APPROVED

by the Seimas of the Republic of Lithuania on 17 January 2002

Resolution No. IX-711

NATIONAL ANTI-CORRUPTION PROGRAMME OF THE REPUBLIC OF LITHUANIA

1. GENERAL PROVISIONS

- 1.1. With a view to implementing radical corruption prevention measures as well as eradicating, in a multifaceted manner, the reasons of this negative social phenomenon, it is necessary to strengthen the system of law enforcement and other public bodies, encourage closer co-operation with the general public and non-governmental organisations, raise civic awareness of the public and build their intolerance towards negative phenomena.
- 1.2. Manifestation of corruption in the public service as well as the other areas of public and private sectors has a detrimental effect on democracy, economy and the rule of law; therefore, the measures developed to fight corruption should be consistent, comprehensive and long-term. A particular emphasis should be placed on preventing the occurrence of corruption, establishing the principle of inevitable legal accountability for unlawful acts, building public intolerance towards corruption, as well as developing international co-operation in the fight against corruption.
- 1.3. The National Anti-Corruption Programme (hereinafter referred to as the Programme) will help to combine the efforts of all the institutions in advancing the fight against corruption, implementing the legislation of the Republic of Lithuania and the international conventions and treaties ratified by Lithuania related to the prevention of corruption. Against the backdrop of Lithuania joining the European Union (hereinafter referred to as the EU), the European Commission's Regular Report of 2000 highlighted the importance of developing and implementing the Programme.

1

- 1.4. The fight against corruption may be effective when the long-term Programme is based on the components now universally recognised as essential. Those include corruption prevention, investigation of law violations, public education and support. To reach a success, these components should be implemented as a whole.
- 1.5. The measures provided for in the Programme should be in line with process of solving social problems, protecting society from the current and imminent sources of corruption. In addition, the measures envisaged should ensure a full protection of universally recognised human rights and freedoms and must not violate the presumption of innocence.
- 1.6. The anti-corruption initiatives shall correspond to the expectations of every person and society at large. Therefore, the public should be well encouraged to contribute to the implementation of anti-corruption measures. In addition, closer co-operation of government institutions with non-governmental and international organisations as well as individual persons should be promoted. The public intolerance towards corruption should be taught at comprehensive schools as a special curriculum incorporated into other education and training programmes.

2. ANALYSIS OF ENVIRONMENT

Factors of Corruption

- 2.1. The factors of corruption may be listed as the following:
- 2.1.1. general-social (unemployment, shortcomings of health insurance system, low salaries of civil servants, etc.);
- 2.1.2. legal (flaws, frequent amendments to the legislation and its inconsistencies, impunity, shortcomings in control mechanisms, witness protection programmes, legal procedures and measures, improper procedures for the appointment and dismissal of officials, absence of the code of professional conduct at the public service, etc.);
- 2.1.3. institutional (the principle of rotation and the system of promotion driven by motivation are not applied in all the institutions; internal and external audit systems are underdeveloped; the process of decision-making is not transparent enough; the factors of corruption have not been eliminated in the appointment procedure of managers in the companies where the state has a majority share; the responsibility of such managers has not been established);
- 2.1.4. lack of civic awareness (the public's stance on corruption is vague and controversial, often resulting in their passivity to counter corrupt civil servants or get involved in anti-corruption initiatives);
- 2.1.5. influence of external factors (emergence of international corruption, failure to provide proper conditions for a fair competition of individual economic entities, specific nature of cross-border smuggling and corruption, etc.).

Level and Prevalence of Corruption

2.2. According to the Department of Information Technology and Communications of the Ministry of the Interior, 1,530 civil service offences were registered over the period of 1995 to 2000, including 388 instances of bribe-taking and 1,142 other civil service offences.

- 2.3. In the Corruption Perception Index of an international non-governmental anticorruption organisation, *Transparency International*, Lithuania has moved from
 the 50th position in 1999 to the 38th in 2001. The perception index is drafted each
 year on the basis of 12 international corruption surveys, conducted by experts
 having the experience of co-operating with different countries. These
 international surveys are conducted by the famous Gallup poll as well as other
 well-known economic, political, and scientific bodies.
- 2.4. The World Bank report of 1999, Fighting Corruption in Transitional Economies, placed Lithuania together with Russia, the Slovak and the Czech Republic when assessing the level of administrative corruption (i.e. when civil servants intentionally distort legislation for personal benefit) in the countries in transition. The level of state capture in Lithuania was lower than in Latvia but higher than in Estonia and was similar to that of Poland, Kazakhstan and the Czech Republic.
- 2.5. Corruption crimes have a high coefficient of latency, because the parties to a transaction are interested in keeping the fact of corruption secret. The aforementioned data make it difficult to establish an accurate index of perception. It is therefore essential to conduct a detailed criminological survey each year to establish the prevalence of corruption in different sectors of the state.
- 2.6. The distribution of corruption is not even across the country. Therefore, the success of fighting corruption depends on the accuracy of mapping out corruption prone areas in the state government, among civil servants and public officers, as well as in the private sector. A more realistic scale of corruption in Lithuania may be identified by surveying various social groups as well as analysing the performance indicators of law enforcement agencies.
- 2.7. The survey of *Baltijos Tyrimai* (a market research and public opinion company) conducted at the end of 2000 on the problem of corruption in Lithuania showed that 13% of Lithuanians regarded corruption as an unavoidable and insoluble

problem, 76% believed it was possible and necessary to solve it. 41% of the respondents were in favour of resorting to the most severe anti-corruption measures, including undemocratic methods, 21% believed that corruption had to be fought with all the possible democratic means, and 14% said that it was possible to reduce the level of corruption in Lithuania to a minimum by toughening up the existing laws. The survey also showed that 24% of Lithuanian residents did not believe in the success of combating corruption or had no opinion about the issue, while 76% thought that corruption had to be confronted.

- 2.8. In 2000, the Lithuanian Chapter of Transparency International, on the basis of its two projects, drafted a report, "Does Lithuania Want Political Transparency?". Asked to name the most corrupt institutions, the Lithuanian residents mentioned the customs (47% of the respondents believed that it was very corrupt and 39% viewed it as corrupt), courts (27% and 48% respectively), police (26% and 49%), prosecutor's office (23% and 47%), major companies (19% and 48%), Parliament (18% and 45%), Government (13% and 45%) and local authorities (12% and 41%). The 2001 survey of a scientific research studio, *Spinter*, revealed the opinion that corruption was mostly widespread in the customs (this was said by 17% of the respondents), courts (16%), privatisation transactions (14%), and the traffic police (9%).
- 2.9. An international victimological study, "Unlawful Attempts to Tamper with the Work of Judges and Prosecutors in Lithuania", conducted in Lithuania in 2000, surveyed 55 % of judges and 75 % of prosecutors and every eighth and seventh of the respondents, respectively, said that they personally or their friends and family had experienced unlawful pressure in the form of threats or attempted bribery. 32% of judges believed, on the basis of the cases they had been hearing, that corruption was widespread in Lithuania.
- 2.10. Another matter of concern is an issue of more active social groups (the youth, the educated and those from the business community) getting reconciled to the phenomenon of corruption, albeit denouncing it.

2.11. To summarise official statistics, findings of public surveys, mass media reports, information provided by the institutions responsible for combating corruption as well as opinions of experts and organisations examining corruption in Lithuania, one may suggest that the most corrupt bodies in Lithuania are those that enforce legislation, administer justice, carry out monitoring and control. The prevention of corruption in said bodies is one of the main goals of every democratic country willing to ensure its social-economic development and reduce the level of corruption.

Consequences of Corruption

- 2.12. Although dividing corruption consequences into certain groups would facilitate the perception of diversity and complexity of the phenomenon and would help identify better anti-corruption measures, the ever-changing and intertwined social, economic and political environment both in Lithuania and in the whole world makes it impossible to attribute corruption consequences to definite groups.
- 2.13. Where corruption impairs the public realm, its consequences may be divided into four groups:
- 2.13.1. economic (with corruption infecting the mechanisms of market economy, the efficiency of the latter and its competitive powers may be reduced impairing the quality of goods and services, slowing down investments, invoking mistrust in public bodies on the part of the business community, etc.);
- 2.13.2. social-political (the social tension rises, negatively affecting the country's economy and political stability; citizens lose their trust in the state, democracy and its principles; the ideas about autocratic ideology become more and more popular; political competition diminishes; political corruption finds its fertile soil to grow, etc.);
- 2.13.3. state government (diminishing quality of public administration; an emerging system of unofficial decision-making; stronger links between organised crime and corrupt civil servants and politicians, etc.);

2.13.4. international relations (corruption undermines the country's prestige, closing the way for potential investments, etc.).

Development of the Framework of Anti-Corruption Legislation

- 2.14. Some of the key tasks of the Government in the areas of lawmaking, personal security, and law enforcement are to focus, in particular, on the development of legislation that would ensure effective fight against corruption; form a coherent and effective system for combating corruption, smuggling and organised crime; with the help of effective preventive means, ensure a more transparent and open activity of law enforcement agencies as well as other governmental bodies and officers; establish public accountability procedures; prepare for the ratification of the 1999 Council of Europe's Criminal Law Convention on Corruption and Civil Law Convention on Corruption as well as the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; carry out a streamlined and effective anti-corruption policy.
- 2.15. Since 1992, Lithuania has passed a substantial number of legal acts pertaining to anti-corruption. These could be grouped as follows:
- 2.15.1. laws, providing for legal responsibility for the acts of corruption, including the Criminal Code, the Code of Administrative Violations of Law, and the Civil Code, as well as the laws amending the aforementioned;
- 2.15.2. other laws, including the Law on the Declaration of Property and Income of the Residents, Law on the Adjustment of Public and Private Interests in the Civil Service, Law on Public Procurement, Law on Public Administration, Law on Public Service, Law on the Prevention of Money Laundering, Law on the Accounting of Persons for the Lawfulness of Acquisition of Property and Income, Law on Competition, Law on Lobbying Activities, Law on the Control of Funding of Political Campaigns, Law on the Funding of Political Parties and Political Organisations, Law on the Special Investigations Service, Law on the Basics of the National Security of Lithuania, Law on the Protection from Tampering of the Participants of Criminal Procedure and Intelligence Activities,

- Judicial and Law Enforcement Officers, Law on Prevention of Organised Crime, as well as the laws amending the aforementioned, etc.;
- 2.15.3. legal acts of the Seimas and Government of the Republic of Lithuania, decrees of the Prime Minister, laying out specific anti-corruption measures, including: Seimas Resolution No VIII-1723 as of 8 June 2000, On the Development of the Long-term Programmes for Strengthening National Security and Implementation Plan; Seimas Resolution as of 10 May 2001, On the Fight against Corruption; Government Resolution No. 1196 as of 4 October 2001, On the Approval of the Implementation Measures of the 2001-04 Programme of the Government of the Republic of Lithuania; Government Resolution No. 433 as of 9 April 1998, On the Complex Measures to Increase the Effectiveness of Legal Responsibility for Economic and Financial Crimes, to Strengthen Prevention of Organised Crime and Corruption; Government Resolution No. 62 as of 15 January 1999, On the Programme of Organised Crime and Corruption Prevention; The Prime Minister's Order No 31 as of 26 February 2001, on the Establishment of the Working Group.

3. OBJECTIVE OF THE PROGRAMME

The main objective of the Programme is to reduce the level of corruption in Lithuania and aspire it to become a smaller hindrance to building economy, promoting democracy, encouraging welfare development and strengthening national security.

4. MAIN TASKS OF THE FIGHT AGAINST CORRUPTION

- 4.1. The main tasks of the fight against corruption are the following:
- 4.1.1. ensuring effective, streamlined and long-term fight against corruption, as well as effective implementation and necessary funding of the measures foreseen;
- 4.1.2. ensuring successful disclosure of persons suspected of corruption offences, and enforcing the principle of inevitable legal responsibility of offenders;
- 4.1.3. identifying the areas mostly affected by corruption as well as the conditions for corruption to occur and spread; improving the existing legal acts and the law-making process;
- 4.1.4. by various means promoting intolerance to corruption; with the latter in mind, establishing close co-operation with non-governmental organisations and the media, developing and incorporating anti-corruption curriculum into the education system;
- 4.1.5. ensuring a more effective implementation of corruption prevention measures and a more effective investigation of corruption related offences;
- 4.1.6. ensuring proper administration of implementing the measures provided for in the Programme.

5. CONCEPTION OF CORRUPTION

- 5.1. It is necessary to make a clear and precise legal definition of corruption, which would also embrace the private sector. An accurately elaborated concept would be easier to employ in the law development process, in the operational life of public administration bodies, and it would be better comprehended by the general public and contribute to a more successful enforcement of anti-corruption legislation.
- 5.2. In addition, Lithuania should adhere to the requirements laid down in the international instruments of the EU, the Council of Europe and the OECD and take into consideration the concepts used in these documents (for example, the Council of Europe's Criminal Law Convention on Corruption No. 173 and Civil Law Convention on Corruption No. 174, etc).
- 5.3. Bearing in mind the legal instruments of the Republic of Lithuania and international organisations as well as the current state of affairs, corruption, in general terms, could be defined as any conduct of a civil servant or an equivalent person, non-conforming with the authority entrusted or standards of conduct established, or promotion of such conduct for the benefit of oneself or third persons, to the detriment of the interests of other people and the state.

6. PREVENTION OF CORRUPTION

6.1. The objective of corruption prevention is to forestall the occurrence and spreading of corruption: eliminate loopholes in legal acts and fill in the gaps in operational procedures of public authorities as well as the other areas promoting the conditions for corruption.

Strategic Provision of Corruption Prevention

Constraining Political Corruption

- 6.2. Development of democracy, strengthening of civic society and the rule of law, enforcement of the principle of the division of powers are the basic factors eliminating the manifestation of corruption.
- 6.3. To reduce the level of this kind of corruption, the following measures of constraint should be applied:
- 6.3.1. establishing clear-cut criteria for the decisions made by politicians in relation to the use, management and disposition of the state or municipal property;
- 6.3.2. prohibition for legal entities to fund political parties;
- 6.3.3. definition of major instances of political corruption, providing for appropriate legal sanctions;
- 6.3.4. analysis and improvement of legislation with a view to limiting the possibility to be elected to the Seimas and local government councils at the same time, as well as hold simultaneous positions in local government council, board, be a governor or deputy governor of the district, and a manager of a company operating in the same district;
- 6.3.5. vetting, from the point of view of anti-corruption, of candidates to the positions appointed by the Seimas, President or the Prime Minister, also candidates to hold the office of vice-minister, secretary of the ministry, head a department or service under the ministry, be a deputy head of the latter, mayor or deputy mayor of local authorities or become a head or deputy head of any other state or local body;

- 6.3.6. providing for the application of a simplified procedure of temporary suspension in office for civil servants that are appointed to a position and are suspected of corruption offences;
- 6.3.7. establishing the procedure for accounting of receiving, handling and using party funds, with a view to ensuring personal accountability of a party treasurer or its leader for committing financial offences;
- 6.3.8. improving the law making process, with a view to avoiding corrupt influence on the development and adoption of legislation;
- 6.3.9. drafting a Code of Ethics for Lobbying Activities, improving the Law on Lobbing;
- 6.3.10. drafting and implementing the Code of Ethics for Lobbying Activities;
- 6.3.11. providing for the obligation to identify and publicise owners of the media.

Constraining Administrative Corruption

6.4. One of the most effective organisational and legal measures to reduce the incidence of corruption in the administration is to have a precise definition of behavioural practices violating the law and promoting corruption. This area should be legally regulated, and civil servants should be bound by a code of ethics. Thus having the aim of reducing the manifestation of administrative corruption, the following measures should be attained in:

6.4.1. *Public Administration*:

- 6.4.1.1, the principle of the rule of law should be consistently applied; the decision-making procedures of the public administration should be clearly laid down. This would prevent a decision-maker from procrastination in examining the matter as well as engaging in other faulty practices that lie at their discretion;
- 6.4.1.2. in order to avoid corruption in the law development process, establishing a system of reviewing legal acts and draft legal acts from the point of view of anti-corruption, ensuring consistent implementation of the provisions of the Law on the Procedure of Developing Laws and other Legal Acts as well as harmonising the Lithuanian legislation with the EU legal acts;

- 6.4.1.3. the civil servant's code of ethics should include anti-corruption provisions and legal responsibility measures that are in line with the laws regulating contractual relations and declaration of private interests, also the measures of political responsibility (no confidence should be expressed against political party candidates that serve in the system of public administration);
- 6.4.1.4. the Chief Institutional Ethics Commission should help to promote the priorities of civil service (public interests, objectivity), adopted decisions should be publicised on internet. It is expedient to increase respect for the decisions made by the Commission and encourage their application;
- 6.4.1.5. based on the findings of a corruption mapping exercise, identifying areas that require the principle of rotation;
- 6.4.1.6. clear-cut criteria should be established for information to be considered a commercial secret. Quite often, the executive bodies interpret the concept of a commercial secret differently; thus allowing, consciously or without knowing, to hide the real state of financial affairs of companies that take part in privatisation, public tendering, etc. This creates room for unfair competition or corruption;
- 6.4.1.7. ensuring that the amount of a fee for a licence (permission) to engage in a certain activity does not become an obstacle to start up such activity (or engage in it);
- 6.4.1.8. the current system of receiving permissions to acquire or rent land for industrial purposes (to set up companies, shopping centres, petrol stations, etc.) or to build resident houses is very complicated. County governors or local authorities often set ungrounded requirements for additional investments into the infrastructure. Therefore, this process should be properly regulated establishing the general procedure and dimension of investment into the infrastructure;
- 6.4.1.9. improving the procedure for the use of land and forests as well as the legal regulation of the lease of land of non-agricultural purpose;
- 6.4.1.10. simplification to a maximum the provision of public services (issuance of permissions, quotas, registration of property and companies, certification of goods and services, etc.); this function should be passed on to non-governmental organisations;
- 6.4.1.11. systematic review of secondary legislation regulating business; establishing the procedure for the development and approval of such legislation, involving non-governmental organisations;

- 6.4.1.12. simplification of the procedure for issuing permissions and licences to engage in certain activities, especially where certificates are required to confirm the information already possessed by other state bodies (e.g. debts to the budget, social insurance, the customs, etc.). This should be done by promoting information technology, and providing public services following the 'one stand' principle, i.e. the applicant should not be required to collect certificates verifying information already available to the state authorities;
- 6.4.1.13. for the persons that had committed civil service offences, economic and financial crimes or grave crimes against property, limiting the right to hold the position of authority, hold more than 51 per cent of company stock or engage in other activities in compliance with the procedure established by law;
- 6.4.1.14. developing a transparent risk assessment system of companies and organisations, based on clear and universally applied criteria. The access to the data shall be enjoyed by government bodies that make decisions in relation to such companies (for example, in relation to public procurement, privatisation of state and municipal property, etc.);
- 6.4.1.15. establishment of a personnel management system; state owned companies should select managers by way of a tender and those should be consequently appointed on the basis of contractual relations. Their remuneration should be based on the performance of the managers and employees and in compliance with the articles of the contract. In corruption prone areas, performance should include transparency of procedures and decision-making;
- 6.4.1.16. establishing a motivation-driven system of career development for civil servants (which includes in-service training, material and moral incentives for good performance);
- 6.4.1.17. using and allocating human resources more rationally to avoid queues in the areas where public services are provided, which could be a potential factor of corruption;
- 6.4.1.18. ensuring disclosure of the names of decision-makers (particularly in relation to the strategic decisions taken by a body of people);
- 6.4.1.19. with a view to closing down the ways of corruption, division of functions between the adoption of individual rules (issuance of licences, permissions and

- quotas, etc.) and monitoring of their application; such functions should be performed by separate bodies;
- 6.4.1.20. development and implementation of personnel training programmes for the state establishment, involving fostering of professional integrity and anti-corruption behavioural standards;
- 6.4.1.21. development of independent internal and external audit services in state and local bodies; creation of a single national auditing system, ensuring that the heads of internal audit services are appointed or dismissed from office in accordance with the criteria (requirements) set by the established National Internal Auditing Agency;
- 6.4.1.22. with the national auditing system in place, bringing the activity of state and local internal and external auditors in line with the EU standards;
- 6.4.1.23. creating a system ensuring protection from tampering by administrative means to persons that provide information about corruption occurring in their workplace;
- 6.4.1.24. in an attempt to prevent a situation when individuals resort to bribe-giving because otherwise they have no right to complain about the decision violating their interests ensuring the possibility of appealing against such decisions;
- 6.4.1.25. analysing and improving legislation regulating the civil service, providing for a simpler procedure of dismissing or transferring staff to another position;
- 6.4.1.26. when hierarchical corruption is rampant in a public body (i.e. when all the civil servants take bribes and share them with their managers), application of an exclusive measure to o reorganise the body or to transfer its staff to another body in compliance with the simplified procedure;
- 6.4.1.27. setting the remit of civil servants that make decisions concerning the recovery of contributions to the state or local budget, providing for limited contacts between such civil servants and the persons authorised to make payments.

6.4.2. Tax and Customs:

- 6.4.2.1. simplification of the procedures of tax-payment, accounting and bookkeeping; establishment of clear and publicly available criteria for suspending taxes owed to the budget; placing suspension decisions on internet;
- 6.4.2.2. elaboration of tax legislation with precise provisions and definitions to forestall personal interpretation and abuse of ambiguities;
- 6.4.2.3. installation of integrated information systems in tax administrations;
- 6.4.2.4. improving the mechanism of appealing against the decisions of customs authorities, creating a possibility for the general public to report about existing corruption;
- 6.4.2.5. implementation of an integrated customs information system (particularly for processing customs declarations);
- 6.4.2.6. simplification of customs procedures (actions); reducing time used for customs clearance;
- 6.4.2.7. increasing the risk involved in committing unlawful acts by monitoring customs clearance and resorting to technological means, first and foremost, installing x-ray machines;
- 6.4.2.8. ensuring constant exchange of information, as well as co-operation and coordination of activities in disclosing violations of law, between the customs and the other law enforcement bodies:
- 6.4.2.9. establishing the procedure according to which more than one officer would perform customs clearance;
- 6.4.2.10 provision of simple and easily accessible information about the customs clearance, rights, procedures and regulations.

6.4.3. *Public procurement and privatisation*:

- 6.4.3.1. reducing, to a maximum, the regulation of public procurement by secondary legislation;
- 6.4.3.2. strengthening the monitoring role played by the Public Procurement Agency, crystallising its functions; placing importance on the advance examination of the conditions of public procurement;
- 6.4.3.3. in an attempt to avoid possible abuse of office by the staff of institutions involved in public procurement, reduction of their discretionary decision-making powers;
- 6.4.3.4. encouraging the staff of procuring institutions to report the abuse of powers in the area of public procurement and after doing so, protection them from tampering;
- 6.4.3.5. in the process of public procurement, maintaining the balance between qualitative (technical) and quantitative (financial) indicators when evaluating a bid;
- 6.4.3.6. making public the process of public procurement; envisaging the transformation of public procurement into the electronic environment; filming major public procurement processes in procuring bodies; placing non-classified data on the web-sites of procuring bodies;
- 6.4.3.7. creating a mechanism that would disqualify the economic entities that had corrupted the procedure of public procurement;
- 6.4.3.8. denying the right to add information to a concluded agreement on public procurement or to change its key conditions (the price, quality, deadlines) during the period of the fulfilment of the order except where the conditions of the contract are improved for the benefit of the procuring organisation;
- 6.4.3.9. publicising the results of public procurement tenders; establishing criteria for setting up an evaluation committee;
- 6.4.3.10. disclosing the names of those who drafted the terms of reference and those who approved it;

- 6.4.3.11. constantly providing information to the public about the implementation of the contracts of public procurement as well as about any digressions from the initial terms of reference and changes made to the contracts;
- 6.4.3.12. setting clear-cut remit and responsibility of the Government, the state company State Property Fund and the Privatisation Commission related to privatisation transactions and decision-making; publicising the names of decision-makers;
- 6.4.3.13. establishing the procedure, following which the Seimas would make a political decision concerning the major objects of privatisation, ways of privatisation and set key criteria in relation to the selection of investors;
- 6.4.3.14. clear definition of information to be regarded as confidential in a privatisation transaction.

6.4.4. Health care:

- 6.4.4.1. improving the system of centralised public procurement; approving the methodology of entering centralised procurement into a list of services with indicated prices;
- 6.4.4.2. developing and approving the programme on ensuring the quality of individual health care; implementing the centrally approved diagnostic and treatment standards;
- 6.4.4.3. establishing the procedure of mandatory provision of information to residents about the medical services for which payment is required;
- 6.4.4.4. harmonisation of laws regulating the health system with the Civil Code, Law on Public Administration and Law on Consumer Protection;
- 6.4.4.5. reforming the registration of import pharmaceuticals, medical products and equipment in the Republic of Lithuania to meet the requirements of the EU directives; abandoning the practice of secondary testing of those imports when not required by the EU legislation;
- 6.4.4.6. drafting a list of illnesses, pharmaceuticals and other medical products that would be subject to the standards of outpatients' treatment; approval of compensation methodology;
- 6.4.4.7. developing a concept paper and implementation measures on voluntary health insurance.

6.4.5. *Law enforcement and judicial bodies*:

- 6.4.5.1. establishing by relevant legislation the mechanism of co-ordinating the activities of bodies involved in the prevention and investigation of corruption as well as co-ordination of their activities;
- 6.4.5.2. reducing the impact of corruption upon the judicial and law enforcement bodies; increasing openness and transparency of their decision-making;
- 6.4.5.3. improving the mechanism of selecting staff to the law enforcement and judicial bodies as well as evaluation of their performance;
- 6.4.5.4. carrying out corruption risk analysis in all the units accountable to the Ministry of the Interior and the Ministry of Justice, particularly in the Police Department, Migration Department, Financial Police, Department of Prisons and Courts as well as the State Border Protection Service;
- 6.4.5.5. analysis and amendment of legislation stipulating the realm of operation of law enforcement and judicial bodies when forestalling and investigating corruption with a view to ensuring a more effective performance;
- 6.4.5.6. changing the procedure for imposing and paying fines for the violations of administrative law in order to reduce the power of discretion enjoyed by public officers;
- 6.4.5.7. establishing a clear-cut mechanism of distributing administrative and criminal cases among the law enforcement and judicial officers.

6.4.6. *International co-operation*:

- 6.4.6.1. with corruption becoming a high profile international dimension -analysis of the existing experience to be taken over by Lithuania that aspires the EU membership and thus is required to harmonise its legislation in line with the standards and practices of the EU and other organisations;
- 6.4.6.2. elaborating legal norms, terminology and contents; adherence to the major international instruments with shortest possible delay, implementation of such instruments. With this in mind, Lithuania has to:
- 6.4.6.2.1. sign and/ or ratify the main international anti-corruption conventions: the 1999 Council of Europe's Criminal Law Convention on Corruption No. 173,

- Civil Law Convention on Corruption No. 174, the Convention of the Organisation for Economic Co-operation and Development (OECD) on Combating Bribery of Foreign Public Officials in International Business Transactions as of 1 December 1997;
- 6.4.6.2.2. mould an effective anti-corruption policy and play an active role in the following regional anti-corruption programmes:
 - National Programme for the Adoption of the Acquis (NPAA), PHARE
 /Institutional Development/ Twinning Programme;
 - OCTOPUS, joint Programme between the Council of Europe and the European Commission on the Fight against Corruption and Organised Crime in Central and Eastern Europe;
 - Baltic States programmes on combating bribery;
- 6.4.6.2.3. take part in the international integration structures, i.e. Council of Europe's Group of States against Corruption (GRECO) and aspire membership in the Organisation for Economic Co-operation and Development (OECD) or the OECD Working Group on Bribery in International Business Transactions;
- 6.4.6.2.4. develop close links with the bodies of other countries and develop bilateral interagency co-operation in the area of combating corruption; also meet the commitments pursuant to the agreements and treaties on mutual legal assistance.

Public Involvement into the Fight against Corruption

6.5. In order to involve as many people as possible into an active fight against corruption, a permanent Advisory Council should be established to represent widest strata of society, including public institutions, civic society organisations, labour unions, associations of employers, chambers of commerce, etc. The Council would regulate and discuss at its meetings the areas most prone to corruption and it would elaborate the joint actions to be taken together with other institutions, including public bodies. Such a commission of civic society could operate under the Special Investigations Service (hereinafter referred to as the SIS); its composition could be approved by President of the Republic.

7. INVESTIGATION OF CORRUPTION RELATED OFFENCES

7.1. The objective is to ensure effective investigation of corruption related offences both in the public and the private sectors and bringing guilty persons to justice.

Strategic Provisions

- 7.2. With a view to increasing the effectiveness of investigation of corruption related offences, the following measures should be taken:
- 7.2.1. increasing the role of the Police Department under the Ministry of the Interior, State Security Department and other intelligence-gathering bodies in the fight against corruption;
- 7.2.2. more consistent imposition of administrative sanctions, particularly in relation to the conflict of interests in the public service; improving the mechanism of administrative accountability by increasing its legal and social effectiveness;
- 7.2.3. amending the existing legislation to allow the officers investigating corruption offences to compare the data provided in declarations of property and income of residents, as well as the statements of political campaigns and other declarations against factual information in an administrative or criminal case; improving the mechanism of making persons liable for the false statement in relation to their property, etc.;
- 7.2.4. creation of a systemised database to keep information about the shareholders of companies; the latter may be accessed only the state authorities and law enforcement bodies which, in turn, would have probable cause to use such data. The investigation and prevention of corruption offence could be facilitated by the use of all the possible state-of-the-art information technologies and developing an appropriate legal framework regulating such a realm;
- 7.2.5. in central and local government bodies that render public services, establishing special immunity units or divisions handling internal investigations, etc. or have officers-in- charge to forestall and control corruption in the respective body they operate;

- 7.2.6. reinforcing the monitoring of lawfulness and legitimacy of the actions taken by the law enforcement agencies and elaborating the appropriate legal framework;
- 7.2.7. encouraging the officers that disclose and investigate criminal offences to report about the crimes (corruption) committed in their respect because the current legislation does not state such requirement explicitly;
- 7.2.8. ensuring the application of the Criminal Code provisions envisaging criminal liability for improper disclosure of information about a pending criminal case or other material (evidence, etc.) during a pre-trial period, because such an act if committed would violate the principle of lawfulness and injure a just, full and objective investigation of a case, helping the offenders to avoid legal accountability;
- 7.2.9. ensuring that the law enforcement officers investigating cases that involve high-level officials are protected from tampering or exertion of other influence and are able to perform their functions properly; whereas persons co-operating with the law enforcement agencies in addition to the full legal protection granted pursuant the Law on the Protection from Tampering of the Participants of Criminal Procedure and Intelligence Activities, Judicial and Law on Enforcement Officers, they should be protected from retaliation at work;
- 7.2.10. paving the way for in-service training for officers, supply of equipment, provision of social guarantees in order to ensure better investigation of offences;
- 7.2.11. encouraging judges that have grounded doubts about procedural decisions to voice their opinions in compliance with codes and criminal and civil procedure;
- 7.2.12. setting clear-cut limits of intelligence activities and its measures in the legislation, to allow intelligence officers and other persons applying the deliverables of intelligence work to operate fully within their established remit;
- 7.2.13. setting an optimum balance between prevention and criminal prosecution, with a bigger focus on an accurate and absolute verification of intelligence and other type of information;
- 7.2.14. ensuring proper co-operation of the SIS with the Police Department under the Ministry of the Interior, State Security Department and other intelligence bodies while investigating corruption crimes;
- 7.2.15. enlisting co-operation of law enforcement and monitoring bodies to examine criminal formations that involve organised crime groups, shadow economy and

- corrupt civil servants, in an attempt to strike at the heart of corrupt systems impairing socio-economic development and aggravating the crime situation;
- 7.2.16. focusing on the investigation of corruption in priority areas of anti-corruption;
- 7.2.17. taking into account the international experience in the fight against corruption, developing international co-operation in analysing corruption patterns and investigating criminal and other cases. Investigation of some corruption cases is dependent on international co-operation and the exchange of information because corruption (particularly large-scale) tends to trespass the national boundaries.

Public Involvement

in the Investigation of Corruption Related Offences

- 7.3. With a view to involving the public into the investigation of corruption offences, it is necessary to:
- 7.3.1. encourage civic society organisations to take interest in high-profile corruption cases and explain to the public the judgements passed by courts and their implementation;
- 7.3.2. encourage residents to use "hotlines" to inform the authorities about corruption offences, develop a direct link between society and anti-corruption bodies via internet;
- 7.3.3. create a mechanism of reviewing complaints welcoming residents to report about corruption offences (or attempts of committing them);
- 7.3.4. fully apply the Law on the Protection from Tampering of the Participants of Criminal Procedure and Intelligence Activities, Judicial and Law Enforcement Officers in relation to persons victimised by the manifestation of corruption and also to witnesses in corruption cases.

8. ANTI-CORRUPTION EDUCATION OF THE GENERAL PUBLIC AND MASS MEDIA

8.1. The objective is to inform the residents of the Republic of Lithuania about the danger of corruption, build their intolerance towards corruption and encourage their active fight against it.

Strategic Provisions of the Anti-Corruption Education of the General Public and Mass Media

- 8.2. The residents of the Republic of Lithuania do not receive sufficient information about their rights and possibilities to actively confront corruption. The general public could contribute to the successful implementation of the Programme however, it is poorly informed about its potential role in the fight against corruption. Thus an anti-corruption public campaign is required to involve residents into the fight against corruption and show the moral, public and financial damage which corruption; also to specify the measures of countering it. With this in mind, the following efforts should be taken:
- 8.2.1. organisation of special TV and radio shows, preparation of commercials, publications, using applied arts, launching various competitions;
- 8.2.2. publication of special press editions covering information on the damage that corruption brings to the state and society and disclosing ways of countering it;
- 8.2.3. conducting anti-corruption training to convey theoretical and practical knowledge and impart skills to various strata of society, inform them about anti-corruption developments and ways of countering this evil, exchange ideas about the measures to be taken;
- 8.2.4. developing and applying anti-corruption curricula in comprehensive schools and higher education colleges. Special anti-corruption curricula should be carried out at universities and colleges that offer specialities most prone to corruption. The anti-corruption education should become an inseparable part of the public education system;

- 8.2.5. education of the mass media, since it plays, similarly to non-governmental organisations, an important role in disclosing corruption and unveiling abuses of office;
- 8.2.6. encouraging journalists' agreement on separating corruption matters that cause severe damage to the state and society from competitive rivalry as well as political likes and dislikes; also urging journalists to write about corruption in an objective and responsible manner. The aforementioned rule could be included into the Code of Ethics for Journalists and Publishers.

Public Involvement into Anti-Corruption Education

- 8.3. One of the most useful forms of anti-corruption education is the so-called round table discussions aimed at the representatives of various walks of life.
- 8.4. Regular anti-corruption conferences and workshops would help experts from various areas exchange relevant information and carry out innovative methods to eradicate corruption from society and the state.
- 8.5. This activity should also embrace the private sector.
- 8.6. Circuit meetings should be regularly conducted to have the anti-corruption officers meet the public in smaller regions as well as major Lithuanian towns.

9. IMPLEMENTATION OF THE PROGRAMME

- 9.1. The anti-corruption action, including the implementation of the measures of the Programme, control, and technical assistance in preventing corruption, shall be taken, within the realm of their competence, by the Government, SIS and other bodies that should reinforce their efforts to forestall corruption (please find attached the diagram of bodies involved in the implementation).
- 9.2. The provisions of the Programme (implementation measures) shall be carried out, within their relevant remit, by the following entities: political parties, government and non-governmental organisations, law enforcement bodies, local authorities, educational institutions, auditing organisations, expert groups, etc.
- 9.3. Corruption is an integrated social matter, the success over the fight against corruption shall be measured, or monitored, by qualitative as well as quantitative indicators.
- 9.3.1. Prevention of corruption:
- 9.3.1.1. number of public administration systems examined;
- 9.3.1.2. number of implemented and pending measures of the Programme;
- 9.3.1.3. implementation of the Programme within the deadlines foreseen;
- 9.3.2. Investigation of offences:
- 9.3.2.1. number of crimes investigated;
- 9.3.2.2. number of criminal cases filed, terminated;
- 9.3.2.3. number of persons convicted and acquitted against the number of criminal cases initiated:
- 9.3.2.4. ratio of anonymous statements against official statements about alleged crimes;
- 9.3.3. public education and support:
- 9.3.3.1. number of special TV shows, radio broadcasts, articles in the press, speeches at conferences, seminars, workshops;
- 9.3.3.2. assessment of success in the fight against corruption (in percentage), as reflected by the regularly conducted opinion polls;

- 9.4. One of the main indicators of success in this area should be stronger public support of anti-corruption initiatives. There is a growing interest in the topic, coupled with civic society initiatives, development of contacts between representatives of the general public and the state authorities running anti-corruption initiatives. Such developments will be favourable to a further growth of anti-corruption activities carried by local and state authorities as well as civic society organisations.
- 9.5. The implementation of the Programme will be state-funded. The allocation of monetary resources from the budget will depends on the financial capacity of the state.
- 9.6. In the year 2002, Lithuania is backed up by the technical assistance of PHARE project No 9913.02, Review and Implementation of the National Anti-Corruption Programme, the Preparation and Implementation of Sector Anti-Corruption Strategies and Actions (EUR 2,100,000).
- 9.7. To implement the Programme, an Implementation Plan shall be developed to stipulate implementation measures, implementation period and implementing authorities.
- 9.8. The corruption situation, the provisions of the Programme as well as priority directions of anti-corruption initiatives shall be reviewed and amended every two years.

Implementation Measures

Description	Objective	Implementation period	Implementing authority
	CHAPTER I PREVENTION OF CORRUPTION		
S	ECTION 1. CONSTRAINING POLITICAL COF	RRUPTION	
1. Developing proposals on the amendment and supplementing of the laws and other legislation regulating the activity of politicians and civil servants who may influence the allocation of funds from the state and local government budgets or other property.	Setting clear criteria in the decision-making of politicians in relation to the use, management and disposition of the state and local government property.	Q 1 of 2002	Ministry of Justice Ministry of Finance State company State Property Fund Chief Institutional Ethics Commission Lithuanian Chapter of "Transparency International"*
2. Development of draft laws amending and supplementing the Law on Political Parties and Political Organisations, Law on Funding of Political Parties and Political Organisations, Law on Control of Funding of Political Parties and Political Organisations, as well as preparation of other relevant legislation.	Prohibition to fund political parties by legal entities. Establishment of legal responsibility for indirect or covert sponsorship of political parties. Definition of major instances of the manifestation of political corruption, elaboration of legal sanctions for such activity. Ensuring transparency and legitimacy of the party financial situation; establishing the	Q 3 of 2002	Ministry of Justice Ministry of Finance Ministry of Economy Central Electoral Commission Special Investigations Service PHARE expert* Lithuanian Chapter of "Transparency International"*

Description	Objective	Implementation period	Implementing authority
	procedure for accounting of receiving, handling and use of party funds; providing for personal accountability of a party treasurer or its leader for committing financial offences.		
	Harmonisation of provisions set out in the Law on Political Parties and Political Organisations, law on Funding of Political Parties and Political Organisations, Law on Control of the Funding of Political Campaigns.		
	Consideration of recommendations on the funding of political parties and campaigns put forward by the Council of Europe's GMC.		
3. Provision for a reduced number of positions of trust in the legislation regulating the Public Service.	Reduction of reshuffles in the public service followed by the change of political powers.	Q 1 of 2002	Ministry of the Interior
4. Drafting of legislation to amend and supplement the Law on the Elections to the Seimas and the Law on the Elections to the Councils of Local Authorities.	Analysis and improvement of legislation with a view to limiting the possibility to be elected to the Seimas and local government councils at the same time, as well as hold simultaneous positions in local government council, board, be a governor or deputy governor of the district, and a manager of a company operating in the same district.	Q 3 of 2002	Ministry of Justice Central Electoral Commission
5. Drafting the Code of Ethics for Lobbying Activities and improving the Law on Lobbying Activities.	Application of the code of ethics in lobbing. Establishment of a system to apply and the rules and monitor their application. Implementation of legislative provisions regulating illegal lobbying activities.	Q 2 of 2002	Chief Institutional Ethics Commission Ministry of Justice National Association of Lobbyists*

Description	Objective	Implementation period	Implementing authority
6. Drafting a law on the procedure of	Making public and informing Lithuanian	Q 1 of 2002	PHARE expert* Ministry of Culture
obligatory provision and publicising of data on the authors, disseminators and owners of public information as well as the owners of the authors and/or disseminators of public information and the other means of mass media.	residents about the authors, disseminators and owners of public information as well as the owners of the authors and/or the disseminators of public information will discipline relevant persons and obligate them to screen the nature of developed or disseminated public information more effectively.		Journalist Ethics Inspector Service
SECT	ION 2. CONSTRAINING ADMINISTRATIVE	CORRUPTION	
1. PUBLIC ADMINISTRATION:			
1.1. Developing a law to amend and supplement the Law on the Procedure for Drafting Laws and other Regulations as well as other relevant secondary legislation.	Establishing a procedure for drafting, adjustment, evaluation of alternatives and the impact of decisions that result in laws, Government resolutions, regulations of ministries and other public bodies.	Q 2 of 2002	Ministry of Justice Ministry of the Interior Special Investigations Service Ministry of Economy PHARE expert*
	Developing a system of reviewing legislation and draft legislation from the point of view of anti-corruption; ensuring consistent implementation of the Law on the Procedure		
	for Drafting Laws and other Regulations in the law development process; harmonisation of Lithuanian laws with the EU legislation.		
	Launching tenders for the development of legislation and using the assistance of experts		

Description	Objective	Implementation period	Implementing authority
	from relevant areas. Involving non-governmental organisations into the law development process. Ensuring participation of representatives from the business community in developing relevant legislation.	period	
	Systematic review of secondary legislation regulating business; establishing the procedure of approving the aforementioned legislation which involves representatives of non-governmental organisations.		
	Improving the law development process by closing down the opportunities for corruption both in the law making and approval process.		
	Ensuring implementation of the Law on the Procedure for Drafting Laws and other Regulations when developing laws.		
1.2. Developing a Civil Servant's Code of Conduct.	Definition of anti-corruption provisions and the measures of legal responsibility in line with the laws regulating contractual relations and the declaration of private interests.	Q 4 of 2002	Chief Institutional Ethics Commission Ministry of the Interior Special Investigations Service PHARE expert* Lithuanian Chapter of "Transparency International"*
1.3. Developing amendments and supplements to the Seimas Resolution,	Encouraging implementation and abidance by the decisions of the Chief Institutional Ethics	Q 2 of 2002	Chief Institutional Ethics Commission

Description	Objective	Implementation period	Implementing authority
Concerning the Approval of Regulations of the Chief Institutional Ethics Commission.	Commission. Ensuring publicity of decisions made and disciplinary measures suggested by the Chief Institutional Ethics Commission.		Ministry of the Interior Special Investigations Service
1.4. Developing laws to supplement the statutes and other legislation of public bodies.	Based on the findings of a corruption mapping exercise, identifying areas that require the principle of rotation.	Q 4 of 2002	Ministry of the Interior Ministry of Finance Special Investigations Service
1.5. Examining the procedure of issuing licences (permissions) by state and local authorities as well as rules of licensing and submitting proposals on the ways to amend them.	Protection of public realm most prone to corruption. Simplification of the process involved in issuing licences (permissions). Ensuring that the amount of a fee for a licence (permission) to engage in a certain activity does not become an obstacle to start up such activity (or engage in it). With a view to closing down the ways of corruption, division of functions between the adoption of individual rules (issuance of licences, permissions and quotas, etc.) and monitoring of their application; such functions should be ascribed to separate bodies.	Q 4 of 2002	Special Investigations Service Ministry of Economy Ministry of the Interior Ministry of Finance Ministry of Educational and Science Ministry of Health Ministry of Social Security and Labour Ministry of Environment Ministry of Transport Ministry of Justice Ministry of Agriculture State Tobacco and Alcohol Control Service under the Government of the Republic of Lithuania PHARE expert*
1.6. Elaborating the procedure of establishing the purpose of the use of land and forest; developing and submitting amendments to the laws on the acquisition of land, forest, or other	procedure for the acquisition, selling and lease	Q 4 of 2002	Ministry of Agriculture Ministry of Environment Ministry of Finance State company State Property Fund

Description	Objective	Implementation period	Implementing authority
property, as well as the procedure for the disposition thereof.	Establishing specific time periods for the lease of land of non-agricultural purpose as well as the methodology of land assessment. Establishing the obligation to conclude a contract on the lease of state land for the persons that manage and use such land. Establishing a procedure for including the cost of state land, as a part of an object rented or to be privatised, as well as the other servitudes into the overall cost of that object.		
1.7. Drafting a programme on the simplification of the provision of public services.	Reduction of the amount of public services (permissions, quotas, certification of goods and services, etc.) in the public sector by giving up state regulation functions uncharacteristic of ministerial activities and handing them over to the non-governmental organisations after envisaging responsibility of the latter for improper performance. Simplification to a maximum the provision of public services (issuance of permissions, quotas, registration of property and companies, certification of goods and services, etc.).	Q 1 of 2003	Ministry of Economy Ministry of Environment Ministry of Finance Ministry of the Interior PHARE expert*
1.8. Developing a law providing for the establishment of a risk assessment system of companies as well as the procedure for the use of the data of the	Developing a transparent risk assessment system of companies and organisations. Developing a transparent risk assessment	Q 3 of 2003	Ministry of Finance Ministry of Economy Ministry of Justice State company State Property

Description	Objective	Implementation period	Implementing authority
system.	system of companies and organisations, based on clear and universally applied criteria. The access to the data shall be enjoyed by government bodies that make decisions in relation to such companies (for example, in relation to public procurement, privatisation of state and municipal property, etc.).		Fund Confederation of Industrialists* Association of Industry, Trade and Crafts Chambers* Confederation of Businessmen's Employers* PHARE expert*
1.9. Analysing legislation stipulating the management of entities where the state holds the majority share, as well as representation when the state carries out the rights granted by the stock its owns; development of relevant amendments and supplements.	Maximal eradication of causes of corruption and increasing legal responsibility of the board members and executives of the companies of said category.	Q 3 of 2002	Ministry of Economy Ministry of Justice Special Investigations Service State company State Property Fund PHARE expert*
1.10. Examination of the Bankruptcy law; analysis of its practical application; submitting comments and proposals.	Elimination of corruption factors in bankruptcy procedures.	Q 4 of 2002	Ministry of Economy Ministry of Finance Ministry of Justice
1.11. Establishing a motivation-driven system of career development in the legislation regulating the civil service as well as other provisions on public authorities.	Establishing a motivation-driven system of career development in the civil service.	Q 1 of 2002	Ministry of the Interior Ministry of Social Security and Labour Ministry of Justice PHARE expert*
1.12. Drafting a legal act regulating a more rational use and allocation of human resources, avoiding queues in the areas where public services are provided (which are most prone to corruption).	Using and allocating human resources more rationally to avoid queues in the areas where public services are provided, which could be a potential factor of corruption.	Q 1 of 2004	Ministry of the Interior
1.13. Developing appropriate legal acts on the national auditing system.	Ensuring the development of independent internal and external audit services in state	Q 3 of 2003	Supreme Audit Office Ministry of Finance

Description	Objective	Implementation period	Implementing authority
	and local bodies. Developing a single national auditing system.	-	Institute of Auditing, Accounting and Property Assessment PHARE expert*
	Establishing the procedure of appointing and dismissing heads of internal auditing services.		THARL expert
	Ensuring the priority consulting function of auditors.		
	Development of independent internal and external audit services in state and local bodies; creation of a single national auditing system, ensuring that the heads of internal audit services are appointed or dismissed from office in accordance with the criteria (requirements) set by the established National Internal Auditing Agency.		
1.14. Development of amendments and supplements stipulating that the civil servants, who accepted bribes and reported to the competent institutions, shall incur no criminal liability.	Creating an effective system ensuring protection to persons that provide information about corruption in office from tampering by administrative means.	Q 1 of 2003	Special Investigations Service Ministry of the Interior Ministry of Justice PHARE expert*
1.15. Developing amendments to the Government Resolution, <i>On the Approval of the Procedure for the Reorganisation and Liquidation of Budgetary Institutions.</i>	Application of an exclusive measure – reorganisation of institutions, where facts of hierarchical corruption have been identified.	Q 2 of 2003	Ministry of the Interior Ministry of Finance
1.16. Establishing in civil service legislation a simplified procedure for the dismissal or transfer of staff to another	Application of exclusive measures in the institutions, where the facts of hierarchical corruption have been identified, i.e. envisage	Q 1 of 2002	Ministry of the Interior Ministry of Social Security and Labour

Description	Objective	Implementation period	Implementing authority
position; development of amendments and supplements to relevant statutes and other regulations.	simplified procedure for the dismissal of staff or their transfer to another position. Improving legislation regulating the civil service, providing for a simpler procedure of dismissing or transferring staff to another position.	•	
1.17. Analysis of the legislation regulating the decision-making process in the civil service and procedure for lodging complaints against them; submission of proposals over the matter.	Acceleration of the civil servants' decision-making process. Reducing the risk of corruption in the decision-making procedure, i.e. where law enforcement and law and order officers make decisions in relation to administering fines for the violations of law. Ensuring the disclosure of the names of decision-makers (particularly in relation to the strategic decisions taken by a body of people).	Q 2 of 2002	Ministry of the Interior Ministry of Social Security and Labour Ministry of Justice Special Investigations Service Association of Local Authorities* PHARE expert*
1.18. Within the framework of the Programme, development of sector anti-corruption programmes.	Systematisation of the anti-corruption measures taken by the state and local authorities in view of the programming model set by Government Resolution No 523 as of 8 May 2000, On the Approval of the Procedure for the Development and Approval of Longterm Programmes of Strengthening National Security; identification of concrete persons responsible for the implementation of the measure and establishment of deadlines for the implementation.	Q 4 of 2002	Special Investigations Service Ministry of Justice Ministry of the Interior Ministry of Finance Ministry of Economy Ministry of Agriculture Ministry of Health Ministry of Transport Ministry of Environment Ministry of National Defence Ministry of Social Security and

Description	Objective	Implementation period	Implementing authority
		Â	Labour Ministry of Education and Science Ministry of Culture Public Procurement Agency under the Government Prosecutor General's Office State Security Department Central Electoral Commission local authorities PHARE experts*
2. TAX AND CUSTOMS:			
2.1. Developing amendments to the law on Income Tax of Natural Persons and law on Declaration of the Property and Income of Residents.	Reducing the amount of income tax, the number of rates on income tax; gradual increase of the non-taxable minimum, considering the number of dependants and the disabled in a household. Establishment of non-taxable deductions, encouraging investments and saving. Introduction of the universal declaration of property, as well as imposing on certain persons the obligation to declare property.	Q 2 of 2002 (After the Government of the Republic of Lithuania approves the Long-term Tax Reform Concept paper)	Ministry of Finance PHARE expert*
2.2. Drafting a new law on tax administration.	Improvement of the tax administration system, encouragement of voluntary tax payment, treating a taxpayer as a consumer. Elaboration of the procedures of tax assessment and payment verification, functions and responsibility of local tax administrators. Establishing a provision	Q 4 of 2002	Ministry of Finance State Tax Inspectorate under the Ministry of Finance

Description	Objective	Implementation period	Implementing authority
	stipulating that any laws establishing new taxes shall come into effect as of the beginning of a new financial year following an announcement in the Official Gazette no later than at three months notice.		
2.3. Drafting a Tax Code.	Systematisation of the tax legal norms and tax administration.	After the approval of all the new tax laws and the new edition of the law on Tax Administration.	Ministry of Finance PHARE expert*
2.4. Completion of installation of information systems in the Customs Department and State Tax Inspectorate under the Ministry of Finance.	Increasing the efficiency of tax administration.	2002–03	Ministry of Finance State Tax Inspectorate under the Ministry of Finance Customs Department under the Ministry of Finance
2.5. Identifying the problems related to the application of the Code of Administrative Violations of Law and the Criminal Code and development of relevant amendments thereto.	Introduction of more effective investigation methods of law violations in the tax area, as mentioned in the Code of Administrative Violations of Law, Criminal Code and Code of Criminal Procedure, as well as separate law violations, simplification of investigative proceedings. Ensuring constant exchange of information between the customs and law enforcement, their co-operation and co-ordination of actions	Q 4 of 2002	Prosecutor General's Office Ministry of the Interior Ministry of Finance
	when disclosing violations of law.		

Description	Objective	Implementation period	Implementing authority
2.6. Introduction of the integrated customs information system and the part of processing customs declaration.	Development of a centralised system of processing customs declarations and ensuring control over customs clearance procedures.	Q 4 of 2002	Customs Department under the Ministry of Finance
2.7. Installation of mobile X-ray control systems at the main state border crossing points.	Increase the risks of unlawful actions by the technical means at the customs.	2002–03	Customs Department under the Ministry of Finance Ministry of Finance
2.8. Implementation of the Government's commitments assumed under the Customs Union's negotiation position on transit procedures.	Differentiation of transit procedures, simplification of regulations on the application of the procedures.	In line with the deadlines provided for in Government Resolution No. 1289 as of 30 October 2000	Customs Department under the Ministry of Finance Ministry of Finance
2.9. Drafting legislation on the improvement of the mechanisms of the customs evaluation of goods.	Establishment of effective procedure of evaluating goods at the customs in order to avoid abuse on the value of a transaction.	Q 2 of 2002	Customs Department under the Ministry of Finance Ministry of Finance PHARE expert*
3. PUBLIC PROCUREMENT AND PRIV	ATISATION		
3.1. Development of a new law on public procurement.	Reducing the regulation of public procurement by secondary legislation. Crystallising the functions of the Public Procurement Agency in monitoring public procurement; administer advance examination of public procurement conditions. Maintaining the balance between qualitative and quantitative indicators of bid evaluation.	Q 1 of 2002	Ministry of Economy Public Procurement Agency under the Government PHARE expert* Lithuanian Chapter of "Transparency International"*

Description	Objective	Implementation period	Implementing authority
	Publicising public procurement: envisaging the transformation of public procurement into the electronic environment; filming major public procurement processes in procuring bodies; placing non-classified data on the web-sites of procuring bodies.		
	Denying the right to persons, representing state authorities, or otherwise funded from the state budget to change the main provisions of a public procurement contract (i.e. the price, quality, deadlines), unless otherwise provided. The latter exceptions shall be detailed in the law on public procurement.		
	Defining the criteria of selecting members of the evaluation committee.		
	Establishing the procedure for making public the results of public procurement evaluation.		
	Constantly informing about any digressions from or changes of the initially foreseen process of public procurement, etc.		
	Establishing by law the ways of central procurement.		
	Establishing by primary legislation and enlarging by secondary legislation the procedure of carrying our small procurements.		

Description	Objective	Implementation period	Implementing authority
	Reducing discretion in public procurement. Developing an effective mechanism of dealing with complaints arising from public procurement, including small procurement.		
3.2. Examination of possibilities that the staff of procuring bodies have in making independent decisions in relation to public procurement and submitting proposals to the Government on how to reduce such discretion.	Reducing discretion in public procurement.	Q 3 of 2002	Public Procurement Agency under the Government of the RL Special Investigations Service Association of Industry, Trade and Crafts Chambers*
3.3. Developing amendments to the Code of Administrative Violations of Law.	Providing for administrative responsibility of the chairperson of the evaluation committee of public procurement proposals, as well as of the head of procuring body or any other persons that contributed adversely to the procedure. Creating a mechanism that would disqualify, for a certain period of time, the economic entities that had corrupted the procedure of public procurement.	Q 2 of 2002	Ministry of Justice Public Procurement Agency under the Government of the RL Special Investigations Service Confederation of Businessmen's Employers* PHARE expert*
3.4. Developing legislation of making public the privatisation procedures.	Setting clearer responsibility of the Government, the state company <i>State Property Fund</i> and the Privatisation Commission and local authorities in making decisions related to privatisation. Improvement of the methods and criteria for making the list of the objects, which have to	Q 2 of 2002	Ministry of Economy State company State Property Fund Association of Lithuanian local authorities* PHARE expert* Association of Industry, Trade and Crafts Chambers *

Description	Objective	Implementation period	Implementing authority
	be privatised. Improving the succession of procedures during the preparatory period of privatisation; elaborating the rights and duties of participants and their accountability. Improving the monitoring mechanism of privatisation process. Ensuring publicity of the actual financial situation of the companies participating in the privatisation. Defining public information during the privatisation transaction.	<u>.</u>	Confederation of Industrialists* Confederation of Businessmen's Employers* Lithuanian Chapter of "Transparency International"*
3.5. Developing amendments and supplements to the law on the Privatisation of the State-Owned and Municipal Property concerning the privatisation of strategically important objects.	1	Q 4 of 2002	Ministry of Economy Ministry of National Defence State Security Department Special Investigations Service State company State Property Fund PHARE expert*
3. HEALTH CARE:			
4.1. Developing a methodology of depreciation expenses and inclusion of part of centralised procurement into a list of services with set prices.	Ensuring implementation of methodology of entering centralised procurement into a list of services with indicated prices.	Q 3 of 2002	Ministry of Health State Patients' Fund
4.2. Developing a concept paper on	Ensuring implementation of centrally	Q 3 of 2002	Ministry of Health

Description	Objective	Implementation period	Implementing authority
ensuring quality health care.	approved diagnostic and treatment standards.		PHARE expert*
4.3. Developing a law on the procedure for the mandatory provision of information to residents about feebearing medical services.	Establishing the procedure for the mandatory provision of information to residents about the medical services for which payment is required.	Q 2 of 2002	Ministry of Health
4.4. Developing laws regulating the health system as well as relevant amendments and supplements to the current legislation.	Harmonisation of laws regulating the health system with the Civil Code, Law on Public Administration and Law on Consumer Protection, with a view to avoiding causes of corruption in legislation.	Q 4 of 2002	Ministry of Health PHARE expert*
4.5. Drafting amendments and supplements on the change of registration of import pharmaceuticals and equipment.	Reforming the registration of import pharmaceuticals, medical products and equipment in the Republic of Lithuania to meet the requirements of the EU directives; abandoning the practice of secondary testing of those imports.	Q 2 of 2002	Ministry of Health PHARE expert*
4.6. Concluding a list of illnesses, pharmaceuticals and other medical products that would be subject to the standards of outpatients' treatment and developing a compensation methodology. Drafting a procedure for the compensation for Orthopaedic devices.	medical products that would be subject to the standards of outpatients' treatment and	Q 3 of 2002	Ministry of Health Ministry of Social Security and Labour State Patients' Fund PHARE expert*
4.7. Developing a concept paper on voluntary health insurance.	Ensuring effectiveness of voluntary health insurance.	Q 4 of 2002	Ministry of Health Ministry of Social Security and Labour PHARE expert*

Description	Objective	Implementation period	Implementing authority
5. LAW ENFORCEMENT AND JUD	DICIAL BODIES		
5.1. Developing legislation providing for the mechanism of co-ordinating the actions of bodies involved in the prevention of corruption and its investigation.	Establishing by relevant legislation the mechanism of co-ordinating the activities of bodies involved in the prevention and investigation of corruption.	Q 4 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office Special Investigations Service
5.2. Developing relevant legislation with a view to Reducing the impact of corruption upon the judicial and law enforcement bodies; increasing openness and transparency of their decision-making.	Reducing the impact of corruption upon the judicial and law enforcement bodies; increasing openness and transparency of their decision-making.	Q 4 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
5.3. Elaborating legislation stipulating the mechanisms of selecting staff to the law enforcement and judicial bodies as well as the evaluation of their performance.	Selecting professionals for the law enforcement and judicial bodies and evaluation of their performance.	Q 4 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
5.4. Carrying out corruption risk analysis in all the units accountable to the Ministry of the Interior and the Ministry of Justice, particularly in the Police Department, Migration Department, Financial Police, Department of Prisons and Courts as well as the State Border Protection Service.	Carrying out corruption risk analysis in all the units governed by and accountable to the Ministry of the Interior and the Ministry of Justice.	2002-03	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
5.5. Analysis and amendment of legislation stipulating the realm of operation of law enforcement and judicial	Improving the existing legislation stipulating the actions of the law enforcement and judicial bodies in preventing and investigating	Q 4 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office

Description	Objective	Implementation period	Implementing authority
bodies when forestalling and investigating corruption.	corruption, with a view to increasing effectiveness of such bodies.		State Security Department Special Investigations Service
5.6. Improving legislation stipulating the procedure for paying fines for the providing for violations of administrative law in order to reduce the power of discretion enjoyed by public officers.	Changing the procedure for imposing and paying fines for the violations of administrative law in order to reduce the power of discretion enjoyed by public officers.	Q 4 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
5.7. Improving legislation providing for the mechanism of distributing cases among law enforcement and judicial officers.	Establishing a clear-cut mechanism of distributing administrative and criminal cases among the law enforcement and judicial officers.	Q 4 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
6. INTERNATIONAL CO-OPERATI	ON:		
6.1. Developing a law on the Ratification of the 1999 Council of Europe's Civil Law Convention on Corruption.	Adhering to the key international anti- corruption conventions and fulfilling the obligations in relation to them. Strengthening international co-operation in the fight against corruption.	Q 4 of 2002	Ministry of Justice
6.2. Drafting a law on the Ratification of the 1997 OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.	Harmonisation of Lithuanian legislation with the EU legal acts and international standards and practices. Developing international prevention of corruption. Aspiring membership in the OECD or the OECD Working Group on Bribery in International Business Transactions.	When Lithuania becomes a member of the OECD working group	Ministry of Justice

Description	Objective	Implementation period	Implementing authority	
6.3. Developing legislation paving the way for the membership in Europol.	Paving the way for the inclusion of the Lithuanian law enforcement into the Europol project.	Q 4 of 2003	Ministry of the Interior Ministry of Justice Special Investigations Service	
6.4. Participation in international anti- corruption networks: 6.4.1. The working group on organised crime of the authorised representatives of the prime ministers of the Baltic Sea Council; 6.4.2. OECD anti-corruption network; 6.4.3. Pre-accession Pact on Organised Crime of the EU Member States and Candidate Countries from Central and Eastern Europe and Cyprus.	Strengthening international co-operation in the fight against corruption and developing prevention of corruption. PUBLIC INVOLVEMENT IN THE PREVENTION	Q 1 of 2002 – 06 ON OF CORRUPT	Ministry of Foreign Affairs European Law Department under the Government Special Investigations Service Ministry of the Interior Ministry of Justice	
Developing a law amending and	Establishment of an Advisory Council under	Q 3 of 2002	Special Investigations Service	
supplementing the law on the Special Investigations Service.	the Special Investigations Service representing the widest strata of society.		Ministry of Justice Lithuanian Chapter of "Transparency International"*	
CHAPTER II INVESTIGATION OF CORRUPTION RELATED OFFENCES				
SECTION 1. INCREASING THE EFFECTIVENESS OF CORRUPTION INVESTIGATION				
1. Development of a draft concept paper of the system of units performing internal	Establishment of a more effective system (of internal investigation or immunity functions,	Q 4 of 2002	Special Investigations Service Ministry of the Interior	

Description	Objective	Implementation period	Implementing authority
investigation, immunity or similar functions in state and local government bodies.	etc.) in state and local government bodies, aimed at the development of corruption prevention and implementation of anticorruption functions in co-operation with the Special Investigations Service. State and local government bodies rendering public services should have units of internal investigation, immunity and other, or persons in charge that would be empowered to carry out prevention of corruption and its control in the relevant body they operate.		Ministry of Justice PHARE expert*
2. Introduction of a system of internal (immunity) units and establishment of their operation in state and local government bodies, as approved by the Government.	_ · · · · · · · · · · · · · · · · · · ·	Q 4 of 2003	All the bodies listed in the concept paper referred to in paragraph 1 of the section herein
3. Analysis of the system of administrative responsibility for corruption related offences; development of appropriate draft legislation.	· ·	Q 2 of 2003	Special Investigations Service Ministry of the Interior Ministry of Justice Lithuanian Chapter of "Transparency International"*
4. Development of draft laws amending and supplementing the laws regulating the procedure of the acquisition of property, valuable assets and income by residents, as well as the procedure of declaring the funding of political parties, organisations and campaigns.	Creating a legal environment to investigate corruption related offences by examining and verifying declarations of property and income of residents, funding of political campaigns and other declarations.	Q 4 of 2002	Ministry of Finance Ministry of Justice State company State Property Fund PHARE expert*

Description	Objective	Implementation period	Implementing authority
5. Examination, from the point of view of anti-corruption, of the codes of conduct in courts, law enforcement and other bodies; submission of relevant opinions and proposals to respective bodies.	Encouraging officers disclosing and investigating crime to report about criminal acts (corruption) committed against them (the existing legislation does not explicitly set such obligation). Encouraging judges harbouring reasonable doubts about procedural court rulings to state their opinion publicly.	Q 3 of 2003	Chief Institutional Ethics Commission Special Investigations Service PHARE expert* Lithuanian Chapter "Transparency International"*
6. Development of draft legislation on the protection of officers investigating corruption related offences and other subjects from unlawful administrative pressure or other measures undermining the effectiveness of investigation	Protection of officers investigating corruption related offences and other subjects from unlawful administrative and other kind of pressure. Ensuring the application of the Criminal Code provisions envisaging criminal liability for improper disclosure of information about a pending criminal case or other material (evidence, etc.) during a pre-trial period, because such an act if committed would violate the principle of lawfulness and injure a just, full and objective investigation of a case, helping the offenders to avoid legal accountability.	Q 4 of 2002	Ministry of the Interior Prosecutor General's Office Ministry of Justice Special Investigations Service
7. With a view to implementing anti- corruption measures in the judiciary, legislation should be developed or amended concerning: 7.1. improvement of the system of	Reducing the impact of corruption on courts, increasing transparency and openness of court decisions, verdicts and rulings. Consideration of the provisions of the	Q 1-3 of 2002	Ministry of Justice Supreme Court* Prosecutor General's Office Special Investigations Service PHARE expert*

Description	Objective	Implementation period	Implementing authority
selecting candidates to the position of judge; 7.2. stripping judges of immunity in relation to administrative accountability; 7.3. development of judges' code of ethics; 7.4. t evaluation of official performance of the judges; 7.5. establishment of a procedure for the review of complaints in administrative proceedings; 7.6. enlarging the list of cases heard by the panel of judges; 7.7. more elaborate analysis of judicial practices; 7.8. involvement of the public into the judicial self-governance.	Additional Protocol to the Council of Europe's Criminal Law Convention on Corruption.		
8. Drafting legislation establishing the procedure of co-operation among the Special Investigations Service, Police Department under the Ministry of the Interior, State Security Department and other bodies investigating corruption offences.	Ensuring co-operation of the SIS with the Police Department under the Ministry of the Interior, State Security Department and other intelligence bodies while investigating corruption crimes. Increasing the role of the Police Department under the Ministry of the Interior, State Security Department and other intelligence-gathering bodies in the fight against corruption.	Q 1 of 2003	Special Investigations Service Ministry of the Interior State Security Department Prosecutor General's Office
9. Setting clear-cut limits of intelligence activities and its measures in the legislation regulating intelligence work,	Setting clear-cut limits of intelligence activities and its measures in the legislation, to allow intelligence officers and other persons	Q 1 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office

Description	Objective	Implementation period	Implementing authority
to allow intelligence officers and other persons applying the deliverables of intelligence work to operate fully within their established remit.	applying the deliverables of intelligence work to operate fully within their established remit.		State Security Department Special Investigations Service
10. Regulating by laws the balance between prevention and criminal prosecution, with a bigger focus on an accurate and absolute verification of intelligence and other type of information as well as its objective assessment.	Setting an optimum balance between prevention and criminal prosecution, with a bigger focus on an accurate and absolute verification of intelligence and other type of information as well as its objective assessment.	Q 1 of 2003	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
11. Regulating by laws co-operation of the Special Investigations Service with the Police Department under the Ministry of the Interior, State Security Department and other intelligence bodies while investigating corruption offences.	Ensuring co-operation of the Special Investigations Service with the Police Department under the Ministry of the Interior, State Security Department and other intelligence bodies while investigating corruption offences.	Q 1 of 2002	Ministry of the Interior Ministry of Justice Prosecutor General's Office State Security Department Special Investigations Service
12. Regulating by laws the exchange of information among law enforcement and monitoring bodies about criminal formations that involve organised crime groups, shadow economy and corrupt civil servants, to strike at the heart of corrupt systems impairing socioeconomic development and aggravating the crime situation.	Reinforcing the exchange of information among law enforcement and monitoring bodies about criminal formations that involve organised crime groups, shadow economy and corrupt civil servants, to strike at the heart of corrupt systems impairing socio-economic development and aggravating the crime situation.	Q 1 of 2003	Ministry of the Interior Ministry of Justice Ministry of Finance Ministry of National Defence Prosecutor General's Office State Security Department Special Investigations Service
13. Adjusting strategic activity plans of the relevant bodies to focus on the investigation of corruption in the priority areas established by the Programme.	Focusing on the investigation of corruption in the priority areas established in the Programme.	Q 1 of 2002	Ministry of the Interior Ministry of Justice Ministry of Finance Prosecutor General's Office

Description	Objective	Implementation period	Implementing authority
		•	State Security Department Special Investigations Service
SECTION 2. INVOLVEME	NT OF THE PUBLIC INTO THE INVESTIGAT	ION OF CORRUP	TION OFFENCES
Development of the procedure to service citizens providing information about corruption offences by a hotline or via the internet.	Development of direct links between the public and anti-corruption bodies by using the internet or hotlines.	Q 4 of 2002	Special Investigations Service Prosecutor General's Office Ministry of the Interior
CHAPTER III ANTI-CORRUPTION EDUCATION OF THE PUBLIC OF ITS SUPPORT			
1. Staging competitions of pupils' initiatives on anti-corruption at comprehensive and grammar schools, announcement of the results.	Introduction of anti-corruption provisions at comprehensive and grammar schools.	2002–06	Ministry of Education and Science Special Investigations Service Crime Prevention Centre in Lithuania* PHARE expert*
2. Development of draft methodological recommendations for anti-corruption education.	Introduction of anti-corruption provisions at comprehensive and grammar schools.	Q 4 of 2002	Ministry of Education and Science Special Investigations Service PHARE experts*
3. Implementation of methodical recommendations of anti-corruption education.	Introduction of anti-corruption provisions at comprehensive and grammar schools.	2003–06	Ministry of Education and Science Special Investigations Service PHARE experts*

Description	Objective	Implementation period	Implementing authority
4. Staging a competition of scientific research on anti-corruption for the students of higher education colleges, announcement of the competition results.	Introduction of the basics of anti-corruption education at the colleges of higher education.	2002–06	Ministry of Education and Science Special Investigations Service Crime Prevention Centre in Lithuania * PHARE experts*
5. Development of curricula, courses and scientific projects for the students of higher education colleges.	Introduction of the basics of anti-corruption education at the colleges of higher education.	Q 1 of 2003	Ministry of Education and Science Special Investigations Service PHARE experts*
6. Introduction of curricula, courses and scientific projects at the colleges of higher education.	Introduction of the basics of anti-corruption education at the colleges of higher education.	2003–06	Ministry of Education and Science Special Investigations Service PHARE experts*
7. Conducting a competition of regional journalists for the best articles of investigative journalism on anticorruption; announcement of the competition results, publication of the articles.	Encouraging more active anti-corruption initiatives of the regional media.	2002–06	Organisations of journalists* Special Investigations Service PHARE experts*
8. Conducting journalists' competition for the best articles in the press on anti-corruption, announcement of the competition results, publication of the articles.	Drawing the attention of Lithuanian residents and the media to the topical issues of anti-corruption at the state level.	2002–06	Organisations of journalists* Special Investigations Service PHARE experts*
9. Preparation and distribution of postcards, posters, leaflets (explaining the objectives of the anti-corruption programme, individual rights and the ways of countering corruption, etc.).	Introduction of the National Anti-Corruption Programme to the widest strata of society and enlarging on the ways for individuals to actively resist corruption.	2002–06	Special Investigations Service Ministry of the Interior Crime Prevention Centre in Lithuania* PHARE experts*

Description	Objective	Implementation	Implementing authority
		period	
10. Development of an anti-corruption	Instilling the principles of anti-corruption	Q 2 of 2003	Ministry of the Interior
training programme for civil servants;	conduct into civil servants.		Special Investigations Service
development of draft legislation			Crime Prevention Centre in
regulating the attendance of such training			Lithuania*
courses.			PHARE experts*
11. Conducting anti-corruption training	Instilling the principles of anti-corruption	Q 2 of 2003 –	Ministry of the Interior
courses for civil servants.	conduct into civil servants.	06	Special Investigations Service
			PHARE experts*

^{*} The Supreme Court of Lithuania, non-governmental organisations as well as other entities shall take part in the National Anti-Corruption Programme upon their own consent.