

# MONITORING/EVALUATION/ AWARENESS

## A REGIONAL PROJECT

**infohouse** **INSTITUT I KOSOVARË PËR DREJTËSI** **KOSOVO LAW INSTITUTE** **KOSOVO INSTITUTE FOR JUSTICE** **TRANSPARENCY INTERNATIONAL MACEDONIA** **CRNVO** **Centre for Development of Non-Governmental Organizations** **BCSP** **Belgrade Centre for Security Policy**

### FULFILLING THE PROMISE OF WHISTLEBLOWING: DEFENDING CITIZENS' RIGHTS AND CURBING CORRUPTION

The project, supported by the Balkan Trust for Democracy, is implemented by Center for the Study of Democracy and Governance in Albania, Fondacija Infohouse in Bosnia and Herzegovina, Kosovo Law Institute in Kosovo, Transparency International Macedonia in North Macedonia, the Center for Development of Non-Governmental Organizations in Montenegro, and the Belgrade Centre for Security Policy in Serbia.

This project will assess whistleblower protection systems in the six countries of the region by tracking case outcomes, analyzing successful and failed ones, and publicizing and advocating for reforms and improvements.

The aim of the project is to strengthen whistleblowers' protection frameworks in the targeted countries and support the process of the alignment of the legal and institutional frameworks in these countries with the EU Whistleblowers Directive.

- Research**
  - Conduct Research to Produce Reports
  - Organize Focus Group Discussions
- Dissemination and Outreach**
  - Introductory chapter, consolidated report
  - Websites, social media, emails
- Capacity Building**
  - Draft Guide for Whistleblower Caseworkers
  - Improve tools and capacity
- Media and Social Media Campaign**
  - Conduct Media and Social Media Campaign
  - Disseminate activities and results

Since May 2024, the Coalition has coordinated with members from all the Western Balkan countries to monitor the efficacy of whistleblower laws at the national level. During this time, several workshops took place to create a sound methodology and coherence of the reports. The project envisaged desk research, focus groups, and national conferences. The report is part of the initiative *“Fulfilling the Promise of Whistleblowing: Defending Citizens’ Rights and Curbing Corruption,”* spearheaded by the Southeast Europe Coalition on Whistleblower Protection. Supported by the Balkan Trust for Democracy, a project of the German Marshall Fund of the United States, this initiative seeks to align whistleblower protection policies in the region’s six EU candidate and potential candidate countries with EU standards.

By analyzing the outcomes of retaliation complaints, we evaluate the effectiveness of whistleblower caseworkers and highlight both the strengths and weaknesses of current systems. Key aspects include the number of protection applications, the approval rates, and the reasons for denial when applicable. Since May 2024, the Coalition has coordinated with members from all the Western Balkan countries to monitor the efficacy of whistleblower laws at the national level.



## Project Partners

- Center for the Study of Democracy and Governance (Albania)
- Infohouse (Bosnia and Herzegovina)
- Kosovo Law Institute (Kosovo)
- Center for Development of Non-Governmental Organizations (Montenegro)
- Transparency International Macedonia (North Macedonia)
- Belgrade Center for Security Policy (Serbia)

**Towards independent compliance units**

Focus groups participants consider that current compliance units stand in direct conflict of interest since they form part of the institution's hierarchy and are, therefore, dependent on the head of the institution. Following standard procedure, compliance units need the signature and stamp of the head of the institution to approve the opening of potential whistleblowing investigation cases.

Some participants suggested that the request to open the investigation could be forwarded for approval without giving details about the case. However, other participants were worried about potential scenarios where higher-ups or the head of the institution could be involved in such cases and jeopardize the autonomy of the compliance unit and the impartiality of the investigation.

Examples were provided, such as (1) the Public Administration and Anti-Corruption Ministry creating this unit to handle cases across all institutions or (2) creating completely external independent units.

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The role of whistleblowers has never been more critical as public demand for integrity and accountability from politicians and corporations continues to grow. In response to these rising expectations, whistleblowing has become an influential and widely recognized mechanism for exposing corruption and safeguarding the public interest.

However, as more individuals step forward to report wrongdoing, they face heightened risks of dismissal, legal challenges, prosecution, and harassment. To address these risks, all Western Balkan countries have implemented legal frameworks and systems designed to protect whistleblowers from retaliation. This proactive stance positions Southeast Europe as a global leader in whistleblower protection. The pressing challenge now lies in ensuring these systems are effective and responsive in real-world scenarios, benefiting both whistleblowers and anti-corruption efforts.

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FOCUS GROUPS CENTER FOR THE STUDY OF DEMOCRACY AND GOVERNANCE ALBANIA

This study offers the first comprehensive assessment of how these protection systems function across six Western Balkan countries. Our analysis reveals that 40% of whistleblowers who applied for retaliation protection in five Western Balkan countries—Albania, Bosnia and Herzegovina, Kosovo, Montenegro, and North Macedonia—had their requests approved (see Table 1). This approval rate is nearly double the global average of 21%, as reported by the International Bar Association and Government Accountability Project, suggesting that regional efforts, including training and capacity-building initiatives by the Southeast Europe Coalition on Whistleblower Protection, have had a positive impact.

However, significant gaps remain. While media reports highlight cases where whistleblowers have been protected or reinstated, officials have provided limited information about the tangible outcomes of approved cases.



FOCUS GROUPS TRANSPARENCY INTERNATIONAL

For example, it is unclear whether the 54 individuals who “won” their cases were actually shielded from termination or reinstated after dismissal. Similarly, little is known about the reasons for denied protection requests. Most denials seem to result from applicants not meeting legal criteria, such as not being employees, failing to report corruption or criminal activity, or not experiencing workplace retaliation. While many of these denials are likely valid, it remains uncertain whether some cases were unfairly rejected due to misinterpretation or poor enforcement of whistleblower laws. Such issues require correction to ensure fair treatment and legal compliance.

Despite these shortcomings, public institutions across the six countries have demonstrated adequate performance in recording and tracking retaliation complaints and their outcomes. They have also shown moderate transparency in sharing data, a critical step toward building an effective whistleblower protection framework. The next essential step is for institutions to improve transparency by publicly disclosing detailed information on efforts to protect or reinstate whistleblowers and providing clear justifications for decisions on protection requests.

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## WHISTLEBLOWER CHRONICLES SECOND ROUND

The second round of the Coalition’s initiative, “Whistleblower Chronicles,” received various journalism contributions, carefully selected and guided by the expert Alexenia Dimitrova. This second round has brought stories from North Macedonia, Ukraine, Bosnia and Herzegovina, the



Czech Republic, and Albania. In Bosnia, the article raises awareness of the lack of a unified law. Drawing on whistleblowers’ feedback, Pisarević highlights the hardships that whistleblowers face, especially because the authorities are often unable to follow the “good faith” principle, and sometimes, as in the case of Emir Mešić, the whistleblower status did not make a difference to his dismissal and proceeding with his corruption report.

In North Macedonia, Goran Lefkov writes about Jovan Jovcevski stands out as a notable whistleblower in the Balkans and Europe.

As the administrative founder of North Macedonia’s Operational Technical Agency (OTA), tasked with overseeing legal wiretapping and whistleblower complaints, he exposed misconduct within the agency.



His actions led to retaliation from OTA’s director and high-ranking officials of the Social Democratic Union of Macedonia, the former ruling party. Notably, some companies under his scrutiny were later blacklisted by the United States of America.

In January 2016, Jovcevski received four whistleblower reports detailing serious allegations against OTA director Zoran Angelovski. These included threats against an employee, selling jobs at the agency for €10,000, and demanding a 10% bribe on equipment purchases worth €8–10 million. When Angelovski asked Jovcevski to conceal the reports, he refused. Several traps were organized to destroy his reputation as an employee and remove him from his job. He said he was disciplined four times and dismissed twice. Jovcevski continues to fight his dismissal in court. “The courts do not value the whistleblower protection law nor the law on classified information.” He has appealed the verdicts against him in North Macedonia to the European Court of Human Rights in Strasbourg. “The first stage has passed. I expect that during this year, it will enter the second phase,” says Jovcevski.



Zelenka problematizes the media’s role in the Czech Republic and awareness of whistleblowing, arguing that the debate on protecting whistleblowers in the media is still in its early stages, with limited data and stories available on the issue. Adam Černý, chairman of the Czech Journalists Syndicate, notes that while ethical codes adopted by publishing houses could theoretically offer protection, their effectiveness remains uncertain. The Syndicate is prepared

to provide legal support to journalists threatened due to their work, emphasizing the importance of whistleblower protection as a key path to addressing unfair practices.

A significant challenge is the lack of awareness among journalists about resolving such issues and the scarcity of publicly known success stories. Černý recalls a case where a TV editor won a dispute with their employer but declined to share their story, fearing it might harm their future career. Greater visibility of successful cases could both educate journalists about their rights and encourage them to expose misconduct.

Anna Romandash, an award-winning journalist from Ukraine, writes about the anti-corruption law in a war-affected country. Despite the ongoing war, Ukraine remains committed to combating corruption, a critical focus amid the influx of international aid and arms and the constraints of martial law, such as limited access to open data registries. Corruption ranks as Ukrainians' second-greatest concern after the Russian invasion, with the judiciary, procurement agencies, and customs administration seen as the most corrupt sectors.

Public tolerance for corruption continues to decline, with many demanding more transparent and accountable institutions.

Ukraine's anti-corruption efforts are also central to its EU membership aspirations, following its official candidate status in December 2023. The government aims to align national anti-corruption laws with EU standards and demonstrate progress to European partners.

Whistleblower protection has become a cornerstone of these reforms. By October 2024, 72 Ukrainians had been granted official whistleblower status, ensuring state protection for exposing corruption.



Inva Hasanaliaj writes about the persistent challenges of implementing the whistleblowing law in Albania. She interviewed various NGO members, journalists, and researchers who have been involved in this domain. She highlights the cases of workplace or employer retaliation, leading to the inference that deficient protection and implementation issues stem from the law's incomplete nature.

Furthermore, she emphasizes the lack of information about rights and protection, fear of retaliation, and the presence of other reporting platforms that may divert individuals from using the designated reporting tool provided by responsible units. Hasanaliaj also taps into the negative perceptions spread by some media outlets in the country.