

Transparency International EU

The global coalition against corruption

Press release: Historic day for whistleblowers as EU agrees pathbreaking legislation

Alessandro · Tuesday, March 12th, 2019

The European Parliament and EU Council have agreed a pathbreaking piece of legislation that will help protect whistleblowers around Europe. The political agreement was reached in tough negotiations in the early hours of this morning, and is the first time that the EU will have dedicated legislation in this area.

The proposed legislation will give much greater protections for individuals who wish to come forward when they encounter corruption or illegality in the workplace and will provide both public and private sector employers with greater legal certainty around their rights and obligations.

“Today is a historic day for those who wish to expose corruption and wrongdoing” said Nick Aiossa, Senior Policy Officer at Transparency International EU, *“Whistleblowers in the EU, like Howard Wilkinson, the Danske Bank whistleblower, have spent far too long facing unjust retaliation for speaking out. It is quite an accomplishment that negotiations between the institutions have come to a positive end.”*

While certain provisions can be strengthened, the draft legislation provides a strong foundation for potential whistleblowers to be protected under EU law. The directive affords much-needed harmonisation, as up until now, EU countries have had patchwork of protection for those who wish to expose the truth. **Ireland**, for example, already has good laws in place however Member States such as Cyprus have practically none. We await the publication of the preliminary text in order to scrutinise it more closely. However, one of the most crucial structural issues of the directive was successfully addressed. *“We commend the EU in recognising that whistleblowers should be able to first report wrongdoing to the relevant law enforcement or regulatory authorities.”* continued Nick Aiossa.

During the negotiations, [petitions](#) demanding that

whistleblowers should be granted protection if they reported wrongdoing externally first gathered over a quarter of a million signatures. Over 80 organisations and whistleblowers themselves also sent letters to the institutions to demand a robust directive.

In the coming weeks and months, both the European Council and European Parliament will have to endorse this preliminary agreement. It will then have to be transposed into national laws in Member States. As this directive only relates to EU competences, Member States should use this opportunity to also incorporate national laws in the transposition process.

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Background

Transparency

International, working with a broad coalition of civil society organisations, trade unions and journalist associations, has been advocating for a comprehensive whistleblower directive for many years. We welcomed the Commission's proposal in April 2018 and supported the strong Parliament report, in November 2018, which incorporated many of our main policy recommendations.

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