



2016/2224(INI)

19.6.2017

AMENDMENTS

1 - 103

Draft opinion
Luke Ming Flanagan
(PE604.553v01-00)

on legitimate measures to protect whistle-blowers acting in the public interest
when disclosing the confidential information of companies and public bodies
(2016/2224(INI))

AM_Com_NonLegOpinion

Amendment 1

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 (new)

Draft opinion

Amendment

-1. - having regard to recital 20 and Articles 1 and 5 of Directive (EU) 2016/943 on trade secrets,

Or. fr

Amendment 2

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 a (new)

Draft opinion

Amendment

-1a. - having regard to European Parliament resolution of 14 February 2017 on the role of whistleblowers in the protection of EU's financial interests (2016/2055(INI)),

Or. fr

Amendment 3

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 b (new)

Draft opinion

Amendment

-1b. - having regard to the Decision of the European Ombudsman closing her own-initiative inquiry OI/1/2014/PMC concerning whistleblowing,

Or. fr

Amendment 4

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 c (new)

Draft opinion

Amendment

**-1c. - having regard to Article 9 of the
Council of Europe Civil Law Convention
on Corruption,**

Or. fr

Amendment 5

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 d (new)

Draft opinion

Amendment

**-1d. - having regard to Article 22 of the
Council of Europe Criminal Law
Convention on Corruption,**

Or. fr

Amendment 6

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 e (new)

Draft opinion

Amendment

**-1e. - having regard to Council of
Europe recommendation CM/Rec(2014)7
on the protection of whistleblowers,**

Or. fr

Amendment 7

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 f (new)

Draft opinion

Amendment

-1f. - having regard to the decision of the European Court of Human Rights in the case Guja v. Moldova, Application No 14277/04 of 12 February 2008,

Or. fr

Amendment 8

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 g (new)

Draft opinion

Amendment

-1g. - having regard to the OECD publication on 'Committing to effective whistleblower protection',

Or. fr

Amendment 9

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 h (new)

Draft opinion

Amendment

-1h. - having regard to Articles 8, 13 and 33 of the United Nations Convention Against Corruption,

Or. fr

Amendment 10

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 i (new)

Draft opinion

Amendment

-1i. - having regard to the inquiry of the office of the European Ombudsman of 2 March 2015 and to its call for the EU institutions to adopt the required rules on whistleblowing,

Or. fr

Amendment 11

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 j (new)

Draft opinion

Amendment

-1j. - having regard to Rule 53 of the Rules of Procedure of the European Parliament,

Or. fr

Amendment 12

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 k (new)

Draft opinion

Amendment

-1k. A. whereas whistleblowers have, on a number of occasions, exposed major dangers, risks or scandals in the areas of the environment, health, food safety or animal welfare;

Or. fr

Amendment 13

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 l (new)

Draft opinion

Amendment

-1l. B. whereas whistleblowers often find themselves fighting a lone battle, in particular against powerful private interests, and face both personal and professional retribution;

Or. fr

Amendment 14

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 m (new)

Draft opinion

Amendment

-1m. C. whereas most EU Member States have ratified the UN Convention against Corruption, which makes it obligatory to provide appropriate and effective protection to whistleblowers;

Or. fr

Amendment 15

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 n (new)

Draft opinion

Amendment

-1n. D. whereas recital 20 and Articles 1 and 5 of Directive (EU) 2016/943 on trade secrets are not enough to guarantee

whistleblowers sufficient protection;

Or. fr

Amendment 16

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 o (new)

Draft opinion

Amendment

-1o. D. whereas recital 20 and Articles 1 and 5 of Directive (EU) 2016/943 must be supplemented by more adequate legal instruments which give whistleblowers better protection;

Or. fr

Amendment 17

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 p (new)

Draft opinion

Amendment

-1p. E. whereas Parliament has already expressed the view that whistleblowers must be guaranteed better protection, in particular in its resolution of 14 February 2017 on the role of whistleblowers in the protection of EU's financial interests (2016/2055(INI));

Or. fr

Amendment 18

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph -1 q (new)

-1q. F. whereas Member States must be free to choose the sanctions they take against any person who reveals certain confidential information relating to national defence or the Member States' vital interests, even if that information is revealed under the pretext of whistleblowing for the sake of environmental protection, health, food safety or animal welfare;

Or. fr

Amendment 19
Nikolay Barekov

Draft opinion
Paragraph 1

Draft opinion

1. Believes that the lack of adequate whistleblower protection may have a negative impact on the implementation of EU policy on environmental protection, public health and food safety;

Amendment

1. Believes that the lack of adequate ***whistleblower*** protection may have a negative impact on the implementation of EU policy on environmental protection, public health and food safety, ***whereas fears of retaliation can result in a chilling effect on whistle blower thereby endangering the public interest;***

Or. en

Amendment 20
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 1

Draft opinion

1. Believes that the lack of adequate whistleblower protection ***may have*** a

Amendment

1. Believes that the lack of adequate whistleblower protection ***has*** a negative

negative impact *on the implementation of EU policy* on environmental protection, public health and food safety;

impact on environmental protection, public health and food safety;

Or. fr

Amendment 21

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 1

Draft opinion

1. Believes that the lack of adequate whistleblower protection may have a negative impact on the implementation of EU policy on environmental protection, public health *and* food safety;

Amendment

1. Believes that the lack of adequate whistleblower protection may have a negative impact on the implementation of EU policy on environmental protection, public health, food safety *and animal welfare*;

Or. fr

Amendment 22

Benedek Jávor

Draft opinion

Paragraph 1

Draft opinion

1. Believes that the lack of adequate whistleblower protection *may have* a negative impact on the implementation of EU policy on environmental protection, public health and food safety;

Amendment

1. Believes that the lack of adequate whistleblower protection *has* a negative impact on the *development and* implementation of EU policy on environmental protection, public health and food safety;

Or. en

Amendment 23

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 1

Draft opinion

1. Believes that the lack of adequate whistleblower protection ***may have*** a negative impact on the implementation of EU policy on environmental protection, public health ***and*** food safety;

Amendment

1. Believes that the lack of adequate whistleblower protection ***has*** a negative impact on environmental protection, public health, food safety ***and animal welfare***;

Or. fr

Amendment 24
Mihai Țurcanu

Draft opinion
Paragraph 1

Draft opinion

1. Believes that the lack of adequate whistleblower protection may have a negative impact on ***the implementation of*** EU policy on environmental protection, public health and food safety;

Amendment

1. Believes that the lack of adequate whistleblower protection may have a negative impact on EU policy on environmental protection, public health and food safety;

Or. ro

Amendment 25
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Takes the view that, even though the importance and value of whistleblowing in the areas of public health, the environment and food safety is now increasingly recognised in the Member States, information and promotional campaigns on whistleblowing are needed at national and European

level in order to change attitudes and mentalities;

Or. ro

Amendment 26
Mihai Țurcanu

Draft opinion
Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Amendment

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety; ***most notably, the publication of the study on SARS (severe acute respiratory syndrome) and other hazardous diseases that were threatening millions of people in China, and those which helped to avoid dangers to the environment in the US;***

Or. ro

Amendment 27
Nikolay Barekov

Draft opinion
Paragraph 2

Draft opinion

2. Is convinced that whistleblowers ***play a key role*** in reducing risks to public health, the environment and ***food*** safety, and ***that*** whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Amendment

2. Is convinced that whistleblowers ***are one of the most important tools*** in reducing risks to public health, the environment and ***public*** safety, and ***the*** whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve ***the*** food safety ***and even save lives;***

Amendment 28

Nicola Caputo

Draft opinion

Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Amendment

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, ***in deterring and preventing wrongdoing and corruption***, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Or. en

Amendment 29

Benedek Jávor

Draft opinion

Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play ***a key*** role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage ***the disclosure of dangers to public health and the environment and improve food safety***;

Amendment

2. Is convinced that whistleblowers play ***an indispensable*** role in reducing risks to public health, the environment and food safety, ***areas in which certain risks are hard to control externally***, and that ***increased*** whistleblower protection will ***further*** encourage ***public interest disclosures related to these areas***;

Or. en

Amendment 30

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers *to* public health *and the environment and improve food safety*;

Amendment

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers, *risks or scandals relating to the environment*, public health, *food safety or animal welfare*;

Or. fr

Amendment 31
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 2

Draft opinion

2. *Is convinced* that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Amendment

2. *Stresses* that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that *proper* whistleblower protection will encourage the disclosure of dangers, *risks and threats* to public health and the environment and improve food safety;

Or. ro

Amendment 32
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety,

Amendment

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety,

and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety *and animal welfare*;

Or. fr

Amendment 33

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment *and* food safety, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Amendment

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment, food safety *and animal welfare*, and that whistleblower protection will encourage the disclosure of dangers to public health and the environment and improve food safety;

Or. fr

Amendment 34

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 2

Draft opinion

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers to *public health and* the environment *and improve* food safety;

Amendment

2. Is convinced that whistleblowers play a key role in reducing risks to public health, the environment and food safety, and that whistleblower protection will encourage the disclosure of dangers, *risks or scandals of relevance* to the environment, *public health or* food safety;

Or. fr

Amendment 35
Nessa Childers

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. *Cautions that inadequate or ineffectively enforced provisions can expose whistleblowers to reprisals with impunity, whilst failing to offer safeguards to the public interest, as the persistence of reprisals against whistleblowers dissuades those in possession of information on wrongdoing from further reporting or disclosure and undermines faith in the applicable legal regime;*

Or. en

Amendment 36
Benedek Jávor

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. *Recalls recent high-impact cases such as Dieselgate, Nestle and the horsemeat scandals in which environmental, public health or food safety risks have been uncovered where disclosures from whistleblowers were instrumental in the detection of the risk, or where stronger protections of whistleblowers might have led to earlier risk detection and more limited damage;*

Or. en

Amendment 37
Benedek Jávor

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. Stresses that key advances in public health, notably in tobacco control, can ultimately be traced back to the release of internal documents by whistleblowers;

Or. en

Amendment 38
Benedek Jávor

Draft opinion
Paragraph 2 c (new)

Draft opinion

Amendment

2c. Draws attention to the fact that environmental, public health and food safety risks rarely stop at borders, meaning that weak or non-existent whistleblower protection in one Member State, which may prevent the timely detection of such risks, puts the health and safety of all EU citizens, as well as their ability to protect the environment, in jeopardy;

Or. en

Amendment 39
Benedek Jávor

Draft opinion
Paragraph 2 d (new)

Draft opinion

Amendment

2d. Points out that wildlife trafficking has become one of the world's most

profitable forms of organised crime and notes the key role played by whistleblowers who report illegal trafficking, logging, fishing and other crimes against wildlife;

Or. en

Amendment 40
Benedek Jávor

Draft opinion
Paragraph 2 e (new)

Draft opinion

Amendment

2e. Stresses that evidence of violations of EU animal protection and food safety laws on farms and abattoirs relies almost exclusively on whistleblowers as these locations are not accessible to the general public and official controls are usually announced in advance;

Or. en

Amendment 41
Benedek Jávor

Draft opinion
Paragraph 2 f (new)

Draft opinion

Amendment

2f. Recognises that fishing boats are extremely isolated when in operation at sea and that strong protection of whistleblowers is essential to enable them to provide evidence of illegal fishing and other violations of EU law;

Or. en

Amendment 42
Benedek Jávor

Draft opinion
Paragraph 2 g (new)

Draft opinion

Amendment

2g. Deplores the fact that regulators, including those monitoring the food chain, are under resourced and thus dependent on whistleblowers for information, and that therefore both increased funding for regulators and effective protection for whistleblowers are essential;

Or. en

Amendment 43
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Stresses that proper legislation in this area will also help to rebuild trust in scientific expertise;

deleted

Or. fr

Amendment 44
Luke Ming Flanagan

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Stresses that proper legislation in this area will also help to rebuild trust in scientific expertise;

3. Stresses that proper legislation in this area will also help to rebuild trust in scientific expertise; *Whistle blower legislation encourages those with*

scientific and technical knowledge to assert the facts which might otherwise remain hidden;

Or. en

Amendment 45
Benedek Jávor

Draft opinion
Paragraph 3

Draft opinion

3. Stresses that *proper* legislation *in this area* will also help to rebuild trust in scientific expertise;

Amendment

3. Stresses that *swift and robust EU* legislation *to protect whistleblowers* will also help to rebuild trust in *democratic institutions, to facilitate* scientific expertise *and debate and to demonstrate the added value of EU action for citizens;*

Or. en

Amendment 46
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 3

Draft opinion

3. Stresses that proper legislation in this area will also help to rebuild trust in scientific expertise;

Amendment

3. Stresses that proper legislation in this area *and a political consensus that will make it possible to implement efficient measures at both national and European level* will also help to rebuild trust in scientific expertise;

Or. ro

Amendment 47
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 3

Draft opinion

3. *Stresses that proper legislation in this area will also help to rebuild trust in scientific expertise;*

Amendment

3. *Would make it possible to reveal more easily any conflicts of interest that apply to scientists employed by European Union agencies or other bodies supposed to be independent and neutral;*

Or. fr

Amendment 48
Mihai Țurcanu

Draft opinion
Paragraph 3

Draft opinion

3. Stresses that proper legislation in this area will also help to **rebuild** trust in scientific expertise;

Amendment

3. Stresses that proper legislation in this area will also help to **preserve and consolidate** trust in scientific expertise;

Or. ro

Amendment 49
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 4

Draft opinion

4. *Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States;*

Amendment

deleted

Or. fr

Amendment 50
Luke Ming Flanagan

Draft opinion
Paragraph 4

Draft opinion

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States;

Amendment

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States;
Environmental issues are by their nature transnational and as such legislation must reflect this; whistleblower protection should be afforded across the Union irrespective of where the whistle blower resides and irrespective of where crimes have been committed;

Or. en

Amendment 51
Françoise Grossetête

Draft opinion
Paragraph 4

Draft opinion

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States;

Amendment

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States, ***on condition that they have acted in good faith and with the sole aim of protecting the general public interest;***

Or. fr

Amendment 52

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 4

Draft opinion

4. *Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States;*

Amendment

4. *Calls on* Member States *to* put protection for whistleblowers in place;

Or. fr

Amendment 53

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 4

Draft opinion

4. Deplores the fact that too few Member States have put protection for whistleblowers in place *and insists that protection is required at EU level to ensure that whistleblowers are afforded equal legal protection in all Member States;*

Amendment

4. Deplores the fact that too few Member States have put protection for whistleblowers in place;

Or. fr

Amendment 54

Nikolay Barekov

Draft opinion

Paragraph 4

Draft opinion

4. Deplores the fact that too few

Amendment

4. Deplores the *significant legal gaps*

Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal **legal** protection in all Member States;

and weaknesses of the whistleblower protection within the Member States and the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level to ensure that whistleblowers are afforded equal protection in all Member States;

Or. en

Amendment 55

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 4

Draft opinion

4. ***Deplores the fact that too few*** Member States ***have*** put protection for whistleblowers in place and insists that protection is required at EU level ***to ensure that*** whistleblowers ***are afforded equal legal protection in all Member States;***

Amendment

4. ***Calls on*** Member States ***to*** put protection for whistleblowers in place and insists that protection is required at EU level ***for*** whistleblowers ***from the European Union agencies;***

Or. fr

Amendment 56

Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 4

Draft opinion

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level ***to ensure that whistleblowers are afforded equal legal protection*** in all Member States;

Amendment

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level ***with a view to ensuring full legal protection for whistleblowers that is equal in all Member States, as well as the proper and independent continuation of this process following a referral;***

Amendment 57

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 4

Draft opinion

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level ***to ensure that*** whistleblowers ***are afforded equal legal protection in all Member States;***

Amendment

4. Deplores the fact that too few Member States have put protection for whistleblowers in place and insists that protection is required at EU level ***for*** whistleblowers ***from the European Union agencies;***

Or. fr

Amendment 58

Benedek Jávor

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4a. Notes that some provisions to protect whistleblowers in EU law are already in existence, but that these provisions are often limited in scope or scattered across different laws, leaving loopholes and gaps;

Or. en

Amendment 59

Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4a. *Asks for the Commission's support in encouraging Member States to create efficient and effective whistleblower protection mechanisms;*

Or. ro

Amendment 60
Nessa Childers

Draft opinion
Paragraph 5

Draft opinion

5. Urges the Commission to put forward a proposal for a whistleblower protection directive or any other EU instrument to the same effect;

Amendment

5. Urges the Commission to put forward a proposal for a whistleblower protection directive or any other EU instrument to the same effect; ***stresses the need for a horizontal legal instrument, given the inadequacies and failings of sectorial approaches for that purpose, such as that taken in Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure;***

Or. en

Amendment 61
Luke Ming Flanagan

Draft opinion
Paragraph 5

Draft opinion

5. Urges the Commission to put forward a proposal for a whistleblower

Amendment

5. Urges the Commission to put forward a proposal ***without delay*** for a

protection directive or any other EU instrument to the same effect;

whistleblower protection directive or any other EU instrument to the same effect;
urges the Commission to take stock of the results of its public consultation and to move forward to draft legislation in the coming months;

Or. en

Amendment 62
Nicola Caputo

Draft opinion
Paragraph 5

Draft opinion

5. Urges the Commission to put forward a proposal for a whistleblower protection directive or any other EU instrument to the same effect;

Amendment

5. Urges the Commission to put forward a proposal for a whistleblower protection directive or any other EU instrument to the same effect; ***encourages Member States to develop legislative instruments that protect those who report justified and proven breaches of conduct to public authorities;***

Or. en

Amendment 63
Benedek Jávor

Draft opinion
Paragraph 5

Draft opinion

5. Urges the Commission to put forward a proposal for a whistleblower protection ***directive or any other EU instrument to the same effect;***

Amendment

5. Urges the Commission to put forward a proposal for a ***horizontal directive that puts in place robust common minimum standards in the EU for whistleblower protection and which builds on the Treaty provisions regarding environmental protection, public health and consumer protection;***

Amendment 64

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 5

Draft opinion

5. Urges the Commission to put forward a proposal for a whistleblower protection directive or any other EU instrument to the same effect;

Amendment

5. Urges the Commission to put forward a proposal for a whistleblower protection directive, ***particularly for whistleblowers from the European Union agencies***, or any other EU instrument to the same effect;

Or. fr

Amendment 65

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 5

Draft opinion

5. Urges the Commission to put forward a proposal for a whistleblower protection directive ***or any other EU instrument to the same effect***;

Amendment

5. Urges the Commission to put forward a proposal for a whistleblower protection directive;

Or. fr

Amendment 66

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 5

Draft opinion

5. Urges the Commission to put

Amendment

5. Urges the Commission to put

forward a proposal for a whistleblower protection directive *or any other EU instrument to the same effect*;

forward a proposal for a whistleblower protection directive, *particularly for whistleblowers from the European Union agencies*;

Or. fr

Amendment 67
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Urges the Commission to consider carrying out further horizontal and sectoral actions at EU level, in line with the subsidiarity principle, with a view to consolidating and promoting whistleblower protection;

Or. ro

Amendment 68
Mihai Țurcanu

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Suggests that EU agencies adopt a written policy on protection from reprisals for people reporting irregularities, as well as whistleblowers;

Or. ro

Amendment 69
Mihai Țurcanu

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. *Points out that in most cases the work of whistleblowers is based on the principles of transparency and integrity; the protection of whistleblowers should therefore be guaranteed by law and reinforced throughout the Union, but only if the purpose of their action is to protect the public interest by acting in good faith in accordance with the jurisprudence of the European Court of Human Rights;*

Or. ro

Amendment 70
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. *Urges the Commission to monitor Member States' provisions on whistleblowers with a view to facilitating the exchange of best practice, which will help to ensure more efficient protection for whistleblowers at national level;*

Or. ro

Amendment 71
Nessa Childers

Draft opinion
Paragraph 6

Draft opinion

Amendment

6. Stresses that *environmental* crimes, which may result in health and food issues,

6. Stresses that *the reporting or disclosure of information pertaining to*

should fall within the scope of any EU instrument protecting whistleblowers;

risks, misconduct and crimes, as well as any attempts to conceal them, which may result in *environmental damage*, health and food *integrity and safety* issues, *among other forms of wrongdoing, such as the mismanagement of public land and property*, should fall within the scope of any EU instrument protecting whistleblowers, *irrespective of whether they amount to a breach of the law, further to a reasonable belief that the disclosure is made in the public interest*;

Or. en

Amendment 72
Nikolay Barekov

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that environmental crimes, which may result in health and food issues, should fall within the scope of any EU instrument protecting whistleblowers;

Amendment

6. Stresses that environmental crimes, which may result in health and food issues, should *fall within* the scope of any EU instrument protecting *whistleblowers particularly when there are cross-border or EU-wide implications*;

Or. en

Amendment 73
Benedek Jávor

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that environmental crimes, which may result in health and food *issues*, should fall within the scope of any EU instrument protecting whistleblowers;

Amendment

6. Stresses that *disclosures on* environmental crimes *and other threats to the public interest* which may result in health and food *risks, including in relation to emerging technologies for which the*

long-term environmental and health effects are still unknown, should fall within the scope of any EU instrument protecting whistleblowers;

Or. en

Amendment 74
Mihai Țurcanu

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that environmental crimes, which may result in health and food issues, *should fall within the scope of any EU instrument protecting whistleblowers*;

Amendment

6. Stresses that *whistleblowers help to uncover* environmental crimes, which may result in *public* health and food *safety* issues, *and they should benefit from protection instruments in these areas throughout the Union*;

Or. ro

Amendment 75
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that environmental crimes, which may result in health and food issues, should fall within the scope of any EU instrument protecting whistleblowers;

Amendment

6. Stresses that environmental crimes *or crimes against animal welfare*, which may result in health and food issues, should fall within the scope of any EU instrument protecting whistleblowers;

Or. fr

Amendment 76
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that environmental crimes, which may result in health and food issues, should fall within the scope of **any EU instrument** protecting whistleblowers;

Amendment

6. Stresses that environmental crimes, which may result in health and food issues, should fall within the scope of **the proposal for a directive** protecting whistleblowers;

Or. fr

Amendment 77
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that **environmental crimes**, which may result in health and food issues, should fall within the scope of any EU instrument protecting whistleblowers;

Amendment

6. Stresses that **damage to the environment**, which may result in health and food issues, should fall within the scope of any EU instrument protecting whistleblowers;

Or. fr

Amendment 78
Nessa Childers

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Emphasises the importance of open organisational cultures and of the existence of multiple, protected channels for voluntary reporting of information, internally and externally, in order to prevent harm to the environment, human health and the food chain, which is also in the best interests of the organisations themselves;

Amendment 79
Nessa Childers

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action; ***underlines that effective whistleblower protection is essential to guarantee the right to free speech and freedom of information, and that conflicting norms governing matters of secrecy and confidentiality should be reviewed in line with European human rights jurisprudence, so as to ensure that such exceptions are necessary and proportionate;***

Or. en

Amendment 80
Mihai Țurcanu

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must ***be comprehensive and fast-acting and must*** protect the whistleblower and his or her ***colleagues and*** relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU whistleblower protection legislation must protect the whistleblower and ***where appropriate*** his or her relatives from any kind of retaliatory action; ***points out in this regard that the EU institutions, in cooperation with all relevant national authorities, should introduce and take all necessary measures to protect the***

confidentiality of information sources in order to prevent any discriminatory actions or threats;

Or. ro

Amendment 81
Nikolay Barekov

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU ***whistleblower*** protection legislation must be comprehensive and fast-acting and must protect the ***whistleblower*** and his or her colleagues and relatives from any kind of retaliatory action, ***harassment, intimidation and exclusion of those people from their place of work or private life;***

Or. en

Amendment 82
Nicola Caputo

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action; ***calls on the Commission to ensure that whistle-blowers have access to independent legal advice and financial and psychological support;***

Or. en

Amendment 83
Benedek Jávor

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive ***and*** fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive, ***wide in scope***, fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action ***and from civil, criminal or administrative procedures arising from the procedure***;

Or. en

Amendment 84
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU whistleblower protection legislation must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action, ***in either the professional or the personal sphere***;

Or. fr

Amendment 85
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion
Paragraph 7

Draft opinion

7. Highlights the fact that EU ***whistleblower*** protection ***legislation*** must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU ***legislation concerning the*** protection ***of whistleblowers from the European Union agencies*** must be comprehensive and fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Or. fr

Amendment 86

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 7

Draft opinion

7. Highlights the fact that EU whistleblower protection legislation must be ***comprehensive and*** fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Amendment

7. Highlights the fact that EU whistleblower protection legislation must be fast-acting and must protect the whistleblower and his or her colleagues and relatives from any kind of retaliatory action;

Or. fr

Amendment 87

Françoise Grossetête

Draft opinion

Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls on Member States and the Commission to draw up a strict legal framework which will enable businesses to establish internal whistleblower systems, properly defining the concept of a reasonable period for a reply from the undertaking, and ensuring that these

systems comply with social legislation and the law protecting personal data;

Or. fr

Amendment 88
Benedek Jávor

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Highlights the need for legal certainty regarding the protective provisions afforded to whistleblowers, as a continued lack of clarity and a fragmented approach deters potential whistleblowers from coming forward, and is detrimental to their employers, especially in the case of businesses that operate in multiple jurisdictions or sectors;

Or. en

Amendment 89
Mihai Țurcanu

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Stresses the important role of investigative journalism and calls on the Commission to ensure that its proposal offers the same level of protection to both investigative journalists and whistleblowers;

Or. ro

Amendment 90

Mihai Țurcanu

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7b. Highlights the fact that whistleblower protection is essential in order to protect the public interest and promote a culture of public accountability and integrity in both public and private institutions;

Or. ro

Amendment 91

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 8

Draft opinion

Amendment

8. Stresses that the definition of a whistleblower should not be narrow or restricted to certain fields, and that whistleblowers in the public and private sectors should be afforded equal protection;

deleted

Or. fr

Amendment 92

Nessa Childers

Draft opinion

Paragraph 8

Draft opinion

Amendment

8. Stresses that the definition of a whistleblower should not be narrow or restricted to certain fields, and that

8. Stresses that the definition of a whistleblower should not be narrow or restricted to certain fields, **work contract**

whistleblowers in the public and private sectors should be afforded equal protection;

status or the legal character of the acts or information reported or disclosed, and that whistleblowers in the public and private sectors should be afforded equal protection and not bound by any contractual obligation preventing reports or disclosures when these are in the public interest, notwithstanding any necessary restrictions such as those framed by the Global Principles on National Security and the Right to Information;

Or. en

Amendment 93

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 8

Draft opinion

8. Stresses that ***the definition of a whistleblower should not be narrow or restricted to certain fields, and that whistleblowers in the public and private sectors should be afforded equal protection;***

Amendment

8. Stresses that ***it is vital to exclude from the scope of the directive certain confidential information directly or indirectly linked to the vital interests of the Member States, because inciting citizens to disclose such information would not be in the general interest;***

Or. fr

Amendment 94

Luke Ming Flanagan

Draft opinion

Paragraph 8

Draft opinion

8. Stresses that the definition of a whistleblower should not be narrow or restricted to certain fields, and that whistleblowers in the public and private sectors should be afforded equal

Amendment

8. Stresses that the ***EU whistle blower protection legislation should be horizontal and that the*** definition of a whistleblower should not be narrow or restricted to certain fields, and that whistleblowers in

protection;

the public and private sectors should be afforded equal protection;

Or. en

Amendment 95

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 8

Draft opinion

8. Stresses that the definition of a whistleblower ***should not be narrow or restricted to certain fields, and that whistleblowers in the public and private sectors should be afforded equal protection;***

Amendment

8. Stresses that the definition of a whistleblower ***must clearly exclude people working in fields directly or indirectly linked to national defence or to the vital interests of the Member States;***

Or. fr

Amendment 96

Benedek Jávor

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. Emphasises that protection is needed not just for internal disclosures made through designated channels within the workplace or disclosures to public authorities or oversight bodies, but - taking into account the relevant case law of the European Court of Human Rights - also external disclosures made to the general public, via the media or otherwise;

Or. en

Amendment 97

Mihai Țurcanu

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. Encourages the Member States to develop benchmarks and indicators on whistleblower policies in both the public and private sector;

Or. ro

Amendment 98

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Draft opinion

Paragraph 9

Draft opinion

Amendment

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the actions taken by whistleblowers, from report submission and processing to ensuring whistleblower protection.

deleted

Or. fr

Amendment 99

Nessa Childers

Draft opinion

Paragraph 9

Draft opinion

Amendment

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the actions taken by whistleblowers, from

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the actions taken by whistleblowers, from

report submission and processing to ensuring whistleblower protection.

report submission and processing to ensuring whistleblower protection;
Stresses the importance of explicitly empowering competent authorities, regulatory and law enforcement bodies with the responsibility to maintain reporting channels, receive, handle and investigate suspected malpractice, whilst safeguarding the confidentiality of the source, where applicable, and the rights of the affected parties.

Or. en

Amendment 100
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 9

Draft opinion

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the actions taken by whistleblowers, from report submission and processing to ensuring whistleblower protection.

Amendment

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the actions taken by whistleblowers, from report submission and processing to ensuring whistleblower protection, ***as well as more efficient whistleblower protection mechanisms.***

Or. ro

Amendment 101
Benedek Jávor

Draft opinion
Paragraph 9

Draft opinion

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the

Amendment

9. Points out that EU legislation should establish a clear procedure for handling disclosures from start to finish to ensure proper follow-through on the

actions taken by whistleblowers, from report submission and processing to ensuring whistleblower protection.

actions taken by whistleblowers, from report submission and processing to ensuring *effective* whistleblower protection.

Or. en

Amendment 102
Nessa Childers

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9a. *Emphasises the importance of extending legal and psychological assistance, as well as relief measures, as appropriate, to whistleblowers who suffered retaliation further to a public interest report or disclosure and, as a consequence, pursue a valid claim in court.*

Or. en

Amendment 103
Nessa Childers

Draft opinion
Paragraph 9 b (new)

Draft opinion

Amendment

9b. *Encourages the Commission and the Member States to provide for access to confidential advice to persons who may be considering a public interest report or disclosure, and who will thus be seeking information such as that relating to the rights and responsibilities of whistleblowers, adequate channels, and the possible consequences of their decision.*

