

EU-wide protection and support for whistle-blowers

- New system to protect and encourage reporting of breaches of EU law with safeguards against retaliations
- Protection of whistle-blowers is currently fragmented in the EU
- The loss of potential benefits due to lack of whistle-blower protection in public procurement is estimated to be between €5.8 to €9.6 billion each year in the EU

Proposals to protect whistle-blowers, set up safe mechanisms for reporting breaches and measures against retaliation were adopted by the Legal Affairs Committee.

On Tuesday, Legal Affairs Committee MEPs approved draft legislation to guarantee that whistle-blowers in the EU can report breaches of EU law in the area of tax evasion, corruption, environmental protection and public health and safety, without fear of retaliation or intimidation. Legal Affairs MEPs agreed that the same protection measures must also apply to those assisting the reporting person, e.g. journalists.

Safe reporting mechanisms

To make sure that potential whistle-blowers feel safe and are aware of reporting channels, MEPs agreed that:

- member states would be requested to ensure that private and public sectors put in place adequate internal and external reporting channels;
- reporting avenues should ensure that the reporting person is notified that their report has been received within a week, while follow-up on the report should be received no later than two months after the report was received;
- it should be up to the reporting person to choose the most appropriate channel to report, whether internal or external, depending on circumstances.

Prohibition against retaliation and support

The agreed text explicitly prohibits reprisals and member states would have to take necessary safeguards against retaliation towards whistle-blowers. MEPs also urge member states to provide information and advice free of charge as well as legal, financial and psychological support.

Quote

Rapporteur [Virginie Roziere](#) (S&D, FR) said: "Following recent big scandals, such as Luxleaks, and the great difficulties faced by whistle-blowers in Europe, this Directive protects individuals speaking out for the public good much better than before. Parliament has introduced significant improvements to the Commission's text. The creation of a single and easily identifiable public authority in each Member State, which will provide free of charge confidential advice to those who intend to blow or have blown the whistle, together with legal and financial assistance, are major steps to make sure that we efficiently protect free speech".

Next steps

The text was adopted by 22 votes to none against, with 1 abstention. The decision to enter into negotiations was approved with 22 votes, none against and 2 abstentions. Once plenary has endorsed the negotiating mandate, talks with EU ministers can start, to agree on the final shape of the legislation.

Background

Whistle-blower protection is fragmented or only partial across member states, with only [10 EU countries](#) (France, Hungary, Ireland, Italy, Lithuania, Malta, Netherlands, Slovakia, Sweden and UK) providing comprehensive legal protection.

The European Commission's legislative proposal follows on from the Council of Europe's [Recommendation](#) on Protection of Whistle-blowers and the European Parliament's resolution of 24 October 2017 on [Legitimate measures to protect whistle-blowers](#).

A [2017 study carried out for the Commission](#) estimated the loss of potential benefits due to a lack of whistle-blower protection, in public procurement alone, to be in the range of €5.8 to €9.6 billion each year for the EU as a whole.

Further information

[Procedure file](#)

[2016 report on protection of the European Union's financial interests – fight against fraud \(At a glance, 25-04-2018\)](#)

[Protection of whistle-blowers at EU level \(At a glance, 23-10-2017\)](#)

[Multimedia package: Protection of whistle-blowers](#)

[Committee on Legal Affairs](#)

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