



Ressort: Politik

Protecting whistle-blowers in the European Union

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Whistleblowers are people disclosing information acquired in a work-related context, on illicit or harmful activities, misconduct that can cause detriment to the public interest, for instance by damaging the environment, public health and consumer safety and European Union public finances.

Whistleblowers' reports can lead to detection, investigation and prosecution of violations of EU law that would otherwise remain

unknown, causing serious harm to the society and, to the public interest. Latest scandals uncovered by whistleblowers demonstrate how inadequate protection in one country not only negatively impacts the implementation of EU policies there, but can also extend into other countries and into the EU as a whole. Currently, only ten EU countries (France, Hungary, Ireland, Italy, Lithuania, Malta, Netherlands, Slovakia, Sweden and United Kingdom) have a complete law protecting whistleblowers. In the remaining EU countries, the protection granted is partial: it covers only public servants or only specific sectors (e.g. financial services) or only limited types of wrongdoings (e.g. corruption). In Italy the case of the whistle-blower Andrea Franzoso

is quite famous. Andrea was a member of the internal audit unit of Ferrovie Nord Milano and went to the police to report problems he faced at work related to an internal audit he had done that management didn't like. The outcome was striking: his disclosures forced the president of the company to resign and convinced the Court of Milan to open a file for misappropriation and fraud.

At EU level, there is only a very limited number of sectors where measures have been introduced to protect whistleblowers (particularly in the areas of financial services). In certain policy areas, breaches of Union law may cause serious harm to the public interest, because they create momentous risks for the welfare of society.

Where weaknesses of enforcement have been identified in those areas, and whistleblowers are usually in a privileged position to reveal breaches, it is necessary to increase enforcement by introducing efficient, confidential and secure reporting channels and by ensuring effective protection of whistleblowers from retaliation.

The European Union is prepared to guarantee a high level of protection for whistleblowers who testify breaches of EU law by establishing new, EU-wide standards. The new law which is going to be enforced will set up safe channels for reporting both within an organization and to public authorities. It will also

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protect whistleblowers against dismissal, downgrading and other forms of retaliation and require national authorities to inform citizens and provide training for public authorities on how to deal with whistleblowers. The new rules lay down new, EU-wide standards to protect whistle-blowers. They would create safe channels for reporting on breaches of EU law (within companies and to public authorities), protections against retaliation, such as intimidation or harassment, and support measures, such as legal aid and access to information on procedures and remedies. Recent scandals, from LuxLeaks to Panama Papers and Cambridge Analytica, have demonstrated how important whistle-blowers' revelations are to discover and prevent breaches of EU law detrimental to the public interest and the welfare of society.

The new EU Directive respects fundamental rights and the principles recognized by the Charter of Fundamental Rights of the European Union, in particular Article 11 thereof. Consequently, this Directive must be put into operation in line with those rights and principles by ensuring full respect for freedom of expression and information, the right to protection of personal data, the freedom to conduct a business, the right to a high level of consumer protection, the right to a high level of human health protection, the right to a high level of environmental protection, the right to good administration, the right to an effective remedy and the rights of defence.

[Bericht online lesen:](http://melanie.bruning.en-a.de/politik/protecting_whistle_blowers_in_the_european_union_-74426/)
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