Evaluation of the
Transparency International project
"Whistleblowing in Europe:
Supporting the agents for change"
funded by Adessium Foundation

Final Report

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Contents

LIST OF ACRONYMS

ALAC	Advocacy and Legal Advice Centre
EU	European Union
IAW	Integrity at Work initiative
NGO	Non-governmental organisation
TI	Transparency International
TI-EU	Transparency International EU Liaison Office
TI-F	Transparency International France
TI-IE	Transparency International Ireland
TI-IT	Transparency International Italy
TI-LT	Transparency International Lithuania
TI-S	Transparency International Secretariat
TLAC	Transparency Legal Advice Centre
ToR	Term of Reference

1 EXECUTIVE SUMMARY

This document is the report of the evaluation of the "Whistleblowing in Europe" project implemented by the Transparency International Secretariat (TI-S), in collaboration with ten national Transparency International (TI) chapters across Europe. The project had a budget of 600,000€, funded by the Adessium Foundation. It started in November 2014 and is due to end in April 2017. According to the original proposal submitted by TI-S to Adessium, the project addressed three result areas:

1. To advance effective legal protection of whistleblowers in selected European countries;
2. To provide legal advice and practical support to whistleblowers;
3. To contribute to a more positive perception of whistleblowers by promoting whistleblowing to key audiences.

The project was very **relevant**, in that it responded to a clear need, was based on a sound political and legal analysis, and was designed in a way that appropriately addressed the legal and advocacy concerns identified by TI in previous years.

The relevance of the adoption and improved implementation of legislation in practice (result area 1) as well as of supporting whistleblowers (result area 2) was enhanced by and clearly linked to TI's broader extensive expertise in the fight against corruption, and specifically by the credibility of its research and the authoritativeness of its legal advice. The issue of promoting and supporting whistleblowing is clearly rooted within TI's broader mandate, as one of the most direct methods of shining the light on corruption and involving citizens and civil society in this fight. These elements were part of TI's comparative advantage, and they contributed to an additional factor of relevance: the ability of TI to mobilise coalitions of civil society organisations as well as experts, also comprising whistleblowers and therefore to build momentum towards policy change.

With regards to result area 3 – improving the positive perception of whistleblowers –the need was clearly identified and integrated into the overall theory of change of the project: addressing negative public perceptions of whistleblowers was going to reduce barriers to future whistleblowing and thus contribute to more transparency and accountability. Nevertheless, this result area was not explicitly and systematically linked to the other two and only in some cases influenced the project results at the level of national chapters (i.e. result area 1). At the same time, some chapters still chose to include outreach activities in their projects. This was welcomed by TI-S and supported by the project team, even though the sub-grants were not formally focused on this aspect.

The project was generally very **effective**, in the sense that the formulated objectives and the related planned activities were realistic and were by and large implemented to a high standard. More crucially, it was effective in the sense that most expected results were achieved, or that there were substantial developments towards achievement, as is clear from the latest project progress report submitted by TI-S to Adessium Foundation in August 2016 and further progress achieved since. Interviews with stakeholders working on the protection of whistleblowers (journalists, lawyers, civil servants, etc.), who witnessed chapters' activities or contributed to them, without themselves being part of the TI structure, confirmed this assessment.

It may be said that one key factor behind effectiveness was the building of multi-stakeholder coalitions. This was done in Ireland, for example, to substantial effect, and also in France, where the chapter ascribes part of its success to the fact that an informal coalition of senior civil servants, elected officials and political advisors followed up the recommendations of a formal NGO coalition built by TI France (TI-F) (over a period that started before the present project). Also in Italy, to a minor extent, cooperation with MPs, a law-firm and an NGO with strong expertise in the field of outreach helped achieve some of the project goals. If anything, effectiveness of the project overall might have been further improved by strengthening the link between result area 1 – i.e. the chapter level projects – and result area 3, which was implemented at the level of TI-S.

The decision to work on an EU-wide directive on whistleblower protection was taken in 2016, as a result of momentum that developed at the European Parliament on this issue in the context of the LuxLeaks revelations and subsequent lawsuits against whistleblowers and a journalist.

The project had many elements of sustainability for each of the three result areas as well as for its overall objective. At the same time, it has to be borne in mind that in general terms, the sustainability of advocacy activities is always difficult to predict, since it is highly contingent on complex socio-political factors that cannot be controlled by a single organisation. Thus, on-going new activities in this field are always needed to ensure sustainability. This being said, the broad approach of contributing to creating a safer legislative and supportive social environment for whistleblowers in several European countries through activities in three different but interconnected result areas certainly increased the likelihood of sustainable project outcomes.

Most chapters highlighted the importance of having had a dedicated budget for these activities through the project and how this allowed them to strengthen their profile in this field and make important leaps forward with the implementation of relevant activities. For most, if not all chapters, this would not have been possible without the additional resources (staff, activities), made possible by the funding obtained through the project.

Several chapters developed a critical mass of activism and expertise on whistleblower protection. Similarly, much of the research and policy/legal advice to governments, public institutions and other organisations undertaken by chapters should be of use in future. Additionally, these activities have made a further contribution to establishing TI at the international/European and national level as a key stakeholder on issues of whistleblowing – as an institutional point of reference, as a key actor of issue-related networks and initiatives, as a source of reliable information and as an organisation actively supporting whistleblowers on all levels.

At the level of TI-S (in addition to supporting the national chapters) the project has been used to build knowledge and experience with outreach work on the issue of whistleblowing (and beyond) and – in the latter part of the project – to work towards an EU Directive in this field. TI-S clearly plans to continue working on both issues beyond the duration of the project and both issue areas are certainly relevant in terms of strengthening whistleblower protection throughout Europe in a sustainable way.

Case studies on **France, Lithuania, Italy** and **Ireland** highlighted the value and relevance of working closely with whistleblowers to advocate for protective legislation. They also demonstrated the crucial role played in several countries by civil society coalition building. In some cases, however, the challenges of moving from work at the level of individual government agencies (or private sector companies) to achievement of nationwide safeguards were also highlighted.

On the basis of these findings, it is possible to highlight a number of key **lessons learned** from the project:

- The project has shown that in the broader field of the fight against corruption, the issue of whistleblowing and, specifically, the overall approach formulated by TI for this project is highly relevant.
- The overall design of the project built on opportunities stemming from TI's role as a key stakeholder at the international level in the field of anti-corruption with, at the same time, a strong standing and expertise at national level.
- The project's overall effectiveness would have been enhanced if all three result areas had been addressed in chapter proposals, including outreach activities.
- The high overall level of effectiveness of the project owed very much to the dual role played by TI-S – supporting and coordinating the activities of chapters on their projects as well as leading on the development of the outreach strategy and advocacy on an EU Directive.
- TI is clearly recognised as a key stakeholder on whistleblowing issues at the international and domestic level. This puts TI-S and chapters in the position to act as important players of issue-related coalitions.
- Efforts to enhance TI's wider advocacy capacity through the formulation of an outreach strategy and specifically through the direct collaboration with whistleblowers and the "use" of their personal stories made an important contribution to TI's already well-established profile.
- The design of the project and the flexibility and openness of the donor made it possible to react to unforeseen developments in the course of the project and to adjust the project activities accordingly.
- TI-S as well as most TI chapters had been working on the issue of whistleblowing before the start of the project. This allowed them to formulate their projects/activities based on an important knowledge base and experience, with a positive impact on the overall relevance and effectiveness. At the same time, availability of a dedicated budget made it possible for both TI-S and chapters to intensify their activities and strategic thinking and test new approaches on whistleblowing, with the result of substantially strengthening their standing and expertise on this issue.
- Many results achieved by the project show a high level of sustainability. This holds true for the many activities aimed at building capacity and expertise at TI-S and in chapters on advocacy strategies, outreach, coalition-building, support of whistleblowers as well as for the contributions made to the formulation, adoption and/or better implementation of whistleblower legislation.

On the basis of the findings in this report, the evaluators formulate the following recommendations:

To Adessium
- Adessium should consider supporting a follow-up project by TI in relation to whistleblower protection, building on the achievements of the present projects and addressing shortcomings as outlined below.

To TI-S and TI chapters
- TI-S should consider developing a follow-up project proposal, building on the ToC of the present project and including similar results areas. The follow-up proposal should take into consideration including the following elements:
  - An integrated approach covering advocacy for new/improved whistleblower legislation and policies and practices that effectively protect whistleblowers in the private as well as the public sector, direct support for whistleblowers and public outreach activities to improve the image of whistleblowers. This integrated approach should be at the centre of activities implemented by TI-S and TI chapters;
  - Further efforts to systematically deepen the integration of outreach activities into TI's work on whistleblowing (and beyond) at the level of TI-S and of TI chapters;
  - Sub-granting to national chapters on the basis of a call for proposals or similar competitive mechanism to ensure that chapters with a strong interest in the issue of whistleblowing and (potential) political momentum can focus on this topic through a dedicated budget. The call should be open to all chapters fulfilling the set criteria. Assuming the overall project lasts up to three years, there is no need for more than one call for proposals. This includes chapters that did not participate in the present project (e.g. because of lack of political momentum in the country on the issue, because it was not a priority for the chapter at the time, because of lack of capacity, etc.). It also includes chapters that took part in the present project and were not able to achieve all objectives and/or wish to follow-up on the results already achieved;
  - On-going training or other support to outreach and media work on behalf of whistleblowers (e.g. through "story-telling" and similar approaches) by national chapters and TI-S itself. To improve the effectiveness, it should consider tailoring such trainings to the specific needs/contexts – e.g. by offering two or three-day trainings involving all project members (management, communication, lobbying etc.) at chapter level, allowing for a thorough analysis and strategic thinking on the national context.
  - Baseline research/surveys at national level on behaviour and attitudes on whistleblowing to better understand specific opportunities and challenges in this field, develop activities specifically addressing them and monitor changes/progress over time; such research might also address the question of how the use of the English term "whistleblower" in non-English-speaking context influences the debate on and public perception of whistleblowers.
  - An EU-wide dimension that supports the development of an EU Directive on whistleblowing or other regulatory instruments at the EU level;

- A longer project duration, e.g. of three years, to allow for the formulation and implementation of sub-projects with a wider focus and addressing all three result areas in an interrelated way. A three-year overall project duration would allow (taking implementation delays into account) for chapter-level projects lasting 24 to 30 months.
- TI-S should maintain its dual role as supporter/coordinator of activities implemented by/with TI chapters and as leader of specific activities (e.g. advocacy on an EU Directive) implemented in cooperation with TI chapters.
- TI-S should continue working closely with national chapters to ensure that any resources and expertise (publications, legal expertise and also know-how in such fields as social media strategies etc.) are shared across chapters to the extent possible.

2   INTRODUCTION

The project
This document is the report of the evaluation of the "Whistleblowing in Europe" project implemented by the Transparency International Secretariat (TI-S) in cooperation with national Transparency International (TI) chapters across the European Union (EU). The project had a budget of 600,000€, funded by the Adessium Foundation. It started in November 2014 and is due to end in April 2017. According to the original proposal submitted by TI-S to Adessium, the project addressed three result areas:

1. To advance effective legal protection of whistleblowers in selected European countries;
2. To provide legal advice and practical support to whistleblowers;
3. To contribute to a more positive perception of whistleblowers by promoting whistleblowing to key audiences.

In the course of the project implementation phase, advocacy on an EU Directive on whistleblowing was added to the activities under result area 1 due to the emergence of political momentum in this field. This amendment was decided in consultation with the Adessium Foundation.

While all three result areas were important and complementary, particular emphasis was put on **result area 1**. The reason for this was that whistleblowing legislation was considered to be particularly relevant to achieve the overall objective of the project, namely to ensure that *European citizens disclose corruption and malpractice without fear of retaliation, leading to the needed policy or behavioural change*. About 67% of the project budget was dedicated to this result area. Half of this amount was dedicated to small sub-grants from TI-S to TI national chapters. The other half covered coordination and support activities by TI-S – ranging from advocacy advice to peer exchange and coordination – to EU-level advocacy for a Directive on whistleblowing.

TI-S issued a competitive call for proposals to TI chapters in the 28 EU Member States, in December 2014.[1] As a result of this process, ten national chapters[2] or associated organisations received grants ranging from about €14,500 to €23,000 for activities to advocate for effective whistleblowing legislation or to contribute to the effective implementation of existing legislation. An 11th participant, TI Portugal, withdrew after being initially selected. The projects were of varying duration, mostly around one year, though several lasted longer in practice. Five of the projects focused mainly on work towards the *adoption* of new legislation on whistleblower protection (Czech Republic, France, Italy, Latvia and Poland). The other five (Estonia, Ireland, Lithuania, Romania and Slovakia) tended to address the *implementation* of already existing whistleblower protection legislation or guidelines. Many projects also addressed to a greater or lesser extent the issue of improving the public perception of whistleblowers. In 2016, as political momentum gathered in

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[1] Originally, the project had envisaged two calls for proposals to TI national chapters – one per project year. However, since a large enough number of suitable project proposals was submitted in the first call, the second one was cancelled.
[2] These were: Czech Republic, Estonia, France, Ireland, Italy, Latvia, Lithuania, Poland, Romania and Slovakia.

Brussels around a potential EU Directive on whistleblowing, TI-S decided to take up this opportunity by adding advocacy efforts at EU level to the activities under result area 1.

Throughout the project, TI-S closely monitored the activities of the national chapters and provided guidance and advice related to the national advocacy campaigns. In addition, TI-S organised training sessions and meetings to facilitate exchange and learning among partners and to encourage chapters to focus on alliance building and innovative advocacy approaches highlighting the situation of individual whistleblowers.

The second and third result areas were driven by TI-S, including the provision of support to TI chapters and coordination with them. As part of the **result area 2**, TI-S provided technical support, guidance and trainings for chapters running advice centres for whistleblowers, with a particular focus on those chapters starting this service.

Under **result area 3**, the project aimed at improving the public image of whistleblowers in Europe, mainly through the development and implementation of an outreach strategy on whistleblowing, in collaboration with an external consultant. This was a relatively new area of work for TI-S and it was meant to test new ways of communicating to the public about whistleblowers and advocating on their behalf. The aim was to ensure that whistleblowers' image should improve in the participating countries (and at EU level) during the project, as well as awareness of the need to enhance their legal protection.

The overall funding of the project was distributed as follows: Roughly 400,000€ were spent on result area 1 – 200,000€ for the implementation of projects by TI chapters and 200,000€ by TI-S for the coordination of activities (including all costs for trainings, workshops etc. attended by participating chapters) as well as advocacy on an EU Directive. The remaining 200,000€ were spent more or less equally (i.e. about 100,000€ each) on result areas 2 and 3. Overall project coordination was the responsibility of TI-S. The project team was incomplete at times due to difficulties recruiting appropriate staff. Yet, most planned tasks could be fulfilled through support by a senior programme manager at TI-S.

The report
Following brief sections summarising the context and methodology of the evaluation, this report presents findings on the relevance, effectiveness and sustainability of the project. These general findings are followed by four case studies considering the way in which the project was implemented in France, Ireland, Italy and Lithuania. In conclusion, an attempt is made at scoring the level of performance of the project in each of the three results areas. Recommendations based on the findings are addressed to relevant stakeholders as part of the conclusions.

3   RATIONALE OF THE PROJECT

TI defines whistleblowing as follows[3]:
> "The disclosure of information related to corrupt, illegal, fraudulent or hazardous activities being committed in or by public or private sector organisations – which are of concern to or threaten the public interest – to individuals or entities believed to be able to effect action."

It defines whistleblowers as follows:
> "A whistleblower is any public or private sector employee or worker who discloses information about these types of wrongdoing and who is at risk of retribution. This includes individuals who are outside the traditional employee-employer relationship, such as consultants, contractors, trainees or interns, volunteers, student workers, temporary workers and former employees."

In its project proposal to Adessium Foundation, TI made the case that whistleblowers needed protection because:
- Whistleblowing was often the only way for corruption and malpractice to come to light;
- Most European countries lacked adequate legal protections for whistleblowers: where legislation existed, it often had loopholes that made implementation difficult, and whistleblowers had difficulties enjoying safeguards;
- The general public frequently perceived whistleblowers negatively, for example suspecting that they were acting out of personal motives.

The project purpose was to contribute to the establishment of a "safe legislative and supportive social environment for whistleblowers" in participating countries. To address the needs identified above, the project was organised around three result areas:
- Relevant decision-makers in up to ten European countries were to be informed about good practice legislation and effective implementation of whistleblower legislation. In practice, this result area was addressed through a call for proposals to TI chapters, asking them to propose advocacy campaigns. TI-S was to oversee the implementation of the campaigns, including the building of coalitions and joint advocacy activities; workshops to exchange experience were to be implemented.
- TI chapters in Europe were to be supported in providing legal and other professional advice to whistleblowers who seek help. Chapters' on-going advice work was to be supported, alongside with additional training, data gathering and joint advocacy.
- Promotion of the importance of whistleblowing to key audiences. To achieve this, TI was to identify key target groups that could champion a more positive perception of whistleblowers across Europe, including within the media. TI was to produce information and promotional material and speak at relevant events to highlight whistleblowers' positive contribution to society.

The project structure thus outlines the following theory of change, based on wording from the project's logical framework:

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[3] See: Transparency International (2013); International principles for whistleblower legislation, p. 4.

- TI promotes the value and importance of whistleblowing to key target audiences;
- TI advises and supports whistleblowers, upon their request;
- TI advocates for the adoption of legislation protecting whistleblowers and for the effective implementation of existing safeguards;
- A safe legislative and supporting social environment are put in place for whistleblowers;
- Citizens disclose corruption and malpractice;
- Further policy and behavioural change occur.

These points are consistent with the theory of change formulated in the TI-S outreach strategy formulated in 2016.[4] The findings of the evaluation with regard to relevance (project approach and design) and to effectiveness (achievement of outcomes) validate this theory of change, while also highlighting the importance of building civil society coalitions, and the complexities of linking support for individual whistleblowers to the broader fight against corruption.

4 METHODOLOGY

The evaluation did not raise major methodological challenges other than the relatively short time span of the assignment. The evaluation team proposed to carry out four short case studies on the activities implemented by participating countries. In this context, a case study approach was seen as the best possibility to yield interesting lessons and good practices from the projects implemented by national TI chapters. During the initial phase of the evaluation, the team prepared a memo setting out the criteria for the choice of the four case studies. The final decision on the four countries was taken in close consultation with TI-S.

Different international meetings of TI staff during the month of December, followed by the start of the winter break, made the scheduling of interviews a little more challenging than expected. As a result, the evaluation was extended into February 2017, to ensure that the evaluators could interview an appropriate sample of institutional stakeholders and independent observers such as journalists and representatives of other NGOs, who had witnessed chapters' work as part of the project. Overall 29 interviews were carried out as part of the evaluation. The fact that the project had not yet come to a close during the period of the evaluation meant that the full effect of some activities was not yet visible.

The evaluation was built around two main tools:

- **Review of documents:** The initial step of the evaluation consisted in a document review, which served to achieve an understanding of the analysis and strategic thinking underpinning the project's design.
- **Interviews with stakeholders:** Building on the insights gained from the document review, the second step of the evaluation consisted in interviews with relevant stakeholders. To this purpose, an interview guideline (Annex 3) based on the evaluation matrix set out below was developed. The interviews were qualitative,

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[4] TI-S (2016); Outreach Strategy: Improving the Image of Whistleblowers (internal document).

semi-structured and with open questions. For each interview, the list of questions was adapted to the level of involvement/knowledge to be expected by the stakeholder.

An initial list of relevant interview partners was put together by the evaluation team with the support from the project coordinator at TI-S. Further relevant stakeholders to be interviewed were suggested by the project teams in the TI chapters in the course of the interview process. Overall, 22 interviews were carried out, comprising staff members involved in different functions with the project at TI-S and in the 10 participating TI chapters, external consultants involved in project-relevant activities, a limited number of external partners and whistleblowers working with different TI chapters as well as the donor of the project. The interviews were carried out by either both or one of the evaluators, in many cases via Skype or phone. Most interviews with TI-S staff were carried out at the TI Secretariat premises in Berlin.

An internal workshop for TI chapters with Advocacy and Legal Advice Centres (ALACs) on the topic "Together Against Corruption: TI Case Work of the Future" organised by TI-S in Berlin from 13-16 December, made it possible for one of the evaluators to attend two days of the event, follow the discussions/activities often relating to the topic of the evaluated project and meet and carry out interviews with some of the national project coordinators as well as one whistleblower.

The evaluation methodology can be summarised in the matrix below, which outlines evaluation questions and sub-questions based on the TOR, and links them to indicators and sources of evidence:

Evaluation questions	Sub-questions (TOR)	Indicators	Sources of evidence
Relevance			
TOR: "the extent to which the project is suited to the priorities and policies of the target group, TI and the donors." **Overall question:** To what extent was the project, as designed and implemented, suited to context and needs at the beneficiary, local, and national levels?	To what extent is the project important and relevant to the target group? How relevant was the project in the wider context of the fight against corruption? To what extent did the project add value or innovate? To what extent is the project's theory of change	Existence of contextual analysis and consultations with relevant stakeholders during the design phase. TI understanding of its added value and comparative advantages (over other NGOs, think tanks, etc.). Existence of an overall anti-corruption strategy encompassing support to whistleblowers. Linkages between project design an broader TI objectives in terms of advocacy,	TI policies, strategy documents and guidelines. Project documentation. Interviews with staff involved in project design at TI-S and chapter levels.

	coherent and relevant? Were planned activities and outputs consistent with goals and objectives?	capacity building, coordination among chapters, etc.	

	Effectiveness		
TOR: "a measure of the extent to which the project achieved its objectives" (intended outcome compared with observed outcome)". **Overall question**: To what extent was the project, as implemented, able to achieve objectives and goals?	To what extent were the objectives achieved or likely to be? What were the major factors influencing the objectives' achievement or not? How effective was the support of TI-S in enabling chapters achieving the project's goals? Can some changes already be identified and linked to the project? What are the project's strengths and weaknesses?	Involvement of beneficiaries in project design and implementation. Existence of adequate baseline research; existence of qualitative and quantitative indicators of the situation of whistleblowers. Evidence of monitoring of the situation of whistleblowers. Evidence of differentiated approaches in different national contexts, including by taking into account chapters' capacity. Existence of synergies or complementarity between chapters.	TI publications prior to 2013 and during the project period. Project documentation. Publications by chapters, including news releases. Interviews with stakeholders, including whistleblowers if possible. Reports on participating chapters' capacity and management.
	Sustainability		
TOR: "whether the benefits are likely to continue after funding is withdrawn" **Overall question:** To what extent has the project, as designed and implemented, created what is likely to be a continuing impetus	To what extent are the benefits of the project likely to continue once funding ceases? How sustainable is the approach after current funding ceases?	Existence of an exit strategy for the project. Establishment of on-going processes and systems addressing whistleblowers' issues. Willingness of chapters to continue prioritising the issue of	Project documentation. Interviews with chapter staff, whistleblowers. Participating chapters' development plans.

towards more protection for whistleblowers?	What concrete steps are being taken to enhance the project's sustainability?	whistleblowers, where appropriate.	

5 MAIN FINDINGS

Generally, the project performed well against the three evaluation criteria cited in the Term of Reference (ToR) and the targets set in the outcome indicators of the log frame for the overall objective as well as for each of the three result areas were largely met. This section reviews each result area, and the project as a whole, against these criteria.

5.1 RELEVANCE

The project was very relevant, in that it responded to a clear need, was based on a sound political and legal analysis, and was designed in a way that appropriately addressed the legal and advocacy concerns identified by TI in previous years. The 2013 analysis of legislation on whistleblowers in Europe[5] had exposed the general lack of adequate protection, and also misunderstanding among decision-makers about the nature of such legal safeguards for whistleblowers: these were not privileges or provisions that would deny the rights of others, they were needed in the interest of transparency and justice, to make it possible to denounce large-scale wrongdoing. This analysis underpinned the identification of the first result area – adoption of whistleblower protection legislation.

Similarly, the legal and political analysis conducted by TI-S, and the experience of running ALACs in several countries, had demonstrated that those legal safeguards that existed were often ineffective, in that whistleblowers often faced heavy retribution for their actions, such as dismissal from their jobs, lawsuits and smears on their reputation. TI was also aware that the risk of facing such retribution was in itself sufficient to deter whistleblowing – this awareness was reinforced by the fact that some of the TI activists involved in whistleblower protection work had themselves been whistleblowers. The need was therefore identified to leverage TI's collective experience and advocate policies and practices for public institutions and private sector companies to protect and support whistleblowers, not just with legislation but also with policies and management processes that ensured disclosure of wrongdoing was addressed and retribution prevented.

The relevance of the adoption and improved implementation of legislation in practice (**result area 1**) as well as of supporting whistleblowers through ALACs and related activities (**result area 2**) was enhanced by and clearly linked to TI's broader extensive expertise in the fight against corruption, and specifically by the credibility of its research and the authoritativeness of its legal advice. The relevance of such activities was further substantiated by TI's direct interaction with whistleblowers through the ALACs and the direct knowledge of the many

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[5] Transparency International (2013); Whistleblowing in Europe. Legal protection for whistleblowers in the EU.

daily challenges (and opportunities) faced by them springing from this service as well as by external experts and observers. Thus, whistleblowers interviewed in the course of this evaluation clearly confirmed the relevance of the project's focus from their personal point of view and experiences. Similar views can be found in TI's recent "Speak Up!" report.[6] Finally, the issue of promoting and supporting whistleblowing is clearly rooted within TI's broader mandate, as one of the most direct methods of shining the light on corruption and involving citizens and civil society in this fight.[7] These elements were part of TI's comparative advantage, and they contributed to an additional factor of relevance: the ability of TI to mobilise coalitions (of civil society organisations as well as experts, also comprising whistleblowers) and therefore to build momentum towards policy change, as happened in a number of countries (see case studies below). Adoption and implementation of legislation in practice as well as direct support to whistleblowers through ALACs therefore clearly intertwined, and success in one area was likely to contribute to success in the other.

By contrast, **result area 3** – improving the positive perception of whistleblowers – was based on less thorough analysis and less extensive pre-existing expertise at TI than the first two. The need in this result area was clearly identified and integrated into the overall theory of change of the project: addressing negative public perceptions of whistleblowers was going to reduce barriers to future whistleblowing and thus contribute to more transparency and accountability. However, at the time of submission of the funding proposal there was not yet a clear understanding as to how TI could best address this issue. In particular, the question remained open whether and how the TI Secretariat could best leverage its reputation for the highly needed promotion of whistleblowers. Moreover, the notion that whistleblowers were viewed negatively by (parts of) the public was based on public opinion research and on media quotes. Similarly, explanations for the negative image of whistleblowers were not always very clear: some purported that the public would mistake whistleblowers for "snitches" or would ascribe to them motives such as personal profit or spite. Another explanation, in formerly Socialist countries, had to do with the bad memory left by people spying on other citizens, etc. These "explanations" were difficult to test.

In a related point highlighted in different interviews by whistleblowers and external experts in some countries, negative perceptions were connected to the lack of an appropriate word to designate whistleblowers in a non-judgemental way. One interviewee reported that for this reason, his chapter was using the English word to due to its largely positive connotation in public perception. While – so the interviewees – there are certainly valid arguments speaking for such an approach, the use of an English word in non-English-speaking contexts might also bear the risk of a lack of deeper understanding of this concept among large sections of the public, and to the perception that whistleblowing as such is a concept alien to the local culture.

Nevertheless, not least since this result area was mainly implemented at the level of TI-S, especially at the level of planned and implemented activities (i.e. as opposed to design/theory of change), this result area was not explicitly and systematically linked to the other two and only in some cases influenced the project results at the level of national

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[6] (2015); Speak Up. Empowering citizens against corruption.
[7] See Transparency International (2015); Together Against Corruption. Transparency International Strategy 2020.

chapters (i.e. result area 1). This suggests that, in terms of actual implementation of activities under the three result areas, the overall project tended to address the improvement of whistleblowers' image (i.e. result area 3) as an end in itself, not necessarily in relation with improving legislation and practices. As explained by members of the project team at TI-S, there were specific practical reasons for designing the project in that way, and in particular for limiting the focus of chapter projects to result area 1. These mainly included the fact that TI-S wanted to allow a large number of chapters to be able to apply and use sub-grants. Due to the size of the overall grant and to the relatively short project duration, working towards meaningful achievement in all three result areas would have been difficult – hence the focus on work towards better legislation and implementation of safeguards. At the same time, some chapters still chose to include outreach activities in their projects. This was welcomed by TI-S and supported by the project team, even though the sub-grants were not formally focused on this aspect.

In this context, it must certainly be noted that the project's third result area was clearly the one on which TI and its chapters had the least expertise. As a result, this result area was one on which there was less methodological know-how than in the two other areas. Indeed, the strategy document on advocacy on behalf of whistleblowers, issued in 2016, drew among other things on learning from the project in its early months. From the outset, this area was therefore the more experimental part of the project. Here, the idea was that with a lot of knowledge and expertise in the first two result areas to build upon, TI-S wanted to test new ideas and approaches in the third result area, in order to innovate, push boundaries and move beyond its comfort zone. The work on this result area was used at the level of TI-S – though involving TI chapters into several centrally-driven outreach campaigns – to test new approaches and to strengthen its knowledge and know-how in the field of outreach, as the 2016 strategy for the Deltour case shows. Here, the project made an important contribution to the on-going discussion and strategic re-focussing within the TI movement towards a stronger focus on individual stories – especially on whistleblowing, a topic deemed particularly promising to this scope – for case-showing the relevance of the topics TI advocates for.

A workshop organised in Berlin in 2016 including training with an external consultant on the issue of "story-telling" sought to give input and support to national chapters in this field, too. All participants described the training as very interesting and stimulating. However, the fact that it came in the final stage of most chapters' projects, that it was very short (one day) and that the participating project coordinators were not necessarily in charge of communication strategies within their chapter, made it not possible to address opportunities and challenges in the specific national contexts and to incorporate the gained insights into the running projects. Similarly, an international meeting of TI chapters on the work of ALACs, held in Berlin in December 2016 and attended by several chapters participating in the project, also included a focus on using specific cases to promote whistleblowing and the contribution of individuals to the fight against corruption.

In sum, TI-S made significant progress in the third result area: the added value of TI-S was clarified and a successful outreach campaign was run. At the same time, more work and experience is needed to better understand how TI-S can best collaborate with its chapters on the promotion of whistleblowers, and to what extent TI-S-driven campaign material and messages can effectively be used by the national chapters given their diverse audiences. Yet,

while the third result area clearly helped TI-S to innovate, the overall relevance of this result area did not develop its full potential, in the sense that it remained relatively insulated from the rest of the project. As such, a more systematic extension of result area 3 to the level of the national chapters of TI can certainly be seen as a very interesting and promising area for a follow-up to the current project. This would be the logical next step of applying the overall theory of change formulated for the project – and deemed highly relevant by the evaluators – at the level of TI chapters.

Simply put: without a good image of whistleblowing and a public debate on their role, it is more difficult to gather support from the public and thus from MPs and members of government on this issue – be it for the adoption of new legislation and/or the better implementation of existing one.[8] More importantly, though, the analysis of the individual projects implemented by chapters has shown that the most successful ones were those that included promotion of whistleblowing in their advocacy activities. Here, the project implemented by TI France may be seen as the most prominent case. The importance of outreach activities as part of a wider strategy to improve whistleblower protection was also highlighted in several interviews carried out with project partners of the TI chapter as well as whistleblowers. Thus, the focus on improving TI-S's outreach capacities pursued in result area 3, clearly constitutes an important innovation and a relevant contribution to broadening its profile beyond the already well-established and widely acknowledged fields of research and institutional advocacy.

Could the relevance of the overall project have been enhanced? It has to be borne in mind that the first result area (i.e. adoption/implementation of whistleblowing legislation), in which relevance was very high as noted above (both in terms of problem identification and in terms of steps taken in response) also formed the great bulk of the project, in terms of activities, strategic focus and resource allocation. This means that the relevance concerns noted in relation to the third result area did not substantially affect the relevance of the project as a whole. Nevertheless, it appears that the project could have enhanced its relevance by ensuring a closer integration of its three results areas, particularly by more explicitly linking the improvement to the public perception of whistleblowers on the one hand with the activities concerning adoption/implementation of legislation and support/advice to whistleblowers through ALACs at the level of TI chapters on the other hand.

5.2 EFFECTIVENESS

The project was generally very effective, in the sense that the formulated objectives and the related planned activities were realistic and were by and large implemented to a high standard. More crucially, it was effective in the sense that most expected results were achieved, or that there were substantial developments towards achievement, as is clear from the concluding project progress report submitted by TI-S to Adessium Foundation in August 2016 and further progress achieved since. Interviews with stakeholders working on the protection of whistleblowers (journalists, lawyers, civil servants, etc.), who witnessed chapters' activities or contributed to them, without themselves being part of the TI structure, confirmed this assessment. This is despite the fact that TI-S had to deal with

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[8] The case studies illustrate this point.

human resources constraints, which resulted in delay of some activities. One such constraint was that the project coordinator post remained vacant throughout 2015, one part-time position was only filled as of May 2015 and a part-time outreach officer post was vacant from November 2015 to September 2016. However, in most cases and especially in the initial phase of the project, these constraints could be compensated for, through support from the Regional Programme Manager Europe and Central Asia Department at TI-S.

Throughout the project implementation, TI-S acted in a double role:
- Coordinating, supporting and guiding the work of participating national chapters. This included support on advocacy strategies, on monitoring and evaluation and ALACs as well as organisation and facilitation of trainings and peer exchange.
- Acting in a leading role and cooperated with chapters on the formulation and implementation of the outreach strategy as well as on advocacy for an EU Directive on whistleblowing.

The overall objective of the project was: "European citizens disclose corruption and malpractice without fear of retaliation, leading to the need to policy or behavioural change". By December 2016, in at least seven cases in five different participating countries (Czech Republic, France, Italy, Ireland, Slovakia), whistleblower disclosures resulted in actual measures to correct wrongdoing and/or wider related changes in behaviour and/or policy by involved stakeholders.

The anticipated outcome indicators could also be met to a very large extent in relation to the broader project purpose of making a contribution to creating a safe legislative and supportive social environment for whistleblowers in several European countries. In France, new whistleblower legislation was adopted, and draft laws are being discussed in parliament in three further countries (Italy, Czech Republic and Latvia). At the EU level, debates started around an EU Directive on whistleblowing. As of August 2016, recommendations made by TI chapters were taken on board in whistleblowing legislation processes in five instances, totalling a number of 42 specific TI recommendations or actions taken on board by decision makers. In terms of outreach, 1,136 media articles about whistleblowing and public statements by 7 key actors speaking neutrally or positively of whistleblowers could be counted during the same period. Finally, ALACs received 433 disclosures.

These are certainly quite impressive numbers, which in many instances go well beyond the set targets, thus pointing to a high level of effectiveness. This can also be said about the three result areas, where progress achieved through the project is summarised below:[9]

For **result area 1**, implemented at the chapter level in ten countries though projects focussing on either adoption of new legislation or improved implementation of existing whistleblowing legislation, effectiveness was generally good. The overall numbers of results achieved for this result area clearly shows this:

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[9] Most numbers referred to here are taken from TI's concluding project progress report to Adessium Foundation, submitted in August 2016. Since a number of projects by national chapters have continued running after that date and also activities implemented by TI-S have been carried on, these numbers do not reflect all achievements of the project.

- Ten advocacy campaigns implemented by TI chapters, 1 advocacy campaign implemented by TI-S and TI-EU;
- 165 meetings with stakeholders;
- 26 policy papers, recommendations, statements etc. addressing decision-makers produced by TI chapters and coalition partners;
- 384 media items produced and disseminated (including 301 social media);
- 8 sets of guidance for whistleblowers and other relevant parties on how to use existing whistleblower protection legislation.

A review of chapter projects and the case studies below indicate that all the chapters achieved at least some of their planned results, and some chapters over-achieved to some extent. All projects built on pre-existing experience and expertise on issues of whistleblowing – both at the level of chapters and at the level of TI overall (for instance, through the 2013 report on whistleblowing in Europe). As such, projects showed a substantial degree of variance among each other, as each project reflected the specific national context and capacities of the chapters. In some countries, project implementation was delayed due to initial deferments in the recruitment of project staff.

It is certainly important to highlight that the overall effectiveness of the projects implemented under result area 1 as well as of the project overall, owed a lot to guidance and coordination by TI-S. This is despite the above-mentioned constraints in terms of human resources. Thus, according to near-unanimous feedback from chapters, support given to the ten participating chapters throughout the project was always timely and committed. This included the provision of training and the use of various meetings and workshops to disseminate information to chapters, foster exchange and raise awareness of successful and innovative approaches to whistleblowers protection issues across the movement. TI-S also directly provided its expertise and experience to the chapters. For instance, at the beginning of the project, through feedback to the chapters' draft advocacy plans and/or, in some cases, through more direct help in shaping such plans.

Once the projects started, TI-S maintained a regular communication with the participating chapters through emails and periodic monitoring phone calls as well as feedback and support throughout the thorough formal monitoring process. Through this steady exchange, TI-S was also able to give chapters feedback on draft policy recommendations elaborated in the course of the project. In several occasions, TI-S also helped bringing national issues of relevance for the project signalled by the chapters at the international level to help building pressure "from above" on national governments. Finally, it must be mentioned that TI-S played a key role by ensuring the funding for the project. In fact, several national chapters had so far encountered difficulties fundraising on the issue of whistleblowing at the national level. The fact that TI-S was able to attract funds and allow the chapters to participate in the project through the process of sub-granting was very much appreciated by them.

Project achievements under result area 1 were often further enhanced by additional activities directly or indirectly relating to the issue of whistleblowing carried out in parallel to those of the Adessium project. For instance, several chapters used their experience with running an ALAC to enrich their recommendations for adoption/implementation of legislation or to formulate guidelines for whistleblowers. Similarly, support to and cooperation with whistleblowers played an important role in the activities directly relating to

the project implemented by several chapters. Moreover, while their projects did not formally address result area 3, some chapters also sought to use some form of public outreach to build pressure on decision makers and inform the wider public opinion about the importance of whistleblowing and effective promotion and protection of this activity.[10] These activities might have been further strengthened by providing more systematic capacity building in this field to chapters.

It may be said that one key factor behind effectiveness was the building of multi-stakeholder coalitions. This was done in Ireland, for example, to substantial effect, and also in France, where the chapter ascribes part of its success to the fact that an informal coalition of senior civil servants, elected officials and political advisors followed up the recommendations of a formal NGO coalition built by TI France (TI-F) (over a period that pre-dated the present project). Also in Italy, to a minor extent, cooperation with MPs, a law-firm and an NGO with strong expertise in the field of outreach helped achieve some of the project goals.

If anything, effectiveness of the project overall might have been further improved by strengthening the link between result area 1 – i.e. the chapter level projects – and result area 3, which was implemented at the level of TI-S. Certainly, all projects recognised and addressed to some extent the close link between a traditionally sceptical if not negative perception of whistleblowers in most societies on the one hand and a lack of and/or poor implementation of legislation in this field. They also pointed to opportunities emerging out of a slowly changing public opinion in this field, often due to recurrent public and/or corporate scandals over the past years. Yet, the strategic link between adopting or implementing legislation and outreach work to inform/change public opinion on the issue of whistleblowing was not explicitly at the centre of the projects. In hindsight, the call for proposal process for chapters could possibly also have included result area 3, thus strengthening a broader, integrated approach at the level of chapter projects. However, it must certainly be noted that the choice of limiting the focus of chapter projects to result area 1 was largely bound to budgetary considerations and the need to effectively concentrate the comparatively scarce project resources for the participating chapters on one aspect of the project.

The decision to work on an EU-wide directive on whistleblower protection was taken in 2016, as a result of momentum that developed at the European Parliament on this issue in the context of the LuxLeaks revelations and subsequent lawsuits against whistleblowers and a journalist. According to most TI chapters, this is likely to enhance the momentum for the adoption of further legal safeguards for whistleblowers at national level, thus contributing to the overall effectiveness of the project. Only one interviewee discussed the possibility that a weak EU Directive might bear the risk of watering down progress made at the national level in countries were strong whistleblowing legislation was adopted over the past years. While such a risk is certainly imaginable, TI's advocacy for a sound EU Directive as well as the continuing work of TI chapters on the issue of whistleblowing at domestic level can be seen as effective ways of mitigating it.

The target of **result area 2** was for TI-S to support TI chapters in Europe in providing professional advice to whistleblowers seeking their help. This target was primarily achieved

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[10] Public outreach was formally part of chapters' projects in the Czech Republic, Latvia, France and Italy.

by supporting the establishment of new ALACs in European TI chapters, supporting relevant chapter staff with practical advice and assistance, through facilitation of information exchange as well as by providing dedicated training. Activities under this result area addressed both chapters participating in the project's result area 1 as well as others not implementing activities in that context. Also in this result area, effectiveness was very high. At the beginning of the project, TI-S supported 9 ALACs in Europe. By August 2016, the number of ALACs receiving support had risen to 13. Thus, TI-S helped establish 4 new anti-corruption advice centres (in Cyprus, Italy, Portugal and Slovenia) and supported the work of 9 others (in Bulgaria, Czech Republic, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Romania) and strengthen the capacities of existing ones. Together, throughout the duration of the project, these ALACs supported and/or solved 433 cases of whistleblowing. Moreover, to promote ALACs, TI-S produced and disseminated the "Speak Up"[11] report, which highlights the role of TI in empowering citizens.

Next to the numbers of supported ALACs and cases, interviews carried out with whistleblowers in the course of this evaluation also clearly showed that the services provided by the ALACs are highly valued by whistleblowers. In both cases, interviewees highlighted the fact that they consciously chose to ask TI for support due to its very good reputation and professionalism, and its status as key non-governmental stakeholder and point of reference for issues relating to whistleblowing and anti-corruption more broadly. Next to important legal advice, both whistleblowers reported receiving very important support on how to deal with the media once they went public with their case, stressing how overwhelming and stressful the impact of the media can be for someone not used to it. Here, TI was able to support the whistleblowers in maintaining – to the extent possible – control over what was being reported about their cases, how they were being described. Moreover, through its own events, publications and participation in institutional meetings, TI also made the stories of whistleblowers and the importance of their choice known, giving them – were possible – also a forum to present these stories by themselves.

Also **result area 3** was implemented at the level of TI-S with the aim of contributing to a more positive perception of whistleblowers by promoting whistleblowing to key audiences. Again, the planned targets were met to a large extent with a high level of effectiveness, even though some activities could not be finalised in time. As has already been discussed, TI-S mainly used the activities under this result area to test new approaches and strengthen its capacity and experience in the field of outreach. Here, the project contributed to efforts aimed at developing a genuine expertise in supporting whistleblowers through deft use of the media, and in using whistleblowers' cases to advance TI's protection agenda, as well as its overall anti-corruption agenda. To this end, the key target under this result area was to develop an outreach strategy for the promotion of whistleblowing. The target was met with the development of an outreach strategy and the respective activities being implemented from April 2015 onwards. The delay in this result area was due to the above-mentioned human resources constraints. Furthermore, TI produced and disseminated online and offline 12 case studies about public interest disclosures; produced and disseminated 24 flyers, posters, radio spots, etc. about whistleblowing to key audiences and general public; attended as speaker 72 public events and expert meetings about whistleblowing; and 17 meetings attended as participants.

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[11] TI (2015); Speak Up. Empowering citizens against corruption.

5.3 SUSTAINABILITY

The project shows many elements of sustainability for each of the three result areas as well as for its overall objective, although the TI movement as a whole of course remains dependent on continuing additional funding to maintain a high level of focus on whistleblower protection. At the same time, it has to be borne in mind that in general terms, the sustainability of advocacy activities is always difficult to predict, since it is highly contingent on complex socio-political factors that cannot be controlled by a single organisation. Thus, on-going new activities in this field are always needed to ensure sustainability. This being said, the broad approach of contributing to creating a safer legislative and supportive social environment for whistleblowers in several European countries through activities in three different but interconnected result areas certainly increased the likelihood of sustainable project outcomes.

Most chapters highlighted the importance of having had a dedicated budget for these activities through the project and how this allowed them to strengthen their profile in this field and make important leaps forward with the implementation of relevant activities. For most, if not all chapters, this would not have been possible without the additional resources (staff, activities), made possible by the funding obtained through the project. Several chapters developed a critical mass of activism and expertise on whistleblower protection. This added to the fact that most chapters had already been working on the issue of whistleblowing for some time and consider the topic among their key national priorities, allowing them to implement the planned activities during the comparatively short duration of the project without having to build their knowledge-base, institutional and other relevant contacts in this field from scratch. Moreover, with the technical support of TI-S, several chapters were able to build and/or enhance the capacity of their ALACs (or similar informal structures) to support whistleblowers with advice and media work, thus establishing structures and processes that are likely to remain in place beyond the end of the present project, because ALACs are mainly self-funded by chapters. In several cases, activities in this result area closely interrelated with those of result area 1.

Similarly, much of the research and policy/legal advice to governments, public institutions and other organisations undertaken by chapters should be of use in future. Additionally, these activities have made a further contribution to establishing TI at the international/European and national level as a key stakeholder on issues of whistleblowing – as an institutional point of reference, as a key actor of issue-related networks and initiatives, as a source of reliable information and as an organisation actively supporting whistleblowers on all levels. Sustainability will, most likely, be highest in those countries where legislative changes were enacted or drafted and/or where measures/mechanisms were put in place to ensure the actual implementation of existing legislation. In those countries, a momentum was achieved that should be able to be maintained. All chapters expressed their determination to continue working on the issue of whistleblowing in future and to look into opportunities to seek further funding for this area beyond the duration of the current project.

At the level of TI-S (in addition to supporting the national chapters) the project has been used to build knowledge and experience with outreach work on the issue of whistleblowing (and beyond) and – in the latter part of the project – to work towards an EU Directive in this field. TI-S clearly plans to continue working on both issues beyond the duration of the

project and both issue areas are certainly relevant in terms of strengthening whistleblower protection throughout Europe in a sustainable way.

As already discussed at length in the context of the project's relevance, also its overall sustainability might have been further strengthened by integrating more closely all three result areas, especially at the level of the projects implemented at chapter level.

5.4   CASE STUDIES

As already discussed in the methodology, due to time restrictions, the evaluation team decided to focus more closely on four of the ten participating countries/chapters to analyse in more depth the goals set out and the relating achievements. In line with the structure of the project, the criteria for the selection of case studies focussed mainly on activities in result area 1 – i.e. the advancement of effective legal protection of whistleblowers – in which most activities directly related to the project were carried out at the national level by TI chapters. The following selection criteria were used:

- **Focus of activities for result area 1:** Was the focus of the activities of the chapter on the adoption of new law or the improved implementation of existing law? This criterion takes into account the legal context in each country. We agreed that the selection of countries should cover some that focused on ADOPTION of new legislation and others that focused on IMPLEMENTATION of existing legislation – while recognising that the two approaches are not exclusive and that one may lead to the other.
- **Expected goals/results and achievements:** What targets were proposed? Were they realistic? Was the external context taken into account and were possible risks recognised? Were implemented activities and related achievements in line with the proposal? Special attention was given to approaches and related good practices that may be worth reproducing elsewhere.
- **Degree of overall effectiveness:** The evaluation team tried to assess the extent to which participating chapters achieved the goal(s) and results they set for themselves in their original application for funding. To which degree (high, medium or low) can the achievements and the respective activities carried out be counted as successful in the specific national (legal/political/social) context? It is important to note that the assessment made in this context was purely for the purposes of the selection of case studies, and did not necessarily reflect the reasons for difficulties, such as changes in the political environment. This criterion should therefore not be read as a value judgement and the results of the evaluators' classification is not included in this report. In practice, the evaluators defined degrees of effectiveness as follows:
  - o   High: goal met and results fulfilled
  - o   Medium: achievements go in the direction of the goal, not yet fulfilled
  - o   Low: achievements are still distant from goal fulfilment; achievements do not match expected result and goal.

  The size of the countries and their geographical location were also taken into consideration, though only as secondary criteria.

Based on the above considerations and after consultations with TI-S, the following countries for the case studies were chosen:
• **France**
• **Ireland**
• **Italy**
• **Lithuania**

The ensuing sections summarise the main findings for the four case studies.

5.4.1 FRANCE – FOR AN EFFECTIVE WHISTLEBLOWER PROTECTION

In France, at the time the project started, there was a 20-year record of whistleblowers in the scientific field (such as the case of Irène Frachon, a medical doctor who denounced the deadly danger caused by a medicine used to treat diabetes). The whistleblowing coordinator of TI France (TI-F) was herself a whistleblower in a public institution. The French term for whistleblowing ("*alerte éthique*") was not chosen at random: it took four years of publications and meetings with NGOs organised by TI France (TI-F) since 2009, and two colloquia in 2013, (one led by TI-F with a science NGO), to settle on the term and get it accepted. It has a positive connotation, linked to a sense of the greater good of society. The 2012 TI-F report on Whistleblowing in France (part of the 2013 TI report on whistleblowing in Europe) published to lobby for the adoption of the law protecting disclosure of serious risks in public health and environment, was instrumental in getting the government (ministers' senior advisors) to be interested in the issue. TI-F sent the report to ministries in January 2013, the Chief of Staff of the Prime Minister was interested in an audit of French policies. Subsequently, TI-F developed further contacts among senior civil servants: ministerial advisors, Parliament, Council of State (an advisory body on administrative law). This was on-going when the Cahuzac scandal broke (in 2013, Jérôme Cahuzac was Budget Minister, in charge of the tax administration, and news broke that he had been avoiding paying taxes for years and had held secret bank accounts in tax heavens). During 2014, TI-F published with the Vice-President of the Council of State the first legal study on whistleblowing in public law (Dalloz). During 2015, TI-F held further colloquia, including the first academic colloquium about whistleblowing in Paris La Sorbonne University and two in the National Assembly attended by very senior officials (one Chairman was the DG Justice of the European Commission). A handful of senior civil servants became convinced that legislative action was needed. Following one of these seminars, a deputy (Yann Galut) asked TI-F to write the first French stand-alone Whistleblower bill , which was presented to the Parliament on 2 December 2015, the Prime Minister's Office asked the Council of State to prepare a report (TI-F was part of the working group) on possible whistleblower protection measures to insert into a bill "on the transparency of economic life" (so called Sapin 2) pending on Parliament on 30 March 2016. At this point TI-F and allied NGOs decided strategically to fight so that their bill should enter the bill Sapin 2 and TI-F worked therefore directly with the cabinet of the Minister Sapin. were asked to testify. The bill, including comprehensive whistleblower safeguards, was eventually adopted in on 9 December 2016.

This process could not have taken place without a coalition being established around TI-F. From 8 NGOs in 2013, it grew to 18 in 2016; the coalition organised petitions, the last of which gained over seventy thousand signatures in just a few months, asking for the bill to be adopted without modification. As part of the petition signing process, citizens could also automatically inform their MPs – this led to over 3,600 letters to MPs in 48 hours. At one

point during the process of debating the bill, the government looked ready to cave in to pressure to water down the protective provisions, but after an NGO coalition press conference, they restored the original text, which was adopted by the National Assembly.

Like in the case of the charismatic Dr Irène Frachon, TI-F also placed the case of Antoine Deltour (LuxLeaks whistleblower) in the centre of its public advocacy to get the widest definition of the whistleblower in the world (disclosure of "a serious harm or threat to the public interest"). Both whistleblowers faced a lot of pressures personally. To help future whistleblowers, TI-F developed the first French-language practical guide for whistleblowers: information on law, methodology, mistakes to avoid, contacts of a support network, etc. TI-F has set up a team of pro bono lawyers and experts to support whistleblowers. Out of about 40 requests received in recent months, the team works with about 20 individuals. One whistleblower TI-F has been supporting since 2013, won his case in June 2016: he had been dismissed from his job, but the court ordered that he should get his job back, together with years of back pay. A major victory.

To build on these successes, TI-F plans to develop its ALAC, so that over time it becomes a "Whistleblowers' House", financed in part by independent foundations, so that a paid lawyer can manage the work. This is now possible because, over the last two years, public opinion changed as a result of various scandals and due to the effective outreach work of the CSO coalition, led by TI-F: the fight against corruption has become a political priority, the demand for transparency is here to stay. Support to individual victims of corruption, and to whistleblowers, has become a central plank of TI-F's strategy.

5.4.2 LITHUANIA – PROMOTING SAFE WHISTLEBLOWING

According to interviews, TI Lithuania (TI-LT) determined prior to the present project that there would be little prospect of the legislature adopting new legislation protecting whistleblowers – previous efforts having ended in deadlock. In 2014 the government included recommendations on whistleblower protection in its National Anticorruption Strategy 2015-2025. These included encouraging public institutions to develop internal mechanisms to address corruption and protecting whistleblowers. Nevertheless, these recommendations were not translated into new legislation and did not, within the project period, result in improving the actual safeguards for whistleblowers within the public sector institutions

In view of this situation, TI-LT decided to focus on analysing and enhancing the practical measures that could be used in public sector institutions to protect whistleblowers. TI-LT's objectives were to draw attention of public sector institutions to the protection of whistleblowers, and to improve safeguards within those institutions.

To do so, TI-LT analysed whistleblowing processes and whistleblower protection mechanisms in 97 public institutions (administrations) at national and local levels. The results were published together with recommendations to improve these processes. For example the report recommended that specific reporting channels be established to report corruption; that the channels should be described to staff through training; that information form whistleblowers should be stored securely, etc.

Using the report as the basis for advocacy, TI-LT offered assistance to each institution, to improve current mechanisms. Nearly 40 institutions told TI-LT that they had implemented at least some of the recommendations. The diversity of institutions that reported they had taken whistleblower protection steps – ranging from national agencies such as the Drugs, Tobacco and Alcohol Control Department and the Customs Departments, through to municipal and district authorities – demonstrated that there were no systemic obstacles to improving whistleblower protection: where this was not done, it was because of a lack of political will, not because of policy.

The project could therefore be considered successful, in that a critical mass of public sector institutions adopted or improved whistleblower protection mechanisms. Nevertheless, the long-term challenge remained, to broaden the mechanisms to all public sector institutions. This will only be achieved through legislation, which therefore remains a key point of TI-LT's agenda.

At the same time, TI-LT also addressed the issue of whistleblowers' public image. Surveys commissioned by TI-LT and others since 2005 suggested that the public image of whistleblowers in Lithuania was relatively good, and that an increasing (though still minority) proportion of respondents expressed readiness to report corruption if they witness it. The public therefore appeared to acknowledge the civic courage of whistleblowers. Nevertheless, survey respondents appeared to remain sceptical of the *impact* of whistleblowing, because of the lack of sufficient anti-corruption legislation. Respondents were also reportedly unsure that labour tribunals would protect the rights of whistleblowers, for example in case of unfair dismissal.

At the end of the project, TI-LT faced two challenges:
- Limited political will to introduce new legislation protecting whistleblowers and to implement the recommendations developed by TI-LT, despite the fact that several administrative agencies responded to TI-LT's recommendations;
- Slow pace of attitude change towards whistleblowers. Though attitudes were undeniably changing, and though there were signs in opinion polls that more people were ready to denounce misdeeds, the lack of effective overall safeguards for whistleblowers and the absence of a whistleblower success-story appeared to be a deterrent.

Nevertheless, the project helped shine a light on good practices developed in a range of public sector institutions, thus demonstrating that better safeguards are possible across a broad range of administrations. It also made clear that TI-LT should continue working towards the adoption of effective legal safeguards for whistleblowers, because only legislation can actually ensure that safeguards are put in place across the board. Finally, the project demonstrated the need for TI-LT to continue to work to improve the public image of whistleblowers, with a view to increasing public pressure on the government to take legislative action.

5.4.3 ITALY – GATHERING CONSENSUS TOWARD AN IMPROVED LEGISLATION ON WHISTLEBLOWING

Transparency International Italy (TI-IT) has been working on the issue of whistleblowing since 2009. Over the years, TI-IT has been carrying out research, advocacy/lobbying and

training activities in this field, with the aim of promoting the importance of whistleblowing as an instrument to prevent corruption in the public and private sector, but also as a tool for fostering citizens' and civil society's sense of responsibility and active participation in efforts to counter illegal activities. In 2014, TI-IT opened its Advocacy and Legal Advice Center (ALAC), through which it offers support to whistleblowers. So far, the ALAC has received close to 350 disclosures.

Italy does not yet have any specific and comprehensive legislation on whistleblowing. In 2012, the Anticorruption Law first introduced a single, not sufficient provision to protect whistleblowers in the public sector only. Moreover, efforts of the Ministry for Public Administration and the National Anticorruption Authority to implement specific procedures in public institutions have so far failed to guarantee extensive protection and incentives for whistleblowers to come out. A bill of law on whistleblowing has been introduced in the Chamber of Representatives in 2013 and is currently under discussion in the Senate. TI-IT has been closely involved in the formulation of the draft bill in 2013 (i.e. before the start of the evaluated project) and has formulated several recommendations to improve the bill as well as an own alternative draft bill on whistleblowing since. Due to political instability, strong polarisation among political forces and the lack of wide political support for the issue of whistleblowing, it remains unclear if and when the bill of law will be passed.

Until recently, the term "whistleblower" was widely unknown in Italy or only used with reference to cases in Anglo-Saxon countries, while Italian terms in use had a prevalently negative connotation (e.g. spy or meddler). In fact, to the present day, there is no widely used Italian term, while the English term "whistleblower", with a more positive connotation, has increasingly entered public debates. As noted by different interviewees, the introduction of the English term has gone hand in hand with a slow but steady improvement of the public image of and interest in (e.g. by the media) whistleblowers and their stories. At the same time, the lack of an Italian term can be seen as an indicator for the lack of a deeper culture of disclosure in society at large. Yet, according to observers, due to the persistent economic crisis and mounting disaffection with politics, the readiness to report corruption has been slowly growing over the last two or three years.

In the context of the Adessium Foundation funded project, implemented between May 2015 and October 2016, TI-IT worked towards two main goals as part of its wider activities on whistleblowing: Firstly, to advocate for the improvement and adoption of a bill of law on whistleblowing[12] under discussion in the two chambers of parliament and to build consensus around the bill among other key stakeholders (mainly NGOs) active in this field. Secondly, to develop guidelines on whistleblowing procedures for organisations.

Due to the challenging legal, political and cultural context, TI-IT saw the need to work on the issue of whistleblowing both on the level of legal reform and on the level of a wider process of cultural change. On both levels, building and strengthening partnerships with other like-minded stakeholders has been an important strategic result sought after. In the work

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[12] Originally, TI-IT had planned to draft a model law on whistleblowing. This goal was revised, when the already existing draft bill from 2013 that was widely thought to have been dropped, was unexpectedly put back on the agenda of the Chamber of Representatives. In order to adapt to this new context, TI-IT decided to amend the focus of its project.

towards the adoption of a law on whistleblowing, TI-IT has been closely cooperating with the MP of the minority party Five Star Movement that introduced the draft bill in the Chamber of Representatives and other members of this party since 2013. However, accessing members of other parties and navigating the strong tensions between the Five Star Movement and the majority parties has resulted more daunting. While in the latter part of the project first working contacts to MPs of the ruling Democratic Party could be established, other parties have shown very little interest in the issue, did not participate in any of the activities organised by TI-IT and interventions of their representatives on the issue of whistleblowing have often been negative.

Despite such difficulties, in September 2015, TI-IT has been able to participate as expert in a hearing of the commission working on the draft bill and used this opportunity to present an improved draft bill it prepared and make nine recommendations for the improvement and broadening of scope of the law (including the reversal of the burden of proof from the whistleblower to the employer in case of retaliation, a widening of the definition of whistleblower to include several forms of collaborators and consultants, and a better link to defamation/libel legislation). It also presented cases of single whistleblowers, thus reacting to the fact that no whistleblower has so far been invited to present his/her case and discuss the issue with members of the commission. Several of TI-IT's recommendations, which are based on its experience with the ALAC and international good practice, were fully or partially included in the amendments made to the law by the majority party. After having been approved by the Chamber of Representatives in January 2016, the draft law is now at the Senate, where it was finally scheduled for discussion in the commission in late 2016 after being kept on hold for several months. While the current draft law remains below expectations, TI-IT still sees it as an important step forward in strengthening the protection and promotion of whistleblowing. In the context of these political uncertainties, TI-IT plans to continue its work towards the improvement and final adoption of the law on whistleblowing beyond the duration of the Adessium project and is presently looking into possibilities to further fund its activities in this field. Independently of specific earmarked funds, the work on whistleblowing both at the legislative level and, increasingly, also at the level of broader cultural change will continue to constitute a key element of TI-IT's national strategy.

Initially, building a network of like-minded NGOs with a strong profile on whistleblowing to support TI-IT's draft model law and advocate together for progress in this field proved more challenging than expected. However, in the course of the project, several organisations attended events organised by TI-IT and a loose network to work together on the issue of whistleblowing and define key priorities for lobbying of lawmakers could be formed. Out of this, a closer cooperation with the NGO Riparte il Futuro could be established. Riparte il Futuro is a digital, movement-based NGO working on anti-corruption issues with a focus on advocacy and communication. The cooperation with Riparte il Futuro is strategically important, since its more outreach oriented profile complements TI-IT's strengths at the level of research and institutional activities. Among other things, the cooperation has led to the launch of a public campaign called "Vocidigiustizia" (translated: "Voices of Justice") in July 2016.[13] The campaign aims at sensitising public opinion on the importance of a comprehensive law on whistleblowing and call for progress on the draft bill blocked in

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[13] https://www.transparency.it/petizione-whistleblowing-al-via-la-campagna-vocidigiustizia/.

Senate. The campaign collected more than 55.000 signatures and contributed to the scheduling for discussion of the draft law at the Senate. Regular contributions on the issue of whistleblowing on TI-IT's website and Facebook site as well as numerous interviews and articles in the media further supported efforts in this field.

As a second goal of this project, TI-IT has worked on developing guidelines on whistleblowing for organisations based on its own experience in the Italian context and best practices from the international level. Building on already existing governmental guidelines in this field, the TI-tool seeks to integrate and innovate current standards and practices in Italy. While the guidelines strengthen and deepen the governmental regulations for the public sector, they also move beyond them by addressing the private sector, too. The guidelines were developed by TI-IT in close partnership with a law firm that offered to cooperate on this publication pro bono. The guidelines were published in October 2016 and are publicly available on TI-IT's website.[14] They are also being used by TI-IT as a good practice tool to influence the parliamentary debate on the draft law on whistleblowing. The impact of this new tool will be monitored in the course of 2017.

5.4.4 IRELAND – INTEGRITY AT WORK

Transparency International Ireland (TI-IE) has been working on the issue of whistleblowing since 2007. In a report published in 2010[15], it called for comprehensive whistleblower legislation to replace the existing laws deemed inadequate. Subsequently, in 2013, the Government invited TI-IE to advise it during the process of drafting the Protected Disclosure Act 2014. The Act became law in July 2014, providing for the first time wide-ranging protection for whistleblowers in all sectors of the economy. Moreover, the Act makes it mandatory for public bodies to put in place whistleblowing policies and procedures and to publicise these to their workers. However, due to scarce practical guidance for employers on the implementation of the Act's provisions, its key provisions and benefits are not very well understood by employers and regulators. In 2015, the Government asked TI-IE to provide input on draft ministerial guidance for public bodies in respect of the Act as well as into a sample whistleblowing policy to be used as a template by public bodies.

Since 2011, TI-IE has been operating the Speak Up helpline, which offers information, referral advice and advocacy support for whistleblowers, witnesses and victims of corruption and other wrongdoing. The helpline has assisted almost 900 people since it was established. Since autumn 2016, the helpline has been operated in partnership with the newly opened Transparency Legal Advice Centre (TLAC), Ireland's only independent law centre specialising in providing legal advice to anyone who wishes to disclose wrongdoing, particularly under the 2014 Act. Where a Speak Up caller is a worker seeking to make a report of wrongdoing, an appointment will be offered with TLAC as appropriate.

The main goal of TI-IE's work in the context of the Adessium Foundation funded project, implemented between March 2015 and December 2016, was to assist stakeholders in complying with the Protected Disclosures Act 2014, and to promote best practice in protecting whistleblowers. To this purpose, TI-IE has launched the "Integrity at Work" (IAW)

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[14] https://www.transparency.it/linee-guida-per-la-predisposizione-di-procedure-in-materia-di-whistleblowing/
[15] http://transparency.ie/resources/whistleblowing/alternative-silence.

initiative.[16] IAW is the world's first multi-stakeholder, not-for-profit initiative for organisations in the public, private and non-profit sectors. It aims at successfully implementing whistleblower legislation and safe workplace environments for anyone reporting concerns about wrongdoing. TI-IE sees the IAW initiative as complementing the Government's efforts to implement the Act. The idea of a multi-stakeholder initiative in this field had been in the making for some years, based on the study of similar initiatives in other contexts. Here, TI-IE saw the need to engage with employers, trade-unions and regulators to ensure that workers are aware of the availability of existing whistleblower channels and free legal advice through the Speak Up helpline. In addition, TI-IE identified the need to secure commitment from employers and regulators to take action in response to protected disclosures and work to ensure that whistleblowers do not suffer as a result. No such commitment had been secured until now.

IAW members are offered comprehensive and tailored packages of services, which include a mapping of the specific needs of each organisation/institution, expert training and guidance on complying with the 2014 Act, access to free specialist legal advice trough the Speak Up helpline and TLAC to all their employees and fora for the exchange of experiences and good practice. TI-IE is also developing an IAW Guide for employers and a Self-Assessment Framework to assess existing policies and procedures for members of the initiative. IAW is conceived as a peer-to-peer monitoring and collective action initiative, in which TI-IE supports and coordinates the process as a critical partner.

TI-IE produced specific pitch materials to engage key stakeholders which would attract others in their peer groups and are also in a position to provide financial support. Yet, progress on membership has been slower than expected, even though important stakeholder have already been engaged. The Irish Department of Public Expenditure and Reform, as well as well as the Department of Justice have agreed to seed-fund the initiative and other public institutions have expressed strong interest. The Irish Police Service (An Garda Síochána) is among 20 agencies under the aegis of the Department of Justice to have agreed to join the initiative. Representatives from another10 organisations from the public and charity sector have also committed to joining IAW, including Action Aid Ireland and the National Council for the Blind Ireland. IAW was officially launched by the Irish Minister for Public Expenditure and Reform in September 2016.

Participating organisations (or members) have to sign an IAW Pledge which commits them to ensure that whistleblowers do not suffer formal or informal reprisals, and that action will be taken in response to their disclosures. Employers are also expected to undertake an annual self-assessment of their whistleblowing procedures using the IAW Self-Assessment Framework (which it is hoped will help set an international standard for whistleblowing procedures) and will receive an annual report on their systems by TI-IE. Each IAW member will be expected to take action in response to TI-IE's recommendations. Workers contracted to IAW members will also be allowed contact TI-IE to report concerns about reprisal and/or lack of action in response to their disclosures. TI-IE will, with the consent of the worker, share a report based on these concerns with the employer. TI-IE reserves the right to

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[16] http://transparency.ie/integrity-work.

disengage with organisations that, in the opinion of TI-IE, are not willing to fulfil their obligations under the IAW Pledge.

The initiative is relatively cost-intensive. This is primarily due to the need to hire specialised staff to manage cases, operate the helpline and deliver the services to IAW members. While TI-IE has been able to secure funding from different sources, including from government, and members will pay a fee (calculated according to their size and financial capacity) , the initiative's sustainability rests on TI-IE's ability to secure diverse sources of funding TI-IE sees the initiative as replicable in other countries and already presented it within the TI movement as well as in other contexts such as the UN Global Compact, where it generated much interest.

In addition and as a complement to IAW, TI-IE commissioned the first national survey on employer and employee attitudes to whistleblowing in Ireland.[17] The Integrity at Work Survey serves as a baseline to analyse and monitor on a large scale the behaviour and attitudes on the issue of whistleblowing. To further deepen the insights on this issue, TI-IE intends to combine the survey data with those gathered through its Speak Up helpline, which offer very reliable information obtained directly from whistleblowers. The first results of this survey show that while a historically rooted tradition of perceiving those speaking up on corruption and wrongdoing as meddlers is still present, attitudes have been changing over the past years in reaction to numerous political and corporative scandals. Thus, today, the vast majority of Irish employers are supportive of whistleblowing (at least in principle) but indicate that more needs to be done to raise awareness of legislation introduced in 2014 aimed at protecting whistleblowers. The results of the survey were launched together with the IAW initiative in September 2016.

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[17] http://transparency.ie/news_events/first-national-survey-whistleblowing-points-positive-attitudes-need-action-employers

6 CONCLUSIONS

The following table summarises the **key findings of this evaluation** with reference to the central questions formulated in the ToR and visualised in the evaluation matrix presented in the methodology part of this report.

Evaluation questions	Sub-questions (TOR)	Summary of findings
	Relevance	
TOR: "the extent to which the project is suited to the priorities and policies of the target group, TI and the donors." **Overall question:** To what extent was the project, as designed and implemented, suited to context and needs at the beneficiary, local, and national levels?	To what extent is the project important and relevant to the target group?	TI-S and chapters have extensively documented the difficulties faced by whistleblowers in Europe due to lack of recognition and legal protection. The project was designed to address these core concerns. The relevance is confirmed by whistleblowers and external experts.
	How relevant was the project in the wider context of the fight against corruption?	TI has provided extensive analysis of the importance of whistleblower protection in the overall fight against corruption. The project focused on this issue. The issue of whistleblowing is clearly positioned in TI's overall anti-corruption strategy.
	To what extent did the project add value or innovate?	The project helped enhance chapters' expertise on whistleblower protection. It helped them develop new ways of advocating for protection, including (in some cases) by working directly with whistleblowers and by highlighting their cases in publications, social networks, etc., thus strengthening their status as key civil society stakeholders in this field. It also allowed TI-S to test new approaches in the field of outreach and to become active in advocating for an EU directive on whistleblowing.
	To what extent is the project's theory of change coherent and relevant?	The theory of change was sound in terms of the central importance of whistleblower protection and the links between adoption/implementation of legislation, support to whistleblowers and the improvement of the image of whistleblowers. The role of outreach as part of the broader advocacy efforts (especially at the level of projects by chapters) and coalition-building could perhaps have been highlighted more explicitly at the outset.
	Were planned activities and outputs consistent with goals and objectives?	Yes, overall planned activities and outputs were consistent with the goals and objectives put forward by TI-S and chapters. Additional training to build participating chapter's capacity

		in the field of outreach would have been desirable
Effectiveness		
TOR: "a measure of the extent to which the project achieved its objectives" (intended outcome compared with observed outcome)". **Overall question**: To what extent was the project, as implemented, able to achieve objectives and goals?	To what extent were the objectives achieved or likely to be?	The objectives and planned results were realistic and were very largely achieved in all three result areas.
	What were the major factors influencing the objectives' achievement or not?	Key enabling factors at the level of TI-S and chapters were the quality of research and expertise, the engagement towards coalition building and the capacity for engagement with institutions. Coordination and support by TI-S to participating chapters played an important role (see below). Generally, the changing political contexts (at national and EU level) constituted an important factor – in some cases offering windows of opportunity, in others hampering the achievement of objectives.
	How effective was the support of TI-S in enabling chapters achieving the project's goals?	The chapters were unanimously positive about the support received, which was of high technical quality (legal expertise, support with advocacy and coalition-building) and provided in a timely manner. Coordination and exchanges of experience were also well organised. More could have been done in providing training on outreach for participating chapters. The fact that a project coordinator at TI-S could only be hired in January 2016, posed some challenges to the implementation of activities in the initial phase of the project.
	Can some changes already be identified and linked to the project?	Several countries have seen changes to their legislative or regulatory situation. Some institutions have adopted new approaches to ensure better implementation of whistleblower protection. The image of whistleblowers has improved overall. New coalitions around the issue of whistleblowing were built. TI is involved in the discussion on an EU Directive on whistleblowing.
	What are the project's strengths and weaknesses?	Key strengths were quality of strategic thinking and issue-specific knowledge as well as chapters' and TI-S's standing as experts and the related mobilisation capacity. Key weaknesses were the lack of sufficient time to achieve legislative change in some countries, and in some cases the lack of outreach capacity to further improve the image of whistleblowers

		and build pressure on decision-makers to pass new legislation and/or ensure its thorough implementation.
	Sustainability	
TOR: "whether the benefits are likely to continue after funding is withdrawn" **Overall question:** To what extent has the project, as designed and implemented, created what is likely to be a continuing impetus towards more protection for whistleblowers?	**To** what extent are the benefits of the project likely to continue once funding ceases?	Chapters' expertise has clearly been enhanced. In several cases chapters have established or reinforced coalitions with other NGOs, institutions and experts, strengthening their reputation as key stakeholders in the field of whistleblowing. ALACs (new or already existing ones) have also enhanced their capacity to support whistleblowers. TI-S has formulated an outreach strategy and gained experience with its implementation. These elements are likely to last beyond the project.
	How sustainable is the approach after current funding ceases?	Some components are likely to continue without additional project funding, such as civil society coalitions and advocacy (mainstreamed in chapters' and TI-S's work – most likely on a less intensive level). Chapters currently providing legal advice to whistleblowers will continue doing so through their ALAC. Nevertheless further substantive research, advocacy and further work to campaign on behalf of whistleblowers is certainly warranted and would require additional funding.
	What concrete steps are being taken to enhance the project's sustainability?	The acquisition of expertise and the building of coalitions are steps that have been taken. In some chapters, pilot activities with specific institutions have proven effective and can be extended to others. Fundraising activities are being undertaken by chapters and TI-S.

Following these conclusions, it is possible to highlight a number of key **strengths and weaknesses** of and related **lessons learned** from the project:

- The project has shown that in the broader field of the fight against corruption, the issue of whistleblowing and, specifically, the overall approach formulated by TI for this project is highly relevant. This approach combines the improvement of the protection of whistleblowers through advocacy for new/improved legislation and its implementation, the direct support of whistleblowers as well as outreach efforts to improve the image of whistleblowers among key stakeholders and wider public opinion.
- The overall design of the project builds on opportunities stemming from TI's role as a key stakeholder at the international level in the field of anti-corruption with, at the same time, a strong standing and expertise at national level. The combination of

activities carried out at the level of TI-S and chapters, combined with the coordinating role of TI-S, adds value to the project, by allowing exchange and mutual learning. This exchange and cooperation enriches and strengthens activities carried out both at the level of chapters and TI-S.

- Due to the limited duration and funds of the project and owing to the fact that TI-S wanted to allow at least ten chapters to apply for sub-grants, TI-S chose to limit the focus of projects implemented by chapters to result area 1 (though some, in fact, also included outreach activities that can be attributed to result area 3) for pragmatic reasons. Thus, the overall theory of change was not systematically applied at the level of TI chapters. Since the overall ToC is both sound and relevant, applying it at the level of chapter project would have further increased the effectiveness of the project.

- A limited amount of planned activities, especially on the full rolling out of the outreach strategy, could not be implemented in time due to human resources constraints at TI-S throughout different phases of the project. Yet, the delayed activities will be implemented over the coming months

- The high overall level of effectiveness of the project owed very much to the dual role played by TI-S – supporting and coordinating the activities of chapters on their projects and the work of ALACs as well as leading on the development of the outreach strategy and advocacy on an EU Directive.

- TI is clearly recognised as a key stakeholder on whistleblowing issues at the international and domestic level. This puts TI-S and chapters in the position to act as important players of issue-related coalitions. In fact, coalition-building resulted as one of the key elements contributing to the success of activities at the national (and EU) level.

- Efforts to enhance TI's wider advocacy capacity through the formulation of an outreach strategy and specifically through the direct collaboration with whistleblowers and the "use" of their personal stories make an important contribution to TI's already well-established more institutional and research-oriented profile. Thus, the outreach strategy and the experience gained by TI-S through its formulation and implementation represent an important element of innovation made possible by this project. A more systematic "transfer" of the experience and new knowledge gained by TI-S in this field through this project should allow chapters to further strengthen their capacities in this field, too.

- The design of the project and the flexibility and openness of the donor made it possible to react to unforeseen developments in the course of the project and to adjust the project activities accordingly. Most importantly, this made it possible for TI-S to react to the sudden political momentum regarding an EU Directive on whistleblowing. Thus, building on the approach formulated for the project and its high standing gained on the issue of whistleblowing, TI-S was able to react swiftly and to position itself as a key stakeholder advocating on this issue.

- TI-S as well as most TI chapters had been working on the issue of whistleblowing before the start of the project. This allowed them to formulate their projects/activities based on an important knowledge base and experience, with a positive impact on the overall relevance and effectiveness. At the same time, availability of a dedicated budget made it possible for both TI-S and chapters to intensify their activities and strategic thinking and test new approaches on

whistleblowing, with the result of substantially strengthening their standing and expertise on this issue. While it is not always possible to determine clearly what results were achieved through activities directly ascribable to the project and how strong the influence of other closely related activities was, it is clear that this leap forward would not have been possible without the funding received through this project.

- Many results achieved by the project show a high level of sustainability. This holds true for the many activities aimed at building capacity and expertise at TI-S and in chapters on advocacy strategies, outreach, coalition-building, support of whistleblowers as well as for the contributions made to the formulation, adoption and/or better implementation of whistleblower legislation. At the same time, it is clear that by its very nature, advocacy/lobbying is an on-going process that must constantly be adapted to changing and developing political and social circumstances. TI-S has formulated a broad approach on the issue of whistleblowing for this project, focussing not only on adoption of legislation but also its implementation as well as on wider outreach efforts to improve the image of whistleblowers among key stakeholders but also in public opinion at large.

Based on the above conclusions and lessons learned and with reference to the Adessium Foundation evaluation criteria, the following **scoring for the criteria of relevance, effectiveness and sustainability** is assigned:

Criteria	Opinion	Explanation/Comments
Relevance	**Successful**	The project clearly defined needs it sought to address, and did so on the basis of a sound analysis of the legal and regulatory environment in each country concerned. The project design was also well suited to addressing the concerns identified and reflects the structure of TI as an international movement with strong national expertise through its chapters. However TI and its chapters initially lacked expertise in the determination of the factors influencing public perceptions of whistleblowers and in methodologies that may be used to influence such perceptions.
Effectiveness	**Highly successful**	The project was very effective, in the sense that most set goals were achieved. TI-S played a key role in its dual role – on the one hand, supporting and coordinating the advocacy work of chapters as well as the activities of their ALACs, on the other hand, in a leading role on the outreach strategy and advocacy on an EU Directive. Chapters were able to implement a great majority of the planned activities and to achieve many of the expected results. In some cases, chapters did not achieve plans, partly because these may have been over-ambitious as well as due to political contingencies that were beyond TI's (or any other NGO) control. However these shortcomings were more

		than compensated by chapters that were able to achieve results beyond their predictions, in particular in terms of adoption of new legislation and in terms of public attitudes towards whistleblowers, often building on pre-existing knowledge. These results would not have been possible without the resources (for staff and activities) provided by the project.
Sustainability	**Successful**	There are many elements of sustainability that can be identified. At TI-S level, expertise on advocacy concerning whistleblowers has doubtless been enhanced, and is being widely shared with chapters and in TI-S' own media and social media work. There are clear plans to maintain the momentum achieved in terms of support to whistleblowers and in terms of placing whistleblowers and their personal stories at the centre of broader anti-corruption strategies. Several chapters were able to demonstrate that they had prepared exit strategies that involved continuing work on whistleblowers beyond the life of the present project, for example by working with NGO coalitions and by continuing to support whistleblowers in their countries. Some chapters where new legislation was passed or drafted also had clear plans to follow-up on implementation. The main concern in this respect was that some chapters with limited resources and where political will to implement change is limited, still may need assistance to continue substantive research and advocacy on whistleblower protection legislation, and to support whistleblowers themselves.

7   RECOMMENDATIONS

On the basis of the findings in this report, the evaluators formulate the following recommendations:

To Adessium
- Adessium should consider supporting a follow-up project by TI in relation to whistleblower protection, building on the achievements of the present projects and addressing shortcomings as outlined below.

To TI-S and TI chapters
- TI-S should consider developing a follow-up project proposal, building on the ToC of the present project and including similar results areas. The follow-up proposal should take into consideration including the following elements:

- An integrated approach covering advocacy for new/improved whistleblower legislation and policies and practices that effectively protect whistleblowers in the private as well as the public sector, direct support for whistleblowers and public outreach activities to improve the image of whistleblowers. This integrated approach should be at the centre of activities implemented by TI-S and TI chapters;
- Further efforts to systematically deepen the integration of outreach activities into TI's work on whistleblowing (and beyond) at the level of TI-S and of TI chapters;
- Sub-granting to national chapters on the basis of a call for proposals or similar competitive mechanism to ensure that chapters with a strong interest in the issue of whistleblowing and (potential) political momentum can focus on this topic through a dedicated budget. The call should be open to all chapters fulfilling the set criteria. Assuming the overall project lasts up to three years, there is no need for more than one call for proposals. This includes chapters that did not participate in the present project (e.g. because of lack of political momentum in the country on the issue, because it was not a priority for the chapter at the time, because of lack of capacity, etc.). It also includes chapters that took part in the present project and were not able to achieve all objectives and/or wish to follow-up on the results already achieved;
- On-going training or other support to outreach and media work on behalf of whistleblowers (e.g. through "story-telling" and similar approaches) by national chapters and TI-S itself. To improve the effectiveness, it should consider tailoring such trainings to the specific needs/contexts – e.g. by offering two or three-day trainings involving all project members (management, communication, lobbying etc.) at chapter level, allowing for a thorough analysis and strategic thinking on the national context.
- Baseline research/surveys at national level on behaviour and attitudes on whistleblowing to better understand specific opportunities and challenges in this field, develop activities specifically addressing them and monitor changes/progress over time; such research might also address the question of how the use of the English term "whistleblower" in non-English-speaking context influences the debate on and public perception of whistleblowers.
- An EU-wide dimension that supports the development of an EU Directive on whistleblowing or other regulatory instruments at the EU level;
- A longer project duration, e.g. of three years, to allow for the formulation and implementation of sub-projects with a wider focus and addressing all three result areas in an interrelated way. A three-year overall project duration would allow (taking implementation delays into account) for chapter-level projects lasting 24 to 30 months.
- TI-S should maintain its dual role as supporter/coordinator of activities implemented by/with TI chapters and as leader of specific activities (e.g. advocacy on an EU Directive) implemented in cooperation with TI chapters.
- TI-S should continue working closely with national chapters to ensure that any resources and expertise (publications, legal expertise and also know-how in such fields as social media strategies etc.) are shared across chapters to the extent possible.

ANNEX 1: TERMS OF REFERENCE

Evaluation of the project "Whistleblowing in Europe"

1 Introduction

Transparency International (TI) is the global civil society movement leading the fight against corruption. Through more than 100 National Chapters[18] worldwide, and an International Secretariat in Berlin, Germany, TI raises awareness about the devastating impact of corruption and works with partners in government, the private sector and civil society to develop and implement effective measures to tackle it.

Whistleblowers are important players in national and global efforts to detect and prevent corruption and other malpractice. Their disclosures have exposed wrongdoing and fraud and have helped to save public funds and to avoid disasters for health and the environment. The "Whistleblowing in Europe" project aims to support whistleblowing by:

- Advancing effective legal protection of whistleblowers in 10 European countries, i.e supporting the development of new legislation and the effective implementation of existing laws (via sub-grants to TI chapters)
- Providing legal advice and practical support for whistleblowers, i.e. supporting chapters that offer this service in Europe by providing training in critical areas, enabling exchange and peer support across Europe as well as collecting and analysing data provided by these advice centres.
- Contributing to a more positive perception of whistleblowers by promoting whistleblowing to key audiences

The project has a budget of EUR 600,000; started on 1st November 2013 and will come to an end on 28 February 2017.

2 Objectives of the evaluation

The overall objectives of the evaluation are the following:

- Provide an objective assessment of the achievements and results, weaknesses and strengths of the project.
- Generate lessons learned and good practices from the project's work under each of the three respective objectives.
- Provide clear and forward looking recommendations that can guide TI Secretariat and National Chapters in developing strategies for implementation of projects with similar objectives.

3 Key issues to be addressed

TI – S formulated the questions per criterion below to indicate which questions seem relevant in the evaluation. The evaluator is free to further prioritize these questions in the proposal and suggest others it deems necessary. The questions are:

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[18] The Chapters are all independent civil society organisations registered in their own countries and internationally affiliated with TI.

Relevance: The extent to which the project is suited to the priorities and policies of the target group, the organisation responsible for the project and the donor organisation.

- To what extent is the intervention important and relevant for the target group?
- How relevant was the project in the wider context of the fight against corruption? To what extent did the project add value or innovate?
- To what extend is the project's theory of change coherence and relevance? Were the planned activities and outputs of the project consistent with the project goals and objectives

Effectiveness: A measure of the extent to which the project achieves its objectives, i.e. a comparison of the intended outcome with the observed outcome. It is useful to consider the following questions:

- To what extent were the objectives achieved or are likely to be achieved?
- What were the major factors influencing the objectives' achievement or not?
- How effective was the support of the TI Secretariat in terms of enabling Chapters achieving the project's goals?
- Can some changes (positive or negative) already be identified and to some degree linked to the project? If so, which ones?
- Overall, what are the strengths and weaknesses of the project?

Sustainability: Sustainability is concerned with measuring whether the benefits of a project are likely to continue after funding has been withdrawn. Benefits need to be environmentally as well as economically, technically and socially sustainable. It is useful to consider the following questions:

- To what extent are the benefits of the project likely to continue once donor funding has ceased?
- How sustainable is the approach post-current funding – financially and conceptually?
- What concrete steps were/ are being taken to enhance the sustainability of the project?

3 Methodology

The project evaluation will be planned and conducted in close consultation with TI-S Monitoring Evaluation and Learning (MEL) and the project coordinator. The evaluation approach and methods must be agreed with TI. The project coordinator will provide the necessary substantive support, including submission of all documents for desk review as well as facilitation of access to relevant project partners and stakeholders.

The evaluation should use a participatory approach engaging relevant staff at TI-S and national chapter levels, stakeholders and beneficiaries through structured methods. Both quantitative and qualitative data should be utilised in assessing the project.

This review shall include but not necessarily be limited to the following methods (excluding randomised control trials):

- Desk review of relevant documents.
- Individual and/or group interviews with internal and external stakeholders.
- Meetings with external stakeholders.
- Potentially, survey questionnaires to internal and external stakeholders.

The overall approach should be as representative and as comprehensive as possible. The evaluator(s) should present a detailed statement of the proposed review methods in the technical proposal. The exact evaluation methodology will be agreed with TI-S during the first days of the evaluation.

5 Outputs and deliverables

The evaluator is expected to deliver:

- A draft report shared with the project coordinator and other relevant stakeholders for feedback.
- A final report.

Report structure

The report should be maximum 30 pages. The following outline is proposed:

- Introduction: The first part should describe the project and the project context as a basis for the analytical and evaluative sections that follow.

- Main findings: This section focuses on the findings related to the questions listed above under 'Key issues to be addressed'. This is the main section for data presentation and analysis.

Please use the following table for scoring the project's performance in terms of:

Criteria	Opinion*	Explanation/Comments
Relevance		
Effectiveness		
Sustainability		

* Scoring:

	Highly Successful
	Successful
	Partially Successful
	Unsuccessful

- Conclusions: The conclusions follow logically from the main findings but are clearly distinguishable from these. The conclusions should provide answers to the main evaluation questions.

- Recommendations: The recommendations follow logically from the conclusions. They should be actor oriented (i.e. Who should do what?) and prioritised (i.e. What is most important? What could be improved?).

6 Timeframe and planning

The review is due to end by **10 February 2017**, following the below calendar.

Date	Output
17 October 2016	Tender for consultancy advertised
3 November 2016	Application process closes
9 November 2016	Applicants shortlisted contacted for interviews
14 November 2016	Interviews of shortlisted candidates
18 November 2016	Contract concluded with selected consultant
21 November 2016	Start of the review
11 January 2017	Provisional draft shared with TI-S for fact checking
18 January 2017	Final draft report shared with TI-S for comments
20 February 2017	Final report submission

ANNEX 2: LIST OF INTERVIEWS

Date	Name	Position
29.11.2016		TI-S, WB project coordinator
30.11.2016		Outreach consultant
01.12.2016		TI Latvia
01.12.2016		TI Slovakia
02.12.2016		TI Italy
05.12.2016		Stefan Batory Foundation (Poland)
05.12.2016		TI Czech Republic
07.12.2016		TI-S, Regional programme manager
09.12.2016		TI-S, Senior Regional Coordinator Western Europe
09.12.2016		TI-S, Press officer
14.12.2016		TI-Italy
14.12.2016		TI-Lithuania
15.12.2016		TI Slovakia
15.12.2016		WB from Slovakia
19.12.2016		TI Estonia
19.12.2016		TI Ireland
20.12.2016		TI Romania
20.12.2016		TI France
20.12.2016		TI France
21.12.2016		Whistleblower – partner TI Italy
22.12.2016		Il Futuro Riparte – partner TI Italy
04.01.2017		Adessium program manager Adessium director programs
Feb 2017		State Chancellery of the Republic of Latvia
Feb 2017		Fondation pour le progrès de l'Homme, France
Feb 2017		Journalist, La Croix, France
Feb 2017		Lawyer, France
14.02.2017		Journalist, La Stampa, Italy
15.02.2017		Barrister and Associate Lecturer at Middlesex University, Ireland

ANNEX 3: INTERVIEW GUIDELINE

1. Why did your chapter decide to take part in this project?
2. Did the project help your chapter address the needs of whistleblowers? How?
3. What were the main achievements of the project from your point of view?
4. What were the key problems?
5. Did the project help you innovate, do things in a way you did not do before?
6. What do you think of the project's process (call for proposal, TI-S coordination, etc.)?
7. What changes occurred in relation to legislation protecting whistleblowers?
8. Did that legislation become better implemented since 2014?
9. Were you able to help individual whistleblowers? If so, how?
10. Do you think the image of whistleblowers has changed in recent years in your country? If so, how, why?
11. How important is Europe-wide coordination, both in terms of TI chapters and in terms of EU guidelines?
12. How would you want to continue addressing the situation of whistleblowers in the future?

ANNEX 4: CONSULTED DOCUMENTS

- Funding application to Adessium Foundation by TI-S, including budget
- Grant applications to TI-S by the 10 participating TI chapters
- Narrative reports by 10 participating TI chapters
- Protocols of project-related Skype-calls between TI-S and the TI chapters in the four case study countries
- Reports of five project meetings/workshops
- Four project progress reports, including the budget, from TI-S for Adessium Foundation
- TI-S Outreach Strategy: Improving the Image of Whistleblowers (internal document)
- TI reports/publications relating to whistleblowing, including:
  - (2009); Alternative to Silence. Whistleblower protection in 10 European countries.
  - (2013); International Principles for Whistlesblower Legislation. Best practices for laws to protect whistleblowers and support whistleblowing in the public interest.
  - (2013); Whistleblowing in Europe. Legal protection for whistleblowers in the EU.
  - (2015); Speak Up. Empowering citizens against corruption.
- TI (2015); Together Against Corruption. Transparency International Strategy 2020
- TI reports/publications, websites, film material etc. by the 10 participating TI chapter on the issue of whistleblowing