



**MEMORANDUM OF COOPERATION BETWEEN
THE SPECIAL INVESTIGATION SERVICE OF THE REPUBLIC OF LITHUANIA
AND THE NATIONAL AGENCY ON CORRUPTION PREVENTION
OF UKRAINE**

2023-12-04 Nr. 8-321

Preamble

The Special Investigation Service of the Republic of Lithuania, represented by Director Linas Parnavas, and the National Agency on Corruption Prevention of Ukraine, represented by Head Oleksandr Novikov, hereinafter collectively referred to as “the Parties”, and individually as “the Party”,

noting that the serious situation caused by corruption erodes social ethics, disrupts public services and deteriorates the welfare of people and nations worldwide,

being aware that the prevention of and the fight against corruption, including bribery of foreign public officials in international business transactions, can be enhanced by collaborative and continuous efforts,

acknowledging the equally important and complementary functions of corruption prevention, enforcement and education and the need to tackle corruption in a comprehensive manner,

being aware of the fact that the Republic of Lithuania and Ukraine are members of the Council of Europe’s Group of States against Corruption (GRECO),

bearing in mind the fact that the Republic of Lithuania and Ukraine are members of the Anti-corruption Network for Eastern Europe and Central Asia (ACN) of the Organization for Economic Co-operation and Development (OECD) and seek to adopt the best practices of the OECD member countries,

bearing in mind the fact that the Republic of Lithuania and Ukraine are Participants of the Working Group on Bribery in International Business Transactions (WGB) of the OECD,

respecting the law applicable in the Parties’ States and international treaties, such as the United Nations Convention against Corruption, Criminal Law Convention on Corruption and Civil Law Convention on Corruption,

expressing an intention to pursue successful cooperation and to actively develop bilateral relations in the field of corruption prevention,

based on the historical friendship and strategic partnership between Ukraine and the Republic of Lithuania,

have reached the following understanding:

**Paragraph 1
General provisions**

1. The purpose of this Memorandum of Cooperation is to enhance cooperation, exchange of information and experience between the Parties on issues related to corruption prevention and combating.

2. The provisions of this Memorandum of Cooperation will apply insofar as they are in line with the law applicable in the Parties’ States and the obligations of their States.

3. This Memorandum of Cooperation will not create any legally binding obligations for the Parties and their States and will not affect any other existing international obligations of Parties or their States.

Paragraph 2
Scope of cooperation

1. By implementing the Memorandum of Cooperation, the Parties will collaborate as follows:

1.1. the Parties agree to exchange all relevant information within the field of their competences.

Those exchanges will also respect the provisions of Paragraph 3 of this Memorandum of Cooperation.

1.2. the Parties engage to exchange professional and promotional materials and best practices (including trainings, workshops, seminars and other similar events) on the work of preventing and combating corruption, including bribery of foreign public officials in international business transactions, assessing corruption risks, monitoring compliance programs in the public sector, promoting integrity in the public and private sectors, as well as in education, and public awareness raising.

1.3. the Parties undertake joint activities and cooperate, where appropriate, in each Party's efforts to detect and prevent corruption and to build integrity in the public and private sectors, as well as raising awareness of integrity issues.

1.4. the Parties will take other necessary forms of cooperation for the implementation of the Memorandum of Cooperation.

Paragraph 3
Exchange of information

1. While implementing the Memorandum of Cooperation, the Parties:

1.1. will provide the information on the request of other Party or upon their own initiative, if they decide that furnishing of such information will help achieve the objectives of this Memorandum of Cooperation.

1.2. may refuse execution of the request, in part or in whole, if the execution contradicts the law and obligations applicable in the State of the requested Party. The Party, refusing to provide the information, will inform on the reasons for refusal in writing.

1.3. ensure that the information will be exchanged in accordance with the law applicable in the Parties' States. The information will be confidential and will not be transferred to a third party or used for administrative or judicial proceedings purposes without the prior consent of the other Party.

2. This Memorandum of Cooperation will not regulate submission of mutual legal assistance requests in cases of corruption.

Paragraph 4
Exchange of Experts and Specialists

1. Seeking to raise awareness of the measures and *modus operandi* applied by the Parties as well as to exchange information and offer mutual assistance in the fields of cooperation provided for in this Memorandum of Cooperation the Parties may second their experts or specialists.

2. On the initiative of either Party, the Parties will support cooperation between their designated competent units by seconding their experts or specialists.

3. The seconded experts or specialists will have the status of observers and/or advisers and will be obliged to adhere by the provisions of the law applicable in the Party State in the territory of which the duties are performed.

4. The recipient Party will provide the seconded experts or specialists of the other Party with the information available to it in accordance with the provisions of the law applicable in the Party's State.

Paragraph 5
Joint Training and Professional Development

1. The Parties will continually cooperate, in particular by:
 - 1.1. adopting and implementing joint training programmes and other training events;
 - 1.2. organising working visits, exchange programmes, conferences, seminars, workshops and other events.

Paragraph 6
Languages of Cooperation

All the documents relating to this Memorandum of Cooperation will be written in English or in the state language of the requesting Party with their translation into the English language.

Paragraph 7
Use of Information

1. When transferring and using classified information under this Memorandum of Cooperation the Parties will comply with the provisions of the relevant law applicable in the Parties' States concerning the protection of classified information.
2. The Parties will implement appropriate organisational and technical measures so as to protect information from incidental or illegal destruction, change, disclosure, as well as from any other illegal processing of information.
3. Information or other material obtained under this Memorandum of Cooperation cannot be transferred to any third party or used for any other purpose than the purpose for which it has been transferred without a prior written consent from the Party providing the information or other material.
4. In the event of discovery that incorrect or inaccurate personal data were transferred, the requested Party will immediately inform the requesting Party thereof, and the latter will correct or destroy such information without delay.
5. In their exchange of information the Parties will ensure personal data protection in accordance with the law applicable in the Parties' States.

Paragraph 8
Dispute Settlement

Disputes and disagreements arising from the implementation or application of this Memorandum of Cooperation and arrangements reached on its basis will be settled through negotiations and consultations between the Parties.

Paragraph 9
Costs

1. Each Party will have no financial obligations under this Memorandum of Cooperation to the other Party.
2. Each Party will cover its own expenses related to the implementation of this Memorandum of Cooperation, unless agreed otherwise between the Parties, except as provided by the respective law applicable in the Parties' States.

Paragraph 10
Final Provisions

1. This Memorandum of Cooperation is concluded for an indefinite time and will come into effect upon the signature thereof.
2. This Memorandum of Cooperation will be amended and supplemented by mutual agreement of the Parties by developing separate protocols, which will be deemed to constitute an integral part of this Memorandum of Cooperation.

3. Any amendments and supplements thereto will come into effect and may be terminated according to the procedure laid down in this Paragraph.

4. This Memorandum of Cooperation may be terminated upon a written notification by either Party. In that case it will become null and void in 90 (ninety) days after the receipt of the written notification of termination.

5. In the event of termination of this Memorandum of Cooperation, the activities initiated on the basis of or in accordance with the terms of this Memorandum of Cooperation and not completed during its validity period will be continued and completed in accordance with the terms previously agreed by the Parties, unless it is impossible to complete these activities.

6. The conditions concerning the confidentiality, protection and non-publication of the information obtained under the present Memorandum of Cooperation established before the termination of the Memorandum of Cooperation will be also valid following the termination thereof, except as provided by the respective law applicable in the Parties' States.

Signed in Kyiv on the 28 of November 2023 in two originals, each in Lithuanian, Ukrainian and English languages, all texts being equally valid. In case of any divergence in interpretation of this Memorandum of Cooperation, the English version will prevail.

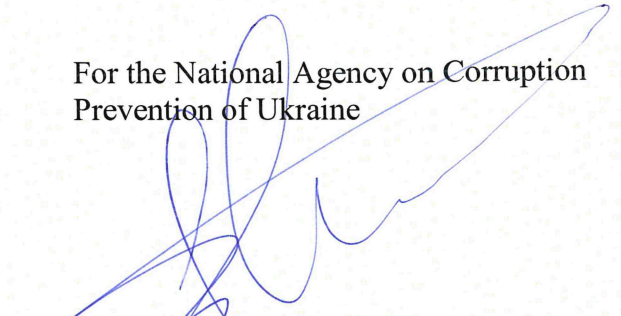
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