

A Practice Review (WP4.2)

Stakeholder Mapping and Civil Society initiatives focusing on gender and whistleblowing

A submission for Work Package 4

**Infusing Gender & Intersectionality
into European Whistleblowing Frameworks**



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Executive Summary

The Objectives of Work Package 4 are:

- To create an inclusive whistleblowing environment that considers the unique experiences and challenges of individuals across all genders, identity categories and backgrounds.
- To educate organizations, institutions, and the public about the importance of an intersectional approach to whistleblowing.
- To develop and implement systems for measuring and evaluating whistleblowing culture through a gender and intersectionality framework.

BRIGHT'S¹ Work Package 4.2's specific research question was: Which European civil society actors are developing gender-focused whistleblowing initiatives, and what are the characteristics of these initiatives?

The method adopted was a mapping of relevant actors with whistleblowing support programs conducted using snowball sampling. The process had two phases: in Phase 1 (May 2024): requests for access to relevant contexts were sent to the International Whistleblowing Research Network and BRIGHT partners. In Phase 2 (June-August 2024): a review of organizational documents and materials was carried out to identify relevant entities. Identified actors were evaluated based on their gender-focused whistleblowing initiatives across four dimensions: extra-organizational, organizational, values, and structure. A Fuzzy Set Qualitative Comparative Analysis was conducted to differentiate the initiatives. Important frameworks and laws were also assessed including but not limited to the EU Whistleblowing Directive (2019/1937) and ISO37002. Meetings with key members of UNODC and WIN provided additional insights.

¹ The BRIGHT project, funded by the European Commission (EACEA – project 101143234), is a collaboration between EDHEC Business School, the European Whistleblowing Institute, and the University of Galway. Information available at: <https://www.edhec.edu/en/research-and-faculty/departments/management-and-humanities/bright-project>

Key Findings

- **27 actors** with whistleblowing initiatives were mapped.
- Gender-focused whistleblowing initiatives are in **early stages**.
- Most initiatives **emphasize extra-organizational** dimensions and **social value transformation**, focusing on **policy advocacy**.
- Organizations tend to **link whistleblowing to a global governance agenda** such as anti-corruption, press freedom, digital rights, and human rights.
- Only **7 organizations** (out of 27) offer specific services tailored to gendered aspects of whistleblowing.

Types of Approaches Identified

Social Awareness Approach:

The most prevalent approach, using two strategies: publicizing women's experiences, and highlighting data on disparities in access to reporting systems and effectiveness, or otherwise, of legal frameworks in practical cases. This approach personalizes and contextualizes the challenges women face in whistleblowing.

Utilitarian Approach:

Less common but growing, this approach emphasizes whistleblowing as a tool to expose and reduce systematic practices like gender-based violence and workplace discrimination. It positions whistleblowing as a mechanism for gender-relevant social justice and systemic change.

Effective Protection and Assistance Approach:

The least-developed approach, advocating for gender-sensitive whistleblower protection policies. While some organizations refer whistleblowers to specialized services, such as **free legal assistance and psychosocial support**, there is a significant gap in availability of comprehensive services with a gender focus. More robust, integrated services are needed to protect and support whistleblowers effectively.

Theoretical Background

Why is it necessary to talk about gender-sensitive and intersectional whistleblowing systems?

BRIGHT Work Package 4.1 proposes an Analytical Framework for understanding whistleblower protection systems from a new institutionalist, intersectional and gender-based approach. The theory underpinning this proposal is based on the consideration of two critical elements. The first recognises the existence of an institutional context (both endogenous/within the organisation and exogenous/extra-organisational) that shapes how organisations act in the face of certain events. This context generates governance arrangements that guide the structure or systems of rules and operation, as well as values and belief systems, which influence organisational culture and decision-making. The second element indicates that organisations develop their own cultures, frameworks of appropriation and justification, and reward and retaliation systems to guide their members' actions (March and Olsen, 1984). Such modes of action generate "logics of appropriateness" that legitimise social behavioural expectations of subjects, allowing institutions to enjoy stability over time and minimise the potential for change (Peters, 2000).

The "logics of appropriateness" or expectations of institutional behaviour may include tendencies such as deliberate concealment of wrongdoing, ignoring internal alarms in reporting systems, privileging secrecy and opacity. As a result, many cases of whistleblowing involve previous attempts to ignore previous attempts within the organisation, protracted problems or deliberate punishment of whistleblowers (Donkin et al., 2008; Kenny, Vandekerckhove, and Irfan, 2020). Acts of retaliation against whistleblowers can become institutionalised, imposing high moral, psychological and professional costs, thus deterring whistleblowing (Rothschild and Miethe, 1999).

This immanent characteristic of institutions makes whistleblowing and retaliation against whistleblowers a complex public problem that converges with other different types of social problems that particularly affect organisations, whatever their nature. Among these other problems is the way in which institutions react to certain groups in society and the way in which these groups are constructed in terms of the imaginary, social perceptions around them and their power or

political agency (Ingram and Schneider, 1993). These distinctions influence the construction of target groups that are considered “deserving” or “undeserving”² of access to goods, services and opportunities.

Gender significantly influences people’s relationships with institutions, essentially because in a patriarchal power system, social constructions around women and other diverse non-hetero-normative groups have tended to prioritise narratives and perceptions of disadvantage or deviance, lessening their capacity for power, agency and self-representation (Ingram and Schneider, 1997).

Additionally, the intersection of multiple forms of discrimination and inequality derived from other identity conditions unveil forms of exclusion and inequity that are sometimes obvious and sometimes not so obvious (Collins and Chep, 2013). These structural conditions can sometimes reproduce constraints, systemic barriers and institutional biases that affect perceptions and confidence (and even self-confidence), as well as experiences in accessing and interacting with institutional services (Krook and Mackay, 2011).

All of these elements are particularly consistent with some findings related to women’s role in whistleblowing systems that were previously outlined in W.P 4.1. (Kenny, 2023; Kenny & Fanchini, 2024). Among them, the non-recognition of women as valid ‘truth-tellers’ because their symbolic and factual position in the organisation - even despite their hierarchical position - is not associated with expectations of parrhesiastic (that is, legitimate truth-telling) behaviour. Women’s lower relative power as whistleblowers is linked to limited access to organizational support and professional services networks. This enables the use of systematic questioning and persuasion strategies, which have greater psychosocial, economic, and professional impacts on women compared to men (Rehg et al. 2008).

While some regulations may seem benevolent in acknowledging that individuals’ experiences are mediated by gender and other intersectional conditions, this does not guarantee the elimination of existing gaps in treatment or experience on the part of differentially-gendered workers. Whistleblowers need access to professional services, such as legal counsel, protection from retaliation, psychological and financial support, and technical consulting, to navigate the emotional, economic, and legal challenges they face and improve their chances of success in administrative or judicial processes (William & Vandekerckhove, 2023). In practice, women have more limited access to these specialized services, which significantly reduces their chances of success in such processes (Terracol, 2023).

² Ingram and Schneider (1993) constructed a typology of target population that posits the existence of four types of groups based on the presence/absence of a positive or negative social construct and the existence/absence of political power. These groups are Advantaged (groups that have both significant political power and a positive social perception), Contenders (groups that have significant political power but a negative social perception), Dependents (groups with little political power but a positive social perception), s (groups with little political power and a negative social perception), and s (groups with little political power and a negative social perception).

Stemming from these insights, this work package engaged a review of existing initiatives in European civil society organisations that address the complexities of whistleblowing systems from a gender perspective from different angles. The lens through which these initiatives are traced focuses on considering the public problem of persistent inequalities in whistleblower protection systems from a neo-institutional perspective. This implies a shift in focus from the individuals, the law or any single factor at the centre of the problem to the institutional, structural and systemic factors that enable its emergence. In line with the requirements of W.P.4.2, this work considers both the context (organisational and extra-organisational) and governance arrangements relating to the structures and values that govern modes of behaviour, reaction and decision-making as determinants of the formal and informal rules that guide institutional practices.

Through the review of secondary information, relevant actors and their initiatives in practice were identified in order to identify gaps and areas for improvement in relation to inclusiveness and gender considerations. Relevant frameworks and legislation, including but not limited to the EU Whistleblowing Directive (2019/1937) and ISO37002, were also analysed. Research reports, events and communications carried out by leading whistleblowing support organisations and civil society groups were assessed accordingly.

Methodology

For the identification of the main civil society actors specialising in whistleblowing systems work, QCA (Qualitative Comparative Analysis) was used, which is a research method that combines qualitative and quantitative techniques to analyse data from multiple cases. The purpose of using QCA is based on the need to identify patterns and causal relationships allowing us to explore how different combinations of conditions lead to certain outcomes (Ragin, 2008; Schneider & Wagemann, 2012).

From the theoretical approach that informs this research, the governance of the public problem of gender equality in whistleblowing systems incorporates factors such as the context of the problem or the situational, social and community context that determines stereotypes, symbols, narratives and expectations associated with the role of women as whistleblowers. On the other hand, the organisational context includes a variety of factors such as organisational culture, organisational structure, internal policies, economic environment, legal regulations, and external social and cultural influences. This context defines how activities are carried out within an organisation and how it interacts with both its members and its external environment (Castilla, 2008).

Organisational policies, culture, and structures influence not only how gender relations manifest themselves within the organisation. It is also manifested through the formal and informal rule systems that guide the ways in which members act and what they are allowed to do or not to do depending on their position and hierarchy in the power structures (Ely and Meyerson, 2000). These complex relationships, which we call governance arrangements, transcend into structures and values that determine organisational behaviour in order to achieve its objectives and remain over time (Peters, 2019). These analytical factors represent conditions that allow us to identify whether European civil society organisations develop transformative initiatives in whistleblower protection systems from a gender-based approach. For this purpose, it is indicated that comprehensive initiatives have a holistic and systematic approach when they influence the Context (Organisational and Extra-Organisational) and the Governance Arrangements (Structure and Values). To measure the level of development of existing initiatives in the identified groups of organisations, the fuzzy set QCA was used to identify complex and non-linear causal configurations where the configuration of factors to be studied and the outcome are present.

At the same time, it allows a more systematic comparison of the group of cases, highlighting the variations and differences between them (Marx, Rihoux & Ragin, 2014; Schneider & Wagemann, 2012).

The cases were mapped through the implementation of the “snowball”³ technique by tracking evidence of direct or indirect allusions to initiatives linked to gender relations, the role of women whistleblowers, as well as other vulnerable or historically-excluded groups and the impacts that whistleblowing disclosures have on them. The main information resource was the websites of the organisations. The starting point in the search was the Whistleblowing International Network (WIN) website. From the review of the official members of this network, a cross-referencing process was started with three search criteria: 1. Civil society organisations (excluding state and business entities, consortia or law firms, academic institutions, universities, etc.), 2. European organisations or international organisations working regionally, 3. Other civil society organizations that develop agendas related to whistleblowing, but not exclusively focused on this issue, and that also incorporate perspectives such as human rights, freedom of expression, freedom of the press, technology, among others.

For the elaboration of descriptive sheets for each organisation, characteristic elements were identified such as:

- Type of organisation (civil society, international network, regional network, international organisation, trade union, etc.);
- Scope of organisation (national, regional, international);
- Sector of activity (whistleblowing, freedom of expression, press freedom, lobbying, SLAPPs, anti-corruption, development/governance agenda, digital rights, human rights, rule of law, democracy, etc.);
- Funding model (private, public, mixed scheme);
- Legal nature (non-profit, for-profit, mixed scheme);
- Main focus of activity (project implementation, policy advocacy, service delivery, research, etc.);
- Relationship with other actors (networking, partner, funder, etc.);
- Target audience (NGOs, individuals, governments);
- Actors with whom the organisations interact (references on websites);
- Websites (URLs)
- Context Initiatives (Organisational and Extra-organisational Initiatives)
- Governance Arrangements Initiatives (Structure and Values Initiatives)
- Comments on the intersectional and gender approach
- Institutional mission (website references)

³ To gather information for this research, we employed a snowball sampling approach. In May 2024, a request was sent to the International Whistleblowing Research Network email list, inviting contributions to the research question. Additionally, we contacted BRIGHT project partners across Europe to obtain details of relevant organizations. Two meetings were also held with representatives from the United Nations and the Whistleblowing International Network (WIN) on July 29th, 2024. It is important to note that while these efforts provided valuable insights, the vast majority of the data used in this research was obtained through desk research from the organizations' websites.

Once the stakeholder map was developed (Appendix 1) and the fact sheets were completed with relevant information for each organisation, a scale of 0-1 (five value fuzzy set: 0, 0.25, 0.50, 0.75, 1- see Appendix 2) was established. A 0 to 1 scale was assigned to measure the relative performance of organizations based on the four key factors considered in the fsQCA analysis (organizational, extra-organizational, structural, and values initiatives) (Appendix 3).

Limitations and possibilities of the methodology used

The limitations of the methodology employed are given by two fundamental elements. Firstly, due to the intrinsic limits of fsQCA as a research method and secondly, due to the configuration of the sources of evidence and the technique used to map them. The fsQCA is a useful methodology for comparative analysis in the social sciences, allowing us to evaluate complex causal configurations in small to medium-sized data.

Due to different factors, organisations can omit crucial information, be replicators of content produced by other organisations, magnify or minimise their role or influence in the context where they intervene, under- or over-represent their initiatives to assist and accompany complainants, be more or less detailed, open and transparent in terms of their current projects and budgets, among many others. In this way, the process of assigning membership scores can be subjective and prone to inconsistencies. With the entry into force of the EU Whistleblowing Directive (2019/1937) and the subsequent processes of internalization and transposition of regulations, there has been a proliferation of organizations that are now impacting the sector, even though their original remit was not focused on whistleblowing. This makes it difficult to unequivocally identify concrete existing initiatives and to offer a priori a preliminary assessment of them. The findings of fsQCA are specific to the set of cases analysed and are not generalisable to other contexts or wider populations.

On the other hand, stakeholder mapping is a valuable tool in policy and governance analysis, allowing us to identify and assess the characteristics, specific contribution, roles and relationships between different actors involved in a system. However, this technique also has limitations, including the complexity and dynamism of the interactions between actors and their actual nature. In another sense, the mapped actors are clustered as nodes in a network around organisations with great influence in the region, and this implies that there

may be a large number of other organisations outside these networks that were not tracked. There are also limitations to capturing power and influence of civil society organisations because informal relationships play a crucial role in decision-making and policy implementation (Klijn & Koppenjan, 2016). Incomplete information on membership networks, budgets, current projects, available services and advocacy actions, as well as their triangulation with other information resources, make it impossible to carry out a pragmatic assessment of the organisations' advocacy.

Despite the aforementioned limitations, the methodology employed offers several significant possibilities and advantages that make it a valuable tool for the analysis of initiatives and their contribution to public policy, especially in the area of whistleblower protection from a gender-based and intersectional approach. The combined application of fsQCA and stakeholder mapping allows for a more holistic and robust assessment of the impact on contextual and governance dynamics to promote change towards greater levels of protection, inclusion and access to key services for whistleblowers from a gender perspective.

Mapping of Stakeholders. Main characteristics of the actors.

In total, 27 actors were mapped of which 2 are international networks linked especially to whistleblowing and the anti-corruption agenda, 4 representations of international organisations, 2 regional networks, 1 regional trade union and 18 civil society organisations. Of these organisations 8 are international in scope, 5 are regional and the rest are national organisations (the most represented countries in the group are UK, France, Belgium, Switzerland, Spain, Ireland, Czech Republic, Germany, Serbia, Italy). In most of the organisations there is a convergence of different agendas, only 7 organisations have specialised work on systems and services directly associated with whistleblowing. On the other hand, 7 organisations mostly dedicated to anti-corruption, 6 to freedom of expression/free speech, 2 to digital rights, 3 to rule of law/democracy, 1 to human rights and 1 to lobbying were mapped.

The prevailing profile according to the organisational nature and funding model are non-profit organisations that acquire their resources from private or mixed sources, which they access through public calls for proposals or through donations and service agreements according to the different institutional management models. The opening of funding from the European Union to support the transposition of the EU Whistleblowers Directive 2019 has been an incentive for several organisations to diversify their institutional programmes.

The primary audience of the 27 mapped organisations generally includes other civil society groups and a wide range of stakeholders, such as academics, policymakers, the media, and business sectors. Interaction with governments is less common, with only one organisation reporting sustained collaboration with local government entities. Additionally, 18 of these organisations identify individuals as their target audience; however, most do not offer specific activities or services directly tailored to this group, such as whistleblowing channels, call centers, advisory services, free assistance, or helpdesk support. Although some stakeholders claim to produce specific content and services for whistleblowers, there is little evidence of these services being delivered directly.

Instead, these organisations often act as intermediaries, referring most cases to other entities that provide professional services, such as law firms, bar associations, psychological services, and charitable assistance, among others.

Key findings on civil society initiatives focusing on gender and whistleblowing

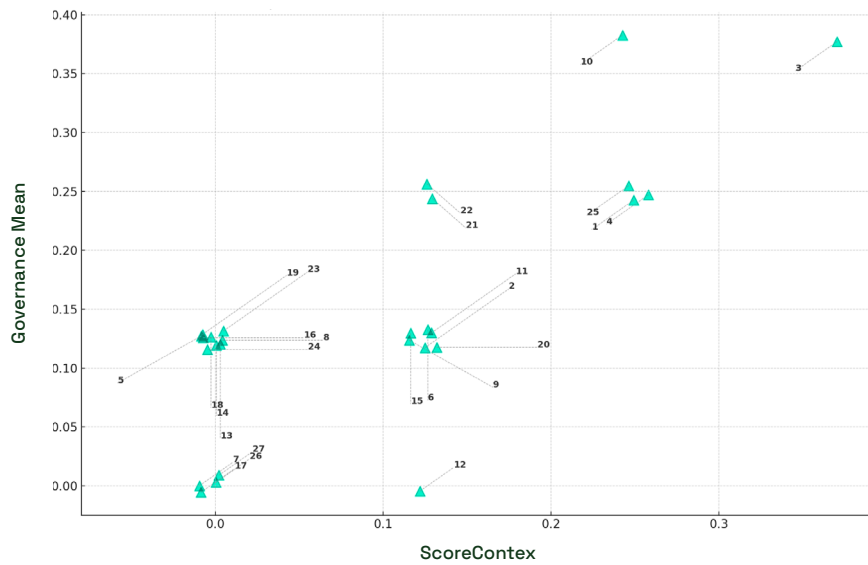
Following the identification of actors and their main characteristics, values were assigned for the four categories defined as part of the comprehensive gender and whistleblowing initiatives (Annex 4). As depicted in Figure 1, no stakeholder is above average on the 0 to 1 scale according to five values of the fuzzy set QCA, indicating that existing initiatives are at incipient levels of development. A population mean was defined that takes into account the performance of key actors as a whole and equals 0.10 for the context dimension that includes the average performance of the two variables of organisational and extra-organisational initiatives (minimum and maximum limits between 0.0-0.38) and 0.15 for governance arrangements (minimum and maximum limits between 0.0-0.38). Only 5 groups of actors - with similar results - are above average (Whistleblowing International Network, Transparency International (Ireland), Transparency International (Spain), Protect Speak Up, Stop Harm, XNET, People vs BigTech). These actors belong to the category of typical cases where organisations develop initiatives and institutional experiences with a holistic approach (context and governance arrangements) that takes into account gender and other intersectional social relations of historically disadvantaged groups.

The rest of the actors below the threshold develop advocacy activities in only one of the above dimensions, usually identified with the extra-organisational institutional context through the development of political advocacy activities for the implementation of the Whistleblower Protection Act. These cases are identified in the typology as non-conforming cases (Oživení, Transparency International (Belgium), BluePrint for Free Speech, Maison des Lanceurs d'alerte, CASE (Coalition Against SLAPPs in Europe), Whistleblower Network, Eurocadres) because they do not show the theoretical configuration identified for systemic or holistic gender-based or intersectional whistleblowing initiatives.

This does not imply that these organisations do not develop gender-sensitive initiatives, but that they do not exceed the average thresholds for the population group and are therefore not incorporated in the causal theoretical configuration developed. There is another large set of cases whose initiatives are not considered gendered or intersectional because there are no significant efforts or tangible experiences to recognise and diminish inequalities. These cases are often consistent with content replicators with a news or anecdotal focus.

Figure 1

Gender-based in civil society initiatives in whistleblowing. Relationship between context and governance



Legend: Stakeholders

- | | |
|--|---|
| 1 Whistleblowing International Network | 15 Whistleblower Network |
| 2 Oživení | 16 UNCAC Coalition |
| 3 Transparency International (Ireland) | 17 Spotlight on corruption |
| 4 Transparency International (Spain) | 18 National Whistleblower Center |
| 5 Transparency International (Italy) | 19 Pistaljka |
| 6 Transparency International (Belgium) | 20 Eurocadres |
| 7 The Good Lobby | 21 XNET |
| 8 Parrhesia Inc Advancing Whistleblowing | 22 People vs BigTech |
| 9 BluePrint for Free Speech | 23 Women Press Freedom |
| 10 Protect Speak Up, Stop Harm | 24 Whistleblower Protection.EU |
| 11 Maison des Lanceurs d'alerte | 25 Campax |
| 12 CASE (Coalition Against SLAPPs in Europe) | 26 Fondation Charles Leopold Mayer |
| 13 Index on Censorship | 27 LIBERTIES (Civil Liberties Union for Europe) |
| 14 Article 19 | |

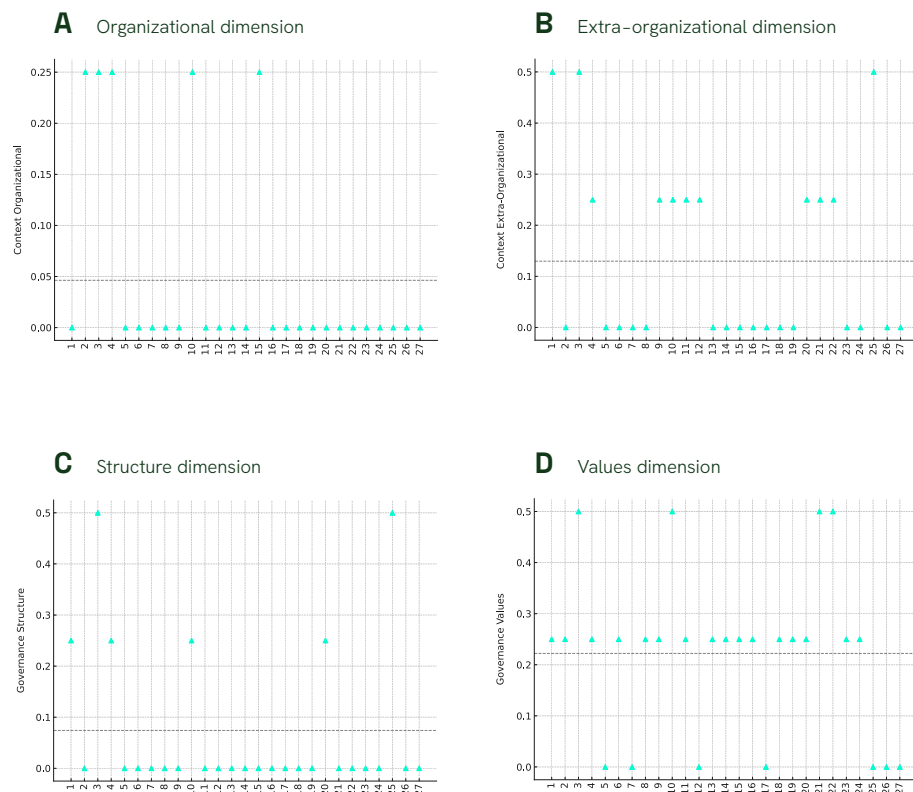
On the other hand, Figure 2 contributes to a more detailed analysis of the general state of the initiatives and the field of action in which they are located. The upper plane of the figure shows the behaviour for the two variables incorporated in the context dimension. It is highly suggestive that most initiatives are concentrated in

the extra-organisational domain rather than within organisations.

The focus on state-level political advocacy and shaping public opinion raises important questions about how civil society organizations engage with other entities. This emphasis on political influence often disconnects them from the specific needs and priorities of businesses and governments, particularly regarding improvements in internal reporting systems, such as gender-sensitive mechanisms. Additionally, by prioritizing global or state-level agendas, these organizations can lose sight of the concrete needs of local entities, thereby reducing the effectiveness of their interventions. Furthermore, their drive to ensure institutional survival and international relevance frequently leads them to act as intermediaries, referring cases to other organizations and losing direct contact with the communities they aim to serve (Schmitz and Mitchell, 2022). Another plausible explanation is related to a greater concentration of civil society organisations' activities on policy advocacy and institutional positioning in relation to the processes of internalisation of European Whistleblower Protection legislation.

Figure 2

Individual behavior of integrated variables in the dimensions of context and institutional arrangements (organisational; extra-organisational; structure and values)*.



* Legend on page 15
Note: Created by the author

The previous observation (Figure 2 - See quadrant D) suggests that, in the area of governance arrangements, the greatest efforts are concentrated on transforming values through messaging aimed at fostering public discussion and raising awareness of inequalities. This finding aligns particularly well with the core objective of most gender-focused whistleblowing initiatives, which emphasize increasing the visibility and social awareness of the role of women whistleblowers and the impacts that whistleblowing has on their lives.

The previous exercise allowed the construction of a typology of cases where the identified configuration is present in the typical cases (See Table 1). In this sense, the organisations have initiatives in the field of transformation of the institutional context (organisational and extra-organisational) and also affect changes that assume a gender approach within the governance arrangements (transformation of values and structure). The fundamental characteristic of this configurational pattern is its systemic approach, which is essential to address the different dimensions of a gender approach in whistleblower protection initiatives. Similarly, the non-conforming cases consist of organizations focused on maximizing their impact through various advocacy activities, primarily in the extra-organizational dimension. This group includes organizations that engage in advocacy within government structures, state organizations, and international or regional bodies. The key characteristic of this pattern is its case-specific and anecdotal approach. Within this group, visibility strategies are identified to promote political advocacy on the importance of whistleblower protection, with a particular emphasis on the conditions that disproportionately harm women.

Table 1

Typology of Gender-based in civil society initiatives in whistleblowing

		Governance Arrangements	
		+	-
Context	+	Typical Cases Whistleblowing International Network, Transparency International (Ireland), Transparency International (Spain), Protect Speak Up, Stop Harm, XNET, People vs BigTech	Non-conforming cases Oživení, Transparency International (Belgium), BluePrint for Free Speech, Maison des Lanceurs d'alerte, CASE (Coalition Against SLAPPs in Europe), Whistleblower Network, Eurocadres
	-	Inconsistent*	Not directly relevant Transparency International (Italy), The Good lobby, Parrhesia Inc Advancing Whistleblowing, Index on Censorship, Article19, UNCAC Coalition, Spotlight on corruption, National Whistleblower Center, Pistoljka, Women Press Freedom, Whistleblower Protection.EU

* Theoretical inconsistency

Note: Created by the author

Types of Initiatives and Identified Experiences

The actor typology allowed for a consistent characterization of the types of initiatives developed by civil society organizations. To simplify the discussion on the profile of these initiatives, more or less systematic common elements were identified, revealing three fundamental focus patterns. These patterns have other sources of empirical contrast in the Reports issued by the organisations, as well as in specialised discussion scenarios.

4.1

Social awareness approach

Most of the initiatives tracked subscribe to this type of approach. Their main objective is to increase the levels of visibility and sensitivity among individuals and institutions regarding existing problems in whistleblowing systems that disproportionately affect women due to structural issues of inequity and inequality based on gender and historically disadvantaged populations. This approach employs two fundamental strategies.

First, the experiences by making the experiences of women and other priority groups (such as migrants, people with disabilities, or those with special conditions) are made visible and public through first-person anecdotes and life stories⁴, typically shared via photo reportages, documentaries, and other audiovisual media. Iconic cases are also highlighted, such as the documentary film by Director Tas Brooker, "When We Speak," which follows three female whistleblowers – Helen Evans (Oxfam Whistleblower), Rose McGowan (Harvey Weinstein), and Katharine Gunn (GCHQ). Like Protect UK, many civil society organizations provide technical advice and its profound impact on whistleblowers' families, finances, and future careers. At the same time this approach is developed through media campaigns primarily utilizing social media platforms⁵.

Like Protect, many civil society organizations provide technical advice and maintain systematic relationships with the media. These organizations use personal narratives and develop media campaigns to raise awareness and

⁴ See for example: <https://www.whistleblowingcenter.cz/blog/nevyhodne-pronajmy-mestskych-nemovitosti#>; <https://www.blueprintforfreespeech.net/en/news/greek-olympians-sexual-assault-cry-sparks-outrage-metoo-movement?rq=gender#>

⁵ See for example: <https://protect-advice.org.uk/blogs-the-damage-and-dangers-of-sexual-harassment-in-the-workplace/>

educate the public about the challenges faced by whistleblowers and other vulnerable groups. These strategies enable European CSOs to tailor their messages and mobilize support for their causes, aligning closely with their goals of political and social advocacy.

One of the sectors where important work is being done to raise awareness of the role and challenges faced by women whistleblowers is in the field of technology. Organisations such as People vs Tech are working to develop critical thinking and attitudes towards technology conglomerates and information management, highlighting how large technology companies try to stifle whistleblowing processes in which women are the protagonists. Some initiatives, such as The Real Facebook Oversight Board project on Youtube and its Tech Breakdown sessions, discuss the new reprisal schemes that the technology sector applies against women who dare to denounce bad practices from the perspective of alternative critical thinking. In 2022, within the framework of these sessions, “Whistleblowing Women: How female tech workers are taking on Big Tech”⁶ was held, in which the experiences of women were recounted, including black women who denounced bad practices that imply serious damage to society.

The women recounted how, in addition to having had considerable economic impacts with the loss of individual and family livelihoods - especially for families “where the head of the household is the woman - the employer’s retaliatory aggressions were acted out through online harassment. In several of the cases, there was evidence of selective manipulation of information to create a negative state of opinion against the informant, questioning her credibility, qualifications and capacity for exposing wrongdoing. In another recent instalment of Tech Breakdown (August, 2023⁷) journalists Manama Narayanan and Rana Ayyub discuss the use of social media as a weapon against people who publicly denounce and criticise the Indian government. This new form of retaliation includes digital authoritarianism that encourages hate speech and violence as a strategy of silencing and punishment.

This example of digital harassment, which employs information manipulation and social media to discredit whistleblowers, is an increasingly prevalent threat in Europe. To address this challenge, civil society organizations must strengthen their digital protection strategies and combat disinformation, ensuring they are better prepared to protect female whistleblowers from similar attacks. Additionally, this case serves as a valuable model for European CSOs to develop stronger defence and awareness mechanisms, leveraging international experiences to anticipate and counter new forms of digital retaliation.

⁶ Available in: <https://www.youtube.com/watch?v=FGtyCAGvsHU&t=249s>

⁷ Available in: <https://www.youtube.com/watch?v=uYvYVBBmCC8>

Journalists' organisations are also increasingly active in debates on women in reporting systems. The Coalition of Women in Journalism "Women and Press Freedom" also provides a platform for visibility and support for women journalists who denounce malpractice in the media sector. An example of this is the case of Swedish journalist Frida Sundkvist who was fired from the newspaper Expressen after sharing concerns about a journalist from another newspaper including sexual harassment and sexism. After Frida's dismissal, other articles were published with testimonies from former employees describing Expressen as a "sect ruled by fear and threats"⁸.

As a platform to support women whistleblower journalists who suffer harsh consequences and retaliation for their reporting, the Coalition provides a platform for visibility of other cases such as the Maria Ressa⁹ case, the attacks and cyber-stalking campaigns to silence women whistleblower journalists in Pakistan¹⁰ and Turkey¹¹, as well as many other cases.

The second visibility strategy focuses on data that highlight the differences in women's access to reporting systems, the effectiveness of prosecuted cases, and their broader implications. For instance, in the 'Speak Up Report,' the majority of individuals who contacted the Speak Up Helpline for free advice and were categorized as whistleblowers were male—61% male versus 34% female (Transparency International Ireland, 2020). Similarly, the Protect UK Annual Report found that 47% of whistleblowers were female (Protect, 2022).

Another major report by Vandekerckhove & William (2020) suggests that whistleblowing cases have a low success rate given that only 12% of whistleblowers whose cases reach a preliminary hearing in employment tribunals in England and Wales were successful. In addition to this data, the report suggests that almost 40% of whistleblowers report being on sick leave, an increase of 15% since 2015. Similarly for whistleblowers it also takes longer to go to court as by 2018, almost half of them took more than two years, and more than one in five took more than three years. Barriers to accessing legal representation are also highlighted while employers have increasingly specialised whistleblowing lawyers. In terms of gender focus, this report indicates that there is an important gender dimension to whistleblowing. Compared to male whistleblowers, female whistleblowers are more likely to report health problems, less likely to have legal representation even when the judge upholds protected disclosures, less likely to have their unfair dismissal claim upheld (Vandekerckhove & William, 2020. p. 16).

⁸ See original note in: <https://www.womeninjournalism.org/threats-all/sweden-expressen-newspaper-fires-frida-sundkvist-for-whistleblowing-on-workplace-sexual-misconduct>

⁹ Available in: <https://www.womeninjournalism.org/infocus-all/maria-ressa-hold-the-line>

¹⁰ Available in: <https://www.womeninjournalism.org/infocus-all/pakistan-attacks-wont-silence-us>

¹¹ Available in: <https://www.womeninjournalism.org/infocus-all/turkey-we-are-not-safe>

Feinstein and Devine's (2021) research also foregrounds the disparities in reporting by men and women (67 percent vs. 31 percent) that occur as a result of women's lower willingness to report believing that the likelihood of retaliation against them is higher. This is part of a double imbalance of power that is visible both in the cultural differences in power between women and men, which is then compounded by other imbalances both in the professions and in the status of positions they occupy in the organization's hierarchy.

It is important to note that although many organisations produce annual reports on cases dealt with, only a minority make the gender and intersectional composition visible in their reports. This represents a missed opportunity to have current data to enable evidence-based decision-making. This was stated in the Report "Analysis of CoSP10 Adopted Resolutions: Resolution 10/1 "Atlanta 2023: Promoting integrity, accountability and transparency in the fight against corruption" where it is suggested as follow-up measures for organisations and States Parties involved in the fight against corruption in its different aspects: Conduct surveys on the impact of corruption on women, men, girls and boys, by collecting disaggregated data on corruption, to develop effective anti-corruption policies and strategies consistent with the Convention, and share the results of these efforts with other States Parties (UNCA Civil Society Coalition, 2023). Although most civil society organizations (CSOs) that provide direct services to whistleblowers have data reporting systems, not all of them disaggregate their statistics by the gender and other intersectional factors. Enhancing the mechanisms for data capture and analysis will enable a more accurate understanding of whistleblowers' behavior patterns, as well as their needs and priorities, which is essential for ensuring the effectiveness of support processes.

4.2

Utilitarian approach

The term 'utilitarian approach' is used here to describe initiatives by civil society organizations that emphasize the crucial role of whistleblowing systems in addressing deeply entrenched issues, particularly those affecting women and disadvantaged or historically excluded populations. The term 'utilitarian' is chosen because this approach highlights the practical benefits and societal utility of whistleblowing in resolving complex problems. As a consequentialist theory, utilitarianism focuses on the moral value of an action as determined by its results or consequences. While it may not directly address the inherent inequities within whistleblowing systems, utilitarianism underscores the significant benefits these

systems offer in combating systemic issues that disproportionately impact women. Although this approach is less common, it is gaining momentum and increasingly drawing attention to these critical issues.

Central to this approach is the effort to depersonalize phenomena such as gender-based violence, sexual harassment, exploitation, sexual extortion, and workplace discrimination, framing them as systematic practices. By doing so, whistleblowing systems are positioned as tools to expose and reduce the frequency of these harmful practices over time, establishing a causal link between whistleblowing and the decrease in such acts against women.

This approach works directly on the dimension of governance arrangements within organisations, highlighting problems in the culture and values that perpetuate scenarios of inequality, violence and discrimination. The advantage of whistleblowing systems is that they – in theory—have the potential to be impartial and equal for all people, seeking to improve conditions for those most affected by inequality. Beyond this, the main advantage of this approach is that it permanently encourages increased whistleblowing by amplifying the voices of whistleblowers in areas or sectors, which could have a cascading or multiplier effect.

Accordingly, the main characteristic of this approach is its work with the transformative effect that cases and testimonies trigger in sectors where traditionally the questioning of gender relations was not visible, among them the police¹², Fire and Rescue Services¹³, the music industry¹⁴, journalism and many more. Organizations like Protect UK alert about the growing link between whistleblowing and systemic discrimination¹⁵. According to Protect, 18% of the cases they manage come from the healthcare sector, where 45% of reports in 2013 involved bullying, harassment, or patient safety concerns, as noted by Freedom to Speak Up Guardians¹⁶. One of the issues that is becoming strongly positioned as part of this approach is the link between whistleblowing systems and sextortion as a form of exercise of power that systematically affects millions of people around the world.

Sextortion tends to go unreported because of the risks it poses to whistleblowers and the stigma it generates, particularly for women in a patriarchal and sexist system. Therefore, one of the most visible aspects of the “functionalist” agenda of whistleblowing initiatives is precisely to stop such widespread phenomena as sextortion through the reporting of such phenomena with an adequate profiling of the services that accompany whistleblowers (Zúñiga, 2020; Transparency International, 2021).

¹² See for example: <https://whistleblowingnetwork.org/News-Events/Events/Archive/Janet-Merlo-The-cop-who-challenged-gender-abuse-i>

¹³ See for example: <https://record.assembly.wales/Plenary/13710#0563923>

¹⁴ See for example: <https://publications.parliament.uk/pa/cm5804/cmselect/cmwomeq/129/summary.html#:~:text=Report%20%5BPDF%20927KB%5D-,Summary,employment%20and%20gendered%20power%20imbalances.>

¹⁵ See for example: <https://protect-advice.org.uk/bullying-harassment-and-discrimination/>

¹⁶ See for example: <https://public-concern-at-work.s3.eu-west-1.amazonaws.com/wp-content/uploads/images/2018/12/17113822/Protect-25th-anniversary-report.pdf>

Effective protection and assistance approach

The effective assistance approach within civil society organisations' initiatives calls for an adequate implementation of public whistleblower protection policy that includes the design of gender-sensitive services at both organisational and extra-organisational levels. Beyond the formal legalistic approach and the express absence of gender-related issues in the EU Directive on Whistleblower Protection and other regulations such as the International Standard ISO 37002 "Whistleblowing management systems - Guidelines", measures to target services for the protection of women whistleblowers and other vulnerable groups are weakly addressed in national regulatory frameworks.

A Transparency International report based on a review of the legal frameworks of several EU countries states that 19 out of 20 countries surveyed do not meet the requirements of the Directive in at least one of four key areas: the rights of whistleblowers to report information directly to the authorities, to access remedies to obtain full compensation for harm suffered, and to obtain free and easily accessible counselling and sanctions for those who violate whistleblower protection. In terms of gender focus, only the Czech Republic's law incorporates an intersectional approach, mandating that organizations provide multiple internal reporting channels for both verbal and written reports. The law also requires the provision of safe whistleblowing channels that ensure accessibility by addressing factors such as language barriers, gender, illiteracy, disabilities, internet access, and the need for people to submit reports outside regular office hours. The same report highlights that only seven countries' whistleblower protection laws offer financial or legal support to cover the costs of administrative or judicial proceedings (Terracol, 2023).

Despite the fact that ISO 37002:2021 provides guidelines for mainstreaming gender and diversity approaches in whistleblowing systems, as of 2013, The ISO Survey did not report data on organizations certified under this standard. The norm emphasizes the importance of accessible policies and safe environments for whistleblowers, as highlighted in section 5.2, which stresses that policies should be adapted to the needs of age, language, and disabilities. Additionally, section 8.3.2 urges the development of strategies to prevent risks for whistleblowers, offering continuous support, especially to vulnerable people such as children, young people, migrant workers, and individuals with learning difficulties.

Research by the Civil Liberties Union for Europe (2024) points out that the need for effective and affordable legal representation for whistleblowers is a challenge that is even greater for women. This report indicates for example that the Romanian legislation on whistleblowers (Law 361/2022) states that whistleblowers shall be entitled to free legal aid to defend themselves against harassment as a result of their complaint. Similarly, the legislation states that this assistance shall be guaranteed irrespective of the material or financial situation of the complainant. Despite this, the organisation reported that in 2023 a complainant notified The Association for the Defence of Human Rights in Romania APADOR-CH that the Bacău Bar Association refused to grant him legal aid and asked him to send documents proving his financial situation. He stated that he was not the only complainant to have been refused legal aid by the Bacău Bar Association (Civil Liberties Union for Europe, 2024). Although this example is not directly linked to gender issues, it illustrates the barriers that whistleblowers regularly face in accessing essential services such as free legal assistance. These barriers are even greater for women.

The observation mission on the state of whistleblower protection in Switzerland warns that the legal aid resources available are very scarce and very few lawyers are specialised in defending whistleblowers. In other countries such as France, Ireland and Germany, direct support is provided to whistleblowers not only with some legal aid but also with other psychosocial care services (FPH and WIN, 2022).

Whistleblowing systems are usually not designed to address situations that are shaped by the imbalance that gender relations represent in terms of asymmetries of power, accessibility, affordability, safety and efficiency. This encourages discriminatory practices in the design of systems that ignore how the context and practices are overall unequal. For some types of crimes such as sextortion, the use of such systems can be deeply re-traumatizing, with ill-equipped systems failing to provide the financial, psychological or legal support that survivors of sexual abuse often need (Transparency International, 2021). It is important to recognise that just as reports of malpractice or criminal acts are wide and diverse, so too are the situations of whistleblowers, as well as the services they require for effective accompaniment.

Accordingly, several studies suggest the need to think about internal whistleblowing systems from an inclusive and gender-sensitive approach. This invites organisations to think about the mechanisms that generate advantages and limitations for both women and men (Terracol, 2022). On the other hand, the need for staff training is recognised, with the aim of appointing the most

competent people for each case, ensuring language and assertive communication based on empathy. At the same time, it underscores the need to strengthen inclusion within institutions that support whistleblowers, forge partnerships with organizations specializing in gender issues, and adopt a differentiated approach to conducting surveys and gathering information (U4 Helpdesk Answer, 2022).

Although the main patterns of transformation in inclusive reporting systems are not motivated by the current Whistleblower Protection Regulations, the enactment of the European Union Directive A9-0234/298 “On combating violence against women and domestic violence” could be a relevant point of transformation in its transposition and harmonisation processes with national regulatory systems, ensuring the prevalence of the principle of comprehensive protection. Through the coordination of policies and collaboration between collegiate bodies, it is hoped that substantial progress will be made in the provision of inclusive and equitable services.

Conclusions

The analysis in Work Package 4.2 highlights the need to raise public awareness and transform organisational culture to encourage whistleblowing within European organisations.

Existing cultural and governance structures often perpetuate opacity, cover-ups and retaliation, which discourage whistleblowing. This dynamic is particularly detrimental to women, whose capacity for agency and representation can be diminished due to patriarchal social constructs that deem them less credible as whistleblowers. Institutional reluctance to recognise and support women complainants creates a hostile environment that reinforces gender inequality and limits access to organisational support networks and specialised services. Intersectional discrimination and institutional barriers are significant challenges faced by women, especially those belonging to vulnerable groups such as ethnic minorities and people with disabilities. These women face a double disadvantage: not only are they less likely to be seen as legitimate complainants, but they also have less access to support networks and specialised services. This structural discrimination reproduces systemic barriers that affect women's confidence and experience when interacting with institutional services.

Although some regulations consider the gendered experience, this does not guarantee that existing gaps will be bridged. Formal-legalistic approaches often ignore the need for specialised protection services, resulting in less effective administrative or judicial processes for women complainants. The lack of gender mainstreaming in directives such as the EU Directive on the protection of whistleblowers significantly limits the effectiveness of these policies. Effective implementation of whistleblower protection policies requires gender-sensitive service design at both organisational and extra-organisational levels.

Civil society initiatives in Europe show incipient development in terms of gender mainstreaming in whistleblower protection systems. Only a few organisations adopt holistic approaches that consider both context and governance arrangements. These organisations stand out for developing initiatives that address the contextual and structural dynamics that perpetuate gender inequality. Strategies of visibility through anecdotes and statistical data reveal significant disparities in the accessibility and effectiveness of reporting systems

for women. These strategies are crucial to raise public awareness of the specific challenges faced by women complainants. Visibilising the experiences of women and other priority groups, through first-person accounts and media campaigns, is critical to raising awareness of the structural issues of inequality that affect these groups.

Some initiatives highlight how reporting systems can potentially address systemic problems such as gender-based violence and sextortion. By exposing these events, reporting systems can reduce the frequency and timing of such acts, although this perspective is not sufficiently developed in its causal-theoretical links beyond the anecdotal and casuistic. This approach works directly on the dimension of governance arrangements within organisations, highlighting problems in culture and values that perpetuate scenarios of inequality, violence and discrimination.

The methodology employed in this analysis, combining Qualitative Comparative Analysis (QCA) and stakeholder mapping, offers a holistic and robust assessment of the impact on contextual and governance dynamics to promote changes towards greater levels of protection, inclusion and access to key services for whistleblowers from a gender perspective. The use of QCA allows for the identification of complex and non-linear causal configurations, while stakeholder mapping provides a detailed view of the characteristics, contributions and relationships between the different actors involved in the reporting system. Despite the inherent limitations of these methodologies, their combined application offers valuable opportunities for a comprehensive and detailed analysis of initiatives and their impact on whistleblower protection from a gender and intersectional perspective.

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