



## Improving The Legal Mechanisms For Protecting Whistleblowers

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**Annotation.** This article provides a comprehensive analysis of legal mechanisms for the protection of individuals who report corruption-related offenses (whistleblowers). Based on the current legislation of the Republic of Uzbekistan, the existing legal framework is examined and compared with international practices. The study identifies key problems within the national system and proposes specific legal recommendations aimed at addressing these issues.

**Keywords:** corruption, whistleblower, legal protection, anonymity, declaration, state control, liability/accountability.

Annotatsiya. Mazkur maqolada korrupsiyaga oid huquqbuzarliklar haqida xabar beruvchi shaxslarni (whistleblowerlarni) himoya qilishning huquqiy mexanizmlari kompleks tahlil qilinadi. O'zbekiston Respublikasining amaldagi qonunchiligi asosida mavjud huquqiy baza o'rganilib, xalqaro tajriba bilan qiyosiy tahlil qilinadi. Tadqiqot natijasida milliy tizimdagi asosiy muammolar aniqlanadi hamda ularni bartaraf etishga qaratilgan aniq huquqiy takliflar ilgari suriladi.

Kalit so'zlar: korrupsiya, whistleblower, huquqiy himoya, anonimlik, deklaratsiya, davlat nazorati, javobgarlik.

**Аннотация.** В данной статье проводится комплексный анализ правовых механизмов защиты лиц, сообщающих о коррупционных правонарушениях (whistleblowers). На основе действующего законодательства Республики Узбекистан исследуется существующая правовая база, а также проводится сравнительный анализ с международным опытом. В результате исследования выявляются основные проблемы национальной системы и предлагаются конкретные правовые меры, направленные на их устранение.

**Ключевые слова:** коррупция, whistleblower (информатор), правовая защита, анонимность, декларация, государственный контроль, ответственность.

### Introduction

Corruption is a systemic issue that poses a threat to the stability of public administration systems, particularly in developing countries. It hinders economic growth, negatively affects the investment climate and erodes public confidence in government institutions. On December 26th, 2025, in his address to the Oliy Majlis, President Shavkat Mirziyoyev declared 2016 the year of extraordinary measures in the fight against corruption, describing it as a betrayal of reform and the most significant threat to the country's stability.

Under the decree issued on December 30, 2025, the government has shifted its approach to anti-corruption from a punitive model to a more preventive one. This shift has strengthened measures to manage corruption risks, unified standards, and digital platforms, as well as increased civil society engagement in anti-corruption efforts. Effective January 1, 2026, all government bodies have established compliance units and implemented internal control systems. Additionally, a designated deputy head has been appointed in each agency to oversee compliance with these measures.

From this perspective, it is clear that repressive measures alone are not sufficient in



the fight against corruption. Instead, preventive and participatory measures, most notably the establishment of a system for reporting corruption (whistleblower programs), are essential.

Whistleblowing acts as an “internal source” for detecting corruption and facilitating the exposure of secret wrongdoing. However, the absence of adequate legal protections for whistleblowers severely undermines the efficacy of this mechanism.

The aim of this paper is to examine the current legal frameworks for whistleblower protection in Uzbekistan, identify any current shortcomings, and develop scientifically informed proposals to improve these frameworks.

### **Methods**

This study is based on the following scientific methods:

1. Method of Normative-Legal Analysis: Current laws and subordinate acts of the Republic of Uzbekistan have been examined.
2. Comparative-Legal Analysis has been conducted, comparing legislative practices with those of foreign nations.
3. A systematic approach has been taken to analyze the elements of the whistleblower institution as an integrated system.
4. Logical analysis and generalization have been used to formulate conclusions, based on identifying challenges.

The research is based exclusively on the current legal and regulatory framework.

### **Results**

We will now examine the legal framework for whistleblower protection in Uzbekistan. While a fully developed whistleblowing system has not yet been established in the Republic, its individual components are reflected in several normative legal acts.

One such act is the Law “On Combatting Corruption”, which defines the basic principles of anti-corruption measures, citizens’ participation in corruption prevention, and state bodies’ obligations. While this law acknowledges citizens’ right to report corruption offenses, it lacks specific regulations on the mechanisms for their protection.

The second is the regulation “On the procedure for rewarding persons who report corruption-related offenses or otherwise contribute to the fight against corruption”, approved by Cabinet of Ministers Resolution No. 829 dated 31 December 2020. This regulation incentivizes individuals who report corruption and establishes a mechanism for rewarding them, as well as making decisions through special commissions. However, although this measure creates a system to incentivize whistleblowers, it does not fully incorporate comprehensive protection mechanisms.

The primary objectives of the regulation include engaging citizens in the detection of corruption-related offences, incentivizing whistleblowers, providing indirect protection, and enhancing public participation in anti-corruption initiatives. However, it is important to note that the regulation primarily focuses on incentivization rather than direct protection, highlighting the limitations of existing protection mechanisms.

Under the regulation, any individual who reports a corruption-related offence or assists in the fight against corruption is recognized as a whistleblower. However, the term “whistleblowing” has not been clearly defined in the regulation, either broadly or narrowly, potentially leading to inconsistent interpretations in practice.

The incentivization mechanism, which forms the basis of the primary regulatory tool, relies on monetary incentives and is a central component of the regulatory framework. The conditions for the provision of incentives require evidence of a corruption incident, initiation of criminal proceedings, or confirmation of facts, with evidence verified by relevant authorities. The amount of a single monetary incentive is determined based on predetermined criteria,



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making this model a reward-based incentive scheme.

Although the Regulation does not have a fully developed system of protection, several elements are in place. Confidentiality, which is the primary measure of protection, requires that the identity of the person making a report should not be disclosed. This is the most significant protective measure and is considered to be a minimum requirement consistent with international standards.

Reports are submitted to various government agencies, including the prosecutor's office, internal affairs agencies, and the state security service (SSS). Although this ensures formal procedural protection, it does not provide for individualized protective measures.

Significant gaps continue to exist in the regulation, specifically regarding comprehensive protection for whistleblowers. The lack of protection from retaliation means that there are no measures in place to prevent unfair dismissal, professional pressures, or harassment. Additionally, the anonymous reporting system remains underdeveloped, with guarantees of anonymity being unclear and protection mechanisms not thoroughly codified at a procedural level.

The legal status of whistleblowers also remains unsettled, as they do not have distinct statutory standing. Compensation schemes are notably restricted, with financial rewards existing, but without a clear mechanism in place for providing compensation or restitution to individuals who suffer harm due to their disclosures.

When comparing the current regulation to international standards such as the European Union's Whistleblower Protection Directive and the United States' Whistleblower Framework, it is evident that international systems offer workplace protection, legal remedies, designated anonymous channels, and oversight from independent bodies. By contrast, the current regulation emphasizes incentives rather than comprehensive protection.

This Regulation represents the first stage in the establishment of a whistleblower protection system in Uzbekistan. While it places primary emphasis on incentives, legal protection for whistleblowers remains fragmented and insufficient. As a result, this Regulation primarily serves to encourage whistleblowing rather than provide robust protection for those who engage in it. Therefore, in order to establish a fully functional protection system, a comprehensive and independent legal framework is required.

The third piece of legislation is the Law on Appeals of Individuals and Organizations. This law establishes the right to appeal, the process for handling appeals, and the prohibition of retaliation against those who file appeals. This provision serves as a broad assurance for whistleblowers.

One of the primary legal tools available to whistleblowers is the right to lodge an appeal. According to the law, everyone has the right to submit applications, complaints, or proposals to government agencies. This can be seen as the most fundamental legal avenue for exposing corruption.

This norm forms the fundamental legal foundation for the whistleblower protection system. The law serves as the essential procedural framework, ensuring a mechanism for submitting and processing complaints. However, it fails to provide dedicated protection for whistleblower complaints, treating them as generic grievances. As a result, the law functions as a "gateway" for the whistleblowing process, but it is not sufficient for a comprehensive framework of protection.

The findings from international experience indicate that the protection of individuals who report corruption-related incidents (whistleblowers) is recognized as one of the most significant components of the anti-corruption system in modern legal frameworks. International evidence also suggests that active involvement by individuals with access to



sensitive information is one of the most effective methods for detecting corruption, and as a result, developed countries and international organizations are shifting their focus away from mere incentives and placing significant emphasis on providing comprehensive legal safeguards for whistleblowers.

In particular, the EU Whistleblower Protection Directive adopts a comprehensive approach to the issue, providing clear legal protection for whistleblowers, ensuring their safety and preventing retaliation or pressure. It also offers mechanisms for compensation in the event of damage. The core principle of this model prioritizes protection, followed by incentives. Within this framework, several reporting channels have been established - internal, external, and public - allowing individuals to select the method that they feel most comfortable with. Simultaneously, high levels of anonymity and confidentiality are guaranteed, and any negative actions on the part of employers are strictly prohibited.

### **Discussion**

Currently, the system for protecting whistleblowers in Uzbekistan is characterized by a lack of coherence and is governed indirectly by various legal acts. For example, while the law on appeals of individuals and legal entities guarantees the right of citizens to lodge complaints with government agencies, the law on combating corruption provides for public participation in anti-corruption measures. Additionally, there is specific regulation in place to incentivize reporting of corruption through the establishment of a system for financial rewards.

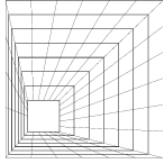
However, the current system does not clearly define the legal status of individuals who raise concerns, and their specific rights and obligations are not adequately regulated. A major shortcoming of this system is the lack of effective mechanisms to protect individuals from negative consequences, such as reprisals, demotions, or other forms of professional harassment. Additionally, the process for anonymous reporting is not well-developed, and there is a lack of mechanisms in place to provide compensation or legal support. As a result, while the current approach may include some elements of incentives, it lacks a comprehensive legal foundation.

In comparison to international practices, the Uzbek system places a greater emphasis on financial incentives for whistleblower reporting. Developed countries focus on the safety and legal protections for reporters. Therefore, there is a need for a shift from the current "incentivized model" to a more comprehensive protection model. This transition necessitates, first and foremost, the formalization of the legal status of whistleblowers and the establishment of safeguards to protect them from retribution and harassment. Additionally, it requires the creation of anonymous reporting mechanisms and the development of procedures for compensating individuals who have suffered harm as a result of their actions.

To sum up, strengthening the whistleblower protection system is an essential prerequisite for enhancing the effectiveness of anti-corruption initiatives. International experience has shown that the mere implementation of incentive measures is not sufficient. Instead, ensuring the legal security of whistleblowers must remain a top priority. Therefore, it is urgent to adopt a comprehensive approach in developing Uzbekistan's legislative framework.

### **Conclusion**

The aforementioned analysis demonstrates that the current state of the whistleblower protection system in Uzbekistan is fragmented, with certain elements in place but not yet integrated into a comprehensive and coherent legal framework. This is primarily due to the lack of regulatory and legal integration, which leads to legal ambiguity and divergent interpretations in practical implementation and undermines public confidence in the system. International comparative analysis shows that an effective whistleblower system relies on three fundamental pillars: legal certainty, institutional independence, and the presence of substantive protections. In Uzbekistan, the underdevelopment of these pillars remains one of the primary factors



hindering the effectiveness of the system.

To address these challenges, it is essential to adopt a dedicated law on whistleblower protection. This law should establish the clear legal status of whistleblowers, provide state-guaranteed safeguards, and establish corresponding liability mechanisms. In addition, it is crucial to ensure anonymity for whistleblowers by introducing strict norms that prohibit the identification of reporters. Specialized and secure information systems should also be established. Within the realm of labor law, additional measures must be taken to protect whistleblowers' employment. Mechanisms should be put in place to prevent termination of employment and mandate reinstatement for those who have blown the whistle. Furthermore, the rights of whistleblowers can be effectively protected through expanded judicial protection, accelerated judicial procedures, and the development of a system of government-funded legal aid. Refining the incentive system continues to be a key priority, and improving the transparency of this process can be accomplished by establishing criteria for determining reward amounts at the legislative level. The establishment of a unified electronic platform covering all reports, in conjunction with a monitoring and oversight system, significantly enhances the overall effectiveness of the whistleblowing institution.

In summary, the whistleblowing protection system in the Republic of Uzbekistan is currently at a formative stage of development. While there are certain legal foundations in place, they have not yet been fully developed into a unified and comprehensive system. Although the current system includes certain elements, it is essential to harmonize these elements into an operational framework. The continued development of this system is crucial to enhancing the effectiveness of anti-corruption efforts and building public trust in government institutions. The improvement of the system would also contribute to the implementation of the rule of law principles and the supremacy of the law in Uzbekistan. Thus, establishing a whistleblowing system as an independent legal entity is a top priority for the legal framework.

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