

Abstract

This thesis addresses the subject of whistleblowing. This is currently very topical in the Czech Republic, due to the recent Decree of the Government on measures regarding reporting of suspicious activities in civil service bodies as well as on-going legislative works. These works are aiming to create new law, which aspires to deal with whistleblowing in a more comprehensive manner.

The thesis also addresses existing regulations that deal with whistleblowing. The constitutional system offers some rules on which you can base the lawfulness of whistleblowing. Individual regulations can be found in labour law, criminal law, administrative law or civil law. Legislation of protection of personal data and protection of journalistic sources are also relevant.

There is still debate as to the exact definition of whistleblowing. In this thesis whistleblowing is defined as reporting harmful or unwanted conduct by internal or third parties, via a specific system of notification relevant to an entity's (in which the reporting occurs) scope. In all cases the informant should be protected from retaliatory measures. This thesis also addresses the history of experience with whistleblowing, in America up to the second half of the 18th century. Part of the thesis is also dedicated to international legislation regarding whistleblowing.

In the last part of the thesis whistleblowing is considered for use as an effective measure within corporate governance and possible future legal adjustments within Czech law are presented. The author believes that no matter how the current legislative works in the Czech Republic conclude, whistleblowing needs to be considered as a legitimate option. It has the potential to become an effective means of battle against harmful and unlawful conduct, which can have a negative impact on individuals or society as a whole.