if expedient, in District Offices (in total for 85 specialized prosecutors), as well as to prepare and deliver specialised training methodology.

- Phare project no. LI9913.02 Review and implementation of the national anti-corruption programme, the preparation and implementation of sector anti-corruption strategies and action plans, which is co-ordinated by Special Investigation Service (specialized body to
fight against corruption). 2 prosecutors participated in foreign language courses and 5 prosecutors participated in seminar on organized crime.

In the framework of the 2001 agreement between the Lithuanian Prosecutor’s General Office and the Swedish Prosecutor General’s Office (the financial party has been Swedish International Development Co-operation Agency (Sida) 3 seminars for prosecutors were organised on economic crime investigation, organised crime, training. In 2001, 8 prosecutors have conducted study trip to Swedish prosecution services.

From 2001 PGO participates in the project on professional training of prosecutors in co-operation with the German Foundation for International Legal Co-operation. This project focused on criminal procedure law in Germany, 2 seminars were held on pre–trial investigation with the participation of 160 prosecutors from all prosecutor’s offices.

3.3 Results
Strengthened capacities of the Lithuanian Prosecution:
• Assessment of the new legal framework in the area of prosecution following practise in Member States conducted and recommendations on necessary amendments (and its implementation) prepared;
• Proposals on strengthening of the administrative/managing system of the Prosecutor’s Office prepared;
• Recommendations and guidelines on efficient prosecutors’ training system prepared and relevant training provided, training of trainers conducted;
• Prosecutors’ network established, IS/IT fully operational, adequate training on IS/IT delivered.

3.4 Activities
The project will be carried out with the help of one Twining Arrangement, one Service Contract, and one Supply Tender.

3.4.1. Twinning and Training Package
All Twinning activities shall be implemented in close co-operation between the Twining partners.

Scope of Twinning
A 1,5–year PAA providing a general project management support and advice concerning requirements for the reinforcement of administrative/managing system of the Prosecutor’s Office and prosecutor’s training system, also on implementation of new legal framework in the area of prosecution.

Required inputs:
• Experience in project management;
• Strong administrative and communication skills;
• Good knowledge of administrative/managing systems of the prosecution services in EU Member States;
• Experience of working with the practical administration and implementation of the Acquis in the area of criminal law;
• Experience of working in area of implementation of new legal framework;
• Fluency in English (written and spoken).
Short - term experts (16 p/m)*

**Required inputs (overall):**
- Strong administrative and communication skills;
- Good knowledge of the prosecution services in EU Member States;
- Fluency in English (written and spoken).

**Further implementation of the new legal framework in the area of prosecution (3 p/m)**
- Convey the EU best practice in this field and prepare recommendations on making appropriate transpositions;
- Assess new legislation on the Prosecutor’s Office and on a new statute of service for the Office assisting prosecutors to get on with their new responsibilities;
- Assess new legal framework (according to the new Code of Criminal Procedure, the new Criminal Code and the new Penitentiary Code), particularly on assisting prosecutors to understand and then take on their new responsibilities with regard to effective inter-institutional and inter-agency co-operation (pre-trial institutions, courts, etc.):
  - **pre-trial stage**
    a/ structure of relations between prosecutor’s offices (prosecutors) and pre-trial investigation bodies (investigators);
    b/ structure of relations between prosecutor’s offices (prosecutors) and courts;
    c/ co-ordination of actions of prosecutor’s offices, also actions with other pre-trial bodies (police);
    d/ prosecution of particular crimes (organised crime and corruption; protection of financial interests and money laundering; illicit migration, drugs, human trafficking, etc.)
    e) use of information (local data bases, external sources, etc.);
    f) guarantees of fundamental rights during pre-trial stage (practice);
    g) relations with EU institutions (structures) and other Member States law enforcement institutions which are involved in sector Justice and home affairs.
  - **Execution in the court**
    a/ structure of execution;
    b/ use of information (local data bases, external sources, etc.);
    c/ co-operation with other law enforcement bodies which are involved in this particular area.
- Assess new internal acts of the Prosecutor’s Office (as noted in justification) for the implementation of new legal framework;
- Prepare recommendations on further strengthening of new legal framework in the area of prosecution, particularly on effective inter-agency co-operation (pre-trial institutions, police, courts, etc.).

**Strengthening the administrative/managing system of the Prosecutor’s Office (3 p/m)**
- Convey the EU best practice in this field, particularly in exchanging in information and internal co-operation, and prepare recommendations on making appropriate transpositions;
- Assess the actual administrative/managing system of the Prosecutor’s Office, particularly:
  - a/ administrative structure of PGO and territorial offices;
  - b/ internal relations between structures in the Prosecutor’s Office;
  - c/ structure of relations between prosecutors and other staff;

* Number of STE’s input required might vary depending on consultations with Twining partner. The exact number will be defined while drafting the Twining Covenant
d/ external relations of the Prosecutor’s Office with other law enforcement institutions.
- Prepare guidelines on further strengthening of the administrative/managing system of the Prosecutor’s Office, particularly on how the supervision and support to local prosecutors is implemented;
- Prepare recommendations on monitoring of the Prosecutor’s Office activities.

**Required inputs (additional):**
- Good knowledge in operation of administrative/managing systems of prosecution in his/her own country;
- Previous work in prosecution area.

**Reinforcement of the prosecutors’ training system (3 p/m)**
- Assist in establishment of a comprehensive prosecutors’ training scheme;
- Assess the Prosecutors’ Training Strategy, Regulations on Vocational Training of Prosecutors and other related internal acts, prepare recommendations on update/development of a comprehensive training strategy; prepare guidelines on the implementation of these documents;
- Indicate and analyse additional prosecutors’ training needs, prepare necessary training programmes;
- Prepare proposals and guidelines for further strengthening of the Prosecutors’ Training system;
- Assist in formulation of training programmes for prosecutors concerning 1/ EU law in general; 2/ Acquis on crime related subjects:
  a/ organized crime and corruption;
  b/ financial crimes and fraud;
  c/ crimes against intellectual property, cyber crimes, etc;
  d/ international co-operation in criminal matters;
  e/ juvenile crime.
- Train approximately 5 trainers (prosecutors from PGO Training Division) according to formulated training programmes for prosecutors concerning 1/ EU law in general; 2/ Acquis on crime related subjects;
- Assist to PGO Training Division in opening stage carrying out the trainings (for approximately 200 prosecutors) concerning 1/ EU law in general; 2/ Acquis on crime related subjects, including advising on organisational and procedural issues.

**Required inputs (additional):**
- Excellent knowledge of the existing prosecutors’ training system in his/her own country;
- Practical experience in preparation and implementation of training programmes and schemes;
- Experience of training in acquis and EU criminal law related subjects.

**IS/IT support (6 p/m)**
- Convey the EU best practice in this field;
- Prepare recommendations on the basis of the 2002 Guidelines on Further Development of IS/IT in the Prosecutor’s Office and the existing situation analysis on IS/IT in the Prosecutor’s Office;
- Assist in development of prosecution data base, establishment of prosecutor offices’ network and making IS/IT operational;
- Assist in further development of the Prosecutor’s Office web site;
• Assist in preparation of needs analysis to the Investment Component of the Project, which will serve for the elaboration of the detailed technical specifications and the terms of reference of the tender documents;
• Assist in preparation of tender documents including terms of reference and technical specifications for the investment component of the project (Service and Supply tenders)

**Required inputs (additional):**
• At least 5 years of working experience in the field of IS/IT;
• Experience in solving co-ordination and co-operation issues;
• Experience in systems analyse in the field of criminal law;
• Good knowledge of international requirements in the field of IS/IT security;
• Working experience in developing judiciary/prosecution/law enforcement IS/IT would be an advantage.

**Operating environment of the twining**
The Management Control and Analysis Division of PGO will be counterpart for the Twining project. To ensure smooth operations, it will provide office accommodation and usual office equipment to the project. It will also contribute to covering the expenses of seminars in Lithuania and of local travel costs.

**3.4.2. Investment Component**
The Prosecutors Office will require technical assistance for establishment of prosecutor offices’ network and making IS/IT operational

**Services**

A Company will be contracted to execute the following tasks:

**a/ Further development of current prosecution data bases**
• Data base on Criminal cases (further development to system on crimes):
  - Registration information about pre-trial stage:
    - a/ course of pre-trial investigation (commence, refusal to commence, suspension, terms, termination, transfer to the court);
    - b/ Provisional measures (as follows: arrest, house arrest, bail, seizure of documents, injunction to report periodically to the police, and a recognizance , etc.)
    - c/ Other procedural coercive measures (as follows: Temporary Limitation of the Property Rights, Temporary Disqualification/Suspension from the Position or Prohibition to Be Employed in Certain Jobs, Surveillance, etc.).
  • Statistical analysis system of the Prosecutor’s Office;
  • Data base on personnel of the Prosecutor’s Office (further development to system):
    - a/ registration information on staff of the Prosecutors Office (admission, personal file, identification system on staff, etc.);
    - b/ registration information about training and qualification of prosecutors and other staff.
  • Data base on Juvenile Justice (further development to system).

**b/ Design and test of software for the new prosecution data bases**
• Preparation and registration outgoing and incoming Prosecutor’s Office documents (Search on internal legal and administrative acts of the Prosecutor’s Office);
• Registration internal information about criminal proceedings in courts;
• Registration information about execution of judgements and orders;
• Prosecutor’s Office IT/IS security system.

**c/ Design of modules for exchanging information with internal bodies and external institutions**
• Search and exchange internal information with all prosecutor’s offices;
• Search and exchange, retrieval information with pre-trial institutions;
• Search, exchange, retrieval information in the area of judicial co-operation in criminal matters (extradition, mutual legal assistance, transfer of sentenced persons, transfer of proceedings, etc.);
• Search and exchange, retrieval information with courts;
• Search, exchange, retrieval information with relevant state registers, other external institutions.

Installation of software and training on how to work with it
• Installation of the above mentioned software;
• Training of relevant prosecutors on other Prosecutor’s Office staff to work with databases.

Supply
Supply will be based upon an analysis of the present systems and of the technical environment in the Prosecutor’s Office and identified needs. The PGO in co-operation with the twining team will prepare the tenders documents. An indicative list and price indication of equipment needed for fully functioning prosecutor’s network and IS/IT operational is provided as a starting point in Annex 4. When preparing the tenders documents the technologies and equipment available at that moment will be taken into account. Supplier should provide a training program and warranty for equipment.

Supply will cover IS/IT equipment (Servers, PC workstations, WAN (Wide Area Network) and LAN (Local Area Network) and data transferring facilities, DBMS (Data Base Management System) software, IS applications, all relevant software licences and etc.) for users and administrators. Procurement of hardware (servers, backup systems, uninterruptible power supply systems, server operation systems) that is necessary for building prosecutors’ network.

Services and Supply will cover PGO and all territorial prosecutor’s offices.

3.5 Lessons Learned
There were no projects in this particular sphere of criminal prosecution carried out in Lithuania. As noted in article 3.2. the Prosecutor’s Office participated in several projects, however these projects had no direct relation to the objectives of the Project.

4. Institutional Framework
The Project will be co-ordinated by the Prosecutor General’s Office (PGO).

The Project should cover PGO and all territorial prosecutor’s offices. Contact persons from these offices for the implementation of this project will be appointed.

Management Control and Analysis Division of PGO will be responsible for co-ordination of the project implementation. Project implementation will involve day-to-day contacts with relevant subdivisions of PGO and other territorial prosecutor’s offices. Representatives of these structures and Ministry of Justice will participate in the Steering Committee, established by PGO, which will have the overall responsibility for supervision of the Project implementation. The Steering Committee will also include representatives of the EU Delegation and the National Aid Coordinator (Ministry of Finance) as observers.
5. Budget (MEUR)

<table>
<thead>
<tr>
<th>Project Components</th>
<th>Phare Support</th>
<th>National Cofinancing</th>
<th>IFI</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institutio n Building</td>
<td>Total Phare (=I+IB)</td>
<td></td>
</tr>
<tr>
<td>Twinning</td>
<td>-</td>
<td>0,85</td>
<td>0,85</td>
<td>-</td>
</tr>
<tr>
<td>Service (TA)</td>
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<td>0,36</td>
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<tr>
<td>Supplies</td>
<td>1,46</td>
<td>1,46</td>
<td>0,62</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>1,82</td>
<td>0,85</td>
<td>2,67</td>
<td>0,77</td>
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</tbody>
</table>

The PHARE amount is binding as a maximum amount available for the project. The ratio between the PHARE and national amount is also binding and has to be applied to the final contract price. The national co-financing commitment is a tax-excluded net amount.

6. Implementation Arrangements

6.1 Implementing Agency

CFCU will be the implementing agency responsible for tendering, contracting and accounting.

**PAO:** Zilvinas Pajarskas, Director of the CFCU  
Address: J. Tumo Vaizganto 8a/2  
Telephone: + 370 5 212 66 21  
Fax: + 370 5 212 53 35  
E-mail: Info@cfcu.lt

**SPO:** Gintaras Jasaitis, Deputy Prosecutor General  
Address: A. Smetonos 4  
Telephone: + 370 5 266 23 04  
Fax: + 370 5 266 23 17  
E-mail: jasaitg@lrgp.lt

6.2 Twinning

The counterpart of the PAA will be Mr. Virginijus Sabutis, Prosecutor General’s Office, Management Control and Analysis Division, Deputy Chief Prosecutor, Tel: +370 5 2662 302, Fax: +370 5 2662 317 e-mail: sabutiv@lrgp.lt. Contact person: Mr. Tomas Krusna, Prosecutor General’s Office, Management Control and Analysis Division, Prosecutor Tel: +370 5 2662 404, Fax: +370 5 2662 317, e-mail: krusnat@lrgp.lt.

6.3 Non-standard aspects

There are no non-standard aspects. The Practical Guide for the Implementation of Phare and Twinning Manual will strictly be followed.

6.4 Contracts

There will be 3 tendering operations in this project.
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>Twining</td>
<td>2Q/03</td>
<td>4Q/03</td>
<td>2Q/05</td>
</tr>
<tr>
<td>Services</td>
<td>1Q/04</td>
<td>3Q/04</td>
<td>2Q/05</td>
</tr>
<tr>
<td>Supply</td>
<td>1Q/04/10</td>
<td>3Q/04</td>
<td>1Q/05</td>
</tr>
</tbody>
</table>

8. Equal Opportunity

Equal opportunity principles and practices in ensuring equal gender participation in the project will be guaranteed.

The Constitution of Lithuania, the Law on Equal Opportunity between Men and Women, and other legal acts explicitly forbid the discrimination on the basis of sex, nationality, and religion. A Controller on equal opportunities between men and women is appointed by the Seimas (the Parliament).

The institution involved in the project execution will observe equal opportunity of men and women in its recruitment and human resources development. Vacancies are equally open to both genders. The beneficiary will also ensure equal access of men and women to the project activities and results.

Women and men will have equal access to participate in the project activities (Steering Committee, training, information, etc.) and will have equal access to the new IT&T tools.

9. Environment

The investment component of this project is related to Institutional Building activities.

10. Rates of return

The investment component of this project is related to Institutional Building activities.

11. Investment criteria

The investment component of this project is related to Institutional Building activities.

<table>
<thead>
<tr>
<th>11.1. Catalytic effect:</th>
<th>The project will finance activities that will help the Lithuanian prosecution strengthen administrative capacities in the new legal framework. Without Phare support, this objective could be achieved only much later.</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.2. Co-financing:</td>
<td>Lithuanian government institutions will contribute 30 percent of the cost of the investment component of the project.</td>
</tr>
<tr>
<td>11.3. Additional funds:</td>
<td>No other funding will be displaced by the Phare intervention.</td>
</tr>
<tr>
<td>11.4. Project readiness and size:</td>
<td>The necessary strategic studies have been completed. Preparation for Phare tendering and contracting can commence as soon as tender documents will be prepared.</td>
</tr>
</tbody>
</table>
**11.5. Sustainability:** Relevant government policies ensure sustainability. All beneficiary institutions are in a position to operate the project and the procured equipment effectively in the long run. Funds for the operation will be provided by the central budget.

**11.6. Compliance with state aids provisions:** The investment will respect the state aids provisions of the Europe Agreement.

**11.7. Contribution to National Development Plan:** Not applicable

### 12. Conditionality and sequencing

All Tendering activities can start as outlined in section 7 and detailed in Annex 2.

Sufficient human resources will be made available by PGO and other involved institutions for timely implementation of all planned operations.

The Prosecutor’s Office takes ownership of the training of prosecutors and commits itself to making training a far higher priority in the future.

The Prosecutor’s Office in co-operation with the Twining team will prepare needs analysis to the Investment Component of the Project. In case the selection of Twining partner would take longer then set in the Detailed Implementation Chart for the Project, the Prosecutor’s Office (PGO) undertakes to perform the evaluation of needs analysis itself.

National co-financing 0.77 MEUR (in total) will be available for implementation of the project.
Annexes to project Fiche

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule
4. Specifications of investment
5. Description of situation as regards reforms in institutional framework
## LOGFRAME PLANNING MATRIX FOR

**Project**

### Strengthening the National Capacities of the Lithuanian Prosecution

<table>
<thead>
<tr>
<th>Programme name and number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracting period expires: 2Q/05</td>
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<tr>
<td>Total budget: 3,44 MEUR</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening efficiency of operation of the Lithuanian Prosecution</td>
<td>Lithuanian prosecution operates at the similar level as the best practice in Member States by the end of the project implementation.</td>
<td>Regular Government reports</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Performance Reports of the Prosecutor General’s Office</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>to increase efficiency of criminal prosecution and defence of lawful personal, State and public interests and rights</td>
<td>acceleration of the prosecution proceedings as the best practice in comparable Member States: - criminal prosecution proceedings are carried out in an expedient manner; - information and data accessibility and exchange increased; - inter-institutional and inter-agency co-operation improved (inter-agency co-operation agreements); - professional capacities of prosecutors enhanced (training delivered; manual distributed).</td>
<td>Performance reports of the Prosecutor General’s Office</td>
<td></td>
</tr>
<tr>
<td>to facilitate due implementation of the new legal framework in the area of prosecution following practise in Member States</td>
<td></td>
<td>Statistical data</td>
<td></td>
</tr>
<tr>
<td>to strengthen the administrative/managing system of the Prosecutor’s Office</td>
<td></td>
<td>Project reports</td>
<td></td>
</tr>
<tr>
<td>to reinforce prosecutors’ training system</td>
<td></td>
<td>Continued Governmental commitment to the Accession objectives</td>
<td></td>
</tr>
<tr>
<td>to establish prosecutor offices’ network and make IS/IT fully operational</td>
<td></td>
<td>Trained staff can be retained</td>
<td></td>
</tr>
<tr>
<td>Results</td>
<td>Objectively verifiable indicators</td>
<td>Sources of Verification</td>
<td>Assumptions</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------</td>
<td>-------------------------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| • Assessment of the new legal framework in the area of prosecution following practise in Member States conducted and recommendations on necessary amendments (and its implementation) prepared;  
• Proposals on strengthening of the administrative/managing system of the Prosecutor’s Office prepared;  
• Recommendations and guidelines on efficient prosecutors’ training system prepared and relevant training provided, training of trainers conducted, comprehensive training scheme established;  
• Prosecutors’ network established, IS/IT fully operational, adequate training on IS/IT delivered. | • Documented proposals for further implementation of new legal framework by the end of the project implementation; legal framework amended;  
• Documented proposals for the strengthening of the administrative/managing system of the Prosecutor’s Office  
• The order of the Prosecutor General on passing by the Prosecutors’ Training Strategy  
• Approximately 200 Lithuanian prosecutors trained through the training programme  
• 5 trainers trained concerning 1/EU law in general; 2/ Acquis on crime related subjects  
• Hardware and software received, installed, tested and fully operational, and at the required quality and the time, as planned | • Project reports  
• Equipment delivery documents  
• Laws, regulations adopted;  
• Training Strategy approved by the Prosecutor General  
• Trained staff | • Trained staff can be retained  
• Adequate provision from state budget  
• Effective inter-institutional cooperation |

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
</table>

16
<table>
<thead>
<tr>
<th>I. Further implementation of the new legal framework in the area of prosecution</th>
<th>One Twinning arrangement, including 1 PAA for 1.5 year and a group of STEs (16 p/m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Convey the EU best practice in this field and prepare recommendations on making appropriate transpositions;</td>
<td>One Service contract</td>
</tr>
<tr>
<td>• Assess new legislation on the Prosecutor’s Office and on a new statute of service for the Office assisting prosecutors to get on with their new responsibilities;</td>
<td>One Supply tender</td>
</tr>
<tr>
<td>• Assess new legal framework (according to the new Code of Criminal Procedure, the new Criminal Code and the new Penitentiary Code), particularly on assisting prosecutors to understand and then take on their new responsibilities with regard to effective inter-institutional and inter-agency co-operation (pre-trial institutions, courts, etc.):</td>
<td>Adequate staff recruited</td>
</tr>
<tr>
<td>1/ Pre-trial stage; 2/ Proceedings in the court; 3/ Execution of judgement and order.</td>
<td>Qualified Twinning Partner can be found</td>
</tr>
<tr>
<td>• Assess new internal acts of the Prosecutor’s Office for the implementation of new legal framework;</td>
<td>Successful start and smooth implementation of the project.</td>
</tr>
<tr>
<td>• Prepare recommendations on further strengthening of new legal framework in the area of prosecution, particularly on effective inter-agency co-operation (pre-trial institutions, courts, etc.).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>II. Strengthening the administrative/managing system of the Prosecutor’s Office</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Convey the EU best practice in this field, particularly in exchanging information and internal co-operation, prepare recommendations on the making appropriate transpositions;</td>
<td></td>
</tr>
<tr>
<td>• Assess the actual administrative/managing system of the Prosecutor’s Office;</td>
<td></td>
</tr>
<tr>
<td>• Prepare guidelines on further strengthening of the administrative/managing system of the Prosecutor’s Office, particularly on how the supervision and support to local prosecutors is implemented;</td>
<td></td>
</tr>
<tr>
<td>• Prepare recommendations on monitoring of the Prosecutor’s Office activities.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>III. Reinforcement of the prosecutors’ training system (3 p/m)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Assistance in establishment of a comprehensive prosecutors’ training scheme;</td>
<td></td>
</tr>
<tr>
<td>• Assess the Prosecutors’ Training Strategy, Regulations on Vocational Training of Prosecutors and other related internal acts, prepare recommendations on update/development of a comprehensive training strategy; prepare and guidelines on the implementation of these documents;</td>
<td></td>
</tr>
<tr>
<td>• Indicate and analyse additional prosecutors’ training needs, prepare necessary training programmes;</td>
<td></td>
</tr>
<tr>
<td>• Prepare proposals and guidelines for further strengthening of the Prosecutors’ Training system;</td>
<td></td>
</tr>
<tr>
<td>• Assist in formulation of training programmes for prosecutors;</td>
<td></td>
</tr>
<tr>
<td>• Train approximately 5 trainers according to formulated training programmes for prosecutors;</td>
<td></td>
</tr>
<tr>
<td>• Assist to PGO in opening stage carrying out the trainings</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IV. Prosecutors offices’ network, IS/IT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Establish prosecutors offices’ network and develop IS/IT systems (prepare technical specifications, organise procurement, installation and testing of the delivered system).</td>
<td></td>
</tr>
<tr>
<td>Preconditions</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td></td>
</tr>
<tr>
<td>All financial contributions available when required</td>
<td></td>
</tr>
</tbody>
</table>
Annex 2

Detailed Implementation Chart for the Project

<table>
<thead>
<tr>
<th>Year</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month</td>
<td>1 2 3 4 5 6 7 8 9 10 11 12</td>
<td>1 2 3 4 5 6 7 8 9 10 11 12</td>
<td>1 2 3 4 5 6 7 8 9 10 11 12</td>
</tr>
<tr>
<td>Twining</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legend:
- Design
- Tendering
- Implementation
Annex 3

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (PHARE Contribution only, MEUR)

<table>
<thead>
<tr>
<th></th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>30/06</td>
<td>30/09</td>
<td>31/12</td>
</tr>
<tr>
<td><strong>Contracting</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Twinning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>**Total contracting</td>
<td>0.85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(cumulative)</td>
<td></td>
<td>2.67</td>
<td></td>
</tr>
<tr>
<td><strong>Disbursement</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Twinning</td>
<td>0.283</td>
<td>0.377</td>
<td>0.471</td>
</tr>
<tr>
<td>Service</td>
<td></td>
<td>0.108</td>
<td>0.158</td>
</tr>
<tr>
<td>Supply</td>
<td></td>
<td>0.876</td>
<td>1.314</td>
</tr>
<tr>
<td>**Total disbursement</td>
<td>0.283</td>
<td>0.377</td>
<td>0.579</td>
</tr>
</tbody>
</table>
### Annex 4

**Preliminary Budget for Technical Assistance and Investment Component of the Project (in EUR)**

<table>
<thead>
<tr>
<th>Technical component</th>
<th>Assistance (Service)</th>
<th>Unit/ Quantities</th>
<th>Indicative Phare Budget</th>
<th>Indicative National Co-financing</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Further development of current prosecution data bases</td>
<td></td>
<td></td>
<td>81 200</td>
<td>34 800</td>
<td>116 000</td>
</tr>
<tr>
<td>2. Design and test of software for the new prosecution data bases</td>
<td></td>
<td></td>
<td>149 800</td>
<td>64 200</td>
<td>214 000</td>
</tr>
<tr>
<td>3. Design of modules for exchanging information with internal bodies and external institutions</td>
<td></td>
<td></td>
<td>102 200</td>
<td>43 800</td>
<td>146 000</td>
</tr>
<tr>
<td>4. Installation of software and training on how to work with it</td>
<td></td>
<td></td>
<td>23 800</td>
<td>10 200</td>
<td>34 000</td>
</tr>
</tbody>
</table>

**Investment (Supply) component**

1. Development of a computer network of the Prosecutor’s Office (WAN)

<table>
<thead>
<tr>
<th>1.1. Development of the computer network (LAN) of the Prosecutor General’s Office:</th>
<th>Total 53 200</th>
<th>Total 22 800</th>
<th>Total 76 000</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1.1. Network hardware: Router, Switch, Hub, Rack, Cable.</td>
<td>1</td>
<td>17 500</td>
<td>7 500</td>
</tr>
<tr>
<td>1.1.2. Server for computer network</td>
<td>1</td>
<td>11 900</td>
<td>5 100</td>
</tr>
<tr>
<td>1.1.3. Software for computer network</td>
<td>1</td>
<td>23 800</td>
<td>10 200</td>
</tr>
<tr>
<td>1.2. Formation of a computer networks of the territorial prosecution offices (LAN).</td>
<td>Total 652 890</td>
<td>Total 279 810</td>
<td>Total 932 700</td>
</tr>
<tr>
<td>1.2.1. Network hardware: Router, Switch, Hub, Rack, Cable.</td>
<td>56</td>
<td>191 100</td>
<td>81 900</td>
</tr>
<tr>
<td>1.2.2. Servers for computers networks</td>
<td>56</td>
<td>158 130</td>
<td>67 750</td>
</tr>
<tr>
<td>1.2.3. Software for computers networks</td>
<td>56</td>
<td>303 660</td>
<td>130 140</td>
</tr>
<tr>
<td>1.3. Formation of computerised workplaces</td>
<td>Total 524 230</td>
<td>Total 224 670</td>
<td>Total 748 900</td>
</tr>
<tr>
<td>1.3.1. Computers</td>
<td>400</td>
<td>245 000</td>
<td>105 000</td>
</tr>
<tr>
<td>1.3.2. Software licences</td>
<td>400</td>
<td>245 000</td>
<td>105 000</td>
</tr>
<tr>
<td>1.3.3. Printers</td>
<td>90</td>
<td>22 050</td>
<td>9 450</td>
</tr>
<tr>
<td>1.3.4. Copiers</td>
<td>2</td>
<td>12 181</td>
<td>5 220</td>
</tr>
<tr>
<td>1.4. Communication equipment (Frame relay routers or equivalent)</td>
<td>57</td>
<td>152 880</td>
<td>31 200</td>
</tr>
<tr>
<td>1.5. Installation of local networks and united network of the Prosecutor’s Office, training</td>
<td>57</td>
<td>72 800</td>
<td>31 200</td>
</tr>
<tr>
<td><strong>Total (for TA and Supply)</strong></td>
<td><strong>1 813 000</strong></td>
<td><strong>777 000</strong></td>
<td><strong>2 590 000</strong></td>
</tr>
</tbody>
</table>

*This is a preliminary list with preliminary calculations. The beneficiary in co-operation with the Twining team will prepare the final list.*
Annex 5

Description of situation as regards reforms in institutional framework

The Prosecutor’s Office of the Republic of Lithuania was re-established when the State regained its independence in the 1990. The Prosecutor’s Office of Lithuania, as an aggregate of prosecutors and state employees, is an independent part of judicial system. The main difference between the constitutional status of a prosecutor and a court is that a prosecutor is not able to perform the justice execution functions attributed to the courts.

The rights of prosecutors when executing criminal prosecution are determined by the Code of Criminal Procedure and other laws regulating these activities.

When executing criminal prosecution or investigating the complaints and requests of citizens, if the need is, the prosecutors can apply to the courts with a statement and a request to defend the rights of other citizens. The Prosecutor’s Office, as one of the most important law enforcement institutions of a democratic legal state, has the right to apply to the courts to defend the legal rights of the state and violated public law. In such cases, a prosecutor may demand from the ruling bodies, enterprises, institutions and officers for the documents, information necessary to initiate a civil case.

All the prosecutors and other officers of the Prosecutor’s Office belong to an integral and centralized system of Prosecutor’s Office.

The President with an agreement of Seimas (Parliament) assigns a Prosecutor General for the term of seven years and dismisses him.

According to the regulations confirmed by the Prosecutor General an advisory institution – Board of the Prosecutor’s Office of Lithuania is functioning. The Board considers the most important questions of organizing and activities of the Prosecutor’s Office.

The Prosecutor’s Office consists of:

*Prosecutor General’s Office* which has 6 subdivisions Management Control and Analysis Division - controls the execution of laws and other legal acts, execution of the orders and instructions of the Prosecutor General and its Deputies, organizes analytic work of the Prosecutor’s Office activities, registration of the activities. Inquiry and Investigations Control Division – organizes the control of the procedural activities of the pre-trial investigations institutions, County and District Prosecutor’s Offices, operation activity subjects during the investigation of the crimes. Organized Crime and Corruption Investigations Department – investigates particularly complex criminal activities, connected to the organized crime and corruption. State Charge Division – forms a unified practice of the State charges, supports State charges in the Supreme Court and in the Appeal Court of the State. Civil Cases Division – forms a unified practice of the Prosecutor’s Office in preparing claims, statements and requests to the court when defending the legal State, public and persons interests, organizes and controls these activities. Special Investigations Division – organizes and controls the investigations of the criminal activities connected to the genocide and war crimes. International Relations and Legal Assistance Division – following the Laws of the Republic of Lithuania and the international agreements ensures and coordinates the relations of the Prosecutor General’s Office and the County and District Prosecutor’s Offices with the foreign law enforcement and other institutions in the field of co-operation, extradition and legal assistance in the criminal matters. Training Division – organizes training of the prosecutors, develops training programs, organizes seminars.
Territorial Prosecutor’s Offices:

- 5 County Prosecutor’s Offices (Currently there are Vilnius, Kaunas, Klaipeda, Siauliai and Panevezys County Prosecutor’s Offices. The County Prosecutor’s Offices, following the order set by laws and the prosecutor General, control the activities of the District Prosecutor’s office, investigate criminal activities connected to the organized crime, corruption and other complex criminal activities)

- 51 District Prosecutor’s Offices (These offices are the main link, controlling the procedural activities of the pre-trial investigations, investigating criminal activities assigned by the law to the Jurisdiction of Prosecutor’s Office, supporting State Charges in the Court)

There are 871 prosecutors and 601 employees in the Prosecutor’s Office (PGO – 101 prosecutors/96 employees, County Prosecutor’s Offices – 177 prosecutors/159 employees, District Prosecutor’s Offices – 593 prosecutors/346 employees.

The Prosecutor’s Office of Lithuania is funded from the budget of the State and has a separate expenses outlay.

According to the new norms of the Code of Criminal Procedure and Civil Code adopted by Seimas /Parliament/, the functions of the Prosecutor’s Office are corrected and expanded and later will be consolidated in the new Law on Prosecutor’s Office:

- Organizes and leads the pre-trial investigation;
- Controls the procedural activities of the pre-trial investigation officers;
- Executes all the pre-trial investigation of part of it;
- Supports the State charges;
- Controls the execution of the decisions;
- Co-ordinates the actions of the crimes investigation institutions (when investigating the crimes);
- When defending the legal interests of the state, violated rights of persons and other public interests according to the principles and order determined by the Laws, it prepares the material for civil and administrative case and applies the court with a claim, statement or request, participates in its hearing;
- Following the Laws of the Republic of Lithuania and the international agreements it ensures and coordinates the relations of the Prosecutor General’s Office and territorial Prosecutor’s Offices with the foreign law enforcement and other institutions concerning extradition, other legal assistance in the criminal cases;
- According to its competence tries the letter oratories and inquiries provided by the law, also requests, statements and appeals of persons;
- Participates in the development and execution of the crimes control and prevention programs;
- Executes other functions provided by law.