

TRUTH MATTERS: WHISTLEBLOWING IN THE EU

An explainer
#right2info

Background

From the [Cambridge Analytica and Brexit scandal](#), [LuxLeaks](#) to the 'Panama Papers' and [Volkswagen](#) cheating emission tests, whistleblowers and investigative journalists have risked everything to keep us informed.

By exposing to us secrets and lies that corporations, tax dodgers, governments and EU leaders would rather we did not know about, they have made a massive public contribution to democracy and provided us with even more determination to fight for tax and climate justice, as well as data protection and fundamental rights on behalf of citizens.

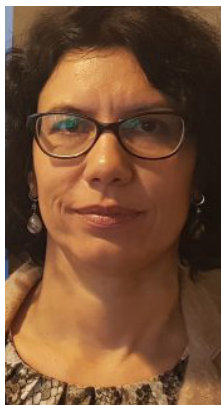
For example, if it were not for Luxleaks, we would never have known the pitiful amount of tax that Amazon and Starbucks pay in the EU through deception, loopholes and tricks - with the help of the same governments and ministers that have imposed a whole decade of austerity upon us.

Sacrifice

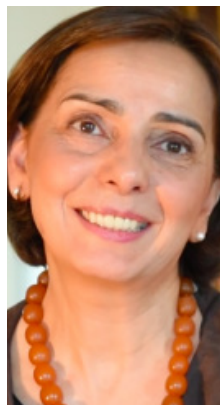
However, such acts of heroism by whistleblowers and journalists often result in prison sentences, intimidation, threats, state retaliation, character assassination, deportation and even death - all within the EU. Why? Because the authorities had no interest in protecting the very same people that they regard as the 'enemy within'.



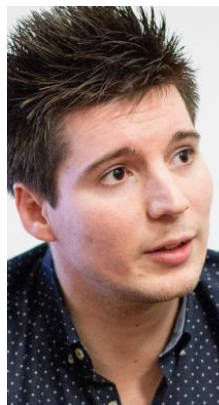
Julian Assange
founder of WikiLeaks who has been arrested by UK authorities and could be extradited to the US



Katya Mateva
whistleblower on Bulgarian Ministry of Justice's Golden Visa scam



Yasmine Motarjemi
former Vice President and whistleblower on Nestlé's food safety lapses



Rui Pinto
Football Leaks whistleblower currently awaiting trial in Portugal



Luis Gonzalo Segura
author and whistleblower on corruption and wrongdoing in the Spanish army



Howard Wilkinson
Danske Bank whistleblower



What our MEPs say:

"Whistleblowers are the heroes of our time"

Stelios Kouloglou
(SYRIZA, Greece)

"We should be paying tribute to the journalists – like Daphne Caruana Galizia – and whistleblowers. How long can this go on until we have true protection for whistleblowers within the EU?"

Miguel Urbán
(Podemos, Spain)

Truth matters

When GUE/NGL first launched an award for 'Journalists, Whistleblowers and Defenders of the Right to Information' in 2018, it was in response to the horrific killing of the Maltese journalist, Daphne Caruana Galizia, and the lack of protection afforded to these courageous people in the EU.

Murdered for her investigations into high-level corruption and cover-ups, Daphne's killers are still at large and injustice remains to this day.

As the name of the award suggests, it is for all those who defend the right to information - our right to information. It is what the EU should be about, and it is part of our fundamental rights in a democracy.

Yet, EU legislation has been inadequate in terms of protection offered to whistleblowers and journalists. Of the two inaugural winners of our award, Ján Kuciak was gunned down for his exposés on corruption in Slovakia, whilst Luxleaks whistleblower Raphaël Halet spent years fighting Luxembourg's judiciary.

The tragic circumstances and their own personal stories and courage made the 2018 award ceremony a very moving occasion for all those of us who were present.

GUE/NGL's legislative influence

The 2019 ceremony on 16th April in Strasbourg happens to coincide with a final vote by MEPs on how to better protect whistleblowers inside the EU.

Back in 2014, when the Commission, first presented the proposals, they were weak and rigid - and the provisions for whistleblowers were quickly cast aside due, no doubt, to business interests.

However, our group's MEPs led from the front in the various committees that worked on this directive when it came to the Parliament at the start of 2018.

We made sure to include provisions that would provide genuine protection for whistleblowers as well as to so-called 'facilitators': colleagues, families, relatives, NGOs and trade unions.

Crucially, there are also new provisions that will prohibit member states from seeking retaliation or indirect threats against the whistleblower. This also means people cannot be prosecuted if the stolen documents are critical to the whistleblowing.

Reporting channels

Amongst the new proposals is a procedure in which someone can blow the whistle in a much more open and democratic way. Every workplace will have to provide internal 'reporting channels' for those who have information that they wish to impart.

If that doesn't work, the matter can then be taken externally to a competent national authority, perhaps an Ombudsman or an independent body set up by the member state.

If that external reporting also fails, or if the whistleblower feels the state is working against them, then they can go public via the media or other channels.

Initially, the Commission wanted to make the procedure much more bureaucratic and cumbersome, and came out strongly against such a reporting 'hierarchy'. However, our MEPs fought for whistleblowers' rights - and won.

Although the possibility to report anonymously remains a member state competence, the final text is satisfactory and the vote should be a mere formality before adoption by the Council.