



# From Principle to Practice:

## A Joint Civil Society and Legal Expert Study on the Implementation of Whistleblower Laws

Prepared by Government Accountability Project and the Global Civil Society  
Coalition for the UNCAC.

Date Submitted: 21 November 2025

Location: Washington, D.C. / Vienna, Austria



GOVERNMENT  
**ACCOUNTABILITY**  
PROJECT



Protection of Reporting Persons  
**Working Group**

Global Civil Society  
Coalition for the UNCAC

## **Written Submission**

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## Executive Summary

United Nations Convention Against Corruption (UNCAC) Resolution 10/8 on the protection of reporting persons (whistleblowers) established comprehensive principles and standards for whistleblower protection, prompting expanded international cooperation, increased technical assistance, and accelerated legislative reforms.

This report is a brief overview of challenges and best practices, including those embodied in Resolution 10/8, across 48 countries, drawing on survey responses from 57 legal experts and civil society organizations (CSOs). The study examines legal frameworks, reporting mechanisms, protective measures, and the role of civil society.

The findings reveal progress alongside persistent gaps shared by differences in political will, funding, and institutional capacity. The study did not adopt a regional analysis because no consistent trends emerged. Country contexts differed widely within regions.

Overall, while many countries have dedicated legislation and strengthened reporting channels, substantial gaps remain in anti-retaliation measures, gender-sensitive approaches, Strategic Lawsuits Against Public Participation (SLAPP) protections, confidentiality safeguards, and institutional capacity.







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## Legal Frameworks

Of the 48 countries surveyed, 21 (43.75%) have dedicated, comprehensive whistleblower protection legislation. These comprehensive frameworks typically cover both public and private sectors, clearly define protected persons, describe the scope of reportable wrongdoing, and provide explicit anti-retaliation protections. An additional 17 countries rely on provisions within other thematic laws.

Approximately 10 countries demonstrate limited or fragmented frameworks. Dedicated laws correlate strongly with clearer standards, improved implementation, and stronger public awareness. Since 2023, thirteen surveyed countries enacted new laws or reforms, reflecting growing recognition that whistleblower protection is essential to anti-corruption efforts. Regional initiatives, particularly the EU Whistleblowing Directive (2019/1937), drove harmonization and established minimum protection standards.

However, significant challenges persist. Twenty-seven countries cover both public and private sectors, but six limit protection to only public sector employees. Five countries exclude important categories of protected persons, including former employees, contractors, consultants, volunteers, and job applicants. Four countries limit material scope primarily to criminal offenses and corruption, leaving other serious wrongdoing outside protection.



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## Reporting and Protection Mechanisms

Effective whistleblower protection requires accessible, secure, and diverse reporting channels. Fifteen countries studied legally require organizations to establish internal reporting systems, while 21 allow whistleblowers to bypass internal channels and report directly to external authorities. Thirty-seven countries studied have dedicated agencies or competent authorities to receive, investigate, and act upon reports.

However, significant gaps remain. Only a minority require multiple reporting interfaces (Anonymous reporting remains limited, potentially discouraging disclosures in high-risk environments. Many systems lack 24/7 access, multilingual support, encrypted digital platforms, and clear acknowledgment and feedback mechanisms. Confidentiality protections vary substantially, with some frameworks lacking safeguards against unauthorized disclosure of whistleblowers' identities.

Institutional capacity represents another critical challenge. Many competent authorities face resource constraints, insufficient independence, unclear mandates, and limited investigative and remedial powers. Investigation time limits, when established, often prove unrealistic given institutional capacity constraints. Permitting authorities to decline investigations without clear criteria undermines public trust.



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## Protective Measures

The cornerstone of effective whistleblower protection frameworks is anti-retaliation protections. To address power imbalances and improve access to remedies, approximately 18 countries apply burden-shifting frameworks in retaliation cases, requiring employers to prove that adverse actions were not motivated by disclosures.

SLAPP protections are critically scarce: only four countries provide explicit safeguards. Only three address abuse of non-disclosure agreements and confidentiality clauses to prevent or penalize reporting.

Good faith requirements vary. When defined as “reasonable belief,” protection and accountability are balanced. Motives-based standards, prohibited by Resolution 10/8, deter legitimate reporting and risks penalizing honest-mistake disclosures.

Remedies also vary. Many countries provide reinstatement, wage recovery, and nullification of disciplinary actions, but few offer comprehensive remedies including reputational rehabilitation, psychological support, relocation assistance, or interim relief. Financial incentives remain controversial and uncommon, though some countries offer rewards tied to the recovery of public funds.

Gender-sensitive and inclusive approaches remain largely absent. Few countries explicitly consider the unique risk faced by marginalized groups, including women, minorities, and persons with disabilities. The lack of gender-disaggregated data collection further impedes understanding of differential impacts and hinders targeted interventions.





## Technical Assistance Needs

Surveyed CSOs and legal experts highlighted significant implementation challenges requiring technical assistance. Common needs include:

- Legislative drafting aligned with international standards
- Capacity building for institutions receiving and investigating reports
- Training for law enforcement, judiciary, and workplaces
- Secure digital reporting platforms
- Public awareness campaigns
- Monitoring and evaluation frameworks

Resource constraints impede effectiveness. Few countries offer systematic training for personnel handling reports, and rights-awareness campaigns are limited despite their importance. Monitoring and evaluation remain weak: most countries lack periodic assessments of framework performance, hindering improvements and adaptation.

International cooperation and peer learning offer significant opportunities. Countries could benefit from regional coordination, comparative legal analysis, and South-South exchanges. Technical assistance providers should prioritize context-specific guidance and multi-stakeholder dialogues among governments, civil society, legal experts, and international organizations.



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## The Role of Non-Governmental Organizations

NGOs play an indispensable role in whistleblower protection. In most surveyed countries, NGOs:

- Provide legal assistance and representation
- Offer psychological counseling and crisis support
- Operate independent reporting platforms and hotlines
- Conduct public awareness campaigns
- Monitor implementation and document cases
- Participate in legislative reform processes
- Facilitate international coordination and knowledge sharing

NGO involvement is particularly critical where state-provided services are limited or untrusted. Legal support offered by NGOs often fills gaps where formal legal aid is inaccessible or insufficient.

However, NGOs face constraints. Many operate with limited funding and capacity. In some countries, civil society encounters restrictive legal environments, including barriers to registration, foreign funding restrictions, or broader civic space limitations. Collaboration between governments and civil society varies, ranging from strong partnerships to resistance toward external oversight.

The most effective ecosystems foster structured government-civil society cooperation, including recognition of NGO roles, joint awareness campaigns, co-funded support services, and mechanisms for consultation on policy development.



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## Conclusion

The survey reveals considerable progress following Resolution 10/8 alongside persistent challenges. While many countries have established basic frameworks, many lack comprehensive legislation, robust anti-retaliation measures (including anti-SLAPP), gender-sensitive approaches, and adequate support services.

Priorities moving forward include:

- Enacting comprehensive legislation in countries lacking dedicated frameworks
- Ensuring universal adoption of burden-shifting and SLAPP protections
- Embedding gender-sensitive and inclusive approaches
- Strengthening institutional capacity, resources, and mandates
- Expanding monitoring, evaluation, and data collection
- Enhancing technical assistance, peer learning, and international cooperation
- Supporting robust civil society engagement in all aspects of implementation

Protecting whistleblowers is essential to effective anti-corruption systems, public accountability, and the rule of law. Continued commitment from governments, international organizations, and civil society remains critical to ensuring that the principles of Resolution 10/8 translate into meaningful, practical protections for those who speak up in the public interest.