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Parliament moving forward on whistleblower protection

Molly Scott Cato's report adopted by the ECON Committee

A new European Parliament report ('opinion') on the protection of whistleblowers, drafted by Greens/EFA MEP Molly Scott-Cato, has called for ambitious protection of those reporting wrongdoing and illegal activities all across Europe.

The Opinion, which was approved by the Economic and Financial Affairs Committee, emphasises that whistleblowers' alerts are useful for various sectors, but focuses on their role in the fight against tax avoidance, in preventing misconduct by multinationals and in ensuring the smooth functioning of the EU's internal market.

Highlights from the report include demands for:

- EU-wide protection of employees in both the private and public sector, including exempting whistleblowers from proceedings, disciplinary measures or other forms of reprisal, plus a reversal of the burden of proof so that whistleblowers are no longer on the back foot;
- Punishment for companies that retaliate against whistle-blowers so that they may not receive EU funds nor enter into contracts with public bodies;
- A broad definition of whistleblowers that covers also those reporting on wrongdoing, not only on illegal acts;
- Guaranteed protection for whistleblowers no matter which channels they use to sound the alarm, plus the possibility to report anonymously;
- The inclusion of specific provisions on whistleblower protection in future international agreements related to financial services, taxation and competition issues;
- The establishment of a common pan-European whistleblower fund in order to provide financial assistance to whistle-blowers as well as the possibility for whistleblowers to seek compensation for harassment;
- The possible creation of an independent EU body to receive complaints, and to give advice and offer protection where appropriate;
- The publication of an annual report evaluating the levels of protection of whistleblowers across the Union

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NEXT STEPS:

Molly's report ('Opinion') will now be taken on board by the committee on Legal Affairs (JURI), which is the lead committee in charge of drafting the European Parliament's position on the future protection of whistleblowers in the EU. The JURI committee will vote on the complete report on 28 September, and the adoption of the final report is scheduled to take place in plenary this Autumn.

The European Commission will soon launch the results of its public consultation on whistleblower protection, as well as the outcome of its ongoing Impact Assessment. It remains to be seen whether they will propose European legislation before the end of the year, and what type of legislation this might be.

FOR MORE INFORMATION:

1. Read our **briefing on the need to ensure horizontal EU protection** for whistleblowers: http://extranet.greens-efa-service.eu/public/media/file/1/5181
2. Read a **legal analysis** on how to achieve whistleblower protection according to the EU Treaties: http://extranet.greens-efa-service.eu/public/media/file/1/5179
3. **Follow the European Parliament's progress** on the full whistleblower report here: http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2016/2224%28INI%29&l=en
4. Read the **Greens/EFA Principles** on whistleblower protection: https://www.greens-efa.eu/en/article/news/principles-for-european-whistleblower-legislation/

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