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## First EU-wide protection for whistle-blowers agreed

- New system to protect and encourage reporting of breaches of EU law
- Whistle-blowers will be able to choose between internal and external reporting
- Loss of potential benefits just in EU public procurement, due to lack of protection, is between €5.8 to €9.6 billion each year

### **EU negotiators reached an agreement on rules to protect whistle-blowers, setting up safe mechanisms for reporting breaches and measures against retaliation.**

On Monday, Parliament and Council negotiators reached a provisional agreement on the first EU-wide rules on protecting whistle-blowers when they report on breaches of EU law in a wide range of areas including tax fraud, money laundering, public procurement, product and transport safety, environmental protection, public health, consumer protection, data protection.

#### **Safe reporting channels**

To ensure that potential whistle-blowers remain safe and that the information disclosed remains confidential, the new rules allow them to provide information on breaches using internal and external reporting channels. Depending on the circumstances of the case, whistle-blowers will be able to choose whether to first report internally to the legal entity concerned or directly to competent national authorities, as well as to relevant EU institutions, bodies, offices and agencies.

In cases where no appropriate action was taken in response to the whistle-blower's initial report, or if they believe there is an imminent danger to the public interest or a risk of retaliation, the reporting person will still be protected if they choose to disclose information publically.

#### **Safeguards against reprisals**

The agreed text explicitly prohibits reprisals and introduces safeguards against a whistle-blower being suspended, demoted, intimidated or other forms of retaliation. Those assisting whistle-blowers, such as facilitators, colleagues, relatives and investigative journalists are also protected.

Member states should provide whistle-blowers with comprehensive and independent information on reporting channels and alternative procedures, advice free-of-charge as well as legal, financial and psychological support.

### Quote

Virginie Roziere (S&D, FR) said : “This text was one of my biggest priorities as an MEP and I am glad to see it succeed. We have had to fight to get a final text that meets expectations: whistle-blowers must be protected, whilst choosing the best means to be heard and to defend the interests of the citizens.”

### Next steps

The provisional agreement will need to be confirmed by member states’ ambassadors (Coreper) and the Legal Affairs committee before being put to a final vote by the full House and Council. The directive will enter into force twenty days after being published in the EU Official Journal.

### 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. In the remaining countries, protection is only partial or applies to specific sectors or categories of employee.

[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

[Committee on Legal Affairs](#)

[Procedure file](#)

[Profile of the rapporteur Virginie Roziere \(S&D, France\)](#)

[Protection of whistle-blowers at EU level \(EP - at a glance, October 2017\)](#)

[Factsheet on whistle-blowing \(European Commission\)](#)

[Press conference with rapporteur after trilogue deal \(12.03.2019\)](#)

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