



Press Release
Luxembourg, 15 October 2018

Auditors welcome greater protection for whistleblowers in the EU

A proposed system to protect persons reporting breaches of EU law – known as whistleblowers – could increase their legal rights in all Member States and give citizens a central role in ensuring EU rules are applied in the context of their work, according to a new Opinion from the European Court of Auditors. The auditors give the proposal a warm welcome, although they note that in some cases it may be too complex to be fully effective.

In April 2018, following a number of high-profile cases, the European Commission proposed a Directive on the protection of whistleblowers, which is currently being considered by the European Parliament and the Council.

The auditors consider that the proposed system would help improve the management of EU policies and programmes, as a complement to infringement procedures initiated by the Commission against Member States. Where the EU's financial interests are concerned, whistleblowing has the potential to generate savings for the EU budget, they add.

“Member States currently have a wide range of approaches to whistleblowing and EU law takes a piecemeal approach”, said Pietro Russo, the Member of the European Court of Auditors responsible for the Opinion. “A comprehensive, well-designed and user-friendly Directive could be an effective tool and could contribute to the protection of the EU budget, sound financial management and accountability.”

However, the auditors are concerned by the complexity surrounding the scope of the Directive. The Commission encourages Member States to consider extending the Directive to ensure a comprehensive and coherent framework at national level. If there is no such voluntary extension, warn the auditors, potential whistleblowers would have to understand whether the breach they were planning to report was covered or not, so that they could benefit from protection. This could deter them.

The problem is partly solved by the proposal to assist potential whistleblowers with clear and easily accessible information, advice and assistance, and with measures against retaliation, say the auditors. But they also call for more staff training and awareness-raising; they stress the importance of fostering a positive and trusting environment in which whistleblowing is an accepted part of the corporate culture.

The purpose of this press release is to convey the main messages of the Opinion adopted by the European Court of Auditors. The full Opinion is on www.eca.europa.eu

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The auditors conclude that the determining factor for the protection of reporting persons should be the public interest of the information revealed. Member States should not be able to withhold protection based on a whistleblower's subjective intentions or specific motivations.

Note to Editors

The European Court of Auditors contributes to improving EU financial governance by publishing opinions on proposals for new or revised legislation with a financial impact. The opinions are used by the legislative authorities — the European Parliament and the Council — in their work.

ECA Opinion No 4/2018 concerning the proposal for a Directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law is currently available in English on the ECA website eca.europa.eu – other languages will be added in due course.