



**2016/2224(INI)**

19.7.2017

# **AMENDMENTS**

## **1 - 85**

**Draft opinion**

**Molly Scott Cato**

(PE604.737v01-00)

Legitimate measures to protect whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies (2016/2224(INI))



**Amendment 1**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Recital A**

*Draft opinion*

A. whereas whistle-blowers played an important role in the LuxLeaks, SwissLeaks and Panama Papers revelations, thus contributing to increased reforms to combat financial and tax fraud, money laundering and corruption, which hamper economic development and the rule of law;

*Amendment*

A. whereas ***whistle-blowers play a very significant role in preventing, detecting and reporting, as well as in identifying and publishing cases of corruption; in particular*** whistle-blowers played an important role in the LuxLeaks, SwissLeaks and Panama Papers revelations, thus contributing to increased reforms to combat financial and tax fraud, money laundering and corruption, which hamper economic development and the rule of law;

Or. en

**Amendment 2**  
**Notis Marias**

**Draft opinion**  
**Recital A**

*Draft opinion*

A. whereas whistle-blowers played ***an important*** role in the LuxLeaks, SwissLeaks and Panama Papers revelations, thus contributing to increased reforms to combat financial and tax fraud, money laundering and corruption, which hamper economic development and the rule of law;

*Amendment*

A. whereas whistle-blowers played ***a decisive*** role in the LuxLeaks, SwissLeaks and Panama Papers revelations, thus contributing ***substantially*** to increased reforms to combat financial and tax fraud, money laundering and corruption, which hamper economic development and the rule of law;

Or. el

**Amendment 3**  
**Tibor Szanyi**

**Draft opinion**  
**Recital A**

*Draft opinion*

A. whereas whistle-blowers played ***an important*** role in the LuxLeaks, SwissLeaks and Panama Papers revelations, thus contributing to increased reforms to combat financial and tax fraud, money laundering and corruption, which hamper economic development and the rule of law;

*Amendment*

A. whereas whistle-blowers played ***a prominent*** role in the LuxLeaks, SwissLeaks and Panama Papers revelations, thus contributing to increased reforms to combat financial and tax fraud, money laundering and corruption, which hamper economic development and the rule of law;

Or. hu

**Amendment 4**  
**Markus Ferber**

**Draft opinion**  
**Recital A a (new)**

*Draft opinion*

*Amendment*

***Aa. whereas some Member States already have experience with central repositories for reporting actual or possible breaches of financial prudential rules;***

Or. de

**Amendment 5**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Recital A a (new)**

*Draft opinion*

*Amendment*

***Aa. whereas since the financial crisis of 2007-2009 we have seen a wave of action against international tax avoidance and evasion; whistle-blowers have played***

*an important role in sustaining this momentum;*

Or. en

**Amendment 6**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Recital A a (new)**

*Draft opinion*

*Amendment*

*Aa. whereas the European Parliament has established two special committees and one committee of inquiry following these revelations;*

Or. en

**Amendment 7**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Recital A b (new)**

*Draft opinion*

*Amendment*

*Ab. whereas the already agreed initiatives to strengthen international information exchange in tax matters have been very helpful and the various tax-related leaks have revealed large amounts of societally important information on private malpractices that would not have surfaced otherwise;*

Or. en

**Amendment 8**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Recital A c (new)**

*Draft opinion*

*Amendment*

*Ac. whereas the focus of global anti-corruption efforts have thus far been predominantly focused on public sector wrongdoings, yet recent leaks have highlighted the role of financial institutions, advisers and other private companies in facilitating corruption;*

Or. en

**Amendment 9**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Recital A d (new)**

*Draft opinion*

*Amendment*

*Ad. whereas the introduction of public beneficial ownership registries for company trusts and similar legal arrangements and other transparency measures for investment vehicles may act as a counter-deterrent against the wrongdoings that whistle-blowers typically address;*

Or. en

**Amendment 10**  
**Bernard Monot**

**Draft opinion**  
**Recital B**

*Draft opinion*

*Amendment*

B. whereas whistle-blowing is not restricted to economic and financial

B. whereas whistle-blowing is not restricted to economic and financial

matters, and persons who report or disclose information in the public interest often suffer reprisals, as do family members and colleagues, resulting for example in the loss of their careers;

matters, *and is especially important in the fields of health and the environment*, and persons who report or disclose information in the public interest often suffer reprisals, as do family members and colleagues, resulting for example in the loss of their careers;

Or. fr

## **Amendment 11** **Notis Marias**

### **Draft opinion** **Recital B**

#### *Draft opinion*

B. whereas whistle-blowing is not restricted to economic and financial matters, and persons who report or disclose information in the public interest *often* suffer reprisals, as do family members and colleagues, resulting for example in the loss of their careers;

#### *Amendment*

B. whereas whistle-blowing is *very often* not restricted to economic and financial matters, and persons who report or disclose information in the public interest suffer reprisals, as do family members and colleagues, resulting for example in the loss of their careers;

Or. el

## **Amendment 12** **Pirkko Ruohonen-Lerner** on behalf of the ECR Group

### **Draft opinion** **Recital B a (new)**

#### *Draft opinion*

#### *Amendment*

*Ba. whereas it is regrettable that the existing channels for making formal complaints about misconduct of Multinational Enterprises rarely result in any concrete punishments for wrongdoings;*

Or. en

**Amendment 13**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Recital B a (new)**

*Draft opinion*

*Amendment*

***Ba. whereas, because of the lack of protection, one might not be willing to blow the whistle to avoid the risk of reprisal and/or retaliation;***

Or. en

**Amendment 14**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Recital B a (new)**

*Draft opinion*

*Amendment*

***Ba. whereas the protection of whistle-blowers should be guaranteed by law and reinforced throughout the EU;***

Or. en

**Amendment 15**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Recital B b (new)**

*Draft opinion*

*Amendment*

***Bb. whereas protection of whistle-blowers at Union level has neither been implemented in all Member States, nor harmonised, noting that most EU Member States have ratified the UN Convention against Corruption, making it obligatory to provide appropriate and effective***



*protection to whistle-blowers;*

Or. en

**Amendment 16**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Recital B c (new)**

*Draft opinion*

*Amendment*

***Bc. whereas more than one third of organisation with a reporting mechanism do not have a clear written policy on protecting whistle-blowers, according to the OECD;***

Or. en

**Amendment 17**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Recital C**

*Draft opinion*

*Amendment*

C. whereas EU law already contains certain provisions protecting whistle-blowers against reprisals, including with regard to money laundering, but does not yet provide for horizontal legislation applying to all public and private bodies;

C. whereas EU law already contains certain provisions protecting whistle-blowers against reprisals, including with regard to money laundering, but does not yet provide for horizontal legislation applying to all public and private bodies;  
***whereas fragmented provisions might prove to be unclear and inefficient;***

Or. en

**Amendment 18**  
**Fulvio Martusciello**

**Draft opinion**

## Recital C

### *Draft opinion*

C. whereas EU law already contains certain provisions protecting whistle-blowers against reprisals, including with regard to money laundering, ***but does not yet provide for horizontal legislation applying to all public and private bodies;***

### *Amendment*

C. whereas EU law already contains certain provisions protecting whistle-blowers against reprisals, including with regard to money laundering; ***Commission is therefore asked to make thorough evaluation of possible legal basis, if any, for possible further action at EU level with this regard;***

Or. en

## Amendment 19 Nessa Childers

### Draft opinion Recital C a (new)

### *Draft opinion*

### *Amendment*

***Ca. whereas inadequate or ineffectively enforced provisions can expose whistle-blowers to reprisals with impunity, whilst failing to offer safeguards to the public interest, as the persistence of reprisals against whistle-blowers dissuades those in possession of information on wrongdoing from further reporting or disclosure and undermines faith in the applicable legal regime;***

Or. en

## Amendment 20 Pirkko Ruohonen-Lerner on behalf of the ECR Group

### Draft opinion Recital C a (new)

### *Draft opinion*

### *Amendment*

*Ca. whereas there are cultural differences across the European Union which must be respected and the establishment of whistle-blowing channels that work within these cultures and different national legal systems should be encouraged;*

Or. en

**Amendment 21**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Recital C a (new)**

*Draft opinion*

*Amendment*

*Ca. whereas the European Court of Human Rights has a well-established case law regarding whistle-blowers;*

Or. en

**Amendment 22**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Recital C b (new)**

*Draft opinion*

*Amendment*

*Cb. whereas the Charter of Fundamental Rights of the European Union ensures the freedom of expression and the right to good administration;*

Or. en

**Amendment 23**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**

**Recital C c (new)**

*Draft opinion*

*Amendment*

***Cc. whereas an effective protection of whistle-blowers would contribute to the efficiency of the internal market and reinforce the citizens' trust in the EU;***

Or. en

**Amendment 24**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Recital C d (new)**

*Draft opinion*

*Amendment*

***Cd. whereas the European Parliament called for a protection of whistle-blowers in several reports, such as the two reports "Tax rulings and other measures similar in nature or effect" and the report "Bringing transparency, coordination and convergence to corporate tax policies in the Union";***

Or. en

**Amendment 25**  
**Beatrix von Storch**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

*Amendment*

1. Calls on the ***Commission*** to present ***horizontal*** legislation to protect whistle-blowers as ***soon as possible***;

1. Calls on the ***Member States*** to present legislation to protect whistle-blowers as ***they see fit; stresses that competition between jurisdictions is the best approach to discover rules that protect whistle-blowers to the fullest extent possible***;

**Amendment 26**  
**Markus Ferber**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Calls on the Commission to ***present horizontal legislation to protect whistle-blowers as soon as possible***;

*Amendment*

1. Calls on the Commission to ***analyse the experience that has been gained in some Member States with central repositories for reporting breaches of regulatory provisions and to derive best-practice recommendations from that analysis***;

Or. de

**Amendment 27**  
**Fulvio Martusciello**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Calls on the Commission to ***present horizontal legislation to protect whistle-blowers as soon as possible***;

*Amendment*

1. Calls on the Commission to ***make thorough assessment of possible legal basis for possible further action at EU level with regards to protection of whistle blowers***;

Or. en

**Amendment 28**  
**Neena Gill**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

*Amendment*

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers as soon as possible;

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers as soon as possible *as well as to come forward with a proposal of a fund to protect whistle blowers*;

Or. en

**Amendment 29**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. *Calls on* the Commission *to present* horizontal legislation *to protect whistle-blowers as soon as possible*;

*Amendment*

1. *Urges* the Commission, *avoiding further delays, to immediately submit concrete* horizontal legislation *establishing an effective and comprehensive protection of European whistle-blowers, according to the OECD*;

Or. en

**Amendment 30**  
**Notis Marias**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. *Calls on* the Commission to present horizontal legislation to protect whistle-blowers as soon as possible;

*Amendment*

1. *Strongly urges* the Commission to present horizontal legislation to protect whistle-blowers as soon as possible;

Or. el

**Amendment 31**  
**Alfred Sant**

**Draft opinion**

## Paragraph 1

### *Draft opinion*

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers as soon as possible;

### *Amendment*

1. Calls on the Commission to present **a comprehensive** horizontal legislation to protect whistle-blowers as soon as possible, **based on internal market provisions of the EU treaties together with the flexibility clause**;

Or. en

## Amendment 32

Pervenche Berès, Olle Ludvigsson

### Draft opinion

#### Paragraph 1

### *Draft opinion*

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers as soon as possible;

### *Amendment*

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers, **covering public and private sector without any distinction**, as soon as possible, **and where necessary to adapt existing regulations to this purpose**;

Or. en

## Amendment 33

Olle Ludvigsson

### Draft opinion

#### Paragraph 1

### *Draft opinion*

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers as soon as possible;

### *Amendment*

1. Calls on the Commission to present horizontal legislation to protect whistle-blowers as soon as possible, **both in the private and public sector**;

Or. en

**Amendment 34**  
**Danuta Maria Hübner**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Calls on the Commission to present horizontal legislation to **protect** whistle-blowers as soon as possible;

*Amendment*

1. Calls on the Commission to present horizontal legislation to **ensure effective protection for** whistle-blowers **acting in the public interest** as soon as possible;

Or. en

**Amendment 35**  
**Olle Ludvigsson**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

**1a. Emphasises the unreasonable and worrying fact that citizens and journalists are being subject to prosecution rather than legal protection when disclosing information in the public interest, including suspected misconduct, wrongdoing, fraud or illegal activity, particularly when it comes to conduct violating the fundamental principles of the EU, such as tax avoidance, tax evasion and money laundering;**

Or. en

**Amendment 36**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 1 a (new)**



*Draft opinion*

*Amendment*

***1a. Calls on those Member States which have not yet adopted relevant legislation, to do so as soon as possible in order to effectively protect whistle-blowers in their domestic law; furthermore calls them to refrain from criminalising the actions of whistle-blowers in disclosing information about illegal activities or irregularities;***

Or. en

**Amendment 37**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Considers it necessary to settle a clear legal definition of “whistle-blower”;***

Or. en

**Amendment 38**  
**Nessa Childers**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Stresses that the definition of a whistle-blower needs to be broad and not restricted to certain fields, work contract status or the legal character of the acts or information reported or disclosed, and that whistle-blowers in the public and private sectors should enjoy equal protection and not be bound by any contractual obligation preventing reports or disclosures when these are in the***

*public interest, notwithstanding any necessary restrictions such as those framed by the Global Principles on National Security and the Right to Information;*

Or. en

**Amendment 39**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 1 b (new)**

*Draft opinion*

*Amendment*

*1b. Calls Member States to take into consideration the Article 33 of the UN Convention against corruption, underlining the role of whistle-blowers in the prevention and fight against corruption;*

Or. en

**Amendment 40**  
**Beatrix von Storch**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

*Amendment*

2. Points out the need to ensure that whistle-blowers are able to report *not only* illegal activities *but also* wrongdoing and any information *in* the public interest;

2. Points out the need to ensure that whistle-blowers are able to report *any* illegal activities; *stresses that reporting any other action, such as* wrongdoing *that is legal*, and any *other* information, *must not only take into account* the public interest *but also the interests of any actor involved*;

Or. en

**Amendment 41**  
**Markus Ferber**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Points out the need to ensure that whistle-blowers are able to report *not only* illegal activities *but also wrongdoing and any information in the public interest*;

*Amendment*

2. Points out the need to ensure that whistle-blowers are able to report illegal activities *only*;

Or. de

**Amendment 42**  
**Danuta Maria Hübner**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Points out the need to ensure that whistle-blowers are able to report *not only* illegal activities *but also wrongdoing and any information* in the public interest;

*Amendment*

2. Points out the need to ensure that whistle-blowers are able to report illegal activities *and harmful practices and are adequately protected in case their revelations are* in the public interest; *recalls the conclusion of its TAXE special committee according to which protection should be granted to whistle-blowers in case they report such illegal activities or harmful practices to the public after the competent authorities at national or EU level were notified and failed to take necessary action within a reasonable timeframe*;

Or. en

**Amendment 43**  
**Fulvio Martusciello**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Points out the need to ensure that whistle-blowers are able to report not only illegal activities but also wrongdoing ***and any information in*** the public interest;

*Amendment*

2. Points out the need to ensure that whistle-blowers are able to report not only illegal activities but also wrongdoing ***that represent a threat or harm to*** the public interest;

Or. en

**Amendment 44**  
**Bernard Monot**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Points out the need to ensure that whistle-blowers are able to report not only illegal activities but also ***wrongdoing and any information in the public interest;***

*Amendment*

2. Points out the need to ensure that whistle-blowers are able to report not only illegal activities, ***particularly in regard to working conditions and the dignity of the individual,*** but also ***anything that is morally wrong;***

Or. fr

**Amendment 45**  
**Olle Ludvigsson**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

***2a. Reaffirms the vital role of whistle-blowers in revealing suspected misconduct, wrongdoing, fraud or illegal activity; stresses that disclosures such as the revelations of LuxLeaks and Panama Papers are clearly in the public interest, visibly disclosing the massive scale of tax evasion, tax avoidance and money laundering;***

*Amendment*

**Amendment 46**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

**2a. Calls the EU to establish an independent EU Body, with offices in Member States which are in position to receive reports of irregularities and at the same time to take all necessary measures to protect the confidentiality of the information sources in order to prevent any discriminatory actions or threats;**

Or. en

**Amendment 47**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

**2a. Reiterates that given the often technical nature of the leaked information and barriers that officials face in their attempts to access it, inside whistle-blowers may often be the only option for bringing societally illegal activities to the public;**

Or. en

**Amendment 48**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

**2b.** *Calls for more transparency in the financial services sphere in order to discourage malpractice and allow the appropriate environment for whistle-blowing when necessary;*

Or. en

**Amendment 49**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

**2b.** *Calls for the institutions and other EU bodies to apply, without delay, the guidelines as presented by the European Ombudsman;*

Or. en

**Amendment 50**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 2 c (new)**

*Draft opinion*

*Amendment*

**2c.** *Requests from the Parliament the establishment a special unit with a reporting line as well as sufficient facilities for receiving information from whistle-blowers;*

Or. en

**Amendment 51**  
**Beatrix von Storch**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Argues that whistle-blowers should be free to report both internally, within the workplace, and externally, and should be protected ***regardless of their choice of reporting channel***;

*Amendment*

3. Argues that whistle-blowers should be free to report both internally, ***to authorised persons*** within the workplace, and externally, and should be protected ***if they respect the appropriate reporting channel***;

Or. en

**Amendment 52**  
**Markus Ferber**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Argues that whistle-blowers should ***be free to report both internally, within the workplace, and externally, and should be protected regardless of their choice of reporting channel***;

*Amendment*

3. Argues that whistle-blowers should ***report possible breaches of statutory provisions to the relevant central repositories***;

Or. de

**Amendment 53**  
**Fulvio Martusciello**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Argues that whistle-blowers should be free to report both internally, within the workplace, and ***externally***, and should be protected regardless of their choice of

*Amendment*

3. Argues that whistle-blowers should be free to report both internally, within the workplace, and ***to the authorities responsible*** and should be protected regardless of their choice of reporting

reporting channel;

channel;

Or. en

**Amendment 54**  
**Neena Gill**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Argues that whistle-blowers should be free to report both internally, within the workplace, and externally, and should be protected regardless of their choice of reporting channel;

*Amendment*

3. Argues that whistle-blowers should be free to report ***anonymously*** both internally, within the workplace, and externally, and should be protected regardless of their choice of reporting channel;

Or. en

**Amendment 55**  
**Notis Marias**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Argues that whistle-blowers should be free to ***report*** both internally, within the workplace, and externally, and should be protected regardless of their choice of reporting channel;

*Amendment*

3. Argues that whistle-blowers should be free to ***lodge a complaint*** both internally, within the workplace, and externally, and should be protected regardless of their choice of reporting channel;

Or. el

**Amendment 56**  
**Alfred Sant**

**Draft opinion**  
**Paragraph 3**



*Draft opinion*

3. Argues that whistle-blowers should be free to report both internally, within the workplace, and externally, **and** should be **protected** regardless of their choice of reporting **channel**;

*Amendment*

3. Argues that whistle-blowers should be free to report both internally, within the workplace, and externally, **since organizational and other inadequacies are often such that the available internal procedures are ineffectual or counterproductive, implying that recourse has to be sought directly outside the organisation; in both cases full protection should be extended**, regardless of their choice of reporting **channels, nor should the latter be hierarchised**;

Or. en

**Amendment 57**

**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**

**Paragraph 3 a (new)**

*Draft opinion*

**3a. Calls on public and private organisations to establish internal whistle-blowing procedures for their employees including rights and obligations and redress measures; these internal procedures should not act as a tool for prohibiting the act of information the wider public of illegal activities that severely harm the public interest;**

Or. en

**Amendment 58**

**Nessa Childers**

**Draft opinion**

**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3a.** *Stresses the importance of explicitly empowering competent authorities, regulatory and law enforcement bodies with the responsibility to maintain reporting channels, receive, handle and investigate suspected malpractice, whilst safeguarding the confidentiality of the source, where applicable, and the rights of the affected parties;*

Or. en

**Amendment 59**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3a.** *Requests that the forthcoming review of the European Supervisory Authorities (ESAs) adapt their powers and procedures to protect whistle-blowers;*

Or. en

**Amendment 60**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Paragraph 3 b (new)**

*Draft opinion*

*Amendment*

**3b.** *Believes that an independent body at EU level should provide citizens with a single reporting channel and, when justified, legal and financial advices and protections, as well as anonymity and confidentiality;*

**Amendment 61**  
**Markus Ferber**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

*Amendment*

**4. Stresses that whistle-blowers should not bear the burden of proof when it comes to demonstrating that they acted in good faith, as what matters is whether the information disclosed is in the public interest, or exposes wrongdoing and other misconduct;**

**deleted**

Or. de

**Amendment 62**  
**Danuta Maria Hübner**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

*Amendment*

**4. Stresses that whistle-blowers should not bear the burden of proof when it comes to demonstrating that they acted in good faith, as what matters is whether the information disclosed is in the public interest, or exposes wrongdoing and other misconduct;**

**deleted**

Or. en

**Amendment 63**  
**Beatrix von Storch**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Stresses that whistle-blowers should ***not*** bear the burden of proof ***when it comes to demonstrating*** that they acted in good faith, ***as what matters is whether the information disclosed is in the public interest, or exposes wrongdoing and other misconduct;***

*Amendment*

4. Stresses that whistle-blowers should bear the burden of proof ***to demonstrate*** that they acted in good faith;

Or. en

**Amendment 64**  
**Fulvio Martusciello**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Stresses ***that whistle-blowers should not bear the burden of proof*** when it comes to demonstrating that they acted in good faith, ***as what matters is whether the information disclosed is in the public interest, or exposes wrongdoing and other misconduct;***

*Amendment*

4. Stresses ***the importance for whistle-blowers to give a proof*** when it comes to demonstrating that they acted in good faith, ***disclosing the information for the purpose of protecting*** the public interest;

Or. en

**Amendment 65**  
**Bernard Monot**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Stresses that whistle-blowers should not bear the burden of proof when it comes to demonstrating that they acted in good faith, as what matters is whether the information disclosed is in the public interest, ***or*** exposes wrongdoing and other misconduct;

*Amendment*

4. Stresses that whistle-blowers should not bear the burden of proof when it comes to demonstrating that they acted in good faith, as what matters is whether the information disclosed is in the public interest ***and*** exposes wrongdoing and other misconduct;

**Amendment 66**  
**Tibor Szanyi**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Stresses that *whistle-blowers should not bear the burden of proof when it comes to demonstrating that they acted in good faith, as what matters is whether the information disclosed is in the public interest, or exposes wrongdoing and other misconduct;*

*Amendment*

4. Stresses that *it is necessary altogether to encourage whistle-blowers acting in good faith to report illegal actions, infringements and/or fraudulent activity, but that they should not be required to bear the burden of proof; decidedly places in a separate category, and condemns, however, cases of whistle-blowing in bad faith (typically based on interests and possibly also causing damage), conduct which already has consequences under the laws of the Member States;*

Or. hu

**Amendment 67**  
**Brian Hayes**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

4a. *Stresses that communication between whistle-blowers and EU institutions and agencies must be strengthened; considers that complaints from citizens must be treated fairly and with respect and there should be a regular stream of contact from the EU institution or agency dealing with the complaint to the whistle-blower with regular updates on the case;*

*Amendment*

Or. en

**Amendment 68**  
**Nessa Childers**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

**4a. Underlines that effective whistle-blower protection is essential to guarantee the right to free speech and freedom of information, and that conflicting norms governing matters of secrecy and confidentiality should be reviewed in line with European human rights jurisprudence, so as to ensure that such exceptions are necessary and proportionate;**

Or. en

**Amendment 69**  
**Beatrix von Storch**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

*Amendment*

5. Calls on the **Commission** to ensure that whistle-blowers have access to independent legal advice **and financial and psychological support**, and can claim compensation for harassment or **the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made under whistle-blower protection.**

5. Calls on the **Member States** to ensure that whistle-blowers have access to independent legal advice, and can claim compensation for harassment or **any loss if such harm is caused in retaliation for a legal disclosure.**

Or. en

**Amendment 70**  
**Fulvio Martusciello**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Calls on the **Commission** to ensure that whistle-blowers have access to independent legal advice **and financial and psychological support**, and can claim compensation for harassment or the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made under whistle-blower protection.

*Amendment*

5. Calls on the **Member State** to ensure that whistle-blowers have access to independent legal advice, and can claim compensation for harassment or the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made under whistle-blower protection. ***Calls on the Commission to see whether there are best practices present that could be shared in this sense;***

Or. en

**Amendment 71**  
**Danuta Maria Hübner**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Calls on the Commission to ensure that whistle-blowers have access to independent legal advice and financial and psychological support, and can claim compensation for harassment or the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made ***under whistle-blower protection***.

*Amendment*

5. Calls on the Commission to ensure that whistle-blowers have access to independent legal advice and financial and psychological support, and can claim compensation for harassment or the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made ***in the public interest and after an absence of response from the relevant authorities***.

Or. en

**Amendment 72**  
**Notis Marias**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Calls on the Commission to ensure that whistle-blowers have access to independent legal advice and financial and psychological support, and can claim compensation for harassment or the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made under whistle-blower protection.

*Amendment*

5. Calls on the Commission to ensure that whistle-blowers have ***unhindered*** access to independent legal advice and financial and psychological support, and can claim compensation for harassment or the loss of their current or future livelihood if said harm is caused in retaliation for a disclosure made under whistle-blower protection.

Or. el

**Amendment 73**  
**Olle Ludvigsson**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

***5a. Calls on the Commission to put forward an EU-wide legislation to protect whistle-blowers, including a selection of tools for safeguarding protection against unjustified legal prosecution, including measures to tackle economic sanctions, discrimination and job loss; suggests the creation of an independent European body responsible for collecting and analysing information while carrying out investigations, as well as a pan-European whistle-blower common fund in order to ensuring adequate financial assistance to whistle-blowers.***

Or. en

**Amendment 74**  
**Nessa Childers**

**Draft opinion**  
**Paragraph 5 a (new)**



*Draft opinion*

*Amendment*

**5a. Urges the Commission and the Member States to provide for access to confidential advice to persons who may be considering a public interest report or disclosure, and who will thus be seeking information such as that relating to the rights and responsibilities of whistle-blowers, adequate channels, and the possible consequences of their decision.**

Or. en

**Amendment 75**

**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a. Calls on the Commission to confirm the full implementation in both the Commission and EU Agencies of their own guidelines protecting whistle-blowers as per amendments to their staff regulations in 2012, thereby setting an example for all public and private bodies in the EU and beyond.**

Or. en

**Amendment 76**

**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a. Thinks that the Commission or any responsible body at EU or national level should regularly run information**

*campaign and provide multilingual and comprehensible notice on the basic procedures available to blow the whistle;*

Or. en

**Amendment 77**  
**Fulvio Martusciello**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

*5a. Calls for it to be laid down that companies which take fully verified action in retaliation against whistle-blowers may not receive monies from EU funds nor enter into contracts with public bodies.*

Or. it

**Amendment 78**  
**Jonás Fernández, Ramón Jáuregui Atondo**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

*5a. Recommends that the EU institutions lead by example by swiftly installing an internal whistle-blowing protection framework;*

Or. en

**Amendment 79**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a. Urges the Commission to provide a comprehensive Action Plan on raising awareness on whistle-blowers protection and defence;**

Or. en

**Amendment 80**  
**Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 5 b (new)**

*Draft opinion*

*Amendment*

**5b. Expresses the need to achieve a better functioning system for reporting corporate malpractices that complement and seek to improve the efficiency of the current National Contact Points for the OECD Guidelines for Multinational Enterprises;**

Or. en

**Amendment 81**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 5 b (new)**

*Draft opinion*

*Amendment*

**5b. Calls for the Commission to provide a comprehensive plan to discourage asset transfers to countries outside the EU that serve as protectors of anonymity to corrupt persons;**

Or. en

**Amendment 82**  
**Pervenche Berès, Olle Ludvigsson**

**Draft opinion**  
**Paragraph 5 b (new)**

*Draft opinion*

*Amendment*

**5b. Believes that any international agreement (trade, immigration, etc.) concluded with the EU shall include provisions on the protection of whistle-blowers;**

Or. en

**Amendment 83**  
**Jonás Fernández, Ramón Jáuregui Atondo**

**Draft opinion**  
**Paragraph 5 b (new)**

*Draft opinion*

*Amendment*

**5b. Underlines the importance of awareness-raising amongst employees and other individuals of already existing whistle-blowing legal frameworks;**

Or. en

**Amendment 84**  
**Dimitrios Papadimoulis**

**Draft opinion**  
**Paragraph 5 c (new)**

*Draft opinion*

*Amendment*

**5c. Calls on the Commission to effectively cooperate and coordinate with other institutions, including the European Public Prosecutor's Office for the protection of whistle-blowers and urges the European Anti-Fraud Office (OLAF) to produce an annual report on the**

*evaluation of the protection of whistle-blowers in the European Union;*

Or. en

**Amendment 85**  
**Pirkko Ruohonen-Lerner**

**Draft opinion**  
**Paragraph 5 c (new)**

*Draft opinion*

*Amendment*

*5c. Stresses the need for more attention to be put on business ethics in the educational curricula of business studies and related disciplines.*

Or. en