



WORKING ARRANGEMENT

BETWEEN

THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE ("EPPO") AND PROSECUTOR GENERAL'S OFFICE OF THE REPUBLIC OF LITHUANIA ("PGO") ON MUTUAL SUPPORT AND COOPERATION

The European Public Prosecutor's Office (hereafter referred to as "the EPPO") and Prosecutor General's Office of the Republic of Lithuania (hereinafter referred to as "the PGO"), together referred to as "The Parties",

Having regard to Articles 86 and 325 of the Treaty on the Functioning of the European Union,

Having regard to the Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office (hereafter "the EPPO Regulation"),

Having regard to the Law on the Prosecutor's Office, of the Republic of Lithuania,

Considering that it is within the common interest of the EPPO and the PGO to facilitate the cooperation, in an effort to make the fight against fraud, corruption and any other criminal offence or illegal activity adversely affecting the European Union's financial interests as efficient as possible,

Taking into account the scope of their respective missions and mandates,

Have agreed as follows:

Chapter I

General provisions

Article 1

Purpose

1. The purpose of this working arrangement is to establish closer cooperation between the Parties in the exercise of their investigative and prosecutorial mandates, within the existing limits of the respective legal frameworks, in particular through the exchange of information and mutual support between the Parties including personal data.
2. This working arrangement does not create any additional rights and obligations under European Union law and is without prejudice to the provisions governing the mandate of the EPPO.

Article 2

Scope

The Parties shall cooperate, within their mandates and in accordance with the EPPO Regulation, in particular in the following areas:

- Exchange of information, both on strategic and operational level;
- Support to the decentralised level of the EPPO;
- Case management systems;
- Training and staff exchange;
- Communication with the media;
- Other areas of cooperation.

Chapter II

Operational cooperation

Article 3

Exchange of information

1. The Parties may provide each other, spontaneously or upon request, any information that might be relevant for the other Party in terms of the purpose of this working arrangement and the exercise of their respective mandates, in conformity with the relevant rules on confidentiality and data protection.
2. The Parties agree that for the purpose of reporting to each other in accordance with the EPPO Regulation, templates may be used.

Article 4

Consultation and cooperation on case-related matters

1. The Parties shall consult each other in application of the relevant provisions of the EPPO Regulation.
2. In application of paragraph 1, the European Delegated Prosecutors in Lithuania may access the national criminal files, to the extent it is necessary for the performance of their functions.
3. The Parties may organise common operational meetings.

Article 5

Operational costs for the EPPO's investigations

The Parties acknowledge that the costs for the EPPO's investigations in Lithuania will be covered from the PGO and EPPO budgets respectively, in accordance with the rules provided for in Article 91(5-6) of the EPPO Regulation.

Article 6

Support by the PGO to the decentralised level of the EPPO

1. The PGO will ensure adequate financial and human resources, including necessary infrastructure, for proper functioning of the decentralised level of the EPPO in Lithuania.
2. The Parties shall exchange any necessary information that might be needed in application of Article 96(6) of the EPPO Regulation. To this end, they will provide the contact details of their competent departments for financial and human resources matters.
3. In relation with the Lithuanian authorities and with the national staff put at the disposal of the EPPO's decentralised level, the European Delegated Prosecutors in Lithuania shall respect, the administrative rules in the same manner as national prosecutors.

Article 7

Case management and other IT systems

1. The PGO will grant access, with the appropriate IT equipment, to the national case management systems and other PGO IT systems for the European Prosecutor from Lithuania and to the European Delegated Prosecutors in Lithuania to the extent necessary for the performance of their functions.
2. The PGO will implement changes in the national case management systems and other PGO IT systems in order to ensure proper functioning of the EPPO decentralised level in Lithuania.
3. The Parties agree to implement joint activities for the interoperability between the Lithuanian case management systems, if necessary, other PGO IT systems, and the EPPO case management system.

Article 8

Contact points for operational cooperation

1. The Parties shall designate contact points for operational cooperation. They shall notify each other of such designation by means of exchange of letters at the time of signature of this arrangement.
2. Any subsequent change of the designated contact points will be notified without delay in writing.
3. Any new request for information exchange, cooperation or support should be addressed:
 - By the EPPO to the Prosecutor General of the Republic of Lithuania, via the PGO contact points;
 - By the PGO to the European Chief Prosecutor, via the EPPO contact points.
4. Without prejudice to paragraph 1, the European Delegated Prosecutor designated to substitute the Lithuanian European Prosecutor may liaise with the relevant Lithuanian authorities in accordance with his/her additional tasks in this capacity.

Chapter III

Institutional and management cooperation

Article 9

Information exchange on trends

Within the limits of their respective mandates, the EPPO and the PGO may exchange, either spontaneously or on request, strategic information in their possession, such as:

- a) Operational structures of the organisations involved in the fraudulent activities, as well as the links between these organisations operating inside or outside the European Union;
- b) Strategies, *modus operandi*, techniques and the financing of these organisations;
- c) Trends in criminality related to fraud, corruption or any other illegal activities.

Article 10

Professional training and staff exchange

Subject to the availability of resources, the Parties will cooperate in the area of training. They will inform each other of, and invite each other to relevant seminars, workshops, conferences and other similar activities of common interest.

Article 11

Meetings and other events

1. The Parties shall organise regular high-level meetings between the European Chief Prosecutor and the Prosecutor General of the Republic of Lithuania, as well as technical meetings at both operational and administrative levels.
2. The Parties may cooperate in organising meetings and / or invite each other to events such as:
 - training sessions on matters of common interest;
 - seminars, workshops, conferences and other similar activities that are mutually relevant;
 - internal and external working groups related to implementation of criminal policy;
 - activities related to legislative initiatives;
 - project related activities.

Article 12

Channels of communication at institutional level

1. For high level and training-related cooperation, the Parties shall communicate through the Executive Office, for the EPPO, and the Secretariat of the Prosecutor General, for the PGO.
2. For administrative and human resources related aspects concerning the EPPO decentralised level, the contact points are the Administrative Director of the EPPO and, respectively, the Secretariat of the Prosecutor General of the PGO.

Article 13

Communication with the media

1. The Parties agree to consult each other before communicating with the media on operations in which they were both involved. The Parties may agree the text of a joint or individual press release on results thereof. Each Party will react to the request for such consultation as soon as possible, and preferably within 48 hours.
2. The Parties may agree on a joint communication activities.

Chapter IV

Confidentiality and data protection

Article 14

Confidentiality, use of information by the Parties and in relation to third parties

1. Information communicated or acquired under this working arrangement is not disclosed and protected in accordance with Article 108 of the EPPO Regulation and in accordance with the law of the Republic of Lithuania.
2. When the Parties provide information to each other from their respective case files this information should be limited to what is strictly necessary.
3. The EPPO and the PGO will not exchange information, if disclosure to the other Party is prohibited by the law governing the Party possessing the information.

Article 15

Data Protection

1. Personal data may only be processed by the EPPO and the PGO in full compliance with the respectively applicable data protection framework applicable to such processing. Any personal data processed by the EPPO or by the PGO shall be processed only in compliance with the principles of lawfulness and fairness, data minimisation, accuracy, storage limitation, integrity and confidentiality and accountability. Both Parties shall ensure that all receipts of personal data, as well as any transfers thereof, are duly logged and traceable, including, where required in line with these or other implementing rules, the grounds for their transfer. No personal data shall be kept longer than necessary for the purpose for which it has been processed, or than required due to other legal obligations.
2. At the moment that Parties exchange personal data for investigative purposes, and the relevant data subject has already been notified of the processing of his/her data by the transmitting Party, this shall be notified to the receiving Party.
3. As soon as one of the Parties becomes aware of a data breach concerning personal data transmitted on the basis of the present arrangement, it should inform the other Party accordingly. The communication should describe the nature of the personal data breach as well as any remedial action taken, as appropriate.
4. Personal data shall be transmitted with a purpose and shall not be processed in a manner incompatible with the purpose for which it was transmitted.
5. Any restriction on the use of information exchanged, or instructions relating to deletion or destruction, including possible access restrictions in general or specific terms, shall be respected by the Parties.

Chapter V

Final provisions

Article 16

Evaluation of cooperation

1. The Parties will evaluate the application of this working arrangement and the necessity for amendments. For this purpose, the European Chief Prosecutor and the Prosecutor General of the Republic of Lithuania may consult each other.

2. The Parties may provide information on their collaboration in their respective annual reports.

Article 17

Expenses

The Parties shall bear their own expenses which arise in the course of implementation of the present working arrangement, unless otherwise stipulated in this working arrangement.

Article 18

Amendments and supplements

This working arrangement may be amended in writing at any time by mutual consent between the Parties.

Article 19

Entry into force

This working arrangement shall enter into force on the date of the last signature.

Done at Luxembourg on 2/07/2021 and Vilnius 7/07/2021,
in two originals in the English and Lithuanian language, both texts being equally authentic.

For the EPPPO,

Laura Codruța KÖVESI
European Chief Prosecutor



For the PGO,

Nida GRUNSKIENĖ
Prosecutor General of the
Republic of Lithuania

