



GOVERNMENT OF THE REPUBLIC OF LITHUANIA

RESOLUTION ON THE APPROVAL OF THE REGULATIONS OF THE FUND FOR THE DEVELOPMENT COOPERATION AND HUMANITARIAN AID AND THE INSTITUTIONAL COMPOSITION OF THE GOVERNING BOARD OF THE FUND FOR THE DEVELOPMENT COOPERATION AND HUMANITARIAN AID

15 December 2021 No 1096
Vilnius

Acting in accordance with Article 7(3) and Article 13 of the Law of the Republic of Lithuania on the Development Cooperation and Humanitarian Aid, the Government of the Republic of Lithuania hereby resolves:

1. To approve the Regulations of the Fund for the Development Cooperation and Humanitarian Aid (attached).

2. To approve the following institutional composition of the Governing Board of the Fund for the Development Cooperation and Humanitarian Aid for a period of three years:

2.1. two representatives of the Ministry of Foreign Affairs of the Republic of Lithuania;

2.2. a representative of the Ministry of Finance of the Republic of Lithuania;

2.3. a representative of the public body Central Project Management Agency;

2.4. representative of the Lithuanian Association of Information and Communication Technologies Infobalt;

2.5. a representative of a non-governmental organisation active in the field of development cooperation;

2.6. representative of the Association of Local Authorities in Lithuania.

3. To authorise the Minister of Foreign Affairs of the Republic of Lithuania to approve the description of activities of the Fund for the Development Cooperation and Humanitarian Aid.

Prime Minister

Ingrida Šimonytė

Minister for Foreign Affairs

Gabrielius Landsbergis

APPROVED by
by Resolution No 1096 of 15
December 2021 of the Government
of the Republic of Lithuania

REGULATIONS OF THE FUND FOR THE DEVELOPMENT COOPERATION AND HUMANITARIAN AID

CHAPTER I GENERAL PROVISIONS

1. The Regulations of the Fund for the Development Cooperation and Humanitarian Aid (hereinafter referred to as ‘the Regulations’) shall lay down the purpose of the Fund for the Development Cooperation and Humanitarian Aid (hereinafter referred to as ‘the Fund’), the procedure for the establishment of the Governing Board of the Fund and the functions to be performed by the Governing Board of the Fund, the procedure for the allocation and use of the Fund's resources, and for the organisation of the Fund's activities.

2. The purpose of the Fund shall be the implementation of the objectives of the Lithuanian development cooperation policy as set out in Article 3 of the Law of the Republic of Lithuania on the Development Cooperation and Humanitarian Aid (hereinafter referred to as ‘the Law’), in such a way that future official development assistance provided by Lithuania is consistent with Lithuania's international commitments.

3. The Fund is not a legal person.

4. The work of the Governing Board of the Fund shall be organised by the Ministry of Foreign Affairs of the Republic of Lithuania. The Fund shall be administered by the public body Central Project Management Agency (hereinafter – ‘CPMA’).

5. The governing body of the Fund shall be the Fund's Governing Board.

CHAPTER II DISTRIBUTION AND USE OF THE FUND'S RESOURCES

6. Decisions on the distribution of the Fund's resources shall be taken by the Fund's Governing Board.

7. The Fund's resources shall be distributed in accordance with the Government Programme, the Plan for the Implementation of the Provisions of the Government Programme, strategic policies of the development cooperation policy, in consideration of the proposals of the National Development Cooperation Commission (hereinafter referred to as ‘the Commission’) on the priorities, areas and directions of the distribution of Fund's resources referred to in the Article 7(9)(6) of the Law, in accordance with the procedure set out in the present Regulations.

8. In accordance with the procedure established by the Description of Activities of the Fund for the Development Cooperation and Humanitarian Aid (hereinafter – ‘the Description’) approved by the Minister of Foreign Affairs of the Republic of Lithuania, the resources of the Fund shall be used to provide bilateral assistance, as well as to ensure national co-financing of the programmes and projects funded by international donors, to cover the costs of performing the functions related to the administration of the Fund as referred to in Pars. 28 and 29 of the Regulations and the functions of the CPMA as referred to in Article 7(3) of the Law, and the

remuneration of the members of the Fund's Governing Board who are not representatives of state institutions and bodies, as well as of the experts and other persons performing advisory functions.

CHAPTER III

ESTABLISHMENT AND FUNCTIONS OF THE FUND'S GOVERNING BOARD

9. Following the approval of the institutional composition of the Fund's Governing Board by the Government, the Ministry of Foreign Affairs shall, within 10 working days at the latest, contact the relevant public authorities and bodies, the Association of Local Authorities in Lithuania, the relevant professional business associations and the Governing Board of Non-Governmental Organisations, requesting them to nominate their representatives to the Fund's Governing Board within 10 working days. Only persons having at least one year of practical experience in development cooperation and meeting the requirements of good repute as laid down in the Law of the Republic of Lithuania on the Civil Service may be appointed as members of the Fund's Governing Board.

10. After assessing the nominations submitted, the Minister for Foreign Affairs shall, within 15 working days from the date of submission of the last nomination, approve the personal composition of the Fund's Governing Board and appoint one of the members of the Fund's Board as its Chairperson. The same person may not serve as a member of the Fund's Governing Board for more than two consecutive terms of the Fund's Governing Board.

11. The Ministry of Foreign Affairs shall, no later than 4 months before the expiry of the term of office of the Fund's Governing Board, contact professional business associations involved in the activities of the Commission and the Governing Board of Non-Governmental Organisations requesting the latter to nominate, within 15 working days, potential candidates to the institutional composition of the Fund's Governing Board. Professional business associations shall submit mutually coordinated nominations for the institutional composition of the Fund's Governing Board. The Minister of Foreign Affairs shall, no later than 2 months before the expiry of the term of office of the Fund's Governing Board, submit to the Government of the Republic of Lithuania the new institutional composition of the Fund's Governing Board for approval.

12. If a member of the Fund's Governing Board resigns, is recalled, or is otherwise no longer able to perform the duties of a member before the expiry of the term of office of the Fund's Governing Board, the Ministry of Foreign Affairs shall, within 10 working days therefrom, contact the relevant public authority, body, the Association of Local Authorities in Lithuania, the relevant professional business association or the Governing Board of Non-Governmental Organisations requesting the latter to put forward a new nomination. If the Chairperson of the Fund's Governing Board resigns, is recalled or is otherwise no longer able to perform his/her duties before the expiry of the term of office of the Fund's Governing Board, the Minister of Foreign Affairs shall appoint a new Chairperson of the Fund's Governing Board. If the Vice-Chairperson of the Fund's Governing Board resigns, is recalled or is otherwise unable to perform his/her duties before the expiry of the term of office of the Fund's Governing Board, the members of the Fund's Governing Board shall elect a new Vice-Chairperson of the Fund's Governing Board by a simple majority vote at the next meeting of the Fund's Governing Board.

13. The Fund's Governing Board shall perform the following functions:

13.1. with regard to the Commission's proposals, approve the priorities, areas and directions for the distribution of the Fund's resources, and set the target indicators for the measures to be implemented from the Fund;

13.2. decide on the distribution of funds for programmes and projects;

13.3. evaluate the Fund's lines of funding and the impact generated by the measures implemented by the Fund, as well as the indicators actually achieved;

13.4. consider and approve the annual activity and financial reports of the Fund prepared by the CPMA by 31 March each year in accordance with the procedure laid down in the Description, and initiate an activity and/or financial audit, if necessary;

13.5. perform other functions related to the management of the Fund.

14. A member of the Fund's Governing Board shall have the following duties:

14.1. attend meetings of the Fund's Governing Board;

14.2. respect human rights and freedoms, the laws of the Republic of Lithuania and international obligations, follow ethical principles;

14.3. avoid conflicts of public and private interests, comply with the Law of the Republic of Lithuania on the Adjustment of Public and Private Interests in the Civil Service in the activities of the Fund's Governing Board and declare private interests;

14.4. in the event of a conflict of interest or a situation where a conflict of interest may arise, inform the Chairperson of the Fund's Governing Board thereof. On the recommendation of the Chairperson of the Fund's Governing Board, the Fund's Governing Board shall decide on the suspension of a member of the Fund's Governing Board from the consideration of an issue pertaining to the current situation and on the possibility for him/her to participate in the meetings of the Fund's Governing Board when considering other issues related to the current situation.

15. A member of the Fund's Governing Board shall enjoy the following rights:

15.1. have access to all the information needed for decision-making on the activities of the Fund's Governing Board;

15.2. to make proposals on matters to be discussed by the Fund's Governing Board;

15.3. to propose to the Chairperson of the Fund's Governing Board to convene an extraordinary meeting of the Fund's Governing Board.

16. The Chairperson of the Fund's Governing Board shall:

16.1. be responsible for the activities of the Fund's Governing Board, convene and chair meetings of the Fund's Governing Board, as well as approve agendas of the meeting;

16.2. represent the Fund in matters relating to the Fund's activities before institutions;

16.3. in accordance with the Law on the Adjustment of Public and Private Interests in the Civil Service, make a proposal to the Fund's Governing Board on the suspension of a member of the Fund's Governing Board from the consideration of a matter related to a conflict of interest that he/she has or may have and the possibility for him/her to participate in meetings of the Fund's Governing Board in the consideration of other matters related to the current situation;

16.4. approve the templates of the Declaration of Impartiality and Confidentiality Undertaking referred to in Par. 18 of the Regulations.

CHAPTER IV ORGANISATION OF THE FUND'S ACTIVITIES

17. The first meeting of the Fund's Governing Board shall be convened by the Chairperson of the Fund's Governing Board no later than within one month after the approval of the personal composition of the Fund's Governing Board.

18. At or before the first meeting at which they are present, the Chairperson of the Fund's Governing Board, the members, and the Secretariat's staff shall sign a Declaration of Impartiality, in which they shall undertake to perform their duties in an objective and professional manner, without any prejudice, in accordance with the principle of equality, to avoid conflicts of public and private interests, and in the event of an imminent conflict of interest, immediately inform the Chairperson of the Fund's Governing Board; moreover, they

shall sign a Confidentiality Undertaking, whereby they shall undertake to use the confidential information received only for the proper performance of their duties and not to disclose it, except in the cases provided for in the laws of the Republic of Lithuania.

19. At its first meeting, the members of the Fund's Governing Board shall elect, by majority vote, the Vice-Chairperson of the Fund's Governing Board for the term of office of the Fund's Governing Board.

20. Experts and other persons performing advisory functions may participate in the meetings of the Fund's Governing Board at the latter's invitation. Such persons shall sign a Confidentiality Undertaking in which they shall undertake to use the confidential information received only for the proper performance of their functions and not to disclose it, except in cases provided for by the laws of the Republic of Lithuania.

21. The members of the Fund's Governing Board shall be notified by the Secretariat of an upcoming ordinary meeting by e-mail at least 3 working days in advance. The notification shall be accompanied by a draft agenda for the meeting and information relating to the items to be discussed. Meetings of the Fund's Governing Board may be organised remotely, if necessary, in which case decisions may be taken by electronic means.

22. If a member of the Fund's Governing Board is unable to attend a meeting, he/she must notify the Chairperson and the Secretariat of the Fund's Governing Board (or the Vice-Chairperson of the Fund's Governing Board if the Chairperson of the Fund's Governing Board is unable to perform his/her duties) at least one working day before the meeting. A member of the Fund's Governing Board unable to attend the meeting shall be entitled to vote in advance on each item on the agenda of the meeting by submitting his/her opinion to the Chairperson of the Fund's Governing Board and to the Secretariat by e-mail, after having consulted the submitted meeting materials. The Fund's Governing Board member's vote in writing in advance shall count towards the quorum and the results of the vote. A meeting of the Fund's Governing Board shall be deemed to be lawful if more than half of the members of the Fund's Governing Board are present or have submitted their opinions by e-mail.

23. An extraordinary meeting of the Fund's Governing Board shall be convened upon the initiative of the Chairperson of the Fund's Governing Board or at the request of at least 3 members of the Fund's Governing Board.

24. At meetings of the Fund's Governing Board, votes shall be taken only on those items which have been submitted to the members of the Fund's Governing Board in advance on the agenda of the meeting, unless all members of the Fund's Governing Board present at the meeting agree to add new items to the agenda.

25. A decision shall be deemed to have been adopted if more than half of the total number of members of the Fund's Governing Board have voted in favour. In the event of a tie, the Chairperson of the Fund's Governing Board (or, in his/her absence, the Vice-Chairperson of the Fund's Governing Board) shall have the casting vote.

26. Decisions of the Fund's Governing Board meetings shall be formalised in the minutes of the meetings, which shall be signed by the Chairperson of the Fund's Governing Board and a member of the Secretariat, or, in the absence of the Chairperson of the Fund's Governing Board, by the Vice-Chairperson of the Fund's Governing Board. If a member of the Fund's Governing Board disagrees with a decision of the Fund's Governing Board, he/she shall have the right to express a dissenting opinion. The dissenting opinion shall be recorded in the minutes of the meeting. The dissenting opinion may be expressed in writing by a member of the Fund's Governing Board and submitted within one day after the meeting. The written dissenting opinion shall be annexed to the minutes of the meeting.

27. A summary of the decisions of the Fund's Governing Board, as well as other relevant information relating to the Fund's activities, shall be published on the website of the CPMA. This requirement shall not apply in cases where the disclosure of the information could harm

the rights or freedoms of individuals, the foreign policy interests of the Republic of Lithuania and the European Union.

28. The CPMA shall perform the following functions while administering the Fund:

28.1. disburse the Fund's resources in accordance with the procedure set out in the Description and manage them in accordance with the decisions adopted by the Fund's Governing Board;

28.2. ensure that the public is kept informed of the activities of the Fund;

28.3. act as secretariat.

29. When acting as the Secretariat, the CPMA shall:

29.1. organise meetings of the Fund's Governing Board;

29.2. draft the minutes of the meetings of the Fund's Governing Board;

29.3. organise activity and/or financial audits, if necessary, if the Fund's Governing Board so decides;

29.4. file the documentation of the Fund's Governing Board.

CHAPTER V FINAL PROVISIONS

30. In the activities of the Fund, personal data shall be processed in accordance with Regulation [\(EU\) 2016/679](#) of the European Parliament and of the Governing Board of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive [95/46/EC](#) (the General Data Protection Regulation), as well as with the Law of the Republic of Lithuania on Legal Protection of Personal Data.
