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Greens/EFA launch public consultation

Momentum for protection of whistle-blowers in Europe continues to grow

Several recent developments across Europe and within the EU institutions point to a growing momentum for enacting legislation that would ensure protection for whistle-blowers who expose information in the public interest. To boost political will and make sure that whistle-blowers are protected instead of prosecuted, the Greens/EFA group in the European Parliament have launched a public consultation on a draft directive to establish minimum levels of protection for whistle-blowers across Europe.

[The public consultation is available online](#) and will be open until 1 September 2016. The aim of the consultation is to gather feedback from legal experts, civil society activists, journalists and whistle-blowers to achieve the strongest possible instrument, and to feed into the ongoing initiatives in Brussels and the Member States.



So, what's happening in Brussels on whistle-blowing?

You may be aware that over the past decade the European Parliament has called for whistle-blower protection at least 4 times, most recently in the special tax committee's report which called on the Commission to propose legislation by June 2016 (the clock is ticking!). Members of the European Parliament are beginning to lose patience, and so are pushing forward in two different committees and one

cross-party intergroup: ***Legal Affairs Committee*** The Parliament's legal affairs committee will draft a legislative initiative report, which will authoritatively call on the Commission to produce a proposal and will include details about the legal bases for whistle-blower legislation, the scope of the proposed protection, and key principles that should be included in the legislation. The European Parliament legal services are currently studying the legal bases that have already identified by the Greens/EFA and other parties: protection of working conditions (which [our draft is based on](#)), and the functioning of the internal market. ***Budgetary Control Committee*** In addition, the European Parliament's budgetary control committee will draft an own-initiative report on the need for whistle-blower protection in the context of the spending of EU funds. Green/EFA Members (Benedek Javor, Bart Staes) will contribute to both reports, using our draft directive and [the responses from the online consultation](#) as a basis. ***European Parliament Inter-group on Integrity, Transparency, Corruption and Organised Crime*** The European Parliament intergroup on Integrity, Transparency, Corruption and Organised Crime (ITCO) is composed of Members of the European Parliament from almost all the political groups, all of whom are dedicated to working on transparency and integrity issues. They have chosen the protection of whistle-blowers as one of their strategic priorities, and will organise a conference in the autumn on the matter. More information will be found here: <http://itcointergroup.eu/>

What about the European Commission?

It has been decided that DG Justice will be coordinating the work in the European Commission on the protection of whistle-blowers, which potentially involves many Directorate Generals, including DG HOME for example. What is not clear is what form this work will take or what the exact timeline is - we should have more information next week, so watch this space!

What about the Member States?

There are several ongoing initiatives in the Member States on the protection of whistle-blowers:

- In **France**, the “Loi Sapin II” was recently approved by the French National Assembly, and will now be examined by the Senate.
- In **Germany**, the Ministers of Justice of the German federal states recently criticised the fragmented and uneven levels of protection provided for whistleblowers and called on the German Federal government to assess the need for comprehensive legislation on the matter.
- In **Luxembourg**, the Ministry of Justice is working on a revision of their whistle-blower legislation (current part of the 2011 anti-corruption law, which only covers whistle-blowers who report corrupt activities, and not if they report to the media: [see here for our latest statement on the #Luxleaks trial](#))

What can you do?

To give your feedback on the draft directive, visit: <https://www.discuto.io/en/consultation/12357> To participate in the whistle-blower campaign, contact [Pam Bartlett Quintanilla](#) To spread the word and/or show your support, use the hashtag [#whistle-blowers](#)

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