



2016/2224(INI)

27.4.2017

AMENDMENTS

1 - 99

Draft opinion

David Casa

(PE601.037v01-00)

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
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Recital A

Draft opinion

A. whereas ***the role of whistle-blowers is to help in*** deterring and preventing wrongdoing and corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability;

Amendment

A. whereas ***whistle-blowers in both the public and private sector are key actors for transparency and the rule of law by reporting, remedying,*** deterring and preventing wrongdoing and corruption, thus contributing to the promotion of ***human rights,*** the rule of law, transparency and democratic accountability ***as well as workers' rights; whereas often whistle-blowers are employees bound by a working relationship and dependent on their salary as means of living income;***

Or. en

Amendment 2
Lynn Boylan

Draft opinion
Recital A

Draft opinion

A. whereas the role of whistle-blowers is to help in deterring and preventing wrongdoing and corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability;

Amendment

A. whereas the role of whistle-blowers is to help in deterring and preventing wrongdoing, ***unethical practices*** and corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability; ***whereas whistle-blowing is one of the most important tools leading to the detection and prevention of fraud and corruption in public administration and private companies, which can lead to considerable savings of public funds, ensuring safety and even saving lives; whereas the contribution of***

whistleblowers in exposing and preventing corruption is undeniable;

Or. en

Amendment 3
Marian Harkin

Draft opinion
Recital A

Draft opinion

A. whereas *the role of whistle-blowers is to help in deterring and preventing* wrongdoing and corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability;

Amendment

A. whereas *whistle-blowers help to disclose or report acts or omissions which could harm the public interest as well as to deter future* wrongdoing and corruption, thus contributing to the promotion of the rule of law, *freedom of expression*, transparency and democratic accountability;

Or. en

Amendment 4
Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion
Recital A

Draft opinion

A. whereas the role of whistle-blowers *is* to help in deterring and preventing wrongdoing and corruption, thus contributing to the promotion of *the rule of* law, transparency and democratic accountability;

Amendment

A. whereas the role of whistle-blowers *should be* to help in deterring and preventing wrongdoing and corruption, thus contributing to the promotion of *compliance with the* law, transparency and democratic accountability;

Or. fr

Amendment 5
Evelyn Regner

Draft opinion
Recital A

Draft opinion

A. whereas ***the role of whistle-blowers is to help*** in deterring and preventing wrongdoing and corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability;

Amendment

A. whereas ***whistle-blowers play an instrumental role in exposing***, deterring and preventing wrongdoing and corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability ***within society***;

Or. de

Amendment 6
Renate Weber

Draft opinion
Recital A

Draft opinion

A. whereas the role of whistle-blowers is to help in deterring and preventing wrongdoing ***and*** corruption, thus contributing to the promotion of the rule of law, transparency and democratic accountability;

Amendment

A. whereas the role of whistle-blowers is to help in ***detecting***, deterring and preventing wrongdoing, corruption ***and cases of fraud***, thus contributing to the promotion of the rule of law, transparency and democratic accountability;

Or. en

Amendment 7
Guillaume Balas, Jutta Steinruck, Edouard Martin, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion
Recital A

Draft opinion

A. whereas the role of whistle-blowers is to help in deterring and preventing wrongdoing and corruption, thus contributing to the promotion of the rule of

Amendment

A. whereas the role of whistle-blowers is to help in deterring and preventing wrongdoing, ***such as mismanagement, fraud*** and corruption, thus contributing to

law, transparency and democratic accountability;

the promotion of the rule of law, transparency and democratic accountability;

Or. en

Amendment 8
Marian Harkin

Draft opinion
Recital B

Draft opinion

B. whereas the protection of whistleblowers has been recognised by all major international instruments concerning corruption and whistle-blowing standards have been set out by the United Nations Convention against Corruption (UNCAC), Council of Europe Recommendation CM/Rec(2014)7 and the 2009 OECD Anti-Bribery Recommendation;

Amendment

B. whereas the *importance of* protection of whistleblowers has been recognised by all major international instruments concerning corruption and whistle-blowing standards have been set out by the United Nations Convention against Corruption (UNCAC), Council of Europe Recommendation CM/Rec(2014)7 and the 2009 OECD Anti-Bribery Recommendation;

Or. en

Amendment 9
Evelyn Regner

Draft opinion
Recital C

Draft opinion

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair *or the avoidance of rules on* labour law leading *in certain cases* to precarious employment, confirm the importance of the role played by whistleblowers in defending the public interest;

Amendment

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair, *but also the many disclosures about the circumventing of* labour law *rules and codetermination standards*, leading to precarious employment, confirm the importance of the role played by whistleblowers in defending the public interest;

Amendment 10

Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion

Recital C

Draft opinion

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to precarious employment, **confirm** the **importance** of the role played by whistle-blowers in defending the public interest;

Amendment

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to precarious employment, **have highlighted** the **impact** of the role played by whistle-blowers in defending the public interest;

Or. fr

Amendment 11

Marian Harkin

Draft opinion

Recital C

Draft opinion

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to **precarious** employment, confirm the importance of the role played by whistle-blowers in defending the public interest;

Amendment

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to **illegal** employment, confirm the importance of the role played by whistle-blowers in defending the public interest;

Or. en

Amendment 12

Lynn Boylan

Draft opinion

Recital C

Draft opinion

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to precarious employment, confirm the importance of the role played by whistle-blowers in defending the public interest;

Amendment

C. whereas recent mass leaks revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to precarious employment, ***and leaks on large scale illegal mass surveillance by whistle-blower Edward Snowden, to name but a few***, confirm the importance of the role played by whistle-blowers in defending the public interest;

Or. en

Amendment 13

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion

Recital C

Draft opinion

C. whereas recent mass leaks revealing corruption, such as the Panama Papers ***affair*** or the avoidance of rules on labour law leading in certain cases to precarious employment, confirm the importance of the role played by whistle-blowers in defending the public interest;

Amendment

C. whereas recent mass leaks revealing corruption, such as the Panama Papers ***and SwissLeaks affairs***, or the avoidance of rules on labour law leading in certain cases to precarious employment, confirm the importance of the role played by whistle-blowers in defending the public interest;

Or. it

Amendment 14

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Recital C

Draft opinion

C. whereas recent mass leaks

Amendment

C. whereas recent mass leaks

revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to precarious employment, confirm the importance of the role played by whistle-blowers in defending the public interest;

revealing corruption, such as the Panama Papers affair or the avoidance of rules on labour law leading in certain cases to precarious employment, confirm the importance of the role played by whistle-blowers in defending the public interest; ***whereas there is yet no sufficient protection or recognition of whistle-blowers in Europe;***

Or. en

Amendment 15
Evelyn Regner

Draft opinion
Recital D

Draft opinion

D. whereas ***concerns have often been raised that*** whistle-blowers face hostility and exclusion at their place of work, ***rather than being viewed positively;***

Amendment

D. whereas ***some take a negative view of whistle-blower courage, as a result of which*** whistle-blowers face hostility and exclusion at their place of work ***and as such put their career and livelihood at risk in the public interest and out a sense of moral obligation;***

Or. de

Amendment 16
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Recital D

Draft opinion

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively;

Amendment

D. whereas concerns have often been raised that whistle-blowers, ***but often also their family members and colleagues,*** face hostility, ***harassment*** and exclusion at their place of work ***frequently making it extremely difficult for them to find***

another employment, rather than being viewed positively;

Or. en

Amendment 17
Marian Harkin

Draft opinion
Recital D

Draft opinion

D. whereas concerns have *often* been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively;

Amendment

D. whereas *serious* concerns have been raised that whistle-blowers *can* face hostility and exclusion at their place of work, rather than being viewed positively; *whereas fears of retaliation can result in a chilling effect on whistle-blowers thereby endangering the public interest;*

Or. en

Amendment 18
Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion
Recital D

Draft opinion

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively;

Amendment

D. whereas concerns have often been raised that whistle-blowers *could* face hostility and exclusion at their place of work, rather than being viewed positively;

Or. fr

Amendment 19
Lynn Boylan

Draft opinion
Recital D

Draft opinion

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively;

Amendment

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively; ***whereas workplaces need to cultivate a working environment within which people feel confident in raising concerns about potential failings, misconduct, or illegality; whereas fostering the right culture where people feel able to raise issues without the fear of "whistle-blower reprisal" or fear of retaliation or being disadvantaged in some way, whether within their current role or with a future employer is extremely important;***

Or. en

Amendment 20
Lynn Boylan

Draft opinion
Recital D

Draft opinion

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively;

Amendment

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively; ***whereas whistleblowing is acknowledged as one of the most, if not the most, effective way of stopping wrongdoing and illegality;***

Or. en

Amendment 21
Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion
Recital D

Draft opinion

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively;

Amendment

D. whereas concerns have often been raised that whistle-blowers face hostility and exclusion at their place of work, rather than being viewed positively, ***and are subjected not only to harassment but also to intimidation up to and including threats to their life;***

Or. it

Amendment 22

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Recital E

Draft opinion

E. whereas the objective of whistle-blowing should be the reporting of acts that represent a threat to the public interest or a breach of law;

Amendment

E. whereas the ***only*** objective of whistle-blowing ***that matters*** should be the reporting of acts that represent a threat to the public interest or a breach of law ***or any other wrongdoing or misconduct;***

Or. en

Amendment 23

Evelyn Regner

Draft opinion

Recital E

Draft opinion

E. whereas the objective of whistle-blowing should be the reporting of acts that represent a threat to the public interest or a breach of law;

Amendment

E. whereas the objective of whistle-blowing should be the reporting of acts that represent a threat to the public interest or a ***possible*** breach of law;

Or. de

Amendment 24
Marian Harkin

Draft opinion
Recital E

Draft opinion

E. whereas the objective of whistle-blowing should be the reporting of acts that represent a threat to the public interest or a breach of law;

Amendment

E. whereas the objective of whistle-blowing should be the reporting of acts ***or omissions*** that represent a threat to the public interest or a breach of law;

Or. en

Amendment 25
Lynn Boylan

Draft opinion
Recital E

Draft opinion

E. whereas the objective of whistle-blowing should be the reporting of acts that represent a threat to the public interest or a breach of law;

Amendment

E. whereas the objective of whistle-blowing should be the reporting of acts that represent a threat to the public interest or a breach of law; ***whereas whistleblowers can also make disclosures, alternatively or cumulatively, internally within the workplace, or externally, to the competent authorities, parliamentarians and oversight agencies, as well as to trade unions and employers' associations, or to the public through the media, including social media, or non-governmental organisations; whereas those who come forward as whistleblowers should not be attacked for the methods they use, rather they should be commended for coming forward;***

Or. en

Amendment 26
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Recital E a (new)

Draft opinion

Amendment

Ea. whereas whistle-blowers should not bear the burden of proof and whistle-blowers disclosing inaccurate information in honest error should still be protected;

Or. en

Amendment 27
Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion
Recital F

Draft opinion

Amendment

F. whereas some Member States already have laws that protect whistle-blowers, but others do not, which limits the protection of whistle-blowers across the EU;

deleted

Or. fr

Amendment 28
Marian Harkin

Draft opinion
Recital F

Draft opinion

Amendment

F. whereas some Member States already have laws that protect whistle-blowers, but others do not, which limits the protection of whistle-blowers across the EU;

F. whereas significant legal gaps and weaknesses in whistle-blower protection within a number of Member States results in an uneven level of protection of whistle-blowers across the EU; whereas this is

particularly significant where there are cross-border or EU-wide implications;

Or. en

Amendment 29

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Recital F

Draft opinion

F. whereas some Member States already have laws that protect whistle-blowers, but others do not, which limits the protection of whistle-blowers across the EU;

Amendment

F. whereas some Member States already have laws that protect whistle-blowers, but others do not, which limits the protection of whistle-blowers across the EU *and creates uneven protection across the Union as well as legal uncertainty;*

Or. en

Amendment 30

Renate Weber

Draft opinion

Recital F a (new)

Draft opinion

Fa. whereas the existence of a legal framework does not always guarantee proper implementation and effectiveness, therefore ensuring compliance with the existing legislation by Member States is indispensable;

Amendment

Or. en

Amendment 31

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion
Recital G

Draft opinion

G. whereas corruption is one of the most serious problems facing the world today, as it can ***hamper a state's ability to deliver inclusive economic growth in various fields***;

Amendment

G. whereas corruption is one of the most serious problems facing the world today, as it can ***result in governmental failure to protect the population, workers, the rule of law and the economy as well as a deterioration of public institutions and services, and thus lead to a loss of trust in democracy***;

Or. en

Amendment 32
Marian Harkin

Draft opinion
Recital G

Draft opinion

G. whereas corruption is ***one of the most serious problems*** facing the ***world*** today, as it can hamper ***a state's*** ability to deliver inclusive economic growth ***in various fields***;

Amendment

G. whereas corruption is ***a serious problem*** facing the ***European Union*** today, as it can hamper ***Member States'*** ability to deliver inclusive economic growth ***and competitiveness***; ***whereas corruption is estimated to cost the EU economy €120 billion annually or 1% of EU GDP^{1a}***;

^{1a} https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/corruption_en

Or. en

Amendment 33
Guillaume Balas, Edouard Martin, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion
Recital G

Draft opinion

G. whereas corruption is one of the most serious problems facing the world today, as it can hamper a state's ability to ***deliver inclusive economic growth in various fields***;

Amendment

G. whereas corruption is one of the most serious problems facing the world today, as it can hamper a state's ability to ***ensure the protection of the general interest and the promotion of the rule of law, transparency and democratic accountability***;

Or. en

Amendment 34
Robert Rochefort, Jean-Marie Cavada

Draft opinion
Recital G

Draft opinion

G. whereas corruption is ***one of the most serious problems facing the world today***, as it can hamper a state's ability to deliver inclusive economic growth in various fields;

Amendment

G. whereas corruption is ***a serious problem around*** the world, as it can hamper a state's ability to deliver inclusive economic growth in various fields;

Or. fr

Amendment 35
Evelyn Regner

Draft opinion
Recital G

Draft opinion

G. whereas corruption ***is one*** of the most serious problems facing the world today, as ***it*** can hamper a state's ability to deliver inclusive economic growth in various fields;

Amendment

G. whereas corruption ***and tax evasion, but also the circumventing of industrial safety, health, environmental and codetermination standards, constitute some*** of the most serious problems facing the world today, as ***they*** can hamper a

state's ability to deliver inclusive economic growth in various fields;

Or. de

Amendment 36
Renate Weber

Draft opinion
Recital G

Draft opinion

G. whereas corruption is one of the most serious problems facing the world today, as it can hamper a state's ability to deliver inclusive economic growth in various fields;

Amendment

G. whereas corruption is one of the most serious problems facing the world today, as it can hamper a state's ability to deliver inclusive economic growth in various fields, ***thus leading to unemployment, growing inequalities, untrustworthy investment environment and stagnant development;***

Or. en

Amendment 37
Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion
Recital G a (new)

Draft opinion

Amendment

Ga. whereas corruption is a very deep-seated problem in many Member States, and in some lies at the root of a fully-fledged informal economy;

Or. fr

Amendment 38
Laura Agea, Tiziana Beghin, Rosa D'Amato, Laura Ferrara, Marco Valli

Draft opinion
Recital G a (new)

Draft opinion

Amendment

Ga. whereas economic intelligence can be cross-border in scope and whereas whistle-blowers play a major role in bringing to light illegal acts carried out in other countries against national economic interests;

Or. fr

Amendment 39
Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion
Recital G b (new)

Draft opinion

Amendment

Gb. whereas the existence of an informal economy means that many Europeans engage in undeclared work and are therefore deprived of social security cover;

Or. fr

Amendment 40
Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion
Recital G c (new)

Draft opinion

Amendment

Gc. whereas the corruption that is at the root of undeclared work places an extremely heavy strain on European social welfare systems;

Or. fr

Amendment 41
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Paragraph -1 (new)

Draft opinion

Amendment

-1. whereas whistle-blowers are also of key importance to identify mistakes, challenges or problems within an organisation at an early stage; whereas if this practice is respected, there can be an organisational culture of learning from mistakes; whereas this has in some organisations and Member States led to support for reporting of mistakes and therefore to organisational change;

Or. en

Amendment 42
Robert Rochefort, Jean-Marie Cavada

Draft opinion
Paragraph 1

Draft opinion

Amendment

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to ***enable public scrutiny of state action;***

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to ***bring to light wrongdoing by companies or governments;***

Or. fr

Amendment 43
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1

Draft opinion

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption **and** to enable public scrutiny of state action;

Amendment

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism, **and as a deterrent** to prevent abuses and corruption **as well as an accountability mechanism** to enable public scrutiny of state action;

Or. en

Amendment 44
Lynn Boylan

Draft opinion
Paragraph 1

Draft opinion

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to enable public scrutiny of state action;

Amendment

1. ***Is of the opinion that the protection of whistleblowers is essential for the freedom of expression, the plurality of opinions, democracy and freedom;*** calls for action to change the public perception of whistle-blowers, ***particularly by politicians and the media,*** by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to enable public scrutiny of state action;

Or. en

Amendment 45
Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion
Paragraph 1

Draft opinion

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to enable public scrutiny of state action;

Amendment

1. Calls for action, ***including in school and university programmes***, to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to enable public scrutiny of state action;

Or. it

Amendment 46

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion

Paragraph 1

Draft opinion

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role ***as an early warning mechanism to*** prevent abuses and corruption and to enable public scrutiny ***of state action***;

Amendment

1. Calls for action to change the public perception of whistle-blowers by highlighting their positive role ***to detect and*** prevent abuses and corruption and to enable public scrutiny;

Or. en

Amendment 47

Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion

Paragraph 1

Draft opinion

1. ***Calls for*** action to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to enable public scrutiny of state action;

Amendment

1. ***Recommends that*** action ***should be taken*** to change the public perception of whistle-blowers by highlighting their positive role as an early warning mechanism to prevent abuses and corruption and to enable public scrutiny of

state action;

Or. fr

Amendment 48

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Welcomes the recommendation of the Council of Europe concerning the scope of a European framework for the protection of whistle-blowers which should cover all individuals working in either the public or private sectors, irrespective of the nature of their working relationship and whether they are paid or not;

Or. en

Amendment 49

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. Calls for measures to protect workers who detect and report wrongdoings in the field of unemployment;

2. Calls on the Commission to come out with a legislative proposal in order to create a horizontal protection for whistle-blowers at Union level; emphasises that alerts should not be limited to purely illegal activities but should also cover other forms of misconduct or wrongdoing;

Or. en

Amendment 50

Lynn Boylan

Draft opinion

Paragraph 2

Draft opinion

2. Calls for measures to protect workers who detect and report wrongdoings in *the field of unemployment*;

Amendment

2. *Observes that, in the case of whistle-blowers, there is no bilateral conflict between the whistle-blower and the business or authority but polygonal differences of interests, including in some cases across national borders, and that, while efforts should be made to weigh up the entitlement of businesses or authorities to have information kept secret and to expect loyalty, what is at stake is the provision of information in the public interest; reaffirms therefore the need for public and private organisations in the Member States to establish internal and external whistle-blowing procedures for employees, setting out clear confidential routes for making disclosures; considers that, in this context, the legislature should in advance provide a structure for selecting the whistle-blowing procedure, in order to guarantee comprehensive protection of freedom of expression in accordance with Article 10 of the ECHR; calls for measures to protect workers who detect and report wrongdoings in all fields, particularly against reprisals, and more so, from reprisals that may come from the police or the state;*

Or. en

Amendment 51

Guillaume Balas, Jutta Steinruck, Edouard Martin, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion

Paragraph 2

Draft opinion

2. Calls for measures to protect workers who detect and report **wrongdoings in the field of unemployment**;

Amendment

2. Calls for measures to protect workers who detect and report **cases of wrongdoing such as mismanagement, fraud and corruption; stresses the importance of ensuring the anonymity of whistle-blowers and the confidentiality of the process**;

Or. en

Amendment 52
Evelyn Regner

Draft opinion
Paragraph 2

Draft opinion

2. Calls for measures to protect workers who detect and report **wrongdoings in the field of unemployment**;

Amendment

2. Calls for measures to protect workers who detect and report **conduct in connection with labour rights, industrial safety standards and codetermination standards that, in good faith, they view as an abuse or wrongdoing**;

Or. de

Amendment 53
Marian Harkin

Draft opinion
Paragraph 2

Draft opinion

2. Calls for measures to protect **workers** who detect and report wrongdoings in the **field of unemployment**;

Amendment

2. Calls for **effective** measures to protect **whistle-blowers** who detect and report wrongdoings in the **workplace specifically protection from dismissal or other work-related unfair treatment, retaliation and criminal and civil liability**;

Amendment 54

Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion

Paragraph 2

Draft opinion

2. ***Calls for*** measures to protect workers who detect and report wrongdoings ***in the field of unemployment;***

Amendment

2. ***Recommends that preventive*** measures ***should be taken under labour law*** to protect workers who detect and report wrongdoings, ***which run counter to the best interests of society;***

Or. fr

Amendment 55

Robert Rochefort, Jean-Marie Cavada

Draft opinion

Paragraph 2

Draft opinion

2. Calls for measures to protect workers who detect and report wrongdoings ***in the field of unemployment;***

Amendment

2. Calls for measures to protect workers who detect and report wrongdoings;

Or. fr

Amendment 56

Renate Weber

Draft opinion

Paragraph 2

Draft opinion

2. Calls for measures to protect workers who detect and report

Amendment

2. Calls for measures to protect workers who detect and report

wrongdoings in the field of unemployment;

wrongdoings in the field of unemployment,
including the right to confidentiality;

Or. en

Amendment 57

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. Believes that Articles 151 and 153 (2) (b) TFEU provide a clear basis for EU legislative action to empower employees to report wrongdoing in a framework of legal certainty, to establish common minimum levels of protection for workers throughout the Union and to help to protect and defend the public interest in the EU and beyond, while also leaving a degree of freedom to the Member States to adapt this protection to their domestic legal systems whilst affording higher levels of protections should they wish;

Or. en

Amendment 58

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. Urges the introduction of effective arrangements for protecting anyone who reports wrongdoing at the workplace, such as harassment, job blackmail, illegal recruitment and dismissal practices, pay discrimination and any other form of law-breaking;

Amendment 59

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion

Paragraph 2 b (new)

Draft opinion

Amendment

2b. Calls for measures to protect workers to include arrangements for safeguarding people's anonymity and the confidentiality of information, where appropriate by means of encryption, and penalties for anyone failing to meet their obligations in this area;

Or. it

Amendment 60

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 3

Draft opinion

Amendment

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening *effect* this has on those who may come across wrongdoing;

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening, ***threatening and long-term psychologically devastating effects*** this has on those who may come across wrongdoing; ***highlights therefore that the definition of "whistle-blower" should be applied to as many different types of workers as possible, including current and former employees as well as trainees, apprentices and others;***

Or. en

Amendment 61

Guillaume Balas, Jutta Steinruck, Edouard Martin, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion

Paragraph 3

Draft opinion

3. Points to the dangers of excluding ***whistle-blowing workers*** from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Amendment

3. Points to the dangers of excluding ***whistle-blowers*** from career progression and of retaliation by colleagues ***and management*** at their workplace, and the dampening effect this has on those who may come across wrongdoing; ***considers that perpetrators of retaliation shall be subject to a regime of professional sanctions and civil penalties;***

Or. en

Amendment 62

Robert Rochefort, Jean-Marie Cavada

Draft opinion

Paragraph 3

Draft opinion

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Amendment

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, ***in addition to that of losing their jobs***, and the dampening effect this has on those who may come across wrongdoing;

Or. fr

Amendment 63

Evelyn Regner

**Draft opinion
Paragraph 3**

Draft opinion

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Amendment

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing, ***stopping them, in the process, from reporting infringements;***

Or. de

**Amendment 64
Marian Harkin**

**Draft opinion
Paragraph 3**

Draft opinion

3. Points to the ***dangers*** of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Amendment

3. Points to the ***danger to the public interest*** of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Or. en

**Amendment 65
Lynn Boylan**

**Draft opinion
Paragraph 3**

Draft opinion

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening

Amendment

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening

effect this has on those who may come across wrongdoing;

effect this has on those who may come across wrongdoing; ***highlights that whistleblowers act at high personal and professional risk and usually pay a personal and professional cost for it; states that personal data of the whistleblowers should never be published; is therefore of the opinion that measures for the alleviation of those costs and adequate compensation have to be established; states that a new workplace has to be found in order to avoid a deterioration of their living conditions and falling into precariousness; notes that mentally and psychological help must be secured; notes that in court cases the legal fees of the whistleblowers should be reimbursed;***

Or. en

Amendment 66

Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion Paragraph 3

Draft opinion

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Amendment

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace ***even though the whistle-blowers acted in the public interest***, and the dampening effect this has on those who may come across wrongdoing;

Or. fr

Amendment 67

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion Paragraph 3

Draft opinion

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing;

Amendment

3. Points to the dangers of excluding whistle-blowing workers from career progression and of retaliation by colleagues at their workplace, and the dampening effect this has on those who may come across wrongdoing, ***and calls for everything possible to be done to put an end to behaviour of this kind;***

Or. it

Amendment 68

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3a. Urges the Member States to pass legislation encouraging people to report illegal acts and wrongdoing by establishing an awards system including arrangements for paying whistle-blowers a percentage of any sums recovered by the public or private organisation involved;

Or. it

Amendment 69

Terry Reintke

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 4

Draft opinion

Amendment

4. Recalls the importance of devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of

4. Recalls the importance of devising instruments to ***sanction and*** ban any form of ***harassment or*** retaliation, whether this be active dismissal or passive measures

promotion;

such as the blocking of promotion; *points out that the employer must demonstrate that any measures taken against a whistle-blower are completely unrelated to the information revealed; reminds that any action taken against colleagues or family members as a result of the disclosure of information should also be prohibited and sanctioned;*

Or. en

Amendment 70
Renate Weber

Draft opinion
Paragraph 4

Draft opinion

4. Recalls the importance of devising instruments to ban any form of retaliation, *whether this be active dismissal or passive measures such as the blocking of promotion;*

Amendment

4. Recalls the importance of devising instruments to ban any form of retaliation, *such as active dismissal, suspension, demotion, loss of promotion opportunities, punitive transfers and reductions in or deductions of wages, blacklisting, harassment or other punitive or discriminatory treatment;*

Or. en

Amendment 71
Marian Harkin

Draft opinion
Paragraph 4

Draft opinion

4. Recalls the importance of devising instruments to ban any form of retaliation, *whether this be active dismissal or passive measures such as the blocking of promotion;*

Amendment

4. Recalls the importance of devising instruments to ban any form of retaliation, *in the form of harassment, dismissal or other punitive or discriminatory treatment;*

Amendment 72

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion

Paragraph 4

Draft opinion

4. *Recalls* the importance *of* devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion;

Amendment

4. *Stresses* the importance *to set up* devising instruments *at the European level* to ban any form of retaliation, whether this be active dismissal, *discrimination at the workplace such as retributive transfers, reduced prerogatives or working hours, loss of benefits*, or passive measures such as *the threat of such actions or* the blocking of promotion;

Or. en

Amendment 73

Joëlle Mélin, Dominique Martin, Mara Bizzotto

Draft opinion

Paragraph 4

Draft opinion

4. Recalls the importance of devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion;

Amendment

4. Recalls the importance of devising *legal* instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion;

Or. fr

Amendment 74

Lynn Boylan

Draft opinion
Paragraph 4

Draft opinion

4. Recalls the importance of devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion;

Amendment

4. Recalls the importance of devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion; ***notes the importance of also ensuring protection for whistleblowers within police forces who may come under extreme pressure and harassment if they come forward with allegations of wrongdoing and illegality;***

Or. en

Amendment 75

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion
Paragraph 4

Draft opinion

4. Recalls the importance of devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion;

Amendment

4. Recalls the importance of devising instruments to ban any form of retaliation, whether this be active dismissal or passive measures such as the blocking of promotion, ***and of taking action through the courts wherever this is necessary;***

Or. it

Amendment 76

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Stresses that whistle-blowers and

their family members whose lives or safety are in jeopardy must be entitled to receive effective and adequate protection;

Or. en

Amendment 77

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion

Paragraph 4 b (new)

Draft opinion

Amendment

4b. Considers that the burden of proof should lie with the employer who must clearly demonstrate that any measures taken against an employee were in no sense connected with a whistle-blower's disclosure;

Or. en

Amendment 78

Lynn Boylan

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Urges employers and the authorities to act on the information reported to them after this has been thoroughly verified, and to address the shortcomings identified;

5. Takes note that the Commission, in its EU Anti-Corruption report, stated that EU Member States have in place most of the necessary anti-corruption legal instruments and institutions, however, the results they deliver are not satisfactory across the EU and their capacity and efficiency should be improved; calls, therefore, on the Member States to enforce anti-corruption rules and, at the same time, to properly implement European and international standards and guidelines concerning

whistle-blowers' protection in their national laws; insists that whistle-blowers play an essential role in helping Member States and EU institutions and bodies to deter and prevent any breaches of the principle of integrity and misuse of power that threaten public health and safety, financial integrity, human rights, the environment and the rule of law at European and national levels, and undermine the trust of citizens in democratic institutions and processes; notes that whistle-blowers often disclose scandals affecting several Member States; stresses therefore that existing cultural differences do not detract from the need for legal protection of whistle-blowers in Member States;

Or. en

Amendment 79

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion Paragraph 5

Draft opinion

5. Urges employers and the authorities to act on the information reported to them after this has been thoroughly verified, and to address the shortcomings identified;

Amendment

5. Urges employers and the authorities to *swiftly* act on the information reported to them after this has been thoroughly verified, and to address the shortcomings identified; *considers that the European framework should encourage reporting or disclosure by individuals for public interest reporting and disclosures; highlights the necessity to ensure:*

- *the establishment of appropriate internal reporting procedures in cooperation with workers' representatives ensuring anonymity and confidentiality;*
- *the reporting to relevant public regulatory bodies, law enforcement agencies and supervisory bodies;*

– *the disclosure of information of public interest to the public, for example to a journalist or an elected representative;*

Or. en

Amendment 80
Lynn Boylan

Draft opinion
Paragraph 5

Draft opinion

5. Urges employers and the authorities to act on the information reported to them after this has been *thoroughly* verified, and to *address the shortcomings identified*;

Amendment

5. Urges employers and the authorities to act on the information reported to them after this has been verified, and to *inform all necessary people and agencies of any illegality or wrongdoing as a matter of urgency*;

Or. en

Amendment 81
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 5

Draft opinion

5. Urges employers and the authorities to act on the information reported to them *after this has been* thoroughly verified, and to *address* the shortcomings identified;

Amendment

5. Urges employers and the authorities to act on the information reported to them *including by ensuring that it is* thoroughly verified, and *by swiftly addressing* the shortcomings identified; *emphasises that whistle-blowers should not bear the burden of proof*;

Or. en

Amendment 82
Marian Harkin

Draft opinion
Paragraph 5

Draft opinion

5. Urges employers and the authorities to act on the information reported to them after this has been thoroughly verified, and to address the shortcomings identified;

Amendment

5. Urges employers and the authorities to ***put in place effective channels for reporting and disclosing wrongdoing and to*** act on the information reported to them after this has been thoroughly verified, and to address the shortcomings identified;

Or. en

Amendment 83
Evelyn Regner

Draft opinion
Paragraph 5

Draft opinion

5. Urges employers and the authorities to act on the information reported to them after this has been thoroughly verified, and to address the shortcomings identified;

Amendment

(Does not affect the English version.)

Or. de

Amendment 84
Guillaume Balas, Edouard Martin, Miapetra Kumpula-Natri

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Points out that the European Ombudsman could serve as the European supervisory body and contact point for whistle-blowers;

Amendment 85

Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

**Draft opinion
Paragraph 6**

Draft opinion

6. Recalls that proper legislation is needed; **encourages Member States to develop** legislative instruments **that** protect **those who report justified and proven breaches of conduct to public authorities;**

Amendment

6. Recalls that proper **European** legislation is needed; **urges the Commission to propose** legislative instruments **ensuring effective measures to** protect **whistle-blowers acting in the public interest when disclosing confidential information of companies and public bodies;**

Amendment 86

Terry Reintke
on behalf of the Verts/ALE Group

**Draft opinion
Paragraph 6**

Draft opinion

6. Recalls that proper legislation is needed; encourages **Member States** to develop legislative **instruments that** protect those who report **justified and proven breaches of conduct** to public authorities;

Amendment

6. Recalls that proper **Union** legislation is needed; encourages **the Commission** to develop **a** legislative **instrument to** protect those who report **breaches of conduct or any other wrongdoing** to public authorities;

Amendment 87

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that proper legislation is needed; encourages Member States to develop legislative instruments that protect those who report justified and proven breaches of conduct to public authorities;

Amendment

6. Recalls that proper **and effective** legislation is needed; encourages Member States to develop legislative instruments that protect those who report justified and proven breaches of conduct to public authorities;

Or. it

Amendment 88
Marian Harkin

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that proper legislation is needed; encourages Member States to develop legislative instruments that protect those who report **justified and proven breaches of conduct to** public authorities;

Amendment

6. Recalls that proper legislation is needed; encourages Member States to develop legislative instruments that protect those who report **verified wrongdoing within organisations or** public authorities;

Or. en

Amendment 89
Lynn Boylan

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that proper legislation is needed; encourages Member States to develop legislative instruments that protect those who report justified and proven breaches of conduct to public authorities;

Amendment

6. Recalls that proper legislation is needed; encourages Member States to develop legislative instruments that protect those who report justified and proven breaches of conduct to public authorities; **further believes that EU institutions should serve as a model with regard to**

whistleblowing policy; calls on the EU institutions to implement or improve internal mechanisms in order to protect potential whistle-blowers from inside their organisation;

Or. en

Amendment 90
Evelyn Regner

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Calls on the Commission to develop instruments focusing on providing protection against unjustified legal prosecutions, economic sanctions and discrimination, and calls in this connection for a general fund to be set up, financed in part from monies recovered or proceeds from fines, to give appropriate financial support to whistle-blowers in the EU whose livelihood is put at risk as a result of disclosures of relevant facts;

Or. de

Amendment 91
Robert Rochefort, Jean-Marie Cavada

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Believes that thought should be given to taking legislative action at EU level in order to afford whistle-blowers the necessary legal certainty and protection throughout the Union; calls accordingly on the Commission to continue to look for an appropriate legal basis;

Amendment 92

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli, Laura Ferrara

Draft opinion

Paragraph 6 a (new)

Draft opinion

Amendment

6a. Stresses the importance of urging Member States to implement rules protecting whistle-blowers in both the public and the private sectors;

Or. it

Amendment 93

Evelyn Regner

Draft opinion

Paragraph 7

Draft opinion

Amendment

7. Recalls that any future normative framework should take into account the rules, rights and duties that govern and impact on employment; further emphasises that this should be done ***in consultation with*** social partners and in compliance with collective bargaining agreements;

7. Recalls that any future normative framework should take into account the rules, rights and duties that govern and impact on employment; further emphasises that this should be done ***with the involvement of*** social partners and in compliance with collective bargaining agreements;

Or. de

Amendment 94

Lynn Boylan

Draft opinion

Paragraph 7

Draft opinion

Amendment

7. Recalls that any future normative

7. Recalls that any future normative

framework should take into account the rules, rights and duties that govern and impact on employment; further emphasises that this should be done in consultation with social partners and in compliance with collective bargaining agreements;

framework should take into account the rules, rights and duties that govern and impact on employment; further emphasises that this should be done in consultation with social partners and in compliance with collective bargaining agreements;
encourages those Member States that have not yet adopted legislation on whistleblowing to do so in the foreseeable future and calls on the Commission to consider creating a platform for Member States to exchange best practices in this area between, and also including third countries;

Or. en

Amendment 95
Lynn Boylan

Draft opinion
Paragraph 8

Draft opinion

8. Recalls that in the event of false accusations, *those* responsible should be held accountable.

Amendment

8. *Recalls that whistle-blowing is linked to freedom of the press and is essential in bringing to light illegal activities or activities which harm the public interest; stresses that whistle-blowers are an important source of information for investigative journalists, and calls on the Member States to ensure that the right of journalists and identity of whistleblowers should be protected effectively and legally in instances when allegations are proven true; stresses that journalists, in case that they themselves are the source, should be also be protected and that authorities in both cases should refrain from using surveillance; recalls that in the event of false allegations or accusations, journalists and whistleblowers responsible for the dissemination of such falsehoods should be held accountable.*

Amendment 96
Robert Rochefort, Jean-Marie Cavada

Draft opinion
Paragraph 8

Draft opinion

8. ***Recalls*** that in the event of false accusations, those responsible should be held accountable.

Amendment

8. ***Stresses the importance of establishing a clear definition of ‘whistle-blower’ that includes the stipulation that there must be no ulterior motive behind disclosures; recalls*** that in the event of false accusations, those responsible should be held accountable.

Or. fr

Amendment 97
Guillaume Balas, Jutta Steinruck, Edouard Martin, Evelyn Regner, Miapetra Kumpula-Natri, Marita Ulvskog

Draft opinion
Paragraph 8

Draft opinion

8. ***Recalls*** that in the event of false ***accusations***, those responsible should be held accountable.

Amendment

8. ***Suggests*** that in the event of ***accusations which are deliberately false and were made in bad faith***, those responsible should be held accountable.

Or. en

Amendment 98
Terry Reintke
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 8

Draft opinion

8. Recalls that in the event of false accusations, those responsible should be held accountable.

Amendment

8. Recalls that in the event of false accusations, those responsible should be held accountable; ***emphasises, however, that whistle-blowers disclosing inaccurate information in honest error should still be protected.***

Or. en

Amendment 99

Laura Agea, Tiziana Beghin, Rosa D'Amato, Laura Ferrara, Marco Valli

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. Urges the relevant authorities to lay down a best-efforts obligation in connection with arrangements for receiving and dealing with reports that are put in place by both employers and the authorities themselves.

Or. fr