‘MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF LITHUANIA

ORDER
ON THE APPROVAL OF THE DESCRIPTION OF PROCEDURE FOR THE IMPLEMENTATION OF THE DEVELOPMENT COOPERATION AND DEMOCRACY PROMOTION PROGRAMME

No V-62 of 17 April 2014
Vilnius


Preamble amended:

I hereby approve the Description of Procedure for the Implementation of the Development Cooperation and Democracy Promotion Programme (annexed).’

Minister of Foreign Affairs

Linas Linkevičius
DESCRIPTION OF PROCEDURE FOR THE IMPLEMENTATION OF THE DEVELOPMENT COOPERATION AND DEMOCRACY PROMOTION PROGRAMME

CHAPTER I
GENERAL PROVISIONS

1. The Development Cooperation and Democracy Promotion Programme (hereinafter ‘the Programme’) is a part of the strategic action plan of the Ministry of Foreign Affairs of the Republic of Lithuania (hereinafter ‘the Ministry’). It shall be implemented from state budget allocations earmarked for the Ministry.

2. The Description of Procedure for the Implementation of the Development Cooperation and Democracy Promotion Programme (hereinafter ‘the Procedure’) shall set forth the procedure for the implementation of the development cooperation activities by the Ministry and diplomatic representations of the Republic of Lithuania in foreign countries, representations of the Republic of Lithuania to international organisations, consular posts and special missions (hereinafter ‘the diplomatic representations’), administration of development cooperation projects financed with the Programme funds (hereinafter ‘the projects’), cooperation between the Ministry and the Central Project Management Agency (hereinafter ‘the CPMA’) on the engagement in development cooperation activities financed with international donor funds, the provision of co-financing and information to the public about the Programme.

3. Development assistance by means other than projects and co-financing shall be rendered under the procedure set forth in the Description of Procedure for the Implementation of Development Cooperation Activities by State and Municipal Institutions and Agencies approved by Resolution No 278 of the Government of the Republic of Lithuania of 26 March 2014 ‘On the approval of the Description of Procedure for the Implementation of Development Cooperation Activities by State and Municipal Institutions and Agencies’ (hereinafter ‘the Description of Procedure for Institutions’). Proposals on the methods and measures of rendering development assistance by other means shall be submitted to the Development Cooperation and Humanitarian Aid Commission of the Ministry (hereinafter ‘the Commission’) by the Development Cooperation Department of the Ministry (hereinafter ‘the Department’).

4. The terms used in the Description are defined in the Law on the Development Cooperation and Humanitarian Aid of the Republic of Lithuania (hereinafter ‘the Law’) and the Description of
CHAPTER II
PROJECT ADMINISTRATION

SECTION ONE
GENERAL PROVISIONS

5. Projects shall be managed in accordance with the Law, the Description Procedure for Institutions and the Procedure. Recommended forms used for project management and required for the implementing of development cooperation activities have been approved by Order No V-226 of the Minister of Foreign Affairs of 11 November 2014 “On the Approval of Recommended Forms Required for the Implementation of the Development Cooperation Activities and the Provision of Information on the Rendered Humanitarian Aid”.

6. Financial requirements for projects on bilateral assistance for development are laid down in the Description Procedure for Institutions.

7. Projects shall be managed by the Ministry or diplomatic representations (hereinafter jointly ‘the projects under direct management’) or the CPMA. Projects under direct management shall be projects exclusively related to the functions of diplomatic service.

8. The Commission shall decide which share of the Programme funds will be earmarked for the projects under direct management and which share will be earmarked for the projects managed by the CPMA.

9. The management functions of the projects under direct management, including the administrative evaluation and the evaluation of the content of project concepts (hereinafter ‘the concept’) and/or project applications (hereinafter ‘the application’), shall be carried out by employees of the Department or diplomatic representations in charge of the coordination of development cooperation activities.

10. The terms and conditions of cooperation between the Ministry and the CPMA, in case that projects are administered by the CPMA, shall be laid down in a partnership agreement. In addition to the provisions laid down in point 19 of the Description of Procedure for Institutions, the following shall be defined:

10.1. The division of assignments between the staff of the Ministry and the CPMA for the evaluation of the content of applications and/or concepts according to the provisions of point 15.2 of the Procedure;

10.2. The option to issue more than one call for proposals of concepts and/or applications per year;

10.3. Other terms and conditions of cooperation between the Ministry and the CPMA.
SECTION TWO
ADMINISTRATION OF PROJECTS MANAGED BY THE MINISTRY AND THE CPMA

11. Pursuant to the development cooperation policy guidelines laid down in the Inter-institutional Action Plan on Development Cooperation (hereinafter ‘the Development Cooperation Policy Guidelines’), the Department shall develop concepts to be included into the call for proposals.

12. The Department shall prepare the draft call for concepts and/or applications for the selection of development cooperation projects administered by the Ministry and the CPMA and submit it to the Commission for approval. The call shall specify the project administrator (either the Ministry or the CPMA) to which concepts and/or applications should be submitted.

13. Concepts and/or applications under the call approved by the Commission shall be submitted in the Lithuanian or English language within one month from the date of publication of the call for concepts and/or applications on the website www.orangeprojects.lt for development cooperation activities carried out by the Ministry, unless the Commission specifies otherwise.

14. The administrative evaluation of concepts and/or applications shall be carried out following the procedure laid down in the Description of Procedure for Institutions.

15. The content of concepts and/or applications shall be evaluated:

15.1. in case the Ministry is project administrator, by staff members of the Ministry and a respective diplomatic representation indicated in point 15.2 of the Description;

15.2. in case the CPMA is project administrator:

15.1.1. by one staff member of the CPMA, one staff member of the Department, one staff member of another respective administrative unit, represented at the Commission, and a staff member appointed by the head of the diplomatic representation accredited in the country in which the project will be implemented (if any), when the content of a concept is evaluated;

15.1.2. by one staff member of the CPMA, one staff member of the Department and one staff member of another administrative unit of the Ministry, represented at the Commission, when the content of an application is evaluated. An opinion on the justification of the application estimate and other aspects that might be important for the Commission for the decision making shall also be delivered by a staff member appointed by the head of the diplomatic representation accredited in the country in which the project will be implemented (if any).

16. No evaluation shall be carried out with respect to the concepts prepared by the Department and approved by the Commission.

17. The Department or the CPMA shall submit the results of evaluation of concepts and/or applications to the Commission for consideration.

18. On evaluating the submitted evaluation results, the Commission shall:

18.1. compile a list of concepts where the applicants would receive a proposal to draft an application or an application with reservation (hereinafter ‘the list of concepts’). This list may, as a
matter of priority, single out also the concepts where applicants would receive a proposal to draft an application or an application with a reservation in cases where an applicant of a concept on the list of concepts refuses to draft an application or an application is not recommended for approval or approval with a reservation (hereinafter ‘the list of reserve concepts’). The Department shall forward the list of concepts to the CPMA in case the CPMA is project manager, or in accordance with the Description of Procedure for Institutions inform the applicants of concepts about the Commission decision on the compilation of the list of concepts in case the Ministry is project manager;

18.2. compile a list of applications recommended for approval or approval with a reservation, and make a recommendation to the Chancellor of the Ministry for the adoption of decision on granting of funds for the implementation of the applications. The list shall single out the applications for which the Commission recommends granting the funds immediately. The list may, on a priority basis, contain additional applications for the implementation of which the Commission recommends granting funds only if circumstances specified in point 20 of the Procedure exist (hereinafter ‘the list of reserve applications’) and in accordance with the procedure set forth therein.

19. Following the recommendations of the Commission, the Chancellor of the Ministry shall take the decision regarding the allocation of funds for the implementation of project applications. Should the decision be taken to allocate funds for the implementation of project applications, the Chancellor of the Ministry shall:

19.1. sign the project implementation agreement with an applicant, if a project is administered by the Ministry, or

19.2. sign an annex to the partnership agreement with the CPMA approving the list of projects based on which the CPMA shall enter into project implementation agreements, if the projects are administered by the CPMA.

20. If during the implementation of projects referred to in points 19.1 and/or 19.2 of the Procedure the Programme funds are saved and/or additional funds are allocated for project implementation (hereinafter jointly referred to as ‘additional funding’), finances from these funds may be allocated for the implementation of the applications included in the list of reserve applications. The proposal for project implementation shall be made first to the applicant of the application at the top of the list of reserve applications. If the additional funding allocated is less than requested for the implementation of the project of the application at the top of the list of reserve applications, the applicant shall receive a proposal to implement the project with a reduced amount of funding. If the applicant of the application refuses or for other reasons disagrees to sign the project implementation agreement, the applicant of the application next on the list of reserve applications shall receive a proposal for project implementation.

21. The applications drawn up in accordance with the concepts included on the list of concepts referred to in point 18.1 of the Procedure shall be evaluated under the procedure set forth
in Chapter III of the Description of Procedure for Institutions and Section Two of the Procedure, and the Chancellor of the Ministry shall take the decision on the granting of funds for the implementation of these projects under the procedure set forth in point 19 of the Procedure.

22. The implementation of the project shall be monitored and the evaluation of the results shall be carried out following the procedure laid down in the Description of Procedure for Institutions by staff members of the Department specified in point 9 of the Description (if the Ministry is project administrator) or by staff members of the CPMA (if the CPMA is project administrator). They shall also submit the evaluation of reports on the implementation of projects to the Commission for consideration. The Commission shall take the decision on full or partial approval or rejection of the project implementation report.

23. With the approval of project implementation report and interim project implementation report (if any), the Commission shall recognise the eligibility of expenditure incurred to be funded under the Programme.

24. If project implementation report is approved in full or in part, the project implementer shall pay back funds that are recognised as ineligible and/or unused, if any, to the project administrator within the time limit specified in the act on the approval of the implementation of activities, but no later than five working days before 1 December of the current year when the Ministry is project administrator, or no later than 10 working days before 1 December of the current year when the CPMA is project administrator.

25. For a project lasting more than one year, the Commission shall take a decision on interim evaluation of project implementation under the following procedure:

25.1. Following the interim evaluation of the project, the Commission shall take a decision to approve the interim report on project implementation and continue the project in the manner it has been planned, to approve the interim report in part and continue the project with due consideration to amendments suggested by the Commission, or to reject the interim report and discontinue the project;

25.2. If the Commission takes the decision to approve in part the interim report on project implementation and continue the project with due consideration to amendments suggested by the Commission, the project administrator shall draft an additional agreement to the project implementation agreement and shall coordinate it with the project implementer. If the Commission takes the decision to reject the interim report on project implementation and discontinue the project, the project administrator shall initiate the termination of the agreement under the procedure laid down therein;

25.3. If the Commission takes the decision to approve in part the interim report on project implementation or reject the interim report, the grounds for the decision and suggested amendments (if any) shall be indicated in the protocol.
26. The final reports on a project lasting more than one year shall be evaluated under the procedure set forth in point 22 of the Procedure.

SECTION THREE
ADMINISTRATION OF PROJECTS AT DIPLOMATIC REPRESENTATIONS

27. Diplomatic representations shall administer projects in order to respond to short-term needs of the countries in which (or to which) they are accredited, and of other partner countries (if development cooperation activities are carried out by representations to international organisations) in the field of development cooperation policy.

28. The decision on the possibility for specific diplomatic representations to carry out development cooperation activities or suspension of the ongoing development cooperation activities shall be taken by the Commission. The diplomatic representation shall be notified about the decision of the Commission within 10 working days from the date of the decision.

29. If the Commission takes a decision authorising a diplomatic representation to carry out development cooperation activities, the diplomatic representation shall perform an annual analysis of development cooperation needs of the country in which (or to which) it is accredited, or of another partner country (if development cooperation activities are carried out by a representation to an international organisation), and shall prepare an action plan on development cooperation to be submitted to the Department for coordination.

30. Having regard to the development cooperation action plans (hereinafter ‘the action plans’) of the diplomatic missions, the Department shall, on an annual basis, prepare a proposal for the funding of the development cooperation activities of the diplomatic missions and submit the proposal to the Commission for consideration. On evaluating the action plans and the proposal referred to herein, the Commission shall make recommendations to the Chancellor of the Ministry on the granting of funds for the implementation of the action plans.

31. The development cooperation activities of the diplomatic representations shall be financed and the use of funds shall be accounted for under the procedure set forth in the Rules for the drafting and implementation of an estimate of costs and financial accounting of diplomatic representations, consular posts and representations of the Republic of Lithuania to international organisations, approved by Order No V-5 of 18 January 2005 of the Minister of Foreign Affairs ‘On the Rules for the Drafting and Implementation of an Estimate of Costs and Financial Accounting of Diplomatic Representations, Consular Posts and Representations of the Republic of Lithuania to International Organisations’.

32. The diplomatic representation shall establish a development cooperation commission (hereinafter ‘the representation commission’) to carry out development cooperation activities. It is recommended that the representation commission consist of at least three employees of the diplomatic representation. The functions of the representation commission, rights and duties of members thereof and the work organisation procedure shall be laid down in the regulations of the
representation commission that shall be approved by the head of the diplomatic representation.

33. Diplomatic representations with no possibilities to establish a representation commission shall act in accordance with the Commission decisions and recommendations.

34. The selection of projects under the management of a diplomatic representation pursuant to the Description of Procedure for Institutions shall be carried out in accordance with a call for applications approved by an order of the head of the diplomatic representation.

35. In accordance with the development cooperation policy guidelines, the employee of a diplomatic representation assigned to coordinate the development cooperation activities at the diplomatic representation shall draw up a call for applications and submit it to the head of the diplomatic representation for approval. This employee shall be appointed by an order of the head of the diplomatic representation.

36. Applications shall be submitted to the diplomatic representation in the Lithuanian or English language. Applications may also be submitted to the diplomatic representation in another foreign language if the diplomatic representation has provided for such a possibility in the call for applications.

37. Applications to the diplomatic representation may be submitted by:

37.1. natural and legal persons of the Republic of Lithuania;

37.2. legal entities, other organisation, their divisions and natural persons of the country in which (or to which) the diplomatic representation is accredited;

37.3. legal entities, other organisations, their divisions and natural persons of partner countries (if development cooperation activities are carried out by the diplomatic representation to an international organisation).

38. The results of the content evaluation of applications shall be discussed by the representation commission or the Commission. The representation commission or the Commission shall compile a list of applications recommended for approval or approval with a reservation and make a recommendation to the head of the diplomatic representation concerning the adoption of the decision on the granting of funds for the implementation of applications. The list of reserve applications may be singled out on this list under the procedure set forth in point 18.2 of the Procedure.

39. Having regard to the recommendation of the representation commission or the Commission, the head of the diplomatic representation shall adopt the decision on the granting of funds for the implementation of project applications and conclude an agreement with the project implementer.

40. The implementation of a project shall be monitored and the evaluation of the achieved outcomes shall be carried out under the procedure laid down in the Description of Procedure for Institutions by the employee of the diplomatic representation assigned to coordinate development
cooperation activities.

41. In accordance with project implementation agreements, projects shall be funded and payments to the project implementer shall be made by the diplomatic representation. Where the project implementer is a natural or legal person of the Republic of Lithuania, the diplomatic representation may apply to the Finance Department of the Ministry in writing for a transfer of funds to the project implementer in accordance with the concluded project implementation agreement or the statement of implementation of project activities. In this case the diplomatic representation shall provide the original project implementation agreement or the act of the implementation of project activities or an approved copy thereof.

42. The diplomatic representation shall collect and systematise information on the implementation of projects and store correspondence with project implementers, concepts and applications, agreements, implementation reports and documents justifying project costs, unless they have to be forwarded to the Finance Department of the Ministry.

43. The diplomatic representation, no later than by 15 July of the current year, shall provide the Department with information on the progress of project implementation and the funds used.

44. Evaluations of the project implementation report shall be submitted for consideration to the representation commission or the Commission which shall take the decision to approve the project implementation report, approve the report in part or reject the report specifying the reasons in the decision. The representation commission or the Commission shall recognise the eligibility of expenditure under the Programme.

45. Where the decision is taken to approve the project implementation report in full or in part, the head of the diplomatic representation shall sign the act of the implementation of activity with the project implementer specifying the funds to be returned, if any, by the project implementer and the time limit for such return (but not later than five working days before 1 December of the current year). When the decision is taken to reject the project implementation report, the project implementer shall return the transferred funds within the time limit specified in the minutes of the representation commission or the Commission, but not later than five working days before 1 December of the current year.

46. The diplomatic representation no later than by 1 December shall provide the Department with information on the funds utilised in the current year.

47. The diplomatic representation by 31 January of the next year shall submit a report on the implementation of development cooperation activities of the diplomatic representation for the previous year to the Department. The report shall include the following:

47.1. the total number of applications received, and the number of approved and rejected applications;

47.2. brief information on the implemented projects and their outcomes;
47.3. evaluation of the impact the implemented projects had on the country in which (or to which) the diplomatic representation is accredited, or on the partner country where the projects had been implemented by the representation to an international organisation;

47.4. problems encountered while implementing the projects and proposals on how to avoid them in future (if any);

47.5. brief information on the funds allocated to and utilised by the diplomatic representation.

48. The report on the implementation of development cooperation activities of a diplomatic representation shall be evaluated by the Commission with due consideration to the recommendations of the Department.

CHAPTER III
INVolvement in the development cooperation activities funded by international donors

49. The Ministry shall participate in development cooperation projects funded by international donors and, within its respective competence, provide consultations to state and municipal institutions and agencies (hereinafter ‘the institutions’), non-governmental organisations and business associations interested in participating in such projects.

50. The CPMA shall collect and publish on its website information about the pending or already announced calls for proposals by international donors, partner countries and support areas. When appropriate, the information about the calls may be also disseminated to institutions by other means (electronic mail, telephone).

51. In the capacity of the national coordinator of the European Union (hereinafter ‘the EU’) Twinning programme, the Ministry shall be responsible for:

51.1. maintaining contacts with the European Commission on issues of the EU Twinning programme;

51.2. ensuring the representation of Lithuania at events of the EU Twinning programme network organised by the European Commission;

51.3. cooperation with diplomatic representations on issues of the preparation and submission of applications for EU Twinning projects, as well as the assurance of visibility of the EU Twinning projects;

51.4. maintaining the national website on the EU Twinning programme;

51.5. adopting decisions on the status of the authorised institution and forwarding the information on the adopted decision to the European Commission.

52. While performing the functions provided for in paragraphs 2 and 3 of Article 7(3) of the Law, the CPMA shall carry out the functions of the administrator of the EU Twinning programme and be responsible for:
52.1. disseminating project calls for proposals and other related information to the institutions;

52.2. updating and developing the national network of contact persons of the EU Twinning programme at the institutions;

52.3. providing assistance to the institutions in the process of the preparation of a proposal in establishing a consortium;

52.4. evaluating compliance of a project proposal prepared by the institution(s) with the project eligibility criteria specified in the EU Twinning Manual (in accordance with Annexes C6 and C6bis to the Twinning Manual) and submitting the prepared project proposal to the European Commission or other responsible authority;

52.5. consulting the institutions on the status of a mandated bodies and submitting a conclusion on the status of a mandated body to the Ministry;

52.6. organizing of training for employees of the institutions and/or preparing methodological material on project development and implementation.

53. At the CPMA request, the Ministry may contribute to the performance of the functions referred to in point 52 of the Description.

CHAPTER IV
PROVISION OF CO-FINANCING

54. The Ministry may provide co-financing to international projects or programmes from the Programme funds. The information on co-financing shall be published on the website dedicated to the development cooperation activities carried out by the Ministry (www.orangeprojects.lt). This website shall specify the time limit set by the Department within which the institutions, non-governmental organisations and business associations may submit written requests to the Ministry for the granting of co-financing (hereinafter the request). The request shall specify the amount required for co-financing. In addition to the request, a copy of the project or programme application submitted to another donor or the confirmation that the application of the institution, non-governmental organisation or business association (hereinafter ‘the requesting entity’) has been selected for the implementation of that project or programme shall be provided. Requests submitted outside the time limit set by the Department shall not be considered.

55. The Department may ask the requesting entity within five working days from the dispatch of the letter from the Department to submit additional information required for considering the issue. Upon receiving the required information, the Department shall submit the issue on the granting of co-financing to the Commission for consideration, which shall provide a recommendation to the Chancellor of the Ministry on the granting of full or partial co-financing to a programme or project. If the requesting entity fails to provide the required additional information to the Department within
the time limit specified herein, the request shall not be considered.

56. The Department shall inform the requesting entity about the decision of the Ministry on co-financing not later than within 20 working days from the deadline for submitting requests as specified in point 54 of the Procedure.

57. If the Chancellor of the Ministry adopts the decision to grant full or partial co-financing, an agreement shall be concluded between the Ministry and the requesting entity. The agreement shall specify the time limits for project or programme implementation, the size of tranches of the co-financing granted by the Ministry to the implementer and the procedure for accounting for a project or programme implementation by the project implementer.

58. The utilisation of co-financing for projects or programmes shall be accounted for in accordance with the form approved by the Minister of Foreign Affairs. The project or programme implementer shall return the unused or wrongly spent co-financing to the Ministry.

CHAPTER V
PUBLIC AWARENESS OF THE IMPLEMENTATION OF THE PROGRAMME

59. The Department shall publish information about the Programme and its implementation on the website of the Ministry (www.urm.lt) and the website dedicated to the development cooperation activities carried out by the Ministry (www.orangeprojects.lt).

60. Information about projects administered by a diplomatic representation shall be published on a website of a diplomatic representation.

61. When providing bilateral assistance for development, it shall be laid down in the agreement that the project implementer shall publish on its website (if any) the information related to the ongoing projects after signing the agreement; also, where possible, the project implementer shall publicise such information in other media using the logotypes of the Ministry, the diplomatic representation or the Programme and indicating that the project is financed with the Programme funds, and ensure the visibility of the Programme in the project by other means.

Amendments:


