

Anti-corruption policy of Tashkent State University of Law

1. MAIN GOALS AND OBJECTIVES

1.1. The anti-corruption policy of Tashkent State University of Law (hereinafter referred to as the University) was drafted in accordance with the international standard ISO 37001:2016 and the legislative acts of the Republic of Uzbekistan.

1.2. The main goals of implementing the anti-corruption policy at the university are:

to minimize the risk of involving the university, its management, employees and students in corrupt actions;

to form a unified understanding among the university employees, regardless of their position, students, counterparties and other persons about the university's policy on rejecting any form and manifestation of corruption;

to summarize and explain the main requirements of the legislation of the Republic of Uzbekistan in the field of anti-corruption, which are applied at the university;

to regularly improve the anti-corruption management system implemented in the university.

1.3 To achieve the defined goals, the following tasks are established for the implementation of the anti-corruption policy at the university:

to strengthen the main principles of anti-corruption activities;

to define the scope of the policy and the range of individuals under its influence;

to identify the officials responsible for the implementation of the university's anti-corruption policy;

to define and strengthen the employees' obligations to prevent and combat corruption;

to define the list of anti-corruption measures implemented by the university, the procedures for their implementation (application);

to determine the liability of university employees and students for non-compliance with the anti-corruption policy requirements.

2. SCOPE OF APPLICATION

2.1. This anti-corruption policy is an internal regulatory document aimed at preventing and combatting corruption in the university's activities.

2.2. This policy is a component of the anti-corruption management system among the employees, doctoral students, students and pupils of the University and its specialized branch, the Center for Professional Training of Legal Personnel according to International Standards at the University, as well as the Academic Lyceum, and reflects the University's commitment to high ethical standards in the society, as well as the University's intolerance of and prevention of corrupt offenses in the activities of its employees, students and doctoral students.

3. BASIC CONCEPTS

Corruption – person's deviance from his or her official or service position contrary to law in order to obtain material or non-material benefits for his personal interests or the interests of other persons, as well as the unlawful provision of such benefits;

Anti-corruption - the actions of local government entities, state authorities, civil society institutions, organizations and individuals within the framework of the following powers:

a) prevention of corruption, including identification and subsequent elimination of the causes of corruption (prevention of corruption);

b) detection, prevention, suppression, exposure and investigation of corruption-related offenses (anti-corruption);

c) minimization and/or elimination of the consequences of corruption-related offenses;

Counterparty - any local or foreign legal entity or individual, with whom the organization enters into contractual relations, except for labor relations;

Conflict of interest - a situation where the personal interests (direct or indirect) of an employee (representative of the organization) influence or may influence the proper performance of his official (labor) duties, and a conflict has arisen or may arise between the personal interests of the employee (representative of the

organization) and the rights and legitimate interests of the organization he works for, which may harm the rights, property and/or business reputation of the organization.

4. BASIC PRINCIPLES OF THE UNIVERSITY'S ANTI-CORRUPTION ACTIVITIES

4.1. According to Article 4 of the Law of the Republic of Uzbekistan "On Combating Corruption", battling corruption is based on the following main principles.

- 1) legality;
- 2) priority of rights, freedoms and legitimate interests of citizens;
- 3) openness and transparency;
- 4) consistency;
- 5) mutual cooperation of the state and civil society;
- 6) priority of corruption prevention measures;
- 7) inevitable responsibility.

4.2. In addition to the principles defined in clause 4.1 of this Policy, the anti-corruption system at the university is based on the following principles:

a) anti-corruption measures should be in accordance with the Constitution of the Republic of Uzbekistan, international treaties, the Law "On Combating Corruption" and other regulatory legal documents that meets university needs in accordance with the principle of compliance of the university's anti-corruption policy with the current legislation and generally recognized standards;

b) the university leadership should form a moral standard of intolerant attitude towards any forms and manifestations of corruption at all levels, set an example with their actions in accordance with the principle of a personal example of the university administration;

c) the university actively participates in the formation and implementation of anti-corruption standards and procedures of students and employees, regardless of their position in accordance with the principle of involving employees and students;

d) any form and appearance of corruption is not allowed in the university in accordance with the principle of zero tolerance;

e) a set of measures is developed and implemented to reduce the possibility of involvement of the leaders, employees and students of the university in corrupt actions, taking into account the level of identified risks **in accordance with the principle of the proportionality of anti-corruption procedures to the risk of corruption;**

f) corruption risks specific to the university's activities are periodically identified and evaluated **in accordance with the principle of periodic risk assessment;**

g) the University regularly checks counterparties for their forbearance for corruption, including whether they have their own anti-corruption measures or policies, their readiness to comply with the requirements of this Policy, to include anti-corruption clauses (clauses) in contracts, as well as to provide mutual assistance in establishing ethical business practices and preventing corruption **in accordance with the principle of mandatory due diligence of counterparties;**

h) the university informs counterparties, partners and the public about the anti-corruption rules adopted for the implementation of activities) **in accordance with the principle of transparency;**

i) the effectiveness of the standards and procedures introduced to fight against corruption is regularly monitored, as well as their implementation is monitored **in accordance with the principle of regular control and monitoring;**

j) regardless of the position, work experience and other conditions of the university employees, the inevitable punishment for corruption-related offenses committed in connection with the performance of their labor duties is ensured, as well as the personal responsibility of the university leadership for the implementation of the anti-corruption policy **in accordance with the principle of the inevitable responsibility and punishment.**

5. SCOPE OF APPLICATION OF ANTI-CORRUPTION POLICY AND PERSONS SUBJECT TO IT

5.1. The main circle of individuals related to the anti-corruption policy, regardless of their position and functions performed, are the university employees who are in labor relations with the university, as well as individuals involved in academic activities, students, doctoral students, researchers and independent researchers (hereinafter referred to as students).

5.2. The provisions of this anti-corruption policy may also be applied to other individuals and/or legal entities with whom the university has contractual relations, if this is stipulated in the contracts concluded by the university with such persons.

6. OFFICIALS RESPONSIBLE FOR IMPLEMENTING THE ANTI-CORRUPTION POLICY AT THE UNIVERSITY

6.1. The rector is in charge of organizing all activities aimed at combating corruption at the university.

6.2. The rector appoints a person or several persons responsible for the implementation of the anti-corruption policy, based on the assigned tasks, specific activities, staff schedule, and the organizational structure.

6.3. The main tasks of the persons responsible for the implementation of the anti-corruption policy are:

- to prepare recommendations for making decisions on anti-corruption issues at the university;

- to prepare proposals aimed at eliminating the causes and conditions that create the risk of corruption at the university;

- to conduct control measures aimed at identifying corruption-related offenses committed by university employees;

- to organize corruption risk assessment;

- to receive and review reports on cases of urging employees to commit corruption offenses for the sake of interests or on behalf of another organization, as well as cases of corruption offenses committed by university employees, counterparties or other persons;

- to organize trainings on prevention and combat corruption and providing individual recommendations to employees;

- to provide assistance to authorized representatives of control and law enforcement agencies in checking the activities of the organization on the issues of preventing and combatting corruption;

- to provide assistance to authorized representatives of law enforcement agencies in the prevention or investigation of corruption-related crimes, including conducting quick search activities;

- to organize measures to prevent and combat corruption;

- to provide individual recommendations for employees;

- to participate in the organization of anti-corruption campaign;

- to evaluate the results of combatting corruption and preparing relevant report materials for the management of the organization.

6.4. Universities' anti-corruption unit is empowered with the following authorities:

implementation of control over the development and implementation of anti-corruption system requirements;

advising employees and students on the anti-corruption system and issues related to corruption;

ensuring compliance of the anti-corruption management system with the requirements of the international standard ISO 37001;

reporting to the governing body and senior management on the performance of the anti-corruption system, and other legal and regulatory compliance functions.

6.5. The Anti-Corruption Service has direct and immediate access to the governing body and senior management in the event of a need to address any matter or issue relating to corruption or the anti-corruption management system.

7. OBLIGATIONS OF UNIVERSITY EMPLOYEES AND STUDENTS RELATED TO THE PREVENTION AND COMBATTING CORRUPTION

7.1. All employees, including management, and students, regardless of their position and tenure at the University, in relation to their duties:

compliance with the provisions of this anti-corruption policy and strictly adhere to its principles and requirements;

compliance with the requirements of the anti-corruption system;

compliance with the requirements of anti-corruption legislation applicable to the university;

to refrain from committing and/or participating in corruption-related offenses for the benefit of the university or on behalf of the university;

to avoid actions that could be interpreted by others as a willingness to commit or participation in the commission of a corruption offense for the benefit of the university or on its behalf;

to inform promptly their direct supervisor, the anti-corruption policy coordinator, or university administration about any attempts to urge corruption-related offenses;

to inform promptly their direct supervisor, the person responsible for implementing the anti-corruption policy, or university management about any known instances of corruption-related offenses committed by other employees, counterparties, or other individuals;

to inform their direct supervisor or another responsible person about any actual or potential conflicts of interest.

7.2. University administration encourages confidential informing of concerns in good faith or based on reasonable assumptions, without fear of retaliation.

The administration undertakes the obligation to ensure that no penalties, discrimination, or disciplinary actions (including threats, expulsion, demotion, prevention of promotion, transfer, dismissal, intimidation, harassment, or other forms of repression) are applied to employees and students for the following situations:

- 1) refusing to execute any agreement that is considered to have a higher than low level of corruption risk, as assessed by the university;
- 2) making reports in good faith or with reasonable belief regarding attempts to solicit bribes, actual or suspected violations of the university's anti-corruption policy or anti-corruption management system requirements (except in cases where the person themselves is involved in the violation).

7.3. Any form of corruption is prohibited at the university.

7.4. The university administration undertakes the obligation to regularly improve the anti-corruption management system.

7.5. The university administration, employees, and students are informed that they will be held accountable in accordance with the procedures established by legislative documents if the requirements of the anti-corruption policy are not met.

8. IMPLEMENTATION STANDARDS OF CONDUCT FOR THE UNIVERSITY EMPLOYEES AND STUDENTS

8.1. In order to implement anti-corruption conduct standards among employees and students, the university establishes general rules and principles aimed at influencing the ethics of business relations and forming ethical and honest behavior among employees, students, and the university as a whole.

These general rules and principles of conduct are enshrined in the Code of Ethics approved by the University Council.

9. IDENTIFICATION AND MANAGEMENT OF CONFLICTS OF INTEREST

9.1. One of the key elements in preventing corruption offenses is the timely identification of conflicts of interest in university activities.

A procedure for identifying and resolving conflicts of interest that arise during the performance of employees' duties is established to set the rules for managing conflicts of interest.

10. THE POLICY AND PROCEDURE OF EXCHANGING GIFTS AND ELEMENTS OF HOSPITALITY

10.1. The exchange of gifts and hospitality at the university is regulated in the following manner to prevent situations where the activity of employees might be influenced by third parties, as well as to prevent violation of current anti-corruption legislation of the Republic of Uzbekistan:

employees of the university and its institutions are prohibited from accepting any gifts from students, other individuals, or legal entities in an improper manner during the performance of their duties, including gifts related to birthdays, flowers, and the like, as well as accepting financial assistance in the form of incentives in the workplace (such as arranging meals during exam periods), loans, guarantees, sureties, sponsorships, and rewards, as well as receiving cash or non-cash funds or their equivalents, in the form of valuable securities;

any gifts received by employees on behalf of the university and its institutions, regardless of their value, during official delegations, events, including those abroad, shall be transferred to the property of the university and its institutions;

gifts given to the employees of the university and its institutions on personal occasions (birthday, birth of a child, Day of Defenders of the Native Land, International Women's Day, etc.) that are not related to the fulfillment of official duties and they are recognized as personal gifts to the employee.

When giving such gifts, the following requirements must be observed:

gifts must be given in the presence of at least three employees of the educational institutions;

the process of giving the gift must be accompanied by a congratulatory speech, clearly stating the event that caused the gift to be given;

as a rule, the total value of the gift (including all taxes and fees) should not exceed 5 (five) times the basic calculation amount;

as a rule, the amount spent by one employee of the university and its institutions on a gift for another employee should not exceed 1 (one) time the basic calculation amount in each case.

Additionally, no gifts from students shall be accepted.

In any case where there is doubt about the legality of accepting a gift, the employee may consult the university's anti-corruption service.

11. CORRUPTION RISK ASSESSMENT

11.1. The purpose of the corruption risk assessment is to identify processes and operations in the university's activities where it is possible for the university employees to commit corruption offenses in the interests of the university.

11.2. Corruption risk assessment is an important element of anti-corruption policy. This element makes it possible to ensure that the anti-corruption measures are in line with the unique characteristics of the university's activities and to ensure the rational use of funds allocated for the prevention of corruption.

11.3. Corruption risk assessment is carried out regularly.

11.4. Identification and assessment of corruption risks is carried out in accordance with the method of identification and assessment of corruption risks approved by the order of the university rector.

12. CONSULTING AND TRAINING UNIVERSITY STAFF AND STUDENTS

12.1. When organizing the training of employees and students on the prevention and fight against corruption, it is necessary to take into account the goals and objectives of the training, the audience category, and the type of training, depending on the time of its conduct.

12.2. The goals and objectives of training determine the subject and form of training. Training can be conducted on the following topics:

corruption in the public and private sectors of the economy;

legal responsibility for committing corruption offenses;

to get acquainted with the requirements of legislation and internal documents of the organization on issues of combating corruption and the procedure for their application in the activities of the organization;

identifying and resolving conflicts of interest in the performance of work duties;

to behave in situations where there is a risk of corruption, in particular, in cases of extortion of bribes by officials of the state and other organizations;

cooperation with law enforcement agencies on issues of prevention and fight against corruption.

12.3. When organizing training, the audience category should be taken into account. As a rule, the following groups of students are distinguished: persons who are responsible for fighting corruption at the university; leaders; employees, other employees, students whose activities are associated with a high level of corruption risk. If there is a problem in the formation of study groups at the university, teaching in groups can be replaced by individual counseling or joint teaching with other organizations based on an agreement.

12.4. Depending on the time spent, the following types of training can be distinguished:

anti-corruption training immediately after employment;

training when the employee is appointed to another high position, which involves the performance of tasks related to the prevention and fight against corruption;

periodic training to maintain knowledge and skills in the field of combating corruption at an appropriate level;

additional training in case of deficiencies in the implementation of the anti-corruption policy, one of the reasons is the lack of knowledge and skills of employees in the field of anti-corruption.

12.5. Anti-corruption counseling is done on an individual basis. Then the university will determine the persons responsible for such consultation. Consultations on specific anti-corruption and conflict-of-interest issues are recommended to be confidential.

13. INTERNAL CONTROL AND AUDIT

13.1. Internal control over business operations is carried out at the University.

13.2. The internal control system helps to prevent and detect corruption-related offenses in operations. At the same time, the tasks of the internal control and audit system include ensuring the reliability and validity of financial (accounting) reports and ensuring compliance with the requirements of regulatory legal documents and internal regulatory documents. For this, the internal control and audit system takes into account the requirements of the anti-corruption policy implemented by the university, including:

checking compliance with various organizational procedures and rules of operation, which are important from the point of view of the work being carried out on the prevention and prevention of corruption;

controlling the documentation of economic transactions;

checking the economic feasibility of operations in areas where there is a risk of corruption.

13.3. Control over the documentation of economic transactions is primarily related to the organization's obligation to maintain financial (accounting) reports and is aimed at preventing and detecting the following violations: making informal reports, using fake documents, accounting for non-existent expenses, lack of primary documents, inaccuracies in documents and reports, corrections, premature destruction of documents and reports, etc.

13.4. Verification of the economic feasibility of operations in areas of corruption risk is carried out in the areas of gifts, representational expenses, charitable donations, incentives of external persons and other areas. At the same time, it is necessary to pay attention to the existence of cases with indicators of illegal actions, in particular:

payment for unknown services or questionable nature;

providing valuable gifts to external persons, state officials, employees of prestigious organizations and counterparties, paying for transport, and entertainment services, granting loans on preferential terms, providing other valuable items or benefits;

paying an intermediary or an outside person a fee that exceeds the usual fee for the organization or the fee for this type of service;

buying or selling at prices significantly different from market prices;

suspicious cash payments.

13.5. The compliance check of the anti-corruption system and the internal audit of the financial and economic activities of the university are carried out at least once a year.

14. MEASURES TO PREVENT CORRUPTION IN RELATIONSHIPS WITH COUNTERPARTIES AND OTHER ORGANIZATIONS

14.1. The university works in the following directions to prevent and combat corruption in interactions with counterparties:

a) To reduce the risk of involvement of the university in corruptive activities and other unscrupulous actions, the university shall introduce special procedures for checking the counterparties. Among other things, such an investigation may include the collection and analysis of public information about potential counterparties, in particular, their reputation in the business community, the duration of their activity in the market, their participation in corruption scandals, and other relevant information;

b) In interactions with counterparties, programs, policies, standards of conduct, procedures and rules, which aimed at preventing and combating corruption in the university are communicated to them as necessary. In particular, contracts with counterparties may include specific provisions on compliance with anti-corruption standards.

14.2. The public is informed about the level and progress of measures to fight corruption at the university, including by posting relevant information on the official website

15. COOPERATION WITH LAW ENFORCEMENT BODIES IN THE FIELD OF FIGHT AGAINST CORRUPTION

15.1. Cooperation with law enforcement agencies is an important indicator of the university's practical adherence to its promulgated anti-corruption standards of conduct.

15.2. University employees are responsible for reporting corruption-related offenses to appropriate law enforcement agencies.

15.3. The University undertakes not to impose any sanctions against its employees and students who, in the performance of their official duties, report to law enforcement authorities information about the preparation or commission of a corruption-related offense.

15.4. Cooperation with law enforcement bodies is manifested in the following forms:

to assist the authorized representatives of control and law enforcement bodies in their investigations of the activities of the university on the issues of preventing and fighting against corruption;

assisting authorized representatives of law enforcement agencies in the prevention or investigation of corruption-related crimes, including conducting investigative activities.

15.5. It is necessary to assist the university management and its employees in determining and investigating the facts of corruption by law enforcement agencies, and in taking the necessary measures to preserve and transfer documents and information containing information about corruption offenses to law enforcement agencies. Specialists in the field of law relevant to this work are involved in the preparation of application materials and answers to the requests of law enforcement agencies.

Management and all employees must not allow judicial and law enforcement officials to interfere with the performance of their official duties

16. RESPONSIBILITY OF STAFF AND STUDENTS FOR FAILURE TO COMPLY WITH ANTI-CORRUPTION POLICY

16.1. All employees (regardless of their position) and students are responsible for compliance with the principles and requirements of this policy under the current legislation of the Republic of Uzbekistan.