



Kolegji AAB
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REGULATION ON PREVENTION OF CONFLICT OF INTEREST

Pursuant to the Law No.04/L-037 on Higher Education in the Republic of Kosovo, the Law No.06/L-011 on the Prevention of Conflict of Interest, the Statute of AAB College and the Code of Ethics, the Senate in its meeting held on 17/12/2021 approves this:

REGULATION ON PREVENTION OF CONFLICT OF INTEREST

Article 1

Purpose

The purpose of this law is to guarantee an unbiased and transparent decision-making in the best interest of the institution by all AAB College officials.

Article 2

Object

The object of this law is the definition of rules, means, and procedures for the identification, treatment and the resolution of the cases of conflict of interest.

Article 3

Definitions

- i. "Institutional Interest "** is a property, or non-property interest for the benefit of institution.
- ii. "Private interest"** is every property, or non-property interest directly benefiting the official or their family members, relatives or the persons they have had or currently have an economic relationship.
- iii. "Official"** is every person who is engaged and performs various tasks in the capacity of academic and administrative staff, or even technical staff.
- iv. "Superior of an official"** is every person or collegial body that has decision-making, appointing, managing, ordering, evaluating, and controlling competencies over the official.
- v. "Person affiliated with an official"** is every person who has interest ties with the official, both property and non-property interests; spousal relationship, first-degree, and second-degree relatives to the fourth-degree relatives.
- vi. "Conflict of interest"** is a state of conflict between the duties, the responsibilities and direct or indirect interests of the official, which impact or may impact improperly their exercise of duties and responsibilities.



Article 4

Prohibited Conduct

In the course of exercising duties and responsibilities of the official, in addition to the prohibitions provided by the Regulation on Prevention of Conflict of Interest, the following crimes are also prohibited:

- i. The professor is prohibited to evaluate the student with whom they are affiliated, considering first-degree to the fourth-degree relationship.
- ii. The superior is prohibited to assess the performance of the official affiliated with, as defined in v. in Definitions.
- iii. The official is prohibited to participate in working groups or collegial bodies from which may result in an open conflict of interest.
- iv. The official is prohibited to use official data for purposes of personal gain.
- v. The official who is holding a managerial position, and who exercises other duties, must not damage the reputation of institution or place themselves in a conflict-of-interest situation.
- vi. The official holding a managerial position is prohibited to propose themselves or a close family member as a beneficiary of any property or non-property right.

Article 5

Private Interests

Personal interests of officials which may impact the development of conflict of interests are:

- i. Property rights and obligations.
- ii. Gifts, promises, favors or preferential treatment.
- iii. Potential promises for future employment or negotiations on any other form of relationship holding a private interest for the official.
- iv. Familial relationships or friendship with the official.
- v. Prior commitment from which the property and non-property interests have arisen and still arise for the official.

Article 6

Assessment of case by case of conflict of interest

- i. Every official in the exercise of their duties and responsibilities, must make a preliminary assessment case by case of the existence of their private interest, which may place them in a conflict-of-interest situation.
- ii. If the official assesses that in the specific case may be a conflict of interest, thus, self-recuses upon the decision-making and notifies the superior by a verbal written form.
- iii. If the superior assesses that the official in the concrete case may be involved in conflict-of-interest if they participate in the decision-making, then they recuse them from the latter by notifying them for the exclusion reason in written form.
- iv. Every official participating in a working group, or collegial body is bound to declare if they have any conflict of interest on group, and to self-recuse or be recused for the latter.

Article 7

Identification of private interests by third persons

- i. Third persons withholding information for a private interest of the official which may influence a conflict-of-interest situation, thus, with a written verbal evidence they inform the official's superior.
- ii. Every interested party not involved in decision-making that withholds information for private interest of the official is considered a third person, and may be a source of information for the superior.

Article 8

Resolving conflict of interest

- i. In the case of conflict of interest, the responsible authority for its resolution is the superior of the official.
- ii. In the case of conflict of interest at the level of Deans, thus, the responsible authority for its resolution is the Vice-rector for Teaching and Academic Affairs.
- iii. In the case of conflict of interest at the Rectory level, thus, the responsible authority for its resolution is the Rector.
- iv. If the Rector himself is involved in a conflict-of-interest situation, thus, the responsible authority for its resolution is the Chairperson of Steering Council.
- v. The last instance of resolving the conflict of interest is the Chairperson of Steering Council.

Article 9

Disciplinary Measures

- i. If an official is involved in an open conflict of interest that is the premise to initiate disciplinary proceedings.
- ii. In the case of academic staff involvement in a conflict of interest, thus, the case is submitted to Committee on Ethics.
- iii. In the case of other staff involvement in a conflict of interest, thus the case is submitted to Committee on Disciplines at an institutional level.
- iv. Decisions taken in an open conflict of interest, may be rescinded by the superior if the damage caused by its rescission is smaller than the decision made damage in conflict-of-interest circumstances.

Article 10

Final Provisions

- i. The dispositions of this regulation complement the provisions of the Code of Ethics and do not repeal or amend any of the latter.
- ii. The implementation of this regulation is based on the principles set in the Code of Ethics, separately of each case.
- iii. In no case can the provisions of this regulation be implemented or interpreted in relation to the restriction of academic freedom.



- iv. Each case of conflict of interest is considered unique, and the use of previous cases as a settlement practice is not allowed.
- v. This regulation applies to each academic and administrative unit without exception, only after approval by the Senate.

Article 11
Entry into force

This regulation enters into force after its approval by the Senate, and its signing by the Rector.

Dr. Bujar Demjaha, Rektor



Prishtinë, 2021



Ref. nr. 9315 /2021 Prishtinë, 17.12.2021

The Senate of AAB College, in the meeting held on 17.12.2021 took this:

DECISION

1. APPROVED the Regulation on the Prevention of Conflict of Interest.

The decision shall be delivered to:

1. **The Vice-Rectors**
2. **The Secretary-General**
3. **The Deans**


Dr.sc. Bujar Demjaha, Rektor

