



2016/2224(INI)

26.7.2017

AMENDMENTS

1 - 221

Draft report
Virginie Rozière
(PE606.289v01-00)

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
Virginie Rozière

Motion for a resolution
Citation 2 a (new)

Motion for a resolution

Amendment

– *having regard to the European Convention on Human Rights, in particular Article 10 thereof,*

Or. fr

Amendment 2
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Citation 3

Motion for a resolution

Amendment

— having regard to Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure,

— having regard to Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure, *in particular recitals 19 and 20 thereof,*

Or. fr

Amendment 3
Virginie Rozière

Motion for a resolution
Citation 3 a (new)

Motion for a resolution

Amendment

– *having regard to Directive (EU) 2013/30 of the European Parliament and of the Council of 12 June 2013 on safety*

*of offshore oil and gas operations and
amending Directive 2004/35/EC,*

Or. fr

Amendment 4
Virginie Rozière

Motion for a resolution
Citation 3 b (new)

Motion for a resolution

Amendment

– *having regard to Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC,*

Or. fr

Amendment 5
Virginie Rozière

Motion for a resolution
Citation 3 c (new)

Motion for a resolution

Amendment

– *having regard to Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC,*

Amendment 6
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Citation 6 a (new)

Motion for a resolution

Amendment

- *having regard to its resolution of 14 February 2017 on the role of whistleblowers in the protection of EU's financial interests (2016/2055(INI)),*

Or. fr

Amendment 7
Kostas Chrysogonos

Motion for a resolution
Citation 6 a (new)

Motion for a resolution

Amendment

- *having regard on the resolution 1729 (2010) of the Parliamentary Assembly of the Council of Europe on the protection of whistle-blowers,*

Or. en

Amendment 8
Kostas Chrysogonos

Motion for a resolution
Citation 6 b (new)

Motion for a resolution

Amendment

- *having regard on the resolution 2060 (2015) of the Parliamentary Assembly of the Council of Europe on*

*improving the protection of whistle-
blowers,*

Or. en

Amendment 9
Kostas Chrysogonos

Motion for a resolution
Citation 6 c (new)

Motion for a resolution

Amendment

– *having regard to its resolution of
16 December 2015 with recommendations
to the Commission on bringing
transparency, coordination and
convergence to corporate tax policies in
the Union (2015/2010(INL)),*

Or. en

Amendment 10
Kostas Chrysogonos

Motion for a resolution
Citation 12

Motion for a resolution

Amendment

— having regard to the
Recommendation CM/Rec(2014)7 of 30
April 2014 of the Committee of Ministers
of the Council of Europe on the protection
of whistleblowers,

– having regard to the
Recommendation CM/Rec(2014)7 of 30
April 2014 of the Committee of Ministers
of the Council of Europe on the protection
of whistleblowers, *as well to its relevant
brief guide for implementing a national
framework of January 2015,*

Or. en

Amendment 11
Virginie Rozière

Motion for a resolution
Citation 12 a (new)

Motion for a resolution

Amendment

- ***having regard to Resolution 2171 (2017) of the Parliamentary Assembly of the Council of Europe of 27 June 2017 calling on the national parliaments to recognise the 'right to blow the whistle',***

Or. fr

Amendment 12
Kostas Chrysogonos

Motion for a resolution
Citation 15 a (new)

Motion for a resolution

Amendment

- ***having regard to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions,***

Or. en

Amendment 13
Kostas Chrysogonos

Motion for a resolution
Citation 15 b (new)

Motion for a resolution

Amendment

- ***having regard to the report of the Committee on Budgetary Control on the role of whistle-blowers in the protection of EU's financial interests (2016/2055(INI)),***

Or. en

Amendment 14
Daniel Buda

Motion for a resolution
Recital A

Motion for a resolution

A. whereas the EU set itself the objective of upholding democracy and the rule of law and thus guarantees its citizens freedom of expression;

Amendment

A. whereas the EU set itself the objective of upholding democracy and the rule of law and thus guarantees ***compliance with and the application of the rights and freedoms enshrined in the EU Charter of Fundamental Rights, in particular*** its citizens' freedom of expression;

Or. ro

Amendment 15
Evelyn Regner

Motion for a resolution
Recital A

Motion for a resolution

A. whereas the EU set itself the objective of upholding democracy and the rule of law and thus guarantees its citizens freedom of expression;

Amendment

A. whereas the EU set itself the objective of upholding democracy and the rule of law and thus guarantees its citizens freedom of expression, ***whereas whistleblowing is a fundamental aspect of the freedom of expression;***

Or. en

Amendment 16
Daniel Buda

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas the European Union is helping to consolidate international cooperation in the fight against corruption, in full compliance with the principles of international law, human rights and the rule of law, as well as the sovereignty of each country;

Or. ro

Amendment 17
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas under Article 67(2) TFEU the European Union is competent to deal with matters relating to the European common asylum policy;

Or. fr

Amendment 18
Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. Whereas Article 352 TFEU confers to the Union the possibility to act beyond its explicit powers, within the framework of the policies defined in the Treaties, if its action proves necessary to attain one of the objectives set out in Treaties themselves;

Or. en

Amendment 19
Kostas Chrysogonos

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

Ba. *whereas reporting by whistle-blowers of information that could threaten or harm the public interest is done on the basis of their freedom of expression and information, both enshrined in the EU Chapter of Fundamental Rights, and with a strong sense of responsibility and civic morality;*

Or. en

Amendment 20
Kostas Chrysogonos

Motion for a resolution
Recital C

Motion for a resolution

Amendment

C. whereas *whistleblowers* play an important role in reporting unlawful or improper conduct which undermines the public interest;

C. whereas *whistle-blowers* play an important role in reporting unlawful or improper conduct which undermines *or endangers* the public interest; *whereas by doing so they help significant Member States and EU institutions and bodies to prevent and tackle, among others, any breaches of the principle integrity and misuse of power that threaten or violate public health and safety, financial integrity, the economy, human rights, the environment or the rule of law, the raise of unemployment, restrict or distort fair competition and undermine the trust of citizens in democratic institutions and processes at EU law and national levels;*

Or. en

Amendment 21

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Recital C

Motion for a resolution

C. whereas whistleblowers play an important role in reporting unlawful or improper conduct which undermines the public interest;

Amendment

C. whereas whistleblowers play an important role in reporting unlawful or improper conduct which undermines the public interest; ***whereas whistleblowers are persons who draw the attention of their employers, public and private administrative authorities, judicial authorities and third parties to such unlawful or improper conduct which they have discovered in the performance of their duties and which they have an obligation to disclose on the grounds that the conduct in question is prejudicial to the public interest;***

Or. fr

Amendment 22

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Recital C

Motion for a resolution

C. whereas ***whistleblowers play an important role in reporting unlawful or improper*** conduct which undermines the public interest;

Amendment

C. whereas ***a whistleblower is a person who, by means of a courageous and civic-minded act, informs in good faith the persons or authorities which can put a stop to or punish it of*** conduct which ***is illegal or*** which undermines the public interest;

Or. fr

Amendment 23
Evelyn Regner

Motion for a resolution
Recital C

Motion for a resolution

C. whereas whistleblowers play an important role in reporting unlawful or improper conduct which undermines the public interest;

Amendment

C. whereas whistleblowers play an important role in reporting unlawful or improper conduct which undermines the public interest ***and the functioning of our societies***;

Or. en

Amendment 24
Julia Reda, Heidi Hautala, Pascal Durand, Max Andersson

Motion for a resolution
Recital C

Motion for a resolution

C. whereas whistleblowers play an important role in reporting unlawful or improper conduct ***which undermines*** the public interest;

Amendment

C. whereas whistleblowers play an important role in reporting unlawful or improper conduct ***and exposing information in*** the public interest;

Or. en

Amendment 25
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas, however, the concept of the public interest recognised under EU law must not take precedence over respect for privacy or give rise to breaches of the right to protection of personal data, unless the law makes provision for such a step

and provided that the essential nature of these rights is upheld and any action taken is consistent with the proportionality principle;

Or. fr

Amendment 26
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Recital D

Motion for a resolution

D. whereas a number of publicised whistleblowing cases have shown that whistleblowing brings serious wrongdoing to the attention of the public and of political authorities; whereas *such* wrongdoings have therefore been subject to corrective measures;

Amendment

D. whereas a number of publicised whistleblowing cases have shown that whistleblowing brings serious wrongdoing *in the private and public sectors* to the attention of the public and of political authorities; whereas *some of these* wrongdoings have therefore been subject to corrective measures;

Or. fr

Amendment 27
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Recital D

Motion for a resolution

D. whereas *a number of publicised whistleblowing cases have shown that whistleblowing brings serious wrongdoing to the attention of the public and of political authorities; whereas such wrongdoings have therefore been subject to corrective measures;*

Amendment

D. whereas, *however, the scope of the legal provisions on whistleblowers should not cover matters relating to national security, medical secrecy or lawyer-client confidentiality;*

Or. fr

Amendment 28

Julia Reda, Max Andersson, Pascal Durand, Heidi Hautala

Motion for a resolution

Recital D

Motion for a resolution

D. whereas a number of publicised whistleblowing cases have shown that whistleblowing brings *serious wrongdoing* to the attention of the public and of political authorities; whereas such *wrongdoings have* therefore been subject to corrective measures;

Amendment

D. whereas a number of publicised whistleblowing cases have shown that whistleblowing brings *information of public interest such as unlawful or improper conduct* to the attention of the public and of political authorities; whereas such *conduct has* therefore been subject to corrective measures;

Or. en

Amendment 29

Kostas Chrysogonos

Motion for a resolution

Recital D a (new)

Motion for a resolution

Amendment

Da. whereas the safeguarding of confidentiality contributes to the creation of more effective channels for reporting fraud, corruption or other infringements, and whereas given the sensitivity of the information mismanagement of confidentiality may lead to undesired information leaks and a violation of the public interest of the Union and the Member States;

Or. en

Amendment 30

Daniel Buda

Motion for a resolution

Recital E

Motion for a resolution

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, the environment, consumer protection, combating corruption and upholding social rights;

Amendment

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, the environment, consumer protection, combating corruption, ***conflicts of interest and offences involving forgery or abuse of position, combating preferential and discriminatory treatment*** and upholding social rights;

Or. ro

Amendment 31

Kostas Chrysogonos

Motion for a resolution

Recital E

Motion for a resolution

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, the environment, consumer protection, combating corruption and upholding social rights;

Amendment

E. whereas whistleblowing, ***based on the principles of transparency and integrity***, has proved useful in a number of areas, such as public health, taxation, the environment, consumer protection, combating corruption and upholding social rights ***in the public and private sector***;

Or. en

Amendment 32

Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution

Recital E

Motion for a resolution

E. whereas whistleblowing has proved

Amendment

E. whereas whistleblowing has proved

useful in a number of areas, such as public health, taxation, the environment, consumer protection, combating corruption and upholding social rights;

useful in a number of areas, ***both in private and public sector***, such as public health, taxation, the environment, consumer protection, combating corruption and upholding social rights;

Or. en

Amendment 33

Virginie Rozière, Sergio Gaetano Cofferati, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution

Recital E

Motion for a resolution

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, ***the*** environment, consumer protection, combating corruption and upholding social rights;

Amendment

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, environment ***protection***, consumer protection, combating corruption and upholding social rights;

Or. en

Amendment 34

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Recital E

Motion for a resolution

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, the environment, consumer protection, combating corruption and ***upholding social rights***;

Amendment

E. whereas whistleblowing has proved useful in a number of areas, such as public health, taxation, the environment, consumer protection ***and*** combating corruption and ***breaches of labour law***;

Or. fr

Amendment 35

Jean-Marie Cavada

Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

Ea. whereas such cases must be clearly defined, in the light of the duties performed by whistleblowers, the seriousness of the facts reported or the nature of the dangers revealed;

Or. fr

Amendment 36
Jean-Marie Cavada

Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

Eb. whereas it is essential that the line between whistleblowing and informing should not be crossed; whereas it is not a matter of knowing everything about everyone, but rather of identifying instances of a failure to address threats to democracy;

Or. fr

Amendment 37
Julia Reda, Max Andersson, Pascal Durand, Heidi Hautala

Motion for a resolution
Recital F

Motion for a resolution

Amendment

F. whereas, in a number of cases, whistleblowers are subject to retaliatory action, intimidation and pressure with the intention of preventing or deterring them

F. whereas, in a number of cases, whistleblowers are subject to retaliatory action, intimidation and pressure with the intention of preventing or deterring them

from whistleblowing or punishing them for having done so;

from whistleblowing or punishing them for having done so, *whereas such pressure is particularly often exercised in the workplace where whistleblowers who have discovered information in the public interest in the context their working relationship may find themselves in a weaker position vis-à-vis employers;*

Or. en

Amendment 38
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas whistleblower protection mechanisms need to be balanced and adequate safeguards should be put in place in order to prevent malicious or abusive reporting, to ensure that no undue harm is caused to the other parties' interests and to guarantee that the legal rights of the persons against whom the reports are made are fully respected and their identity is protected throughout the investigation and judicial procedures;

Or. en

Amendment 39
Kostas Chrysogonos

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas the protection of whistleblowers should be guaranteed by law and reinforced throughout the EU, provided

that the purpose of their action is to protect the public interest by acting in good faith and on reasonable grounds in accordance with the CFREU and the jurisprudence of the European Court of Human Rights;

Or. en

Amendment 40

Jean-Marie Cavada, Robert Rochefort, Virginie Rozière

Motion for a resolution

Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas investigative journalism and the independent press remain vulnerable in the context of the disclosure of sensitive information, and whereas members of these professions must enjoy the same protection as the whistleblowers they protect in the name of the confidentiality of their sources;

Or. fr

Amendment 41

Kostas Chrysogonos

Motion for a resolution

Recital F b (new)

Motion for a resolution

Amendment

Fb. whereas it is essential to ensure that any kind of retaliation against whistle-blowers will be suitably punished;

Or. en

Amendment 42
Kostas Chrysogonos

Motion for a resolution
Recital F c (new)

Motion for a resolution

Amendment

Fc. whereas the protection of whistleblowers in the EU has become even more urgent and essential, as for instance the Trade Secrets Directive limits their rights and may thus have a discouraging effect on those who want to report irregularities in crucial areas, which may affect negatively public interests;

Or. en

Amendment 43
Daniel Buda

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. whereas the protection of whistleblowers is not guaranteed in **a number of** Member States, while many others have introduced advanced programmes to **protect them**; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity in cross-border scenarios;

G. whereas the protection of whistleblowers is not guaranteed in **some** Member States, while many others have introduced advanced programmes to **provide them with comprehensive or at least substantial protection; whereas most Member States have provisions scattered across different laws, which creates uncertainty, and consequently whistleblowers may face a series of potential problems**; whereas the result of that is **a** fragmented **level of** protection of whistleblowers in Europe, which makes it difficult for them to find out **and enforce** their rights and **identify** how to whistleblow, and creates legal insecurity in cross-border scenarios;

Or. ro

Amendment 44

Julia Reda, Max Andersson, Pascal Durand, Heidi Hautala

Motion for a resolution

Recital G

Motion for a resolution

G. whereas the protection of whistleblowers is not guaranteed in a number of Member States, while many others have introduced advanced programmes **to protect them**; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity in cross-border scenarios;

Amendment

G. whereas the protection of whistleblowers is not guaranteed in a number of Member States, while many others have introduced advanced programmes **that offer different degrees of protection**; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity in cross-border scenarios;

Or. en

Amendment 45

Kostas Chrysogonos

Motion for a resolution

Recital G

Motion for a resolution

G. whereas the protection of whistleblowers is not guaranteed in a number of Member States, while many others have introduced advanced programmes to protect them; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity in cross-border scenarios;

Amendment

G. whereas the protection of whistleblowers is not guaranteed in a number of Member States, while many others have introduced advanced programmes to protect them; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity, **especially** in cross-border scenarios;

Or. en

Amendment 46
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Recital G

Motion for a resolution

G. whereas ***the protection of whistleblowers is not guaranteed in a number of Member States***, while many others have introduced advanced programmes to protect them; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity in cross-border scenarios;

Amendment

G. whereas ***a number of Member States do not have laws which offer whistleblowers appropriate protection***, while many others have introduced advanced programmes to protect them; whereas the result of that is fragmented protection of whistleblowers in Europe, which makes it difficult for them to find out their rights and how to whistleblow, and creates legal insecurity in cross-border scenarios;

Or. fr

Amendment 47
Daniel Buda

Motion for a resolution
Recital G a (new)

Motion for a resolution

Ga. whereas in some Member States there is a generalised lack of resolve with regard to adopting and implementing legislation to protect the rights of whistleblowers, even though there is an obligation to identify and punish corruption, fraud and other offences;

Amendment

Or. ro

Amendment 48
Kostas Chrysogonos

Motion for a resolution
Recital G a (new)

Motion for a resolution

Amendment

Ga. whereas the office of the European Ombudsman has a clear competence in relation to the investigation of complaints of EU citizens about maladministration in the EU institutions, but in itself plays no role in the protection of whistle-blowers;

Or. en

Amendment 49
Daniel Buda

Motion for a resolution
Recital G b (new)

Motion for a resolution

Amendment

Gb. whereas there is a need for a careful assessment of the necessity and legal feasibility of drawing up and consolidating a balanced European legal framework for the protection of whistleblowers, which could provide the necessary stimulus for the EU Member States to implement corresponding legislation;

Or. ro

Amendment 50
Kostas Chrysogonos

Motion for a resolution
Recital G b (new)

Motion for a resolution

Amendment

Gb. whereas in many jurisdictions, and particularly in the private sector,

employees are subject to duties of confidentiality with respect to certain information, with the possible consequence that whistle-blowers might encounter disciplinary actions for reporting outside of their working relationship;

Or. en

Amendment 51
Daniel Buda

Motion for a resolution
Recital G c (new)

Motion for a resolution

Amendment

Gc. whereas there should be a single balanced, uniform and comprehensive legal framework to protect whistleblowers, which should include both the public and private sector, in order to create a bridge overcoming the current divide regarding policies and existing practices in relation to people reporting the conduct concerned in businesses and in state institutions;

Or. ro

Amendment 52
Kostas Chrysogonos

Motion for a resolution
Recital G c (new)

Motion for a resolution

Amendment

Gc. whereas according to a study of OECD more than one third of organisations with reporting mechanism do not have or do not know of a written policy on protecting whistle-blowers from reprisals;

Amendment 53
Kostas Chrysogonos

Motion for a resolution
Recital H

Motion for a resolution

H. whereas the Commission has not proposed suitable legislative measures to protect *whistleblowers* in the EU effectively;

Amendment

H. whereas the Commission has not proposed suitable legislative measures to protect *whistle-blowers* in the EU effectively; *whereas, however, the Commission stated, for instance, in its communication of 5 July 2016, that the protection of whistle-blowers, in both the public and private sectors, helps to address mismanagement and irregularities, including cross-border corruption, which deprives European tax authorities of legitimate tax revenue;*

Amendment 54
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Recital H

Motion for a resolution

H. whereas *the Commission has not proposed suitable legislative measures to protect whistleblowers in the EU effectively;*

Amendment

H. whereas *EU law already contains rules protecting whistleblowers from certain forms of retaliation in different areas, ranging from audit and money laundering to trade secrets, safety of offshore oil and gas operations, market abuse, capital requirements and other instruments regulating financial services;*

Amendment 55

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Recital H

Motion for a resolution

H. whereas the Commission has not proposed suitable legislative measures to protect whistleblowers in the EU effectively;

Amendment

H. whereas the Commission has not proposed suitable legislative measures to protect whistleblowers in the EU effectively, *in particular in cases involving a Member State*;

Or. fr

Amendment 56

Daniel Buda

Motion for a resolution

Recital H

Motion for a resolution

H. whereas the Commission has not proposed suitable legislative measures to *protect* whistleblowers in the EU *effectively*;

Amendment

H. whereas the Commission has not proposed suitable legislative measures to *strengthen protection for* whistleblowers *and their rights* in the EU *in an effective and uniform manner*;

Or. ro

Amendment 57

Kostas Chrysogonos

Motion for a resolution

Recital H a (new)

Motion for a resolution

Amendment

Ha. whereas all EU institutions have been obliged since 1 January 2014 to introduce internal rules protecting

whistle-blowers, who are officials of EU institutions, in accordance with articles 22a, 22b and 22c of the Staff Regulations;

Or. en

Amendment 58
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Recital H a (new)

Motion for a resolution

Amendment

Ha. whereas the Commission has launched a public consultation on whistleblower protection to assess the scope for horizontal or further sectorial action at EU level, while respecting the principle of subsidiarity

Or. en

Amendment 59
Kostas Chrysogonos

Motion for a resolution
Recital H b (new)

Motion for a resolution

Amendment

Hb. whereas protection of whistle-blowers at Member States level has neither been implemented in all Member States, nor harmonised, it may be risky for whistle-blowers to provide institutions such as the European Parliament with information on irregularities; as they are afraid of what might happen to them owing to the lack of protection;

Or. en

Amendment 60

Julia Reda, Max Andersson, Pascal Durand, Heidi Hautala

Motion for a resolution

Recital I

Motion for a resolution

I. whereas Parliament has repeatedly called for the protection of whistleblowers in the EU;

Amendment

I. whereas Parliament has repeatedly called for the **horizontal** protection of whistleblowers in the EU;

Or. en

Amendment 61

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Recital I a (new)

Motion for a resolution

Amendment

Ia. whereas any third-country national recognised as a whistleblower by the European Union or one of its Member States must be entitled to all the relevant protection measures if, whether in the course of his or her duties or otherwise, he or she has come into the possession of and disclosed information about illegal conduct or acts of espionage, committed either by a third country or by a domestic or multinational company, which are prejudicial to a State, a nation or Union citizens and jeopardise, without their knowledge, the integrity of a government, national security or collective or individual freedoms;

Or. fr

Amendment 62

Kostas Chrysogonos

Motion for a resolution

Recital J a (new)

Motion for a resolution

Amendment

Ja. whereas it is vital for a horizontal, comprehensive framework to be established as a matter of urgency, which by laying down rights and obligations, protects effectively whistle-blowers throughout the Member States of the EU, as well as in the EU institutions, authorities and organisations;

Or. en

Amendment 63

Kostas Chrysogonos

Motion for a resolution

Paragraph –1 (new)

Motion for a resolution

Amendment

-1. Calls on the Commission to study and promote best practices employed in protecting whistle-blowers around the world and, on the basis, to take a holistic approach to the task of introducing a common regulatory framework which guarantees a high level of protection across the board in both the public and private sectors;

Or. en

Amendment 64

Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Calls on the Commission to present a horizontal legislative proposal with *a view to effectively protecting* whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Amendment

1. Calls on the Commission to present a horizontal legislative proposal with *an holistic approach to the task of introducing a common regulatory framework which guarantees a high level of protection across the board in both the public and private sectors for* whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism; *calls on the Commission to consider the doctrine elaborated by the CJEU, through long-standing case-law, about the concept of implied competences of the Union;*

Or. en

Amendment 65
Kostas Chrysogonos

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Calls on the Commission to present a horizontal legislative proposal with a view *to effectively protecting whistleblowers* in the *EU before the end of this year*; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Amendment

1. Calls on the Commission to present *before the end of this year* a horizontal legislative proposal *establishing an effective and comprehensive whistleblower protection programme, which should also include such mechanisms for companies, public bodies, national and European institutions, and non-profit organisations, with a view affording effective and equivalent protection in the Member States and in the EU institutions, bodies, offices and agencies*; stresses that there are at present a number of possibilities for legal bases enabling the

EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Or. en

Amendment 66
Daniel Buda

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Calls on the Commission to present a horizontal legislative proposal with a view to effectively protecting whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Amendment

1. Calls on the Commission to present a horizontal legislative proposal with a view to effectively protecting whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a ***balanced***, coherent and effective mechanism ***that will guarantee, at EU level, uniform protection for the rights of whistleblowers in both the public and private sector;***

Or. ro

Amendment 67
Jytte Guteland

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Calls on the Commission to present a horizontal legislative proposal with a view to effectively protecting whistleblowers in the EU before the end of

Amendment

1. Calls on the Commission to present a horizontal legislative proposal, ***with respect for existing national legislations and without limiting the possibility for***

this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Member States to take further measures, with a view to effectively protecting whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Or. en

Amendment 68

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Calls on the Commission to present a horizontal legislative proposal with a view to effectively protecting whistleblowers in the EU ***before the end of this year***; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Amendment

1. Calls on the Commission, ***after assessing the options available***, to present a horizontal legislative proposal, ***which should ideally be horizontal***, with a view to effectively protecting whistleblowers in the EU ***as soon as possible***; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Or. fr

Amendment 69

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. Calls on the Commission to **present a horizontal legislative proposal** with a view to effectively protecting whistleblowers in the EU before the end of this year; **stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;**

1. Calls on the Commission to **assess on an appropriate legal basis enabling EU to take further action** with a view to effectively protecting whistleblowers **acting in the public interest** in the EU, before the end of this year; **in this regard, calls on the Commission to assess whether and to what extent the protection of whistleblowers can be considered indispensable for the effective implementation of the competences of the EU;**

Or. en

Amendment 70

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Calls on the Commission to present a horizontal legislative proposal with a view to effectively protecting whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a coherent and effective mechanism;

Amendment

1. Calls on the Commission to present a horizontal legislative proposal with a view to effectively protecting whistleblowers in the EU before the end of this year; stresses that there are at present a number of possibilities for legal bases enabling the EU to take action on the matter; calls on the Commission to consider all those possibilities with the aim of proposing a **broad** coherent and effective mechanism;

Or. en

Amendment 71

Kostas Chrysogonos

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. *Highlights the need for legal certainty regarding the protective provisions afforded to whistle-blowers, as a continued lack of clarity and a fragmented approach deters potential whistle-blowers from coming forward; points out therefore that relevant EU legislation should establish a clear procedure for properly handling disclosures and effectively protecting whistle-blowers;*

Or. en

Amendment 72

Virginie Rozière, Sergio Gaetano Cofferati, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. *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;*

Or. en

Amendment 73

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. *Notes that the theory of implied*

powers allows the European Commission to propose legislation on a combination of multiple legal bases, considers that this approach could further the goal of horizontal protection of whistleblowers;

Or. en

Amendment 74

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 1 b (new)

Motion for a resolution

Amendment

Ib. Notes the high number of whistleblowing cases in workplace context, considers that next to the protection of the public interest and the rule of law, the protection of workers is an important goal of horizontal whistleblower legislation, which could be reflected in the legal basis of the future Commission proposal; considers however that whistleblowers should also be protected in cases that fall outside employer-employee relationships, including the self-employed, entrepreneurs, freelancers, consultants, temporary workers, interns, lawyers, board members, volunteers or people involved in an ongoing recruitment process;

Or. en

Amendment 75

Kostas Chrysogonos

Motion for a resolution

Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. Stresses that protection of whistle-blowers should be harmonised at EU level; suggests that a clear horizontal EU legal framework providing effective protection of whistle-blowers in the public and private sectors and properly complemented, where needed, by sectorial rules would be the most efficient approach in order to ensure comprehensive and genuine protection of whistleblowers; highlights that this framework should include, among others, concrete definitions, effective protection measures against any forms of reprisals, and exemptions from criminal and civil proceedings, according to criteria to be established;

Or. en

Amendment 76
Kostas Chrysogonos

Motion for a resolution
Paragraph 1 c (new)

Motion for a resolution

Amendment

1c. Is of the opinion that any measures taken for the protection of whistle-blowers should be tailored to fit national contexts, as implementing an identical protection mechanism in all Member States may result in dysfunctional behaviour and needless costs; stresses, however, that existing cultural differences should not detract from the need for effective legal protection of whistle-blowers;

Or. en

Amendment 77
Kostas Chrysogonos

Motion for a resolution
Paragraph 1 d (new)

Motion for a resolution

Amendment

1d. Regrets that the Commission has so far failed to submit any legislative proposals aimed at establishing at least a minimum level of protection for whistle-blowers;

Or. en

Amendment 78
Kostas Chrysogonos

Motion for a resolution
Paragraph 1 e (new)

Motion for a resolution

Amendment

1e. Deplores that only a few Member States have introduced sufficiently advanced whistle-blower protection systems; calls on those Member States which have not yet adopted such systems or relevant principles in national law, to do so as soon as possible;

Or. en

Amendment 79
Kostas Chrysogonos

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Takes 'whistleblower' to mean anybody who reports on or reveals information on an unlawful or wrongful act

2. Takes 'whistleblower' to mean anybody who ***in good faith and on reasonable grounds*** reports on or reveals

or an act which undermines the public interest, in the context of *his or her* working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

information on an unlawful or wrongful act or an act which undermines *or endangers* the public interest, *usually but not only* in the context of *her or his* working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities; *this includes also individuals who are outside the traditional employee-employer relationship, such as consultants, contractors, trainees/interns, volunteers, student workers, temporary workers and former employees; this should also include any individual who has evidence of such acts in the public or private sector without being necessary to have witnessed such acts first hand;*

Or. en

Amendment 80

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information *on* an unlawful or wrongful act *or an act which undermines* the public interest, in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information *in the public interest, including the European public interest, such as* an unlawful or wrongful act *which is or may be prejudicial to the public interest or information whose publication appears necessary in order to protect* the public interest, *irrespective of how the person concerned obtained the information in question; emphasises that this should include, but not be confined to, reporting* in the context of his or her *present or past* working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment 81
Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information on an unlawful or wrongful act or an act which undermines the public interest, in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information on an unlawful or wrongful act or an act which undermines the public interest, in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities; ***this includes individuals who are outside the traditional employee-employer relationship, such as consultants, contractors, trainees/interns, volunteers, student workers, temporary workers and former employees;***

Or. en

Amendment 82
Daniel Buda

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information on an unlawful or wrongful act or an act which undermines the public interest, in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment

2. Takes ‘whistleblower’ to mean anybody who, ***in good faith***, reports on or reveals information on an unlawful or wrongful act or an act which undermines the public interest, in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment 83
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information on an unlawful or wrongful act **or an act** which undermines the public interest, in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment

2. Takes ‘whistleblower’ to mean anybody who reports on or reveals information on an unlawful or wrongful act, **a serious threat or instance of damage** which undermines the public interest **and which has come to his or her attention** in the context of his or her working relationship, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Or. fr

Amendment 84
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Paragraph 2

Motion for a resolution

2. **Takes ‘whistleblower’** to mean anybody who reports on or reveals information on an unlawful or wrongful act **or an act which undermines** the public interest, in the context of his or her **working** relationship, be it in the public or private sector, **of a contractual relationship, or of his or her trade union or association activities;**

Amendment

2. **Takes ‘whistleblower’** to mean anybody who reports on or reveals information on an unlawful or wrongful act **which represents a threat or harm to** the public interest, in the context of his or her **work-based** relationship, be it in the public or private sector;

Or. en

Amendment 85

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Takes ‘whistleblower’ to mean anybody who reports ***on or reveals information on an unlawful or wrongful act or an act which undermines the public interest, in the context of his or her working relationship***, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Amendment

2. Takes ‘whistleblower’ to mean anybody who, ***in a courageous and civic-minded gesture***, reports ***in good faith to the authorities which can put a stop to it or punish it an unlawful act or an act prejudicial to the public interest***, be it in the public or private sector, of a contractual relationship, or of his or her trade union or association activities;

Or. fr

Amendment 86

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. considers that individuals who are outside the traditional employee-employer relationship, such as consultant, contractors, trainees, volunteers, students workers, temporary workers, former employees as well as citizens should also be given access to reporting channels and appropriate protection when they reveal information on an unlawful or wrongful act or an act which undermines the public interest;

Or. en

Amendment 87

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. Takes the view that the definition of whistleblower should reassert the principles of ethical conduct, good faith, disinterest and freedom;

Or. fr

Amendment 88

Kostas Chrysogonos

Motion for a resolution

Paragraph 3

Motion for a resolution

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security **and** privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, **criminal offences, breaches of legal obligation, miscarriages of justice, abuse of authority**, unlawful use of public funds, **misuse of powers**, threats to the environment, health, public safety, **the rule of law**, national **and global** security, **as well as** privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights; **and acts to cover up any of these breaches;**

Or. en

Amendment 89

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, ***unlawful use*** of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights ***and*** attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, ***mismanagement*** of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on ***consumers' and*** workers' rights and other social rights, ***abuses of power***, attacks on human rights ***and fundamental freedoms and any act intended to conceal a breach of the public interest***;

Or. fr

Amendment 90

Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, ***criminal offences, breaches of legal obligation, miscarriages of justice, abuse of authority***, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights, ***and acts to cover up any of these breaches***;

Or. en

Amendment 91

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, ***criminal offences, breaches of legal obligation, miscarriage of justice, abuse of authority***, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights ***and acts to cover up any of these breaches***;

Or. en

Amendment 92
Daniel Buda

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, ***in particular illicit financial flows and the inequitable allocation of public resources***, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

Or. ro

Amendment 93

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other *social rights* and attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other *breaches of labour law* and attacks on human rights;

Or. fr

Amendment 94

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, *conflicts of interest*, unlawful use of public funds, threats to the environment, health, public safety, *national security* and privacy and personal data protection, tax avoidance, *attacks on* workers' rights and other social rights and attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes, but is not limited to, acts of corruption, unlawful use of public funds, threats to the environment, *public* health, public safety and privacy and personal data protection, tax avoidance, *serious violation of* workers' rights and other social rights and attacks on human rights;

Or. en

Amendment 95

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Considers that a breach of the public interest includes, ***but is not limited to***, acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

Amendment

3. Considers that a breach of the public interest includes acts of corruption, conflicts of interest, unlawful use of public funds, threats to the environment, health, public safety, national security and privacy and personal data protection, tax avoidance, attacks on workers' rights and other social rights and attacks on human rights;

Or. fr

Amendment 96

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Makes it clear, however, that the concept of the public interest recognised under EU law must not take precedence over respect for privacy or give rise to breaches of the right to protection of personal data, unless the law makes provision for such a step and provided that the essential nature of these rights is upheld and any action taken is consistent with the proportionality principle;

Or. fr

Amendment 97

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Takes the view that special rules should apply to information relating to national security, defence, intelligence, public order or international relations of the State and that proper consideration should be given to the need to ensure consistency with the existing rules for the protection of legal and other professional privilege;

Or. en

Amendment 98

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Emphasises that it must be possible to disclose information concerning the acts referred to in the previous paragraph even if the confidential nature of that information is safeguarded by a legal provision;

Or. fr

Amendment 99

Sergio Gaetano Cofferati

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Takes the view that the public interest must take precedence over private interests and the economic significance of the information disclosed;

Or. it

Amendment 100
Sergio Gaetano Cofferati

Motion for a resolution
Paragraph 3 b (new)

Motion for a resolution

Amendment

3b. Stresses that whistle-blowers must always be guaranteed effective protection, even if the disclosures do not concern unlawful acts, if the information is made available with the aim of ensuring that the public interest is not undermined;

Or. it

Amendment 101
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Paragraph 3 b (new)

Motion for a resolution

Amendment

3b. Takes the view that the scope of the legal provisions on whistleblowers should not cover matters relating to national security, medical secrecy or lawyer-client confidentiality;

Or. fr

Amendment 102
Kostas Chrysogonos

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Stresses that the role of whistleblowers in revealing serious attacks

4. **Highlights that whistle-blowing is linked to freedom of the press and is**

on the public interest has proved its significance on many occasions over a number of years and that *whistleblowers* have proved to be a crucial resource for investigative journalism and for an independent press;

essential in bringing to light illegal activities or activities which evidently harm or threaten the public interest; stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that *whistle-blowers* have proved to be a crucial resource for investigative journalism and for an independent press; *calls on the Member States to ensure that the right of journalists not to reveal a source's identity is effectively protected and that authorities or individuals refrain from using surveillance in order to ascertain their sources;*

Or. en

Amendment 103

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that whistleblowers have proved to be a crucial resource for investigative journalism and for an independent press;

Amendment

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that *whistleblowing must be recognised as a mechanism which has a vital role to play in preventing unlawful acts; stresses, further, that* whistleblowers have proved to be a crucial resource for investigative journalism and for an independent press;

Or. fr

Amendment 104

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that whistleblowers have proved to be a crucial resource for investigative journalism and for an independent press;

Amendment

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that whistleblowers have proved to be a crucial resource for investigative journalism and for an independent press; ***points out that guaranteeing the confidentiality of sources is fundamental to freedom of the press;***

Or. fr

Amendment 105

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that whistleblowers have proved to be a crucial resource for investigative journalism and for an independent press;

Amendment

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years and that whistleblowers ***contribute to democracy, transparency of politics and economy, public information and*** have proved to be a crucial resource for investigative journalism and for an independent press;

Or. en

Amendment 106

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years *and that whistleblowers have proved to be a crucial resource for investigative journalism and for an independent press*;

Amendment

4. Stresses that the role of whistleblowers in revealing serious attacks on the public interest has proved its significance on many occasions over a number of years;

Or. en

Amendment 107
Jean-Marie Cavada, Virginie Rozière, Robert Rochefort

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

4a. Stresses that whistleblowers are proving to be a crucial resource for investigative journalism and for an independent press; emphasises that for this reason members of these professions are vulnerable in the context of the disclosure of sensitive information and must therefore enjoy the same protection as the whistleblowers they protect in the name of the confidentiality of their sources;

Amendment

Or. fr

Amendment 108
Kostas Chrysogonos

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Notes with concern that **whistleblowers** continue to be subject to civil and criminal proceedings in a number of Member States, while the existing means to defend, support and protect them are absent or ineffective; notes that, in addition, the disparities between Member States lead to legal insecurity and the risk of unequal treatment;

Amendment

5. Notes with concern that **whistle-blowers** continue to be subject to civil and criminal proceedings in a number of Member States, while the existing means to defend, support and protect them are absent or ineffective; notes that, in addition, the disparities between Member States lead to legal insecurity and the risk of unequal treatment; ***underlines that especially whistle-blowers, who serve in crucial areas for public interests, e.g. military, police, judicial, intelligence, bank staff, are often prosecuted particularly acutely; they should therefore enjoy sufficient and appropriate protection;***

Or. en

Amendment 109

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Notes with concern that whistleblowers continue to be subject to civil and criminal proceedings in a number of Member States, **while** the existing means to defend, support and protect them are absent or ineffective; notes **that**, in addition, **the** disparities between Member States lead to legal insecurity and the risk of unequal treatment;

Amendment

5. ***Welcomes the fact that several Member States in recent years have taken steps to strengthen whistleblowers' rights;*** notes, **however**, with concern that whistleblowers continue to be subject to civil and criminal proceedings in a number of Member States, **where** the existing means to defend, support and protect them are absent, **limited** or ineffective; notes, in addition, **that such** disparities between Member States **may** lead to legal insecurity and the risk of unequal treatment;

Or. en

Amendment 110

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 5

Motion for a resolution

5. *Notes with concern* that whistleblowers continue to be subject to civil and criminal proceedings in a number of Member States, while the existing means to defend, support and protect them are absent or ineffective; notes that, in addition, the disparities between Member States lead to legal insecurity and the risk of unequal treatment;

Amendment

5. *Deplores the fact* that whistleblowers continue to be subject to civil and criminal proceedings in a number of Member States, while the existing means to defend, support and protect them are absent, *insufficient* or ineffective; notes that, in addition, the disparities between Member States lead to legal insecurity, *forum shopping by companies involved in unethical practices* and the risk of unequal treatment;

Or. en

Amendment 111

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 6

Motion for a resolution

6. *States that the protection of whistleblowers is essential for the proper application of the competences of the EU;*

Amendment

deleted

Or. fr

Amendment 112

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 6

Motion for a resolution

6. *States that the protection of whistleblowers is essential for the proper*

Amendment

deleted

application of the competences of the EU;

Or. en

Amendment 113
Daniel Buda

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Stresses that offering protection for whistleblowers should be done in a balanced way proportionate to the facts about which the whistleblower is disclosing information; takes the view that, in order to avoid slanderous accusations, this protection should be offered on the basis of convincing, relevant and conclusive evidence and should not give rise to unfair or disproportionate consequences for the institution, organisation or company concerned;

Or. ro

Amendment 114
Jean-Marie Cavada, Robert Rochefort, Virginie Rozière

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Emphasises that protecting whistleblowers is essential if instances of serious wrongdoing are to be brought to the attention of the authorities and the general public; emphasises, further, that the role of whistleblowers must be recognised and the relevant rules harmonised at European level, in order to

deter reprisals against them;

Or. fr

Amendment 115
Kostas Chrysogonos

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Encourages the Member States to promote the positive role that *whistleblowers* play, in particular through awareness-raising campaigns;

Amendment

7. *Considers that the implementation of comprehensive legal regulations on the protection of whistle-blowers encourages a speak-up culture and that whistle-blowers should be promoted as an act of good citizenship; urges therefore the Member States and the EU institutions to promote the positive role that whistle-blowers play, as well the serious concerns regarding their often vulnerable and defenceless position, in particular through awareness-raising and protection campaigns, communication and training efforts; recommends, particularly the Commission, to provide a comprehensive plan on this issue; calls in this context for a website to be launched where useful information on the protection of whistle-blowers should be provided, as well as complaints can be submitted; stresses that this website should be easily accessible to the public and should keep their data anonymous;*

Or. en

Amendment 116
Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Encourages the Member States to promote the positive role that whistleblowers play, in particular through awareness-raising campaigns;

Amendment

7. Encourages the Member States to promote the positive role that whistleblowers play, in particular through awareness-raising campaigns ***and even providing a reward for cases of tax losses, fiscal damage and damage to the public image;***

Or. en

Amendment 117
Kostas Chrysogonos

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Notes that wide consultation can be an important step in a public awareness campaign to tackle negative perceptions of whistleblowers; suggests therefore that such perceptions should be tackled by providing strong protection for voluntary, open and confidential disclosures, by legally recognising and protecting a plurality of channels for disclosing information in private and public domain, by focusing also on information that prevents harm and is in the public interest, rather than solely on reports of individual misconduct;

Or. en

Amendment 118
Daniel Buda

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Highlights the importance of research and the exchange of best practices to encourage better protection for whistleblowers at European level;

Or. ro

Amendment 119
Kostas Chrysogonos

Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Recommends the establishment of a special unit with a reporting line as well as dedicated facilities (e.g. relevant hotlines, helplines, websites, contact points) within European Parliament and within each national Parliament of the Member States for receiving relevant information from whistle-blowers, which will also provide them with advice and help in protecting them against any possible retaliatory;

Or. en

Amendment 120
Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; ***stresses that the absence of clearly identified means of reporting*** causes a

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting ***and the failure to follow up reports; stresses that this*** causes a number of

number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the guilty person or party in their organisation;

whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the guilty person or party in their organisation;

Or. fr

Amendment 121

Jean-Marie Cavada, Robert Rochefort, Virginie Rozière

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; stresses that the absence of clearly identified means of reporting causes a number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the guilty person or party in their organisation;

Amendment

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of **protection, which may deter potential whistle-blowers from** reporting **what they know**; stresses that the absence of clearly identified means of reporting causes a number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the guilty person or party in their organisation;

Or. fr

Amendment 122

Kostas Chrysogonos

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; stresses that the absence of clearly identified means of reporting causes a

Amendment

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified **and safe** means of reporting; stresses that the absence of clearly identified **and safe** means of

number of *whistleblowers* to remain silent; expresses its concern about the retaliation and pressures which *whistleblowers* face when they address the guilty person or party in their organisation;

reporting causes a number of *whistleblowers* to remain silent; expresses its concern about the retaliation and pressures which *whistleblowers* face when they address the guilty person or party in their organisation;

Or. en

Amendment 123

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; stresses that the absence of clearly identified means of reporting causes a number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the guilty person or party in their organisation;

Amendment

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; stresses that the absence of clearly identified means of reporting causes a number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers *may* face when they address the guilty person or party in their organisation;

Or. en

Amendment 124

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; stresses that the absence of clearly identified means of reporting causes a

Amendment

8. Notes that one of the barriers to whistleblowers' activities is the absence of clearly identified means of reporting; stresses that the absence of clearly identified means of reporting causes a

number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the *guilty* person or party in their organisation;

number of whistleblowers to remain silent; expresses its concern about the retaliation and pressures which whistleblowers face when they address the *wrong* person or party in their organisation;

Or. en

Amendment 125

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 9

Motion for a resolution

9. ***Stresses that the credibility and validity of a report must be able to be assessed in part on the way in which it was made; believes*** that it is necessary to establish a coherent system which enables reports to be delivered both inside and outside the organisation;

Amendment

9. ***Believes*** that it is necessary to establish a coherent system which enables reports to be delivered both inside and outside the organisation;

Or. fr

Amendment 126

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Stresses that the credibility and validity of a report must be able to be assessed in part on the way in which it was made; believes that it is necessary to establish a coherent system which enables reports to be delivered both inside ***and outside the organisation;***

Amendment

9. Stresses that the credibility and validity of a report must be able to be assessed in part on the way in which it was made; believes that it is necessary to establish a coherent system which enables reports to be delivered both inside ***the organisation or to the competent authorities;***

Or. en

Amendment 127

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 9

Motion for a resolution

9. *Stresses that the credibility and validity of a report must be able to be assessed in part on the way in which it was made; believes that it is necessary to establish a coherent system which enables reports to be delivered both inside and outside the organisation;*

Amendment

9. *Takes the view that a coherent, credible and reliable system should be introduced which enables reports to be delivered both inside and outside the organisation; emphasises that public disclosure should be envisaged only as a last resort;*

Or. fr

Amendment 128

Daniel Buda

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Calls on the Commission to study a tiered system enabling whistleblowing inside and outside the organisation; stresses that, to do so, clear procedures should be established; believes that employers should be encouraged to introduce internal reporting procedures and that **one** person should be responsible for collecting reports in each organisation; considers that employee representatives should be involved in the assignment of that role;

Amendment

10. Calls on the Commission to study **the possibility of setting up** a tiered system enabling whistleblowing inside and outside the organisation; stresses that, to do so, clear, **efficient and uniform** procedures should be established; believes that employers should be encouraged to introduce internal reporting procedures and that **at least one independent and impartial** person should be responsible for collecting reports in each organisation; considers that employee representatives should be involved in the assignment of that role;

Or. ro

Amendment 129

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Calls on the Commission to study a tiered system **enabling** whistleblowing inside and outside the organisation; stresses that, to do so, clear procedures should be established; believes that employers should be encouraged to introduce internal reporting procedures and that one person should be responsible for collecting reports in each organisation; **considers that employee representatives should be involved in the assignment of that role;**

Amendment

10. Calls on the Commission to study a tiered system **of procedures to facilitate** whistleblowing inside and outside the organisation; stresses that, to do so, clear procedures should be established; believes that employers should be encouraged to introduce internal reporting procedures and that one person should be responsible for collecting reports in each organisation;

Or. fr

Amendment 130

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Calls on the Commission to study a tiered system enabling whistleblowing inside **and outside the organisation;** stresses that, to do so, clear procedures should be established; **believes that employers should be encouraged to introduce internal reporting procedures and that one person should be responsible for collecting reports in each organisation; considers that employee representatives should be involved in the assignment of that role;**

Amendment

10. Calls on the Commission to study a tiered system enabling whistleblowing inside **the organisation and to the competent authorities;** stresses that, to do so, clear procedures should be established; **underlines that such procedures shall be fair and equitable, ensuring the full respect of legal rights and the protection of confidentiality of both the whistleblower and the alleged wrongdoer;**

Or. en

Amendment 131
Jytte Guteland

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Calls on the Commission to study a tiered system enabling whistleblowing inside and outside the organisation; stresses that, to do so, clear procedures should be established; believes that employers should be encouraged to introduce internal reporting procedures **and that one person should be responsible for collecting reports in each organisation; considers that** employee representatives should be involved in the assignment of that role;

Amendment

10. Calls on the Commission to study a tiered system enabling whistleblowing inside and outside the organisation; stresses that, to do so, clear procedures should be established; believes that employers should be encouraged to introduce internal reporting procedures; **considers that trade union representative or another** employee representatives should be involved in the assignment of that role;

Or. en

Amendment 132
Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 10

Motion for a resolution

10. ***Calls on the Commission to study a tiered system enabling whistleblowing inside and outside the organisation; stresses that, to do so, clear procedures should be established; believes*** that employers should be encouraged to introduce internal reporting procedures and that one person should be responsible for collecting reports in each organisation; considers that employee representatives should be involved in the assignment of that role;

Amendment

10. ***Believes*** that employers should be encouraged to introduce internal reporting procedures and that one person should be responsible for collecting reports in each organisation; considers that employee representatives should be involved in the assignment of that role; ***takes the view that the recipients of a report should be required to follow it up and to inform whistleblowers about the action taken on their reports;***

Or. fr

Amendment 133
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. Believes that employers should be encouraged to introduce internal reporting procedures and that one person should be responsible for collecting reports in each organisation; considers that, where appropriate, employee representatives should be involved in the assignment of that role;

Or. en

Amendment 134
Jean-Marie Cavada

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Believes that the whistleblower should give priority to the organisation's internal reporting mechanisms **or** to the competent authorities; stresses, however, that ***in the absence of a favourable response from the organisation, or*** if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn **to** non-governmental organisations or the press;

11. Believes that the whistleblower should give priority to the organisation's internal reporting mechanisms; ***takes the view that if the recipient of the report fails to take proper steps to check its validity within a reasonable period, the whistleblower must be able to turn*** to the competent authorities; stresses, however, that ***as a last resort, if the competent authorities fail to take action on the report within three months, the whistleblower must be able to turn to the public authorities, non-governmental organisations or the press;*** if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn ***directly to the public authorities,*** non-governmental organisations or the press;

Amendment 135
Kostas Chrysogonos

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Believes that the *whistleblower* should give priority to the organisation's internal reporting mechanisms or to the competent authorities; stresses, however, that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, *he or she* must be able to turn to non-governmental organisations or the press;

Amendment

11. Believes that the *whistle-blower* should give priority to the organisation's internal reporting mechanisms or to the competent authorities; ***calls therefore on Member States and EU institutions to draw up a comprehensive legal framework which will enable businesses to establish internal whistle-blower systems, properly defining the concept of a reasonable period for a reply from the undertaking, and ensuring that these systems comply with fundamental rights legislation and the law protecting personal data***; stresses, however, that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, *she or he* must be able to turn to non-governmental organisations or the press;

Or. en

Amendment 136
Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 11

Motion for a resolution

11. ***Believes that the whistleblower should give priority*** to the organisation's internal reporting mechanisms ***or to*** the competent authorities; ***stresses, however,***

Amendment

11. ***Takes the view that recourse*** to the organisation's internal reporting mechanisms ***and*** the competent authorities ***should be facilitated, in particular by***

that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to non-governmental organisations or the press;

means of information campaigns;

Or. fr

Amendment 137
Jytte Guteland

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Believes that *the whistleblower* should *give priority to the organisation's internal reporting mechanisms or to the competent authorities; stresses, however,* that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to non-governmental organisations or the *press*;

Amendment

11. Believes that *each organisation* should *set clear reporting channel allowing the whistleblower to blow the whistle inside his or her organisation, underlines that each employee should be informed of that reporting procedure, which should guarantee confidentiality and a treatment of the alert within a reasonable time; underlines* that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to non-governmental organisations or the *media*;

Or. en

Amendment 138

Virginie Rozière, Jean-Marie Cavada, Pascal Durand, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Believes that *the whistleblower* should *give priority to the organisation's internal reporting mechanisms or to the competent authorities*; stresses, however, that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to non-governmental organisations or the press;

11. Believes that *each organisation* should *set clear reporting channel allowing the whistleblower to blow the whistle inside his or her organisation, underlines that each employee should be informed of that reporting procedure, which should guarantee confidentiality and a treatment of the alert in an reasonable time*; underlines that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to non-governmental organisations or the press;

Or. en

Amendment 139

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Believes that the whistleblower should give priority to the organisation's internal reporting mechanisms *or to the competent authorities*; stresses, however, that in the absence of a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to *non-governmental organisations or the press*;

Amendment

11. Believes that the whistleblower should give priority to the organisation's internal reporting mechanisms; stresses, however, that in the absence of *an internal reporting mechanism or of* a favourable response from the organisation, or if the whistleblower is at risk or urgently needs to report information, he or she must be able to turn to *the competent authorities*;

Or. en

Amendment 140

Virginie Rozière, Jean-Marie Cavada, Pascal Durand, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution

Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. recalls the right of the public to be informed of any wrongdoing that undermines the public interest, underlines in that respect that it should always be possible for a whistleblower to publicly disclose information on an unlawful or wrongful act or an act which undermines public interest;

Or. en

**Amendment 141
Kostas Chrysogonos**

**Motion for a resolution
Paragraph 11 a (new)**

Motion for a resolution

Amendment

11a. Takes the view that an employer should not be able to rely on a person's legal or contractual obligations in order to prevent that person from making a public interest report or disclosure or to penalise her or him for having done so;

Or. en

**Amendment 142
Daniel Buda**

**Motion for a resolution
Paragraph 12**

Motion for a resolution

Amendment

12. Believes that reporting outside the organisation without first going through an internal step is not grounds to invalidate a report, file a lawsuit or refuse to give

12. Believes that reporting outside the organisation without first going through an internal step is not grounds to invalidate a report, file a lawsuit or refuse to give protection, ***although in such cases the***

protection;

organisation should report itself as soon as it becomes aware that the information concerned has been reported outside the organisation;

Or. ro

Amendment 143

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Believes that reporting outside the organisation without first going through an internal step is not grounds to invalidate a report, file a lawsuit or refuse to give protection;

Amendment

12. Believes that reporting outside the organisation without first going through an internal step is not grounds to invalidate a report, file a lawsuit or refuse to give protection, *provided that the whistleblower can provide proof of the risk that he or she is running and acted in good faith and disinterestedly;*

Or. fr

Amendment 144

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 12

Motion for a resolution

12. *Believes that reporting outside the organisation without first going through an internal step is not grounds to invalidate a report, file a lawsuit or refuse to give protection;*

Amendment

12. *Takes the view that whistleblowers should be free to choose the channel through which they report wrongdoing, which should include the option of informing the general public directly, and that they should be granted legal protection irrespective of the procedure chosen;*

Or. fr

Amendment 145

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Believes that ***reporting outside the organisation without first going through an internal step is not*** grounds to invalidate a report, file a lawsuit or refuse to give protection;

Amendment

12. Believes that ***disrespecting the legal rules on the appropriate reporting channel, is*** grounds to invalidate a report, file a lawsuit or refuse to give protection;

Or. en

Amendment 146

Kostas Chrysogonos

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by ***whistleblowers*** at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a ***whistleblower***, the measures taken against ***him or her*** should be brought to an end;

Amendment

13. Expresses its concerns about the risks, ***such discrimination, hostility or exclusion***, run by ***whistle-blowers*** at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities ***with a dampening effect on those who may come across wrongdoing***; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a ***whistle-***

blower, the measures taken against her or him should be brought to an end; notes that such retaliation is particularly severe for whistle-blowers who serve in crucial areas for public interests, such as police, military, intelligence staff, that are subject to special discipline applied by the hierarchy of their corps within its ordinary functioning; the whistle-blower should receive therefore full compensation for the financial, social, moral and psychological damage incurred, such as lost earnings and status, as well as pain and suffering;

Or. en

Amendment 147
Jytte Guteland

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end;

Amendment

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end; ***calls on the Commission to present a proposal for a horizontal whistle-blower directive***

involving protection against any form of retaliation at work

Or. en

Amendment 148

Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end;

Amendment

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end, ***and the whistleblower should receive full compensation for the damage incurred, such as lost earnings and status and pain and suffering;***

Or. en

Amendment 149

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end;

Amendment

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end ***and whistleblower should receive full compensation for the prejudice and damage incurred;***

Or. en

Amendment 150

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a

Amendment

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a

barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end;

barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower *in accordance with the definition given above*, the measures taken against him or her should be brought to an end;

Or. fr

Amendment 151

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against *destabilising practices*; takes the view that retaliation should be *penalised and* sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should be brought to an end;

Amendment

13. Expresses its concerns about the *possible* risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against *retaliation*; takes the view that retaliation should be sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her *in retaliation for having made a report in the public interest* should be brought to an end;

Or. en

Amendment 152
Jytte Guteland

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should ***be brought to an end***;

Amendment

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, the measures taken against him or her should ***lead to judicial consequences***;

Or. en

Amendment 153
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or

Amendment

13. Expresses its concerns about the risks run by whistleblowers at their place of work, in particular the risks of direct or indirect retaliation by the employer and by those working for or acting on behalf of the employer; stresses that retaliation usually takes the form of suspending, slowing down or stopping career progression or

even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, *the* measures *taken against him or her* should be *brought to an end*;

even dismissal, along with psychological harassment; stresses that retaliation is a barrier to whistleblowers' activities; believes that it is necessary to introduce protective measures against destabilising practices; takes the view that retaliation should be penalised and sanctioned effectively; stresses that, once somebody is recognised as a whistleblower, measures should be *taken to protect him or her*;

Or. fr

Amendment 154
Kostas Chrysogonos

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Recommends that in legal proceedings relating to a detriment suffered by a whistle-blower, and subject to her or him providing reasonable grounds to believe that the detriment was in retaliation for having made a report or disclosure of unlawful wrongdoings or irregularities, it should be for the employer to establish that the detriment was not so motivated;*

Or. en

Amendment 155
Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Considers that whistleblowers*

should have the option to file for interim relief to prevent retaliation such as dismissal, until there is an official outcome of any administrative, judicial or other proceedings

Or. en

Amendment 156
Evelyn Regner

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. 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 157
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Takes the view that protection should also be provided if a whistleblower draws attention to conduct involving a Member State;

Or. fr

Amendment 158
Jean-Marie Cavada, Virginie Rozière, Robert Rochefort

Motion for a resolution

Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Notes that investigative journalists and members of the independent press pursue a solitary profession in the course of which they face many kinds of pressure; emphasises, therefore, that it is essential that they should be protected against all attempts at intimidation;*

Or. fr

Amendment 159

Kostas Chrysogonos

Motion for a resolution

Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Suggests that interim relief pending the outcome of civil proceedings should be available for persons who have been the victim of retaliation for having made a public interest report or disclosure, particularly in cases of loss of employment;*

Or. en

Amendment 160

Virginie Rozière, Sergio Gaetano Coffferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 14

Motion for a resolution

Amendment

14. Expresses its concern about the practice of gagging orders, which involve filing or threatening to file lawsuits against the whistleblower not in an effort to have

14. Expresses its concern about the practice of gagging orders, which involve filing or threatening to file lawsuits against the whistleblower not in an effort to have

him or her convicted, but in an effort to bring about self-censorship or financial, mental or psychological exhaustion;

him or her convicted, but in an effort to bring about self-censorship or financial, mental or psychological exhaustion;
believes that such abuse of process should be subject to criminal penalties and sanctions;

Or. en

Amendment 161

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 14

Motion for a resolution

14. Expresses its concern about the practice of gagging orders, which involve filing or threatening to file lawsuits against the whistleblower not in an effort to have him or her convicted, but in an effort to bring about self-censorship or financial, mental or psychological exhaustion;

Amendment

14. Expresses its concern about the practice of gagging orders, which involve filing or threatening to file lawsuits against the whistleblower not in an effort to have him or her convicted, but in an effort to bring about self-censorship or financial, mental or psychological exhaustion; ***takes the view, therefore, that the imposition of gagging orders should be punishable;***

Or. fr

Amendment 162

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 14

Motion for a resolution

14. ***Expresses its concern about*** the practice of gagging orders, which involve filing or threatening to file lawsuits against the whistleblower not in an effort to ***have him or her convicted***, but in an effort to bring about self-censorship or financial, mental or psychological exhaustion;

Amendment

14. ***Condemns*** the practice of gagging orders, which involve filing or threatening to file lawsuits against the whistleblower not in an effort to ***secure justice***, but in an effort to bring about self-censorship or financial, mental or psychological exhaustion;

Amendment 163
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Stresses, however, that a clear distinction must be drawn between the professional confidentiality obligations which employees and public servants have and the need to disclose or bear witness in good faith to instances of wrongdoing likely to undermine the public interest. Any person who makes a report which they know to be false or which is malicious must be liable to disciplinary measures or even prosecution;

Or. fr

Amendment 164
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Paragraph 15

Motion for a resolution

Amendment

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; ***considers it necessary*** to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed ***throughout*** the proceedings;

15. Points out the risk that ***genuine*** whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; ***points out that a person who denounces or defames others or discloses information for malicious purposes and not solely in the public interest, and not with the aim of triggering the review procedures and debate which are fundamental to a democratic society, does not meet the definition of whistleblower; warns against any move*** to provide for a

reversal of the burden of proof *even* in respect of retaliation against and pressure on whistleblowers, *and advocates, at the very least, that a case should have been made and convincing evidence put forward before the protective measures afforded to genuine whistleblowers are granted*; takes the view that confidentiality should be guaranteed *at the first stage of the proceedings, but not thereafter*;

Or. fr

Amendment 165
Jean-Marie Cavada

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings;

Amendment

15. Points out, *however*, the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; *stresses, in that connection, that the right of employees to report unlawful conduct or acts which have come to their attention at their workplace must be safeguarded and that, if it can be inferred on the basis of the evidence presented that they reported or bore witness in good faith to acts constituting an offence, any unfair dismissal must be deemed null and void and even cause for legal action*; considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings;

Or. fr

Amendment 166

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings;

Amendment

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; ***considers that the basis for whistleblower protection should be the information exposed, whether or not that information is in the public interest, whereas the intention of the whistleblower should be considered to be irrelevant, in order to remove incentives for attempts of character assassination by the parties bringing legal actions against whistleblowers, which could have a negative effect on whistleblowers even if a court decides in their favour***; takes the view that confidentiality should be guaranteed throughout the proceedings

Or. en

Amendment 167

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide

Amendment

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide

for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings;

for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings ***and that the identity of the whistleblower shall not be revealed without his or her consent; underlines that a breach of identity without the whistleblower's consent should be subject to criminal penalties and sanctions;***

Or. en

Amendment 168
Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings;

Amendment

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers; takes the view that confidentiality should be guaranteed throughout the proceedings ***and that the identity of the whistleblower may not be disclosed without the individual's explicit consent, unless it is absolutely necessary in order to carry out criminal proceedings;***

Or. en

Amendment 169
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; ***considers it necessary to provide for a reversal of the burden of proof in respect of retaliation against and pressure on whistleblowers***; takes the view that confidentiality should be guaranteed throughout the proceedings;

Amendment

15. Points out the risk that whistleblowers run of having legal and civil proceedings brought against them; stresses that they are often the weaker party in trials; takes the view that confidentiality should be guaranteed throughout the proceedings;

Or. en

Amendment 170

Kostas Chrysogonos

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Emphasises the importance that whistle-blowers, as well as people who assist them in disclosing information on a threat or harm to the public interest, e.g. relatives, colleagues, defence witnesses, are afforded proper and effective protection of their physical, moral and social integrity and their livelihoods, by being granted the highest possible level of confidentiality; suggests therefore that proper measures are required to protect whistle-blowers and any other individuals affected by a disclosure of such information;

Or. en

Amendment 171

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Takes the view that whistleblowers should not be liable for prosecution, civil legal action or administrative or disciplinary penalties because they have made a report;

Or. fr

Amendment 172
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Paragraph 16

Motion for a resolution

Amendment

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced; **deleted**

Or. en

Amendment 173
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Paragraph 16

Motion for a resolution

Amendment

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of

16. Takes the view that the procedure should be carried out in two stages: firstly, reporting within the undertaking, administration and/or the press, and then, once a sufficient case has been made,

reporting anonymously should be introduced;

disclosure to the public and lifting of anonymity, so that genuine whistleblowers can be acknowledged by democratic society for their courage and civic-mindedness; believes that the option, at the first stage, to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced by each Member State, in keeping with the Charter and the principles enshrined in the Treaties;

Or. fr

Amendment 174

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced;

Amendment

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced *and that the identity of the whistleblower, and any information enabling him or her to be identified, should not be released without his or her consent; takes the view, in that connection, that any action which undermines whistleblowers' right to anonymity should be punished;*

Or. fr

Amendment 175

Kostas Chrysogonos

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Believes that the option to report anonymously would encourage *whistleblowers* to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced;

Amendment

16. Believes that the option to report *infringements* anonymously would encourage *whistle-blowers* to share information *in confidential way*, which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting *infringements* anonymously should be introduced; *underlines that these means should fully and properly safeguard the anonymity of whistle-blowers, also in the digital environment;*

Or. en

Amendment 176
Daniel Buda

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced;

Amendment

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated *and restrictive* means of reporting anonymously should be introduced, *setting out exactly in which cases means of reporting anonymously apply;*

Or. ro

Amendment 177
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Believes that the option to report anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously should be introduced;

Amendment

16. Believes that the option to report ***confidentially or*** anonymously would encourage whistleblowers to share information which they would not share otherwise; stresses, in that regard, that clearly regulated means of reporting anonymously ***or confidentially*** should be introduced, ***at least at the first stage of the reporting procedure***;

Or. fr

Amendment 178 Kostas Chrysogonos

Motion for a resolution Paragraph 17

Motion for a resolution

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe them to be true;

Amendment

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe them to be true; ***recalls that in the event of false accusations, those responsible should be held accountable***;

Or. en

Amendment 179 Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution Paragraph 17

Motion for a resolution

Amendment

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts *or that the* perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe them to be true;

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts, *that he or she wrongfully believed information to be in the public interest or that a* perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe them to be true;

Or. en

Amendment 180

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Stresses that *nobody should lose* the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe them to be true;

Amendment

17. Stresses that *anonymity during the first stage would ensure that nobody loses* the benefit of protection on the sole grounds that he or she has *legitimately* misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable *and/or clear* grounds to believe them to be true;

Or. fr

Amendment 181

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public

Amendment

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public

interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe **them** to be true;

interest did not materialise, provided that ***the whistleblower demonstrates that***, at the time of reporting, he or she ***acted in good faith and*** had reasonable grounds to believe ***the facts*** to be true;

Or. en

Amendment 182

Daniel Buda

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had reasonable grounds to believe them to be true;

Amendment

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she ***acted in good faith and*** had reasonable grounds to believe them to be true;

Or. ro

Amendment 183

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had ***reasonable grounds to believe them to be true***;

Amendment

17. Stresses that nobody should lose the benefit of protection on the sole grounds that he or she has misjudged the facts or that the perceived threat to the public interest did not materialise, provided that, at the time of reporting, he or she had ***acted in good faith and disinterestedly***;

Amendment 184
Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Emphasizes that somebody who reports information, which he or she knows to be inaccurate or misleading should not benefit from the protection granted to whistleblowers; stresses that any person who is prejudiced, whether directly or indirectly, by the reporting or disclosure of inaccurate or misleading information should be afforded legal protection and the right to seek effective remedies against malicious or abusive reporting;

Or. en

Amendment 185
Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. In the light of the principle of actori incumbit probatio, which is common to all national legal systems and international dispute-settlement procedures, urges that the burden of proof should not be reversed, given that it should be necessary only if there are clear indications or a set of evidence to suggest that the person in question qualifies for whistleblower status;

Amendment 186
Kostas Chrysogonos

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Recalls the importance of devising instruments to ban any form of retaliation, whether this is passive dismissal or passive measures; urges the Member States to refrain from criminalizing the actions of whistleblowers in disclosing information on unlawful or wrongful acts or acts which undermine or endanger the public interest;

Or. en

Amendment 187
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Paragraph 18

Motion for a resolution

Amendment

18. Stresses the role that trade unions play in supporting and helping whistleblowers in their dealings within their organisation;

18. Stresses the role that **public authorities, non-governmental organisations and** trade unions play in supporting and helping whistleblowers in their dealings within their organisation;

Or. fr

Amendment 188
Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Stresses the role that trade unions play in supporting and helping whistleblowers in their dealings within their organisation;

Amendment

18. Stresses the role that trade unions ***and civil society organisations*** play in supporting and helping whistleblowers in their dealings within their organisation;

Or. en

Amendment 189

Kostas Chrysogonos

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Stresses the role that trade unions play in supporting and helping whistleblowers in their dealings within their organisation;

Amendment

18. Stresses the role that trade unions, ***civil and social organisations*** play in supporting and helping whistleblowers in their dealings within their organisation;

Or. en

Amendment 190

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Stresses the role that trade unions play in supporting and helping whistleblowers in their dealings within their organisation;

Amendment

18. Stresses the role that trade unions ***and civil society*** play in supporting and helping whistleblowers in their dealings within their organisation;

Or. fr

Amendment 191

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Stresses the role that trade unions play in supporting and helping whistleblowers in their dealings within their organisation;

Amendment

18. Stresses the role that trade unions **can** play in supporting and helping whistleblowers in their dealings within their organisation;

Or. fr

Amendment 192

Kostas Chrysogonos

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Stresses that, in addition to the professional risks, **whistleblowers** also face psychological and financial risks; believes that psychological support should be provided, that legal aid should be given to **whistleblowers** who ask for it, that financial aid should be given to those who express a duly justified need for it and that compensation for proven professional damages should be given as a protective measure if **civil** proceedings are brought against a **whistleblower**;

Amendment

19. Stresses that, in addition to the professional risks, **whistle-blowers, as well as people who assist them in disclosing such information**, also face **personal**, psychological, **social** and financial risks; believes that psychological support should be provided, that **specialized** legal aid **of their own choice** should be given to **whistle-blowers** who ask for it, that **social and** financial aid should be given to those who express a duly justified need for it and that compensation for proven professional damages should be given as a protective measure if **judicial** proceedings are brought against a **whistle-blower**;

Or. en

Amendment 193

Rosa Estaràs Ferragut, Axel Voss

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that ***psychological support should be provided, that*** legal aid should be given to whistleblowers who ask for it, ***that financial aid should be given to those who express a duly justified need for it and that*** compensation for proven professional damages ***should*** be given as a protective measure if civil proceedings are brought against a whistleblower;

Amendment

19. Stresses that, in addition to the professional risks, whistleblowers ***may*** also face psychological and financial risks; believes that, ***where applicable,*** legal aid should be given to whistleblowers who ask for it ***and*** compensation for proven professional damages ***might*** be given as a protective measure if civil proceedings are brought against a whistleblower;

Or. en

Amendment 194 Jytte Guteland

Motion for a resolution Paragraph 19

Motion for a resolution

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that psychological support should be provided, that legal aid should be given to whistleblowers who ask for it, that financial aid should be given to those who express a duly justified need for it and that compensation for proven professional damages should be given as a protective measure if civil proceedings are brought against a whistleblower;

Amendment

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that psychological support should be provided, that legal aid should be given to whistleblowers who ask for it, that financial aid should be given to those who express a duly justified need for it and that compensation for proven professional damages ***as well as for non-material damages*** should be given as a protective measure if civil proceedings are brought against a whistleblower ***in accordance with national law and practices***;

Or. en

Amendment 195

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that psychological support should be provided, that legal aid should be given to whistleblowers who ask for it, that financial aid should be given to those who express a duly justified need for it and that compensation ***for proven professional damages should be given as a protective measure if civil proceedings are brought against a whistleblower;***

Amendment

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that psychological support should be provided, that legal aid should be given to whistleblowers who ask for it, that financial aid should be given to those who express a duly justified need for it and that compensation ***should be given, irrespective of the damages suffered by the whistleblower as a result of making a report;***

Or. fr

Amendment 196

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that psychological support should be provided, that legal aid should be ***given*** to whistleblowers who ask for it, that ***financial aid*** should be ***given to those who express a duly justified need for it*** and that compensation for proven professional damages should be given as a protective measure if civil proceedings are brought against a whistleblower;

Amendment

19. Stresses that, in addition to the professional risks, whistleblowers also face psychological and financial risks; believes that psychological support should be provided, that ***the provisions on*** legal aid should be ***extended*** to whistleblowers who ask for it, that ***police protection*** should be ***envisaged if necessary*** and that compensation for proven ***serious*** professional damages should be given as a protective measure if civil proceedings are brought against a whistleblower;

Or. fr

Amendment 197
Kostas Chrysogonos

Motion for a resolution
Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. Calls on Member States and EU institutions, in cooperation with all relevant authorities, to introduce and take all possible necessary measures to protect the confidentiality of the information sources in order to prevent any discriminatory actions or threats, as well as to establish transparent channels for information disclosure, to set up independent national and EU authorities to protect whistle-blowers, and to consider providing those authorities with specific support funds; calls also for the establishment of a centralised European authority for the effective protection of whistle-blowers and people who assist their acts based on the model of national privacy watchdogs;

Or. en

Amendment 198
Evelyn Regner

Motion for a resolution
Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. 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. en

Amendment 199

Jean-Marie Cavada, Robert Rochefort, Virginie Rozière

Motion for a resolution

Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. Calls on the Member States, with a view to making these measures effective, to consider the advisability of setting up national compensation funds;

Or. fr

Amendment 200

Kostas Chrysogonos

Motion for a resolution

Paragraph 20

Motion for a resolution

Amendment

20. Calls on the Member States to **introduce** an independent body responsible **for collecting reports**, verifying **their** credibility and guiding **whistleblowers**, particularly in the absence of a positive response from their organisation;

20. Calls **more concretely** on the Member States to **establish** an independent **protection, information-gathering and referral EU** body responsible **also for** verifying **the** credibility **of gathered information** and guiding **whistle-blowers**, particularly in the absence of a positive response from their organisation; **this EU body should operate offices in all Member States which should be in position to receive relevant information in public and private sector; underlines that it should have sufficient budgetary resources, adequate competences and**

appropriate specialist, in order to help internal and external whistle-blowers in using the right channels to disclose their information on possible irregularities, while protecting their confidentiality and offering needed support and advice; considers it necessary that the work of this body would be primarily based at first stage on reliable verification of the information received;

Or. en

Amendment 201

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls on the Member States to introduce an independent body responsible for collecting reports, verifying their credibility *and* guiding whistleblowers, particularly in the absence of a positive response from their organisation;

Amendment

20. Calls on the Member States to introduce an independent body responsible for collecting reports, verifying their credibility, *following them up at least by issuing binding recommendations*, guiding whistleblowers, particularly in the absence of a positive response from their organisation, *and providing them with financial assistance if necessary, in particular if they disclose facts which have cross-border implications or which directly concern the EU's institutions and bodies; suggests that this independent body should publish annual activity reports;*

Or. fr

Amendment 202

Jean-Marie Cavada

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls on the Member States to **introduce** an independent body **responsible** for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their organisation;

Amendment

20. Calls on the Member States to **confer on** an independent body **responsibility** for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their organisation; **in the case of reports involving Member States, the various stages in the reporting procedure must be followed. This task may be conferred on the European Ombudsman.**

Or. fr

Amendment 203

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls on the Member States to introduce an independent body responsible for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their **organisation**;

Amendment

20. Calls on the Member States to introduce an independent body, **with sufficient budgetary resources and adequate personnel**, responsible for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their **organization, following the response given to the alert and publishing an annual report on the alerts received and their treatment** ;

Or. en

Amendment 204

Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls on the Member States to introduce an independent body responsible for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their organisation;

Amendment

20. Calls on the Member States to introduce an independent body responsible for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their organisation; ***believes that those independent bodies should be provided with specific support funds;***

Or. en

Amendment 205

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls on the Member States to introduce an independent body responsible for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their organisation;

Amendment

20. Calls on the Member States to ***designate, if a suitable national body already exists, or*** introduce an independent body responsible for collecting reports, verifying their credibility and guiding whistleblowers, particularly in the absence of a positive response from their organisation;

Or. fr

Amendment 206

Jean-Marie Cavada, Robert Rochefort

Motion for a resolution

Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Calls on the Commission to introduce the principle of granting an EU passport to any third-country

national who, whether in the course of their duties or not, has disclosed information about illegal conduct or acts of espionage, committed either by a third country or a domestic or multinational company which are prejudicial to a State, a nation or Union citizens and jeopardise, without their knowledge, the integrity of a government, national security or collective or individual freedoms;

Or. fr

Amendment 207
Kostas Chrysogonos

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Stresses that consideration should be given to making access to information and confidential advice free of charge for individuals contemplating making a public interest report or disclosure on unlawful or wrongful acts which undermine or endanger the public interest; notes that structures able to provide such information and advice should be identified and their details made available to the general public;

Or. en

Amendment 208
Jean-Marie Cavada, Robert Rochefort

Motion for a resolution
Paragraph 20 b (new)

Motion for a resolution

Amendment

20b. Emphasises that, in addition to all

the protection measures afforded to whistleblowers in general, these whistleblowers in particular must be guaranteed proper reception arrangements, accommodation and safety in a Member State which does not have an extradition agreement with the country which committed the acts in question.

In cases where the European Union has an extradition agreement with the third country involved, calls on the Commission, pursuant to Article 67(2) TFEU on European asylum policy, to use its powers to take all the measures required to protect these whistleblowers, who are particularly vulnerable to severe reprisals in the country whose illegal or fraudulent practices they brought to public attention;

Or. fr

Amendment 209

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Evelyn Regner

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to propose the establishment of a similar body at EU level responsible for coordinating Member State activities, particularly in cross-border cases; believes that that European body should also be able to collect reports, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not appropriate; considers that the European Ombudsman's mandate could be extended to serve that purpose;

Amendment

21. Calls on the Commission to propose the establishment of a similar body at EU level, ***with sufficient budgetary resources and adequate personnel***, responsible for coordinating Member State activities, particularly in cross-border cases; believes that that European body should also be able to collect reports, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not appropriate; ***suggests that the latter publish an annual report on the alerts received and their treatment***; considers that the European Ombudsman's mandate

could be extended to serve that purpose;

Or. en

Amendment 210

Gilles Lebreton, Marie-Christine Boutonnet

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to ***propose the establishment of a similar body*** at EU level ***responsible for coordinating*** Member State activities, particularly in cross-border cases; believes that that ***European body*** should also be able to collect reports, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not appropriate; ***considers that the European Ombudsman's mandate could be extended to serve that purpose;***

Amendment

21. Calls on the Commission to ***broaden the remit of the European Ombudsman to include the coordination*** at EU level ***of*** Member State activities, particularly in cross-border cases; believes that that ***the Ombudsman*** should also be able to collect reports ***directly***, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not appropriate;

Or. fr

Amendment 211

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to propose the establishment of a similar body at EU level responsible for coordinating Member State activities, particularly in cross-border cases; believes that that European body should also be able to collect reports, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not

Amendment

21. Calls on the Commission to propose the establishment of a similar body at EU level responsible for coordinating Member State activities, particularly in cross-border cases; believes that that European body should also be able to collect reports, verify their credibility, ***issue binding recommendations*** and guide whistleblowers when the response given by

appropriate; considers that the European Ombudsman's mandate could be extended to serve that purpose;

the Member State is obviously not appropriate; considers that the European Ombudsman's mandate could be extended to serve that purpose;

Or. en

Amendment 212
Jean-Marie Cavada

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to ***propose the establishment of*** a similar body at EU level ***responsible*** for coordinating Member State activities, particularly in cross-border cases; believes that that European body should also be able to collect reports, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not appropriate; considers that the European Ombudsman's mandate could be extended to serve that purpose;

Amendment

21. Calls on the Commission to ***confer on*** a similar body at EU level ***responsibility*** for coordinating Member State activities, particularly in cross-border cases; believes that that European body should also be able to collect reports, verify their credibility and guide whistleblowers when the response given by the Member State is obviously not appropriate; considers that the European Ombudsman's mandate could be extended to serve that purpose;

Or. fr

Amendment 213
Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

21a. Takes the view that this independent body should be given the budget it needs to carry out all its tasks; calls on the Commission, in that connection, to set up a European fund for whistleblowers in order to cover the cost

Amendment

of protecting them, in particular when they disclose information which has cross-border implications or which concerns the EU's institutions and bodies;

Or. fr

Amendment 214
Kostas Chrysogonos

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Calls on the Commission to carry out a public consultation to seek the view of stakeholders on the reporting mechanisms and on the potential shortcomings of the procedures at national level; maintains that the results of the public consultation will present a valuable input for the Commission regarding a possible proposal on the effective protection of whistle-blowers in the future;

Or. en

Amendment 215
Laura Ferrara, Fabio Massimo Castaldo

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. consider that, when the result of reporting by a whistleblower ends in a sentence of fiscal damage or damage to the public image, whistleblowers should be awarded with an amount of money proportionate to the recovered sum;

Amendment 216

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Considers that whistleblowers should have a meaningful opportunity to provide input to subsequent investigations or inquiries based on their disclosures;

Or. en

Amendment 217

Virginie Rozière, Sergio Gaetano Cofferati, Tiemo Wölken, Sylvia-Yvonne Kaufmann, Jytte Guteland, Evelyn Regner

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Believes that as once an alert has been recognized serious, it should lead to proper investigation and followed by appropriate measures;

Or. en

Amendment 218

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 21 b (new)

Motion for a resolution

Amendment

21b. Considers that whistleblowers should be allowed to clarify their

complaint and provide additional information or evidence during an investigation;

Or. en

Amendment 219
Kostas Chrysogonos

Motion for a resolution
Paragraph 21 b (new)

Motion for a resolution

Amendment

21b. Encourages the Member States to develop data, benchmarks and indicators on whistle-blower policies in public and private sector;

Or. en

Amendment 220
Kostas Chrysogonos

Motion for a resolution
Paragraph 21 c (new)

Motion for a resolution

Amendment

21c. Calls on all EU institutions to address the Ombudsman's own initiative report of 24 July in 2014, in compliance with Article 22(c) of the new Staff Regulation, inviting all EU bodies to adopt ethical alert mechanisms and whistle-blowing legal frameworks directly bases on the internal rules of the Ombudsman's office; reiterates its determination to do so;

Or. en

Amendment 221

Pascal Durand, Heidi Hautala, Julia Reda, Max Andersson

Motion for a resolution

Paragraph 21 c (new)

Motion for a resolution

Amendment

21c. Considers that whistleblowers should also have the right to review and comment on the outcome of the investigation related to their disclosure;

Or. en