Basic information

2016/2055(INI) INI - Own-initiative procedure	Procedure completed
Role of whistle-blowers in the protection of EU's financial interests **Subject** 8.70.04 Protecting financial interests of the EU against fraud	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	DE JONG Dennis (GUE/NGL)	22/02/2016
	Shadow rapporteur PITERA Julia (PPE) IVAN Cătălin Sorin (S&D) THEURER Michael (ALDE) JÁVOR Benedek (Verts/ALE) VALLI Marco (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
AFCO Constitutional Affairs	MESSERSCHMIDT Morten (ECR)	20/04/2016

European Commission

Commission DG	Commissioner
Economic and Financial Affairs	TIMMERMANS Frans

Key events

Date	Event	Reference	Summary
28/04/2016	Committee referral announced in Parliament		
09/01/2017	Vote in committee		
20/01/2017	Committee report tabled for plenary	A8-0004/2017	Summary

13/02/2017	Debate in Parliament		
14/02/2017	Decision by Parliament	T8-0022/2017	Summary
14/02/2017	Results of vote in Parliament		
14/02/2017	End of procedure in Parliament		

Technical information	
Procedure reference	2016/2055(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/8/06285

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE587.704	06/09/2016	
Amendments tabled in committee		PE592.170	18/10/2016	
Committee opinion	AFCO	PE587.624	21/10/2016	
Committee report tabled for plenary, single reading		A8-0004/2017	20/01/2017	Summary
Text adopted by Parliament, single reading		T8-0022/2017	14/02/2017	Summary

Role of whistle-blowers in the protection of EU's financial interests

2016/2055(INI) - 14/02/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 607 votes to 16, with 70 abstentions, a resolution on the role of whistle-blowers in the protection of EU's financial interests.

Members stressed that **whistle-blowers contribute greatly to increasing the democratic quality of, and the trust in, public institutions** by making them directly accountable to citizens and more transparent.

European protection programme: Parliament deplored the fact that the Commission has so far failed to submit any legislative proposals aimed at establishing a minimum level of protection for European whistleblowers. It urged the Commission to immediately submit a legislative proposal establishing an effective and **comprehensive European whistle-blower protection programme** which includes mechanisms for companies, public bodies and non-profit organisations.

More specifically, the Commission is called upon to submit a legislative proposal **before the end of this year** protecting whistle-blowers as part of the necessary measures in the fields of the prevention of and fight against fraud affecting the financial interests of the Union.

Member States which have not yet adopted the principles to protect whistle-blowers in their domestic law are called on to do so as soon as possible.

Whistle-blower protection: Parliament considered it necessary to foster an ethical culture helping to ensure that whistle-blowers will not suffer retaliation or face internal conflicts. It stressed that the **definition of whistle-blowing** includes the protection of those who disclose information with a reasonable belief that the information is true at the time it is disclosed, including those who make inaccurate disclosures in honest error.

The Commission is invited to:

- **provide a clear legal framework** that guarantees that those exposing illegal or unethical activities are protected from retaliation or prosecution;
- ensure that its proposal affords the same protection to **investigative journalists** as it does to whistle-blowers.

European body: Parliament stressed the need to establish an independent information-gathering, advisory and referral EU body, with offices in Member States which are in a position to receive reports of irregularities. It should be provided with sufficient budgetary resources, adequate competences and appropriate specialists, in order to help internal and external whistle-blowers in using the right channels to disclose their information on possible irregularities affecting the financial interests of the Union, while protecting their confidentiality and offering needed support and advice.

Special unit with the European Parliament: Members requested the establishment a special unit with a reporting line as well as dedicated facilities (e.g. hotlines, websites, contact points) **within Parliament** for receiving information from whistle-blowers relating to the financial interests of the Union, which will also provide them with advice and help in protecting them against any possible retaliatory measure. They called for a website to be launched where complaints can be submitted.

Single working protocol: the resolution called on the Commission to :

- **set up procedures** for receiving and protecting whistleblowers who provide information on irregularities relating to the financial interests of the Union, and to establish a single working protocol for whistleblowers;
- **provide Parliament with any information** received from whistle-blowers affecting the financial interests of the Union and include a chapter on their alerts and the follow-up to these in the annual activity reports;
- **carry out a public consultation** to seek the view of stakeholders on the reporting mechanisms and on the potential shortcomings of the procedures at national level;
- **study best practices** from whistle-blower programmes already in place in other countries around the world.

Lastly, Parliament called on Member States to **refrain from criminalising** the actions of whistle-blowers in disclosing information about illegal activities or irregularities harmful to the EU's financial interests.

Role of whistle-blowers in the protection of EU's financial interests

2016/2055(INI) - 20/01/2017 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted an own-initiative report by Dennis de JONG (GUE/NGL, NL) on the role of whistle-blowers in the protection of EU's financial interests.

The report stressed that **whistle-blowers contribute greatly to increasing the democratic quality of, and the trust in, public institutions** by making them directly accountable to citizens and more transparent.

Legislative proposal: Members urged the Commission to immediately submit a legislative proposal establishing an effective and **comprehensive European whistle-blower protection programme** which includes mechanisms for companies, public bodies and non-profit organisations.

More specifically, the Commission is called upon to submit a legislative proposal **before the end of this year** protecting whistle-blowers as part of the necessary measures in the fields of the prevention of and fight against fraud affecting the financial interests of the Union.

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Single working protocol: the report called on the Commission, and on the European Public Prosecutor's Office in so far as it is within its mandate upon its establishment, to establish efficient channels of communication between the parties concerned, to likewise set up procedures for receiving and protecting whistle-blowers who provide information on irregularities, and to establish a single working protocol for whistle-blowers.

The Commission is also called upon to:

- **provide Parliament with any information** received from whistle-blowers affecting the financial interests of the Union;
- **carry out a public consultation** to seek the view of stakeholders on the reporting mechanisms and on the potential shortcomings of the procedures at national level;
- **study best practices** from whistle-blower programmes already in place in other countries around the world.

Lastly, the report called on Member States to **refrain from criminalising** the actions of whistle-blowers in disclosing information about illegal activities or irregularities harmful to the EU's financial interests.