



# Albanian Media Reporting on Whistleblowing

On A More Engaged Role of Journalists in Improving Reporting on Whistleblowing

By Ben Andoni

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Center for the Study of Democracy and Governance

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#### Introduction

Whistleblowing is whistleblower's reporting of information on suspected corrupt conducts and practices carried out in his/her workplace. European Commission defines whistleblowers as people who speak up or disclose (to the public) information on a wrongdoing obtained in a work-related context, help preventing damage and detecting threat or harm to the public interest, for example, by damaging the environment, causing harm to the public health and safety of consumers and damaging EU public finances.

In the last two decades, whistleblowing is becoming an increasingly important instrument in the prevention and detection of corruption and other practices that harm the public interest. Given the importance of whistleblowing as a means to fight corruption and other illegal practices, a series of international conventions emphasize the need for the protection of whistleblowers. Therefore, many countries have adopted legislation on whistleblowing and whistleblower protection, including Albania, which adopted such law in year 2016.

The law has met with deficient implementation over the years and various reports have pointed out and analyzed the causes and the institutional and administrative obstructive circumstances of its implementation. Yet, in addition to the above factors, the reports have also called for attention to obstacles linked with the culture and prejudices on whistleblowing as an impeding factor.

In almost all countries of Southeast Europe, some concrete progress has been made over the second decade of the 21<sup>st</sup> century. Since 2011, three countries – Bosnia and Herzegovina, Kosovo, and Serbia – have passed designated whistleblower laws. In five other countries, proposed laws or legislative options have been developed since 2013. All the while, many government institutions and NGOs have broadened their work on a range of whistleblower issues.<sup>2</sup>

Irrespective of the reported cases, whistleblowing results in the Balkans do not meet expectations. Whistleblowing laws are generally considered to be good, with the exception of a few countries that do not offer adequate protection, such as Bulgaria and Romania. Yet, the application and efficiency of whistleblowing are shaky all across the Balkans. In a politically challenging environment, such as the Balkan one, it is very difficult to provide and maintain protection for people that want to inform on corruption and offenses in general.

As regards Albania, the difficulties linked with the political, institutional, and administrative factors were understandable because of the transitory context of the Albanian democracy, but flawed reporting or negative reporting on whistleblowing by media journalists in Albania is less easy to interpret.

Context-wise, this survey report seeks to analyze the causes and motivations that make Albania's journalists give a negative report on whistleblowing. The report aims to identify specific appropriate actions to be undertaken for changing the reporting approach and for improving the journalists' skills in handling cases that involve whistleblowing.

<sup>&</sup>lt;sup>1</sup> Articles or studies conducted until year 2016 refer to this practice as "whistleblowing" and the persons who report wrongdoing as "whistleblowers". In March 2015, the Embassy of the Netherlands in Albania conducted a competition to have a more accurate definition of the term in the Albanian language. The draft law, which was submitted and subsequently approved by the Parliament of Albania, decided to use the terms "signaling" (sinjalizim) and "signaler (sinjalizues) (whistleblowing and whistleblower, respectively). To avoid confusion, this report uses the terms whistleblowing and whistleblower for references of pre-2016 as well.

<sup>&</sup>lt;sup>2</sup> Whistleblower Protection in Southeast Europe, An Overview of Laws, Practice, and Recent Initiatives (2015)

This report is based on the data from the legal framework, national and international reports as well as on the data from interviews conducted with 13 journalists that work in the press and online media, whose reporting assignments encompass political issues and chronicles, including whistleblowing issues at best.

The interviews were conducted employing a structured questionnaire (Annex 2). The data obtained were initially written down and edited and then resubmitted to the respondents for final confirmation. Then, the textual data were processed and interpreted to create the following topics: (I) the level to which journalists are informed about whistleblowing and the law on whistleblowing and whistleblower protection, (2) the reasons why journalists report negatively, (3) journalists' level of engagement and efforts to improve reporting, and (4) solicitation of opinions on possible ways to improve reporting on whistleblowing. To use the answers as unreservedly as possible, journalists were not quoted by names when using specific parts of the interviews.

The research findings indicate that journalists are poorly informed on the whistleblowing law and whistleblowing as a whole. The causes of flawed reporting are connected with the lack of knowledge on whistleblowing as a specific topic and with the structure of media organization in general, which hinders specialization and discourages journalistic engagement.

The report recommends undertaking concrete interventions by means of disseminating information and delivering continuous trainings to journalists as well as by encouraging young journalists to improve coverage and contribute to the change of the adverse mindset instilled to date.

#### Whistleblowing, National Context and Albanian Legal Framework

Whistleblowing is increasingly recognized worldwide as an important instrument to prevent and detect corruption and other malpractice that harm the public interest. By disclosing corruption, whistleblowers have contributed to the prevention of harm to the public interest, encouraging the protection of human rights, and to the strengthening the rule of law. On the other hand, whistleblowers are often exposed to a variety of obstacles, such as retaliation, dismissal, various harassments and threats, including physical attacks.

A series of international acts and conventions adopted in the last 15 years emphasize the need to facilitate whistleblowing and whistleblower protection. The United Nations Convention against Corruption (2004),<sup>3</sup> European Court of Human Rights Decision in the case of Guja vs Moldova (2008),<sup>4</sup> the recommendation of the Committee of Ministers of the Council of Europe (2014), as well as the Directive of the European Parliament and of the Council (2018)<sup>5</sup>, which established for the first time a framework of whistleblower reporting and protection in the entire union.

This has made many countries, including those of the Southeast Europe, adopt laws and establish institutions to facilitate whistleblowing and to protect whistleblowers in case retaliatory acts are undertaken against them.<sup>6</sup>

In response to the trend of adopting legal and institutional frameworks, Albania adopted a piece of legislation to encourage whistleblowing and to protect whistleblowers. In year 2006, after the ratification of the United Nations Convention against Corruption, Albania approved the law on public cooperation in combatting corruption (Law No. 9508/2006).

Law No. 9508/2006 aims to encourage public participation in reporting corruption by establishing the framework for reporting, administrative investigation, protection and reward from 50,000 to 1,000,000 Albanian Lek (ALL) for citizens and public officials that disclose corrupt acts.

Taking into account that this law is deficient in terms of compliance with the Recommendation of the Committee of Ministers of the Council of Europe, Albania adopted the Law on Whistleblowing and Whistleblower Protection and sublegal acts pursuant to it in year 2016.9

The law provides three key elements of a comprehensive framework on whistleblowing and whistleblower protection:

- Mechanisms for reporting on corrupt acts
- Mechanisms for investigating reported whistleblowing
- Mechanisms for protecting whistleblower from retaliation.

In terms of measures on whistleblower protection, the law envisages:

• Credible protection of confidentiality and anonymity of whistleblower;

<sup>&</sup>lt;sup>3</sup> https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026\_E.pdf

<sup>4</sup> https://www.google.com/search?client=firefox-b-

d&q=European+Court+of+Human+Rights+%28ECtHR%29+Guja+v.+Moldova+%2814277%2F04%29#

<sup>5</sup> https://www.europarl.europa.eu/RegData/docs\_autres\_institutions/commission\_europeenne/com/2018/0218/ COM COM(2018)0218 EN.pdf

<sup>6</sup> https://see-whistleblowing.org/

<sup>&</sup>lt;sup>7</sup> Law No. 9492, dated 13.03.2006 "On Ratification of the United Nations Convention against Corruption"

<sup>&</sup>lt;sup>8</sup> Law No. 9508, dated 3.04.2006, "On Public Cooperation in Combatting Corruption"

<sup>&</sup>lt;sup>9</sup> Law No. 60/2016, "On Whistleblowing and Whistleblower protection", Official Journal, 23 June 2016

- Protection from harassment that aim to create an aggravated environment for the whistleblower;
- Prohibition of contractual agreements on the basis of which the whistleblower's rights and protection are ruled out or limited;
- The option of transfer in case the whistleblower chooses to not return to the same workplace and wishes to relocate to another place in order to protect himself from hostile reactions
- Charging with personal responsibility for retaliation against the whistleblower.

The law stipulates the establishment of whistleblowing units in all public institutions with more than 80 employees and in private entities with over 100 employees. The High Inspectorate for the Declaration and Audit of Assets and Conflicts of Interest (HIDAACI) is the main institution that oversees the enforcement of the law and offers advice and support regarding the implementation of the law on whistleblowing and whistleblower protection. HIDAACI serves as a whistleblowing unit for public institutions with fewer than 80 employees and for private entities with fewer than 100 employees for cases when the whistleblower refuses to blow the whistle internally for various reasons as foreseen in the law.

#### Whistleblowing and Implementing Practice in Albania

While Albania has two laws in place that, taken together, constitute a quasi-complete legal framework, the number of cases of employees deciding to blow the whistle in reliance of the applicable legislation on whistleblowing is low.

There is no data available regarding the enforceability of the law on the cooperation of the public in combatting corruption, because there is no public institution assigned to report on the enforcement of this law. However, some data on the implementation of the Law on Whistleblowing and Whistleblower Protection can be generated from annual reports.

During 2017, the base year of the full entry into force of the law, HIDAACI has registered 8 whistleblowing cases and 1 request for protection. <sup>10</sup> Some 16 whistleblowing cases and 3 requests for protection were filed in year 2018. <sup>11</sup>

Various assessments conducted by the civil society organizations point to a variety of reasons that negatively affect the limited use of the whistleblowing legislation on the part of public administration officials. These reasons are mainly linked with the cultural, political, institutional, and administrative context.

Firstly, whistleblowing is conceptually difficult and laden with cultural prejudices and negative connotations. Conducted in 2016, a public survey on attitudes to whistleblowing in the Western Balkans showed that only one third of people surveyed in the region, including Albania, considered whistleblowing acceptable. Secondly, whistleblowing is dangerous for top-level politicians, because it can create serious political problems. Therefore, little support has been given to promoting whistleblowing at the central-level tier of governance. Over the first three years of its implementation, no whistleblowing cases have been reported by employees of central government ministries although reports of the Supreme State Audit have identified significant financial violations or numerous serious abuses of licenses during the said period. Thirdly, from an implementation point of view, the Law on Whistleblowing is complex to implement and requires sufficient expertise and human, administrative and financial resources, which are limited.

HIDAACI has identified and related these obstacles in its annual report submitted to the Parliament in year 2018. Among others, the report pointed out that improved results from the law call for:

- An increased awareness on the law and the necessity to implement it;
- Close cooperation with partners to ensure a broader coverage of the assimilation of and awareness on the legal framework;
- Training and capacity building.16

<sup>10</sup> www.ildkpki.al/wp-content/uploads/2018/11/Raporti-Vjetor-2017-ILDKPKI.docx

<sup>11</sup> www.ildkpki.al/wp-content/uploads/2019/06/Raporti-vjetor-Viti-2018.docx

<sup>12</sup> https://www.rcc.int/news/239/the-medal-of-the-loud-speak-do-not-keep-silent

<sup>&</sup>lt;sup>13</sup> http://csdgalbania.org/sq/ligji-per-sinjalizimin-shenon-nje-pershkallezim-ne-perpjekjet-e-shqiperise-perfrenimin-e-korrupsionit-por-a-do-tia-dale/

<sup>&</sup>lt;sup>14</sup> http://klsh.org.al/web/buletini vietor compressed 5406.pdf

http://www.ahc.org.al/wp-content/uploads/2019/06/Final\_5-Qershor\_Raport-i-ndermjetemimonitorimit Sinjalizuesit.pdf

<sup>16</sup> www.ildkpki.al/wp-content/uploads/2019/06/Raporti-vjetor-Viti-2018.docx

#### Whistleblowing and Reporting in Media

Whistleblowers are a major part of the journalistic ecosystem, as they provide significant guidance and advice to journalists during their research. These individuals are within the systems and have access to information on corruption or wrongdoing that they believe is in the interest of the public to get accustomed to inform on these activities.

Because of the usually-sensitive issues they disclose, journalists and whistleblowers have worked together on many issues whose resolution has led to major changes. In many countries, journalists and whistleblowers have worked together to hold institutions accountable by informing citizens thus helping to strengthen democracy. Cases of whistleblowers such as Mark Felt, an FBI officer, who in cooperation with the Washington Post journalists Bob Woodward and Carl Bernstein, disclosed the "Watergate" scandal, which led to the resignation of the President Richard Nixon, or of Lux Leaks or *Panama Papers that shed light on* practices of tax evasion and money laundering by many multinational companies and corrupt officials, show that a cooperation between journalists and whistleblowers may contribute to advancing public interest and improvement of democracy.

In countries where the whistleblowing practice is still undeveloped or is hindered by factors such as prejudice or identification of whistleblowers with snitches that used to inform on opponents of political regimes in former communist countries, the role of media is crucial, as it helps shape the public opinion on whistleblowing.

Yet, the opposite has occurred in the Albanian context, where whistleblowing continues to be something almost unknown or little known to journalists. This is best observed in the media coverage of the process of adoption and implementation of the Law on Whistleblowing and Whistleblower Protection.

Rather than reporting truthfully and accurately on the process of adoption and implementation of the Law on Whistleblowing and Whistleblower Protection, the journalists rushed to report whistleblowing by referring to it with the negative connotation of "spying". <sup>19</sup>

A search conducted in the Google search engine using the phrase "Law on Spies" showed that all media used the word "spy/informer" in the headlines for news pieces covering the process linked with the Law on Whistleblowing and Whistleblower Protection and its enforcement.<sup>20</sup>

Even though four years have passed since the media first covered the process of reviewing the law in the Parliament, and the information on whistleblowing is more complete thanks to

<sup>18</sup> Douglas Dalby and Simon Bowers. "Lux Leaks, Panama Papers spur EU to better protect whistleblowers". https://www.icij.org/investigations/panama-papers/lux-leaks-panama-papers-spur-eu-to-better-protectwhistleblowers/

<sup>&</sup>lt;sup>17</sup> https://www.vanityfair.com/news/politics/2005/07/deepthroat200507

<sup>&</sup>lt;sup>19</sup> http://top-channel.tv/video/spiunet-nuk-raportojne-antikorrupsioni-njesite-ne-administrate-nuk-kane-asnjeefekt/; https://www.balkanweb.com/kuvend-miratohet-ligji-per-spiunet-nis-te-zbatohet-nga-I-tetori/; http://shekulli.com.al/nis-skema-e-spiunazhit-ne-te-gjitha-institucionet-cfare-zbulojne/; http://www.javanews.al/spiunet-ne-institucione-e-kompani-nis-zbatimi-si-do-te-funksionoje-ligji/; https://shqiptarja.com/video/spiunet-ne-administrate-ja-institucionet-qe-u-spiunuan-nga-punonjesit-e-vet; https://www.ballkan.com/blog/2018/07/05/spiunet-si-kane-raportuar-609-persona-ne-shtet-dhe-privat-ja-institucionet-e-spiunuara/

 $<sup>^{20} \</sup> https://www.google.com/search?q=ligji+per+spiunet\&ei=kyLbWvezEoTVwAKR\_YnACg\&start=0\&sa=N\&biw=1440\&bih=794$ 

the work of non-governmental organizations, there is still no change in how journalists report on whistleblowing and related cases.

As already indicated by the findings from the interviews with the journalists, it looks like some of the cause are linked with the deficient knowledge on the practice of whistleblowing and on the Law on Whistleblowing and Whistleblower Protection as well as with the overall "redtape" approach to reporting.

#### **Survey Results**

Given the context described above and in an effort to better understand the causes of inertia of media reporting on whistleblowing, the Center for the Study of Democracy and Governance designed a survey to solicit information by interviewing journalists of major media outlets, portals, and TV employing a structured questionnaire.

The questionnaire sought to solicit data on the journalists' level of information, scale of engagement and their efforts to improve reporting, their critical thinking on the work of state institutions and on their opinions and suggestions for potential forms of improving reporting and coverage on whistleblowing.

An analysis of the data solicited from the survey finds that journalists have deficient knowledge on the law and whistleblowing in general. In addition, survey results reveal a low level of journalists' willpower to better understand the law and the practice of whistleblowing. The prevailing opinion among them is that the state institutions have done very little to disseminate information about the law, while we are paradoxically mindful that the media are not dependent on the state institutions to improve their understanding of the law. The interviews also show a poor inclination on the part of journalists to help improve reporting, considering that the use of negative connotations on the law is justified as it increases readership by adapting the whistleblowers to the public stereotype. On the other hand, the intense engagement of many journalists in politics is an energy that takes the work and focus off of other topics, including whistleblowing. Deficient engagement is also observed in the passivity in terms of ways to address the problem, where opportunities for improvement are either not seen or are seen to follow only as a result of the involvement of state or international institutions.

#### Level of Information and Whistleblowing as a Practice

An analysis of the data generated from the interviews find that Albanian journalists have poor information on the law and on whistleblowing in general. They say the community of journalists have little or no knowledge at all of the law.

One of the interviewed journalists said that media reporters "have almost no idea at all about the law [on whistleblowing] and I say this because I run a unit and this law has never been mentioned in the last few years. I am afraid only one percent of journalists are informed about this law."

Most responses reveal that whistleblowing is considered to be a specific reporting area, which should be in the domain of the journalists that report on the law and Parliament and do not make a connection of whistleblowing with the search of information as an indispensable part of the profession of journalists. Other interviewed journalists think that politics attracts all attention thus overshadowing other interests. There are some other journalists that see whistleblowing as an imported practice, which does not belong to Albania's context, and that journalists' good or bad reporting will bring no changes.

Almost all interviewed journalists refer to the law as a source of knowledge on whistleblowing, indicating that, in the past, journalists had no information on whistleblowing as a practice. This gap of common knowledge on whistleblowing also points to the problem of the curricula

content of the faculties of journalism in Albania and the shortcomings they have in addressing issues related to whistleblowing as a specific source of information.

Most journalists are indeed aware of the concepts and work practice of anonymous sources, but the fact that whistleblowers disclose information on acts that harm public interest makes them a particular category of information source from the perspective of specific professional knowledge and, to this end, journalists should have good understanding of the laws that protect them in order to protect their sources better. This nuance is not evident in the interviews conducted with the journalists, thus calling for more attention to make sure they understand the difference between whistleblowing and "information leak" as different sources of information.

Unlike whistleblowing, which is an act that serves to protect the public interest, information leak is an intentional act frequently used to delegitimize both the source and its information. Information leak may trigger public interest, but it does not necessarily expose illegitimacy, wrongdoing, or the harm to the public interest.<sup>21</sup>

#### Journalists' Reasons for Reporting Negatively on Whistleblowing

Responses of interviews reveal that negative reporting is linked with the failure to recognize whistleblowing as a specific category of information source and with the structure of the media market in Albania, which tends to run after flash news and commercialization of news also induced by the competition with the online and social media.

One of the respondents reckoned that the negative reporting is tied to reminiscence of the past, lack of practice with whistleblowers, and, of course, lack of knowledge of legislation. On the other hand, one of the interviewees pointed out that in addition to journalists' lack of information on the law, other factors affecting this attitude include "self-censorship and editorial line of the media they work for". Another interviewed journalist declared that negative reporting is also linked with the purpose of "getting more clicks and the majority's attack alleging that the dictatorship is being restored".

It is disturbing, however, to note that there is no overall acceptance or justification of the negative reporting on whistleblowing among journalists.

One of the interviewees, who understood whistleblowers were fulltime whistleblowing employees, underlined that "all this law [on whistleblowing] can do is but create a climate of blackmail for entrepreneurs or other entities". This interpretation of whistleblowing leads to negative reporting for a handful of journalists who jump to the protection of businesses, which are threatened by whistleblowers. Furthermore, the respondent adds that "negative connotations seem to have been written in the law". Likewise, another respondent underscored that these are "connotations that sell".

One of the respondents also pointed out that "there is an endorsed idea that [whistleblowers] will spy". Another respondent, a journalist, emphasized that "the media reports on it as a law on snitches/informers, because politicians identify similar initiatives with spying and the media will refer to this connotation, as "it helps a lot to boost viewership and audience".

On the other hand, this approach points to the issue of journalists' ethical and professional formation, which is based on pure principles, among which are the principles of "truth" and

<sup>&</sup>lt;sup>21</sup> A Guide to Whistleblowing and Whistleblowers in the Security Sector in Albania http://csdgalbania.org/guide-for-whistleblowing-and-whistleblowers-in-the-security-institutions-in-albania/ CSDG 2019

"verification". <sup>22</sup> Thus, if a journalist does not have know-how on a matter, he/she cannot undertake its reporting. In case he/she does, he/she must do it in compliance with the professional principles.

#### Ways to Improve Reporting

Given the suppositions that they practice their profession because of their commitment and belief in the core principles of information as a human right, journalists were also asked to give their opinions and suggestions on how to improve reporting on whistleblowing.

Most respondents say that other forms should be identified and explored to inform journalists by means of trainings and roundtables on specific topics on this issue as well as by making use of additional TV debates and talk shows on the matter.

In addition, some other journalists suggest the development of a guide with concrete examples of how whistleblowers have changed certain realities and helped solve problems in the public interest. This is necessary, says one of the interviewers, because "as long as journalists do not understand this law, how can they help these people who are completely silent and have no clue on how to disclose an issue?".

Many respondents, however, do not seem to show an enhanced personal commitment in this regard and their suggestions are mostly intended to third parties. Someone suggested that "the government should undertake activities to explain the law" and one other respondent said that public institutions "should guarantee realistic conditions for people to feel free to blow the whistle."

Some other interviewed journalists view improvement as a mission impossible because of the weakness of the rule of law. One of the interviewees pointed out that "a whistleblower is likewise in danger when approaching a journalist, regardless of the location or whether there is a law on whistleblower protection."

While they have placed great efforts to improve information and awareness on the law on whistleblowing and whistleblower protection, <sup>23</sup> civil society organizations are not identified by journalists as key players with a specific role in this respect. This may be an indication of the poor synergy relationship between the media and CSOs.

It seems that the internal climate in the media institutions should be emancipated, where the approach to the Law on Whistleblowing and Whistleblower Protection should be one of the aspects that should not only be required to but also appreciated by the journalists. In addition, the media structures of nowadays must be adapted with the appropriate links so that journalists can adequately face the Law, but also make use of it.

<sup>&</sup>lt;sup>22</sup> American Press Association. "Principles of Journalism". https://americanpressassociation.com/principles-ofjournalism/

<sup>&</sup>lt;sup>23</sup> https://ahc.org.al/wp-content/uploads/2020/03/Raport-Monitorimi\_Sinjalizimi-i-korrupsionit-n%C3%ABShqip%C3%ABri\_Sfidat-e-zbatimit-t%C3%AB-kuadrit-t%C3%AB-ri-ligjor.pdf; http://csdgalbania.org/sq/wp-content/uploads/2017/10/Protecting-Whistleblowers-in-SE-Europe.pdf; http://csdgalbania.org/sq/wp-content/uploads/2019/10/udherrefyes02.pdf; https://partnersalbania.org/programs/zbatimi-i-legjislacionit-per-sinjalizimin-dhe-mbrojtjen-e-sinjalizuesve/; https://partnersalbania.org/Gallery/ligji-per-sinjalizimin-dhe-mbrojtjen-e-sinjalizuesve-law-on-whistleblowingand-whistleblowers-protection/

#### **Conclusions and Recommendations**

Whistleblowing is a relatively new practice for Albania and the preoccupation to find the appropriate term was also one of the issues encountered in the course of drafting and adopting the law.

While more than three years have passed since the entry into force of the Law on Whistleblowing and Whistleblower Protection, the results vis-à-vis the number of whistleblowing cases are insignificant. The same finding applies to the nurturing of an adequate and positive image and attitude to whistleblowing.

In this respect, media reporting has contributed negatively or, at best, failed to positively impact the shaping of perception and attitude towards whistleblowing and to the creation of a culture of support for it.

One of the main impediments to the implementation of this law is also linked with the role of the media to report accurately and to encourage and support its implementation. Media should not be seen as alone in the fight against corruption, because it plays an important role in the perceptions of citizens and is, therefore, considered as a key instrument for disclosing corrupt acts.

The problem is truly disturbing, given the fact that the media, one of the main powers of the functioning of the state and regarded as the main supporter of the law, is almost unclear about the law even after three years of its entry into force, cultivates conflicting opinions, and, moreover, indirectly anathematizes it with derogatory vocabulary.

The Albanian media not only failed to help the process by highlighting and evoking the good cases of whistleblowers but constantly reported using negative connotations.

The results of the survey conducted with the journalists show that the problem remains unresolved and the journalists maintain stereotypical attitudes, both of which are a consequence of the deficiency of information but also of the lack of journalists' interest in improving their knowledge and professional commitment to report in pursuance of the best principles of journalism.

Taking into account the poor implementation of laws in Albania, it is difficult to imagine that the law alone will prompt actions on the part of whistleblowers.

To this end, a coordinated action of the media in cooperation with NGOs involved and operating in this field but also with the institutions in charge of law enforcement can lead to improved dissemination of information on whistleblowing as a precondition for any further action.

In the meantime, media should place more efforts to change the perspective of their reporting on whistleblowing and align themselves with the implementation of the Law. To date, media coverage of the process of law drafting and adoption, with very few exceptions, has been misinforming and inaccurate.

Irrespective of the difficulties that stem from the media structure in Albania, the democratization of this structure by means of the spread of online media, where journalists can freely express their views and opinions, provides an opportunity to journalists to improve reporting in this area in the future.

#### References

Alford, F. C. (2001). Whistleblowers, broken lives, and organizational power. Ithaca: Cornell University Press.

Armstrong, D. (2005, December 12). Delicate operation: hoë a famed hospital invests in a device it uses and promotes; Cleveland Clinic set up the fund that has stock in a maker of a heart surgery system. Wall Street Journal (Eastern ed.), A1,A16.

Balcı, A. (2015). Sosyal bilimlerde araştırma. (11th ed.). Ankara: Pegem Akademi.

Bjørkelo, B. (2013). Workplace bullying after whistleblowing: future research and implications. *Journal of Managerial Psychology*, 28(3), 306-323.

Castagnera, J. O. (2003). The rise of the whistleblower and the death of privacy: Impact of 9/11 and Enron. Labor Law Journal, 54(1), 54-65.

De George, R. T. (1990). Business ethics. (3rd ed.) NewYork: Macmillan Publishing, 1990. 13.

Dyrmishi, A., Hroni, E., Gjokutaj, E., Whistleblowers protection in Albania: An assessment of the legislation and practice (2013). Report of Institute for Democracy and Mediation and Konrad Adenhauer Stiftung

Hallunaj, M., Sinjalizues apo spiun? (Keq)kuptimi i medias shqiptare në mbulimin e lajmeve mbi sinjalizimin. Raport i CSDG (2019)

Hersh, M. A. (2002). Whistleblowers heroes or traitors?: Individual and collective responsibility for ethical behavior. *Annual Reviews in Control*, 26(2), 243-262.

Mannion, R., Blenkinsopp, J., Powell, M., McHale, J., Millar, R., Snowden, N., and Davies, H., Understanding the knowledge gaps in whistleblowing and speaking up in health care: narrative reviews of the research literature and formal inquiries, a legal analysis and stakeholder interviews; *Health Services and Delivery Research*, No. 6.30; NIHR Journals Library; 2018 Aug.

Miceli, M. P. (2004). Whistle Blowing research and the insider lessons learned and yet to be learned. *Journal of Management Inquiry*, 13(4), 364-366.

Zivkovic, K.; Blowing the whistle in the Balkans; Intern, Legal Policy & Research Unit, International Bar Association (2019)

#### **A**nnexes

#### Annex I - Interviewed Journalists

- I. Arsen Rusta Report TV,
- 2. Besar Likmeta, BIRN
- 3. Darina Topalli, Ora News
- 4. Ergys Gjençaj News 24
- 5. Gjergj Erebara, BIRN
- 6. Erion Ciku, Report TV
- 7. Ardit Rada, Javanews
- 8. Klodiana Lala, News 24
- 9. Valentina Magani Gazeta Shqiptare,
- 10. Voltiza Duro, Gazeta Shqiptare Online
- II. Fajzi Brahushi, Ora News
- 12. Gerti Kosovari, Javanews
- 13. Aleksandra Bogdani, BIRN

#### Annex 2 - Structured Interviews

- 1. The Law on Whistleblowing and Whistleblower Protection, adopted in year 2016, is being implemented for more than a year in all public institutions with more than 80 employees and in private entities with more than 100 employees. According to you, how much informed are the journalists on the purpose and content of this law?
- 2. Media reporting on whistleblowing has generally been inaccurate and oftentimes infused with negative connotations, such as "mole", "snitch", etc. Why do you think the media and journalists have treated whistleblowing based on these descriptions?
- 3. According to you, what approach should government institution and non-governmental organizations employ to address/fix this media reporting problem, because it affects ill-reporting to citizens and shaping a negative mindset to whistleblowing?
- 4. Do you know of any cases where various individuals have turned to journalists to blow the whistle on concrete corrupt cases occurring at their workplace or elsewhere? If yes, how have these cases been handled?
- 5. Based on the data of the survey conducted by the Regional Cooperation Council in year 2017, the citizens of Albania expressed significant trust in the media. How can this perception serve to investigative journalists to encourage whistleblowers to approach media with the aim of disclosing corruption cases?
- 6. Given the many media misinterpretations of whistleblowing, do you think it is necessary for journalists to be better informed on whistleblowing? What concrete activities would be helpful in this regard?
- 7. Do you think trainings or other similar activities would help to improve media reporting on whistleblowing?