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Report: Survey findings on understanding and perception of whistleblowing by private sector employees

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List of abbreviations

LPW	Law on Protection of Whistleblower
LI	Labor Inspectorate
APC	Agency for the Prevention of Corruption
TAK	Tax Administration of Kosovo
KBRA	Kosovo Business Registration Agency

Executive Summary

Whistleblowing within the private sector is important for identifying, preventing, and combating corruption and other ethical breaches. It fosters organizational cultures emphasizing accountability and integrity while providing valuable insights for process improvements and innovation. Establishing clear reporting structures and ensuring employee awareness of these mechanisms are crucial for law implementation. USAID's Kosovo Municipal Integrity activity grantee, FOL movement, conducted survey with representatives of businesses throughout the territory of Kosovo that have over 50 employees, to assess how much of the private sector entities are informed about the whistleblowing mechanism and the level of implementation of the Law on Protection of Whistleblowers in the private sector.

Primary data were obtained via an online survey conducted with businesses identified through the Kosovo Business Registration Agency of Kosovo (KBRA) and information provided by the Tax Administration of Kosovo.

Furthermore, for the purpose of this report, FOL Movement has also conducted interviews with the Labor Inspectorate (LI) and the Agency for the Prevention of Corruption (APC), as the responsible institutions for the supervision of this law, regarding the challenges of these institutions in performing their legal obligations.

Key Findings

- Through the analysis of the collected data, it has emerged that some of the businesses are informed about the existence of the Law on Protection of Whistleblower (LPW), the majority recognize the requirement to appoint officials responsible for Whistleblowing. Furthermore, most have reported no challenges in understanding the concept of whistleblowing. However, it also emerged that majority of surveyed businesses, or 75%, stated that they have not created internal acts to regulate the procedure for receiving and handling whistleblowing cases within the private entity, an obligation that the LPW foresees.
- The majority of businesses surveyed expressed challenges in comprehending whistleblowing procedures. Specifically, 50% of respondents reported finding the steps/procedures "very difficult," while 25% indicated they found it "a little difficult." Conversely, 25% of businesses perceived the procedures as "quite easy."
- Regarding the significance of the whistleblowing mechanism, 50% of businesses rated it as "very important" for reporting within the work environment. In contrast, 38% of respondents considered it "a little important," while 12% deemed it "not important at all."

- A significant majority (88%) of surveyed businesses identified the need for training to comprehend whistleblowing procedures. However, none of them had arranged such training sessions, indicating a gap in preparedness.
- Most businesses reported no history of reporting to competent bodies, with only 60% expressing willingness to do so if necessary. This suggests a potential lack of awareness or confidence in utilizing whistleblowing mechanisms.
- The majority (75%) of surveyed businesses acknowledged the importance of implementing whistleblowing mechanisms in Kosovo, reflecting a consensus on the necessity of such measures for promoting transparency and accountability.
- Only a small proportion (20%) of surveyed businesses had undergone inspection by the LI regarding the appointment of responsible whistleblowing officials. This highlights inadequate supervision levels in ensuring compliance with relevant regulations.
- The LI recognized deficiencies in supervision, attributing them to logistical constraints. This indicates challenges in effectively overseeing the implementation of whistleblowing protocols.
- Neither the LI nor the APC conducted targeted training for implementing the Law on Protection of Whistleblowers, highlighting a potential need for capacity-building efforts. The Agency plans to train whistleblowing officials from public institutions in 2024 to improve their understanding of whistleblowing frameworks and to explore avenues for establishing such channels in the private sector.

Based on survey outcomes, the following recommendations are offered:

- Conduct awareness campaigns targeting private sector entities to educate them about their obligations under the LPW and the advantages of implementing whistleblowing mechanisms.
- Encourage private sector entities to appoint designated whistleblowing officials and establish internal procedures for handling whistleblowing cases to ensure effective reporting and protection of whistleblowers.
- Establish secure reporting channels within businesses by appointing designated officials responsible for handling whistleblowing cases.
- Provide ongoing training for employees to familiarize them with whistleblowing procedures and emphasize their significance. Enhanced awareness can lead to increased reporting of irregularities and foster a culture of transparency within organizations.

- Develop internal protocols within private entities to guide the handling of whistleblowing cases effectively.
- Augment the workforce of the LI to ensure effective oversight of the LPW's implementation in the private sector. This includes initiating actions against entities failing to adhere to the law's requirements.
- Increase the professional staff of the LI to enhance supervision and enforcement of the LPW within the private sector.
- Advocate for the Government of Kosovo, particularly the Ministry of Justice, to conduct an ex-post evaluation of the LPW. This evaluation should assess its efficacy and explore avenues for amendments to specify competent authorities responsible for receiving and investigating reports from private sector entities, thereby ensuring the law's proper implementation.

1. Introduction

This report describes the findings from the survey conducted by FOL Movement and supported by the USAID's Kosovo Municipal Integrity activity conducted through period February - March 2024. The purpose of the survey was to assess the information level of private sector entities, namely employees in these businesses, regarding the mechanism for whistleblowing/reporting violations and abuses, and how much this mechanism is being implemented.

Whistleblowing as a reporting mechanism is provided for in the Law for the Protection of Whistleblowers, which entered into force in December 2018, while provisions for the private sector were enforced a year later (December 2019). This law obliges all public employers who have more than 15 employees and private employers who have more than 50 employees to appoint responsible whistleblowing officials.

This law represents an important link in the harmonization of national laws with the European Union's policies and goals in terms of the legal regulation of the whistleblowing issue. With its 32 articles, the LPW defines the rules for whistleblowing, the whistleblowing procedure, the rights and protection of whistleblowers and the obligations of public institutions and private entities in relation to whistleblowing.

Whistleblowing in the private sector serves as a key tool to identify, prevent, and combat corruption and other ethical and legal violations within private sector entities. Whistleblowing also improves the organizational culture of private entities, fostering an environment where accountability and integrity are fundamental values. Reports from Whistleblowers can serve as a valuable source of information for improving processes and developing innovations within organizations.

Therefore, the creation of clear structures for reporting violations, abuses or unethical behavior, as well as ensuring that employees are informed of these structures, is a necessity for the proper implementation of the law. Consequently, it is necessary to commit to the clarification of the legal provisions for the reporting steps and the clarification of the competent institutions to establish whistleblowing in this sector, to ensure the implementation of this law, as a vital step to increase the integrity, transparency, competition in the market. The prevention of potential abuses in the private sector has a very important impact on the economic development and financial stability of a country, therefore the empowerment and awareness raising of private sector workers for this mechanism should be seen as a necessity.

This report includes the description of results of surveys on the level of implementation of the provisions of the Law on Protection of Whistleblowers in the private sector, and the level of information of the employees of this sector with the term whistleblowing. Also, this report aims to identify the practical shortcomings in the implementation of the provisions of this law by businesses, aiming to issue recommendations for the effective implementation of the law and avoid ambiguities for private sector employees regarding the reporting steps.

2. Methodology

In order to obtain accurate information about the level of knowledge of representatives of companies/private sector entities on the whistleblowing mechanism and the level of implementation of the Law on Protection of Whistleblowers in the private sector, as well as the perception of these entities about the need for implementation of this mechanism in the circumstances of Kosovo, FOL Movement has conducted surveys with 55 private sector entities/companies with over 50 employees in the entire territory of Kosovo.

Initially, the data of private sector entities with over 50 employees were obtained by TAK, through requests for access to public documents. While the contacts of these businesses were found through manual search on the KBRA portal and through other possible forms (searching their accounts on social networks).

Of all the private sector entities currently operating, using manual search method we found the contacts (e-mail addresses and phone numbers) of 221 businesses. Then, the survey consisting of 18 questions (*see ANNEX I*), was sent to the contact list of identified businesses.

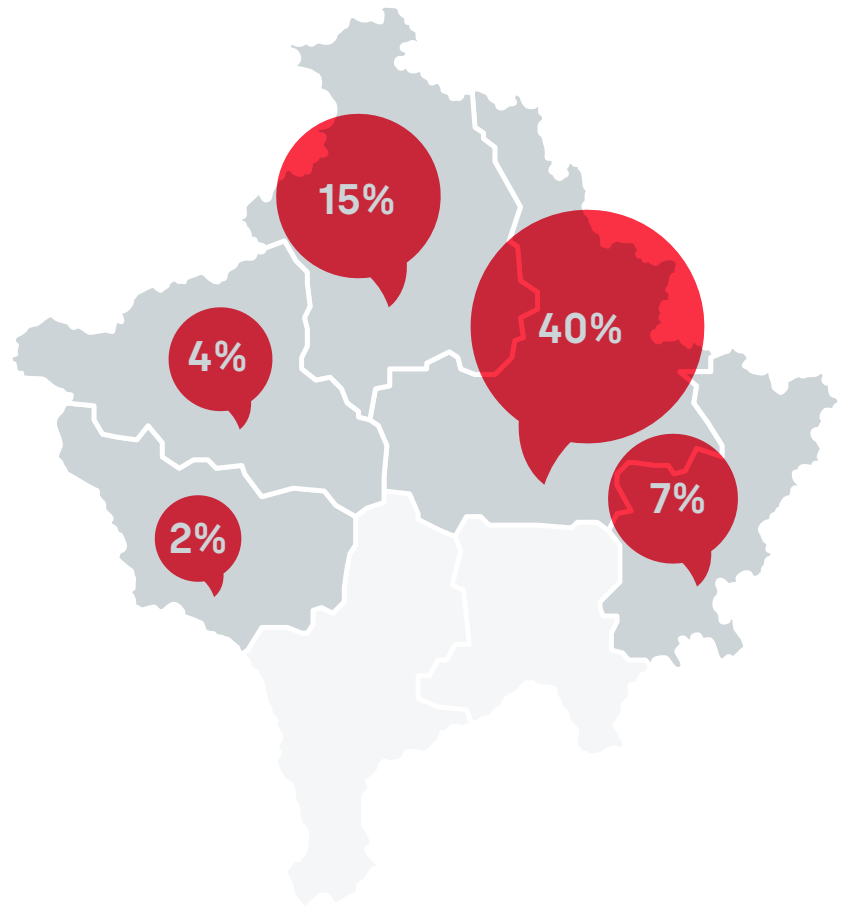
Most of the respondents who answered the questions posed in the survey were from Prishtina Region, namely 40% of the respondents, while 15% from Mitrovica Region, 7% from Gjilan Region, 4% from Peja and 2% from Gjakova Region. Also, most of the surveyed entities were from the construction sector, market sector, gastronomy, and production.

For the needs of this report, FOL Movement also interviewed the representatives of the LI and the APC regarding the challenges and needs of these institutions in the supervision of this law for the private and public sector. Interviews with these institutions were conducted in writing.

Most of the respondents who answered the questions posed in the survey were from

Prishtina Region	40%
Mitrovica Region	15%
Gjilan Region	7%
Peja Region	4%
Gjakova Region	2%

Also, most of the surveyed entities were from the construction sector, market sector, gastronomy, and production.



3. Survey Results

In the subsequent text, the responses from representatives of surveyed businesses are provided concerning the questions outlined in the survey (refer to Annex I). The survey results are presented as percentages to ensure clarity and comprehension for the reader.

Therefore, this analysis offers insights into the perceptions and attitudes of private sector entities regarding the whistleblowing mechanism and the implementation of the Law on Protection of Whistleblowers within the Kosovo context.

01 ARE YOU AWARE OF THE EXISTENCE OF THE LAW ON PROTECTION OF WHISTLEBLOWERS?

The survey data indicates that 53% of the surveyed businesses were unaware of the existence of the Law on Protection of Whistleblowers, while 47% reported awareness of the law.

The representatives of businesses lacking awareness of this law come from various sectors, such as: grocery store/markets, the construction sector, and food industry and call centers.

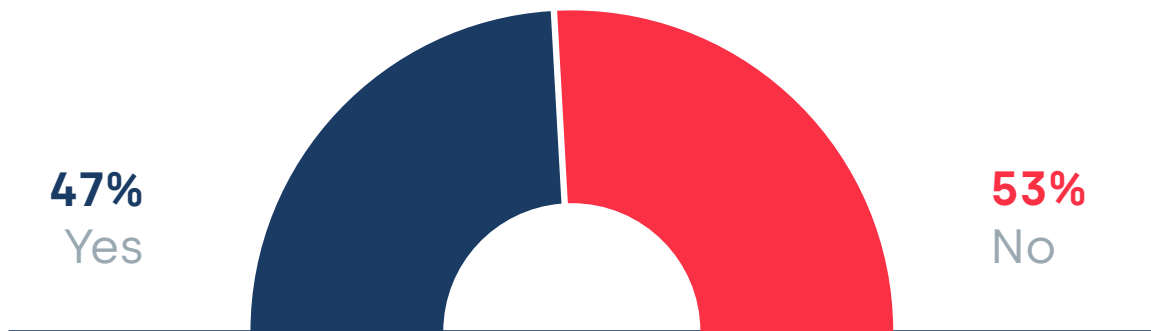


Figure 1. Responses of business representatives regarding their information about the existence of the Law on Protection of Whistleblowers.

These findings underscore the necessity for initiatives to enhance information and awareness among businesses concerning the Law on Protection of Whistleblowers within the business community. Proposed measures could entail information dissemination campaigns, training sessions, and bolstering resources dedicated to overseeing whistleblowing implementation.

02 ARE YOU AWARE THAT PURSUANT TO THE LAW ON PROTECTION OF WHISTLEBLOWERS, YOU HAVE AN OBLIGATION TO APPOINT A WHISTLEBLOWING OFFICER IN YOUR COMPANY?

Survey data indicates that 64% of businesses surveyed lack awareness of the legal requirement to designate an official responsible for whistleblowing. Conversely, 36% of businesses reported possessing this information. Thus, most businesses have acknowledged being uninformed about this legal obligation.

This finding highlights a deficiency in clear information regarding this aspect, suggesting an opportunity for businesses to undertake measures to educate themselves regarding legal obligations. Such measures may include drafting clear policies and establishing procedures to enhance the effective implementation of the provisions outlined in the Law on Protection of Whistleblowers.

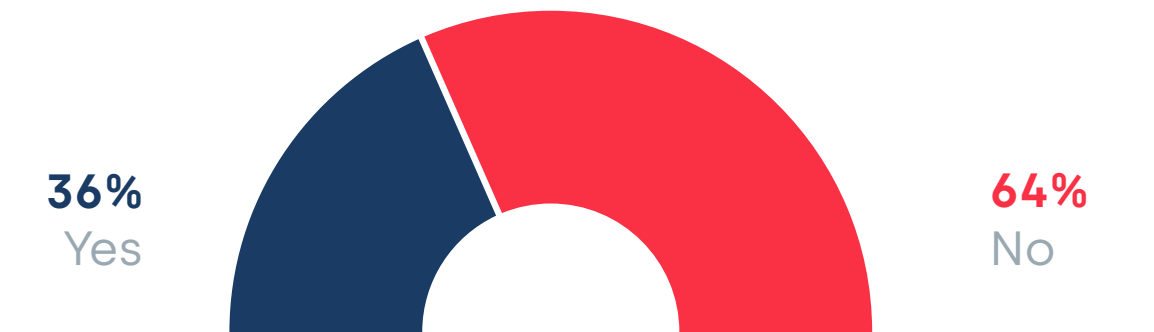


Figure 2. Answers of businesses regarding their information about the legal obligation to appoint the official responsible for whistleblowing.

Among the 36% of businesses aware of the legal obligation to designate officials responsible for whistleblowing, 65% (13 businesses) have confirmed appointing such officials. Conversely, the remaining 35% of businesses stated that they have not yet appointed officials responsible for whistleblowing within their companies.

This finding highlights that a substantial portion of businesses informed about the legal requirement to appoint officials responsible for whistleblowing have acted upon this obligation. However, there remains another segment that has yet to appoint an official for this purpose, despite being aware of the legal obligation.

03 HAVE YOU OR ANY OF YOUR COLLEAGUES EVER HAD A PROBLEM UNDERSTANDING THE TERM "WHISTLEBLOWER"?

According to the survey results, only 15% of respondents expressed doubts about the meaning of the term "whistleblower," while the remaining 85% stated they had never encountered difficulties in understanding this term. This indicates that the majority of respondents were familiar with the concept of whistleblowing. For these businesses, the term "whistleblowing" likely resonates with notions of workplace integrity, protection, and addressing abuse.

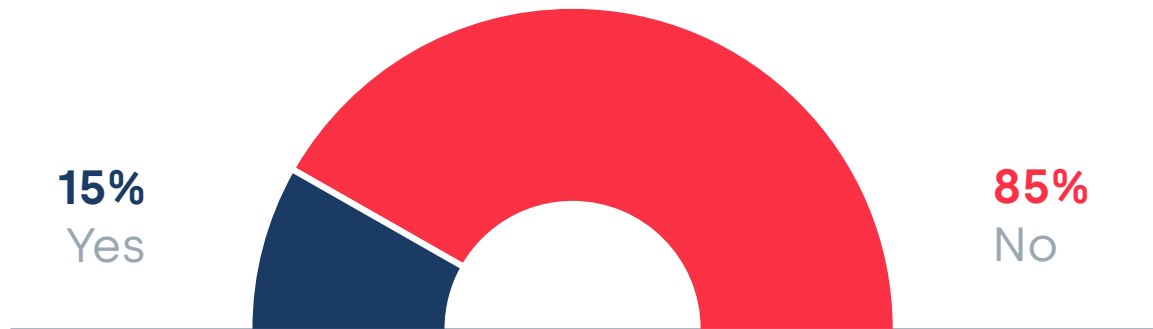


Figure 3. Answers of businesses regarding their information about the meaning of the term "whistleblower".

Among the businesses that reported difficulties understanding the term, one respondent's answer to this question was: "I have no idea what whistleblower means?". The remaining responses included: "Very general word. Without reading the law, it is not clear what whistleblowing is about. The word should be more precise"; "We have not heard of it before" and "We were not aware of this law".

04 HAVE YOU DRAFTED AN INTERNAL ACT WHICH REGULATES THE PROCEDURE OF RECEIVING AND HANDLING WHISTLEBLOWING CASES IN YOUR COMPANY?

According to the survey findings, 75% of respondents have not drafted internal protocols for managing whistleblowing cases, whereas only 25% have fulfilled this legal obligation.

This highlights a significant gap in taking the required steps for drafting and implementing internal protocols to manage whistleblowing cases within their workplaces for the majority of businesses.

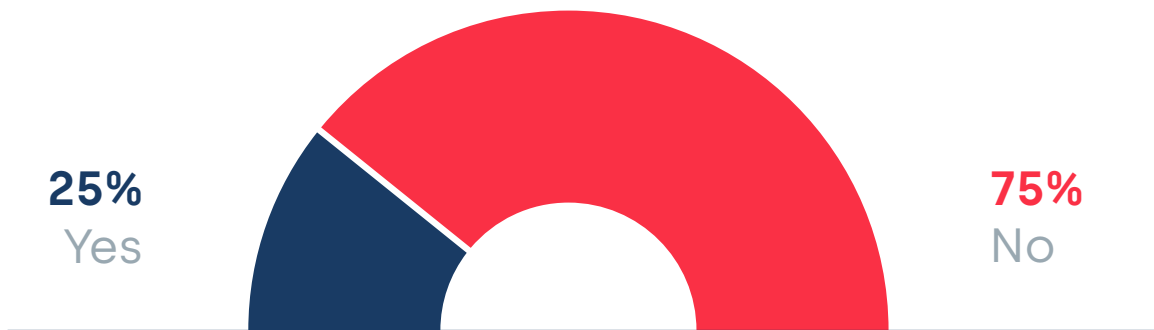


Figure 4. Answers of businesses regarding the drafting of internal acts that regulate the procedure for receiving and handling whistleblowing cases.

05 HOW DIFFICULT DO YOU FIND UNDERSTANDING THE REPORTING/WHISTLEBLOWING STEPS/PROCEDURES SET FORTH IN THE LAW FOR THE PROTECTION OF WHISTLEBLOWERS?

Based on survey results, 50% of the respondents said that they find it very difficult to understand the reporting/whistleblowing steps/procedures defined by law. Another 25% of the respondents said that they find it a little difficult to understand these steps/procedures, while 25% of the respondents said that they do not have any difficulty in understanding the reporting procedures.

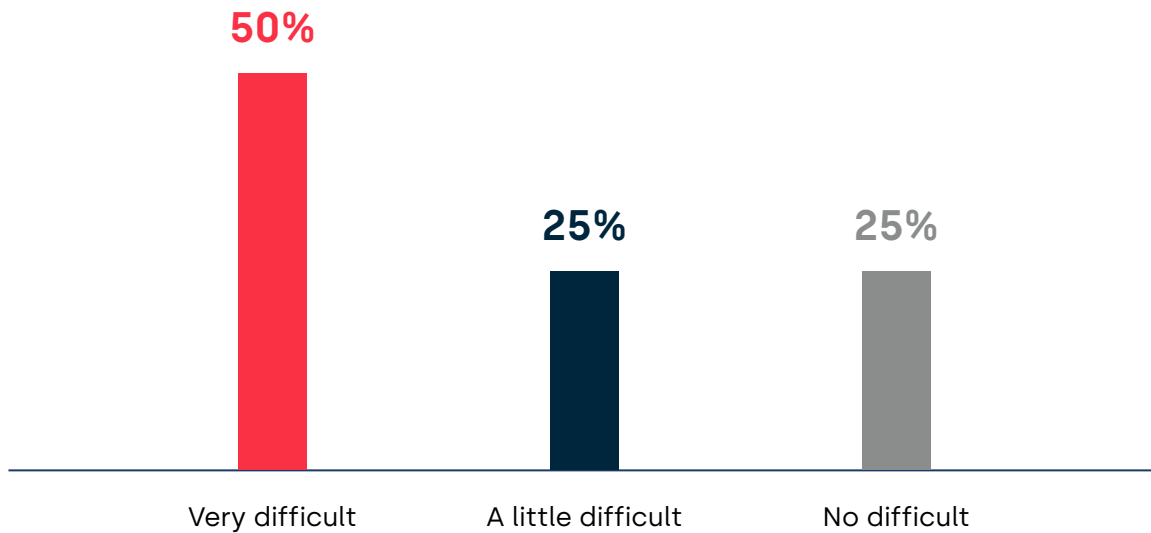


Figure 5. Answers of businesses regarding the difficulties in understanding the whistleblowing steps/procedures.

Based on these results, understanding these steps and procedures poses a challenge for a significant number of businesses. To address this issue and ensure a clear understanding and proper implementation of these procedures, it is crucial to offer comprehensive training and guidance to these entities. This approach will enhance awareness and ensure correct application of the law, ultimately fostering a fairer and safer work environment for all employees.

06 HOW IMPORTANT DO YOU FIND WHISTLEBLOWING AS A REPORTING MECHANISM IN YOUR WORKPLACE ENVIRONMENT?

The survey results indicate that 50% of respondents consider whistleblowing to be a highly important reporting mechanism in the workplace. Additionally, 38% rated it as somewhat important, while 12% of businesses deemed this mechanism as unimportant.

This result reflects varying perceptions regarding the importance of whistleblowing for workplace reporting. While a significant proportion of respondents view whistleblowing as a crucial tool for identifying and reporting significant issues in the workplace, others perceive it as less important or not important at all.

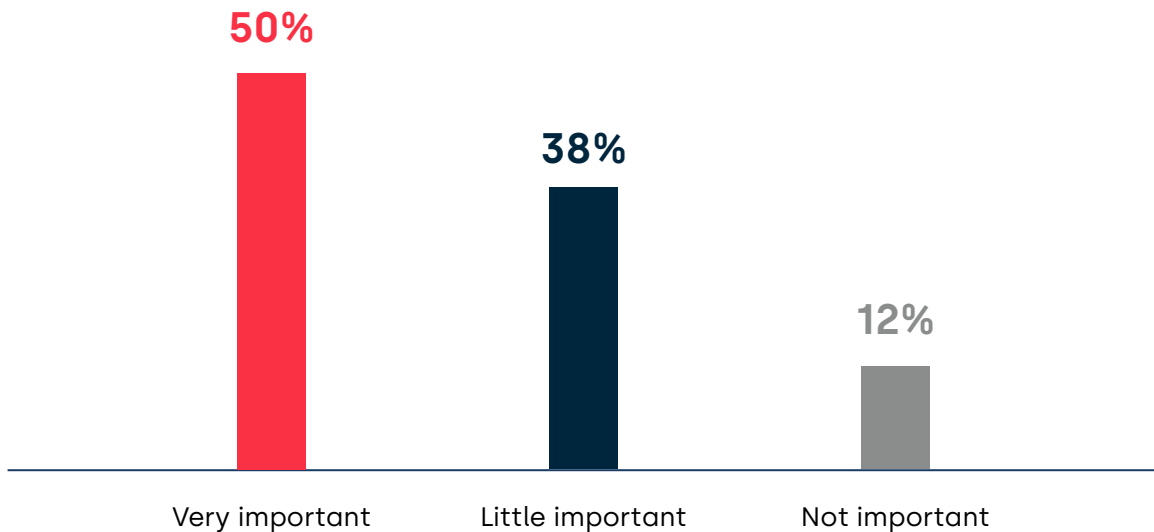


Figure 6. Answers of businesses regarding the importance of whistleblowing.

07 WERE YOU EVER IN NEED OF A SPECIAL TRAINING TO UNDERSTAND OR USE WHISTLEBLOWING IN YOUR WORKPLACE ENVIRONMENT?

According to the survey findings, the majority of respondents (88%) expressed a need for specialized training to comprehend and utilize whistleblowing as a mechanism. Conversely, 12% stated that they did not require any special training to understand and employ this mechanism.

This result underscores a substantial demand for additional training and information regarding whistleblowing in the workplace. For the majority of respondents, whistleblowing appears to be a complex area with various challenges that necessitate enhanced knowledge and specialized skills to understand and effectively utilize it. Specialized training sessions can play an important role in enhancing awareness and knowledge among businesses, enabling them to better identify, report, and address suspicious cases effectively.



Figure 7. Answers of businesses regarding the need for training to understand or use whistleblowing.

The respondents were also questioned about whether their organizations had conducted training sessions on this issue, and all respondents (100%) confirmed that they had never organized such training sessions. This outcome suggests a widespread absence of dedicated whistleblowing-related training in the workplace environment for all surveyed personnel.

08 HAVE ANY OF YOUR STAFF MEMBERS REPORTED ANY INTERNAL IRREGULARITIES TO COMPANY LEADERS?

Based on the survey results, 67% of the businesses surveyed responded negatively regarding their efforts to address irregularities with their employers. Conversely, 33% of the businesses acknowledged instances where they or their colleagues' reported irregularities to their employers.

This result highlights a distinct division between businesses that adhered to legal requirements and fostered an open culture of reporting irregularities to the employer, and those that did not.

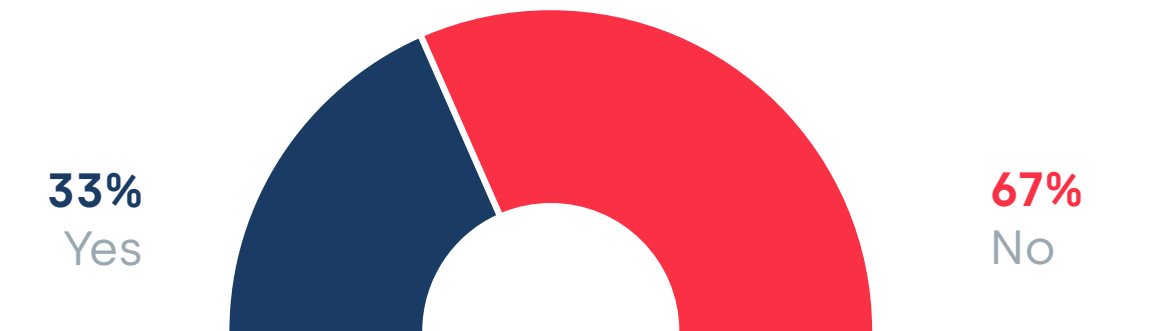


Figure 8. Answer of businesses regarding whether they reported violations/irregularities to the employer.

09 HAVE YOU EVER HAD A CASE WHERE YOUR COMPANY HAS PRESENTED ANY IRREGULARITY OR ILLEGAL ACTION BEFORE THE COMPETENT AUTHORITIES (i.e., tax evasion by a company you have cooperated with; report of any criminal offense, etc.)?

Regarding this matter, the survey results indicate that none of the businesses surveyed have reported any irregularities or illegal actions to the appropriate authorities. This finding underscores a lack of reported cases of irregularities or illegal actions to the competent bodies by the surveyed businesses.



Figure 9. Answer of businesses regarding whether they have reported violations/irregularities to the competent bodies.

10 DO YOU THINK THAT WHISTLEBLOWING IN THE PRIVATE SECTOR IS NECESSARY FOR THE CIRCUMSTANCES IN WHICH KOSOVO IS?

Regarding the perception of surveyed businesses regarding the necessity of implementing this mechanism in Kosovo's circumstances, the survey results reveal that 75% of businesses responded positively to this issue, while 25% of surveyed entities deemed it unnecessary. The high percentage of positive responses indicates a strong awareness among businesses regarding the significance and effectiveness of this mechanism within Kosovo's context. In light of this, it is crucial for relevant authorities and organizations to persist in promoting and supporting the implementation of this mechanism to foster a fairer, more transparent, and safer working environment for all stakeholders in Kosovo.

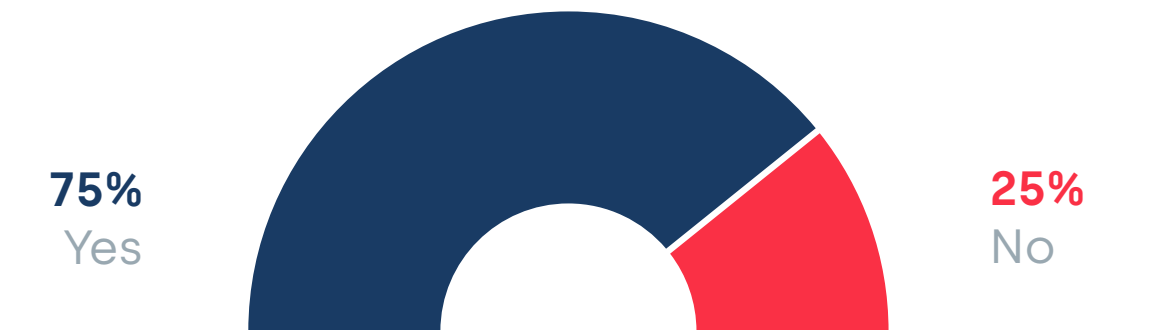


Figure 10. Answer of businesses regarding their assessment of the need to implement this mechanism in the circumstances in which Kosovo is.

11 ARE YOU READY TO REPORT ANY VIOLATION OR INCOMPLIANCE THAT YOU OBSERVE IN PUBLIC PROCUREMENT ACTIVITIES OR IN OTHER ACTIVITIES RELATED TO PUBLIC INSTITUTIONS (such as in the distribution of subsidies, licenses, permits, etc.)?

According to the survey findings, 60% of businesses expressed readiness to report potential violations in activities related to public institutions, while the remaining 40% indicated they were not prepared to report on such matters. A significant portion of businesses consider reporting potential violations important and are willing to engage in this process. However, another segment of businesses is hesitant to report such violations to public institutions. This divergence in perception may stem from various factors, including distrust in public institutions, fear of potential repercussions for reporting, or lack of awareness about reporting procedures.

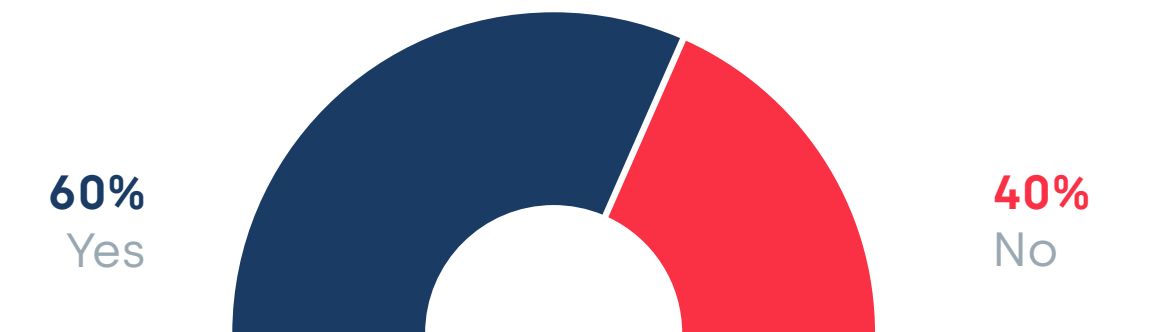


Figure 11. Answers of businesses regarding whether they are ready to report violations/irregularities to the competent bodies.

12 HAVE YOU EVER BEEN INSPECTED OR CONTACTED BY THE LABOR INSPECTORATE REGARDING THE APPOINTMENT OF AN OFFICIAL RESPONSIBLE FOR WHISTLEBLOWING?

According to the survey results, 20% of the surveyed businesses underwent inspection by the LI regarding the appointment of officials responsible for whistleblowing, while the majority, comprising 80%, reported never being inspected by the LI for this matter. This suggests that only a small percentage of businesses have undergone inspection in this context, while the majority have not encountered such inspections.



Figure 12. Answer of businesses regarding whether they have been inspected by LI regarding the appointment of officials responsible for whistleblowing.

4. Interview with the Labor Inspectorate

For the purposes of this research, FOL Movement has also conducted written interviews with the Labor Inspectorate, as the institution responsible for supervising the implementation of this law for the private sector. This institution currently has 63 labor inspectors, and according to them, 57 more are expected to be added within this year.

In this context, in relation to the measures planned to ensure the implementation of the LPW within the LI, the inspectorate said that: *"The Central Labor Inspectorate (CLI), within the work plan, is undertaking actions aimed at the supervision of the implementation of the Law on Protection of Whistleblowers within the Central Labor Inspectorate by appointing the responsible official within the CLI who has notified the inspection staff of the legal obligations of entities that have over 50 employees"*.

In response to whether they perceive themselves as the competent institution to supervise the implementation of this law, the LI stated that with the augmentation of human resources, they will be better equipped to ensure effective supervision of the Law on Protection of Whistleblowers (LPW) in the private sector. Additionally, the inspectorate has reported conducting inspections in this domain and maintains monthly reports on the oversight of the implementation of the Law on Protection of Whistleblowers, with a primary focus on whistleblowing. According to their records for January-February 2024, the LI documented those 7 businesses had designated officials responsible for whistleblowing. They identify a lack of logistical support as a primary obstacle in effectively supervising the LPW. Regarding training for overseeing the implementation of the LPW, the inspectorate stated that they have never conducted such sessions. They emphasized the necessity of providing training for Central LI personnel to enhance their knowledge in this area.

Furthermore, the LI expressed collaboration with other institutions and willingness to broaden cooperation with additional law enforcement authorities.

5. Interview with the Agency for the Prevention of Corruption

The Law on Protection of Whistleblowers stipulates that all institutions, including private ones, are obliged to prepare annual whistleblowing reports and send them to the Agency for the Prevention of Corruption. Meanwhile, the agency is obliged to publish the data related to the reports in its annual report by March 31 of the following year.

In the annual reports of the agency, it appears that for three years (2020, 2021 and 2022) only 5 private entities have submitted annual reports to APC. This number shows that only a small percentage of the number of businesses, out of a total of 721 businesses with over 50 employees currently operating in the territory of Kosovo, have acted in accordance with legal obligations. This, apart from the fact that on the one hand it can be considered as a lack of responsibility of the private sector for fulfilling legal reporting obligations, on the other hand it can be seen as a lack of information on the existence of this legal obligation from businesses' side.

Therefore, to fulfill the objectives of this report, FOL also conducted interviews with officials of this institution concerning their plans to enhance and fortify whistleblower protection measures in the future. This includes aspects such as staff training, and policy enhancements aimed at fostering the reporting of suspicious behavior in both public and private institutions. In this regard, representatives from this institution mentioned that for the year 2024, the agency plans to conduct training sessions and roundtable discussions with officials responsible for whistleblowing in public institutions. This practice commenced last year, with five workshops already conducted. The aim is to enhance capacity and provide practical knowledge for implementing the local legal framework for whistleblower protection. Additionally, they mentioned that the agency will explore avenues to support the establishment of whistleblowing channels in the private sector. This support may come through their own initiatives or in collaboration with initiatives from the non-governmental sector or institutions regulating various sectors of private business. Moreover, they outlined that the agency intends to bolster its human resources for managing cases of external whistleblowing, alongside enhancing its technical capabilities through active participation in regional initiatives. Starting this year, the agency plans to operationalize an electronic reporting platform (including text and voice options) and an email contact address outside the government system. This move aims to ensure the highest standards of independent communication. The APC regards the fulfillment of legal obligations by private entities as a significant priority in preventing and combating corruption. This is because it has been frequently demonstrated that corrupt actions and behaviors stem not only from the demand side but also from the supply side.

According to the agency, regarding reporting in the private sector, there appears to be a delay in several areas:

- Appointment of officials responsible for whistleblowing,
- Establishment of the requisite working conditions for responsible officials,
- Development of internal procedures for handling whistleblowing cases.

According to the APC, the primary focus is on establishing whistleblowing channels in the private sector and ensuring adequate training for responsible officials. Subsequently, through awareness campaigns aimed at promoting whistleblowing, the reporting of suspicious cases can be encouraged. However, the success of such campaign's hinges on the concurrent creation of safe reporting avenues. This entails building trust among whistleblowers, ensuring confidentiality, and demonstrating a commitment to protecting whistleblowers from reprisals due to their disclosures.

6. Concluding Remarks

The survey findings illustrate significant gaps in the awareness, understanding, and adherence to whistleblower protection legislation among Kosovo's business sector. A considerable portion of the respondents disclosed a lack of familiarity with their statutory responsibilities under the Law on Protection of Whistleblowers, underscoring an urgent requirement for educational programs and widespread dissemination of information. The variation in understanding key whistleblowing concepts indicates widespread uncertainty within the business community, potentially undermining the integrity of internal reporting mechanisms.

Furthermore, the execution of legal obligations, such as the appointment of dedicated whistleblowing officers and the formulation of internal whistleblowing guidelines, was found to be inadequately implemented across the surveyed businesses. The difficulty in understanding and applying reporting procedures highlights a necessary need for elaborate training and supportive measures tailored to navigate the difficulties of these processes effectively.

Although the significance of whistleblowing in maintaining ethical standards and transparency was acknowledged, a contradiction towards reporting anomalies prevailed among some business entities. This reluctance was often attributed to a prevailing mistrust towards the regulatory bodies, indicating a deeper systemic issue that impedes the enforcement of whistleblower protections.

The efficacy of oversight bodies such as the Labor Inspectorate and the APC is paramount in safeguarding whistleblowers and ensuring compliance with the law. However, their efforts are frequently prevented by a scarcity of resources and logistical limitations, which reduce the impact of their regulatory and supervisory roles.

In light of these findings, it is recommended to initiate targeted awareness-raising campaigns that aim to bridge the knowledge gap and clarify the legal requisites related to whistleblowing. Collaborative efforts among various stakeholders, including government entities, civil society, and the private sector, are essential in cultivating a conducive environment for whistleblowing. Enhancing the logistical capacity and human resources of oversight institutions is also critical, as it would enable more robust enforcement and oversight mechanisms, ultimately nurturing a culture of transparency and accountability within the business ecosystem.

Annex I – Questionnaire

FOL Movement, with the support of the USAID's Kosovo Municipal Integrity activity, is working on research regarding the level of implementation of the Law on Protection of Whistleblowers in the private sector, which came into force in December 2019.

For the needs of this research, FOL Movement has created the following questionnaire for private sector entities with over 50 employees.

Your contribution in completing this questionnaire is highly valued and would help us develop further steps to advocate for the implementation of whistleblowing in the private sector.

1. What type of business does your entity represent?

- Agriculture
- Construction
- Grocery Store/Market sector
- Textile stores
- Media
- Cleaning services
- Gastronomy/Hotelier
- Physical security of facilities
- Transport services
- Other (specify)_____.

2. In which region is your business located?

- Prishtina
- Mitrovica
- Peja
- Prizren
- Ferizaj
- Gjilan
- Gjakova
- Other

3. How many employees does your business have? How many of them women?

4. Does your business/company have an internal organized structure (i.e. departments, divisions, units, etc.)?

- YES
- NO

5. Is the internal structure regulated by an internal act?

- YES
- NO

6. Do you have a dedicated human resources office?

- YES
- NO

7. Are you aware of the existence of the Law on Protection of Whistleblowers?

- YES
- NO

8. Are you aware that pursuant to the Law on Protection of Whistleblowers you have an obligation to appoint a whistleblower in your company?

- YES
- NO

If so, have you appointed one?

9. Have you or any of your colleagues ever had a problem with understanding the term "whistleblower"?

- YES
- NO

If so, could you describe this issue in more detail?

10. Have you drafted an internal act that regulates the procedure for receiving and handling whistleblowing cases?

- YES
- NO

11. How difficult is it for you to understand the reporting/whistleblowing steps/procedures set out in the Law for the Protection of Whistleblowers?

- Very difficult
- A bit difficult
- Not difficult at all

12. How important do you see whistleblowing as a reporting mechanism in your workplace?

- Very important
- Little important
- Not important at all

13. Have you ever needed any special training to understand or use whistleblowing in your workplace?

- YES
- NO

If so, have you conducted any such training?

14. Has any of your staff members reported any internal irregularities to company leaders?

- YES
- NO

15. Have you ever had a case where your company has presented any irregularity or illegal action to the competent authorities (i.e. tax evasion by a company you have cooperated with; reporting a criminal offense, etc.)?

- YES (explain the case) _____
- NO

16. Do you think that whistleblowing in the private sector is necessary for the circumstances in which Kosovo is?

- It is necessary
- It is not necessary

17. Are you willing to report any violation or incompliance you notice in public procurement activities or other activities related to public institutions (such as the distribution of subsidies, licenses, permits, etc.)?

- YES
- NO

18. Have you ever been inspected or contacted by the Labor Inspectorate regarding the appointment of the official responsible for whistleblowing?

- YES
- NO

