



Towards a secure and confidential Europe for the whistleblowers

**COUNCIL MEETING
JAN 22-23 2022**

MOTION

(Art. 14(4) Statutes)
(Art. 5 RoP)

In accordance with:
Directive (EU) 2019/1937

Proposed by:

Κόμμα Πειρατών Ελλάδας
(Pirate Party of Greece)

Towards a secure and
confidential environment
within the European Union,
for the protection of
persons who report
breaches of Union law
(whistleblowers)

Reasoning:

On Tuesday 26th November 2019, the EU published the Official Journal of the European Union, which concerns the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23rd October 2019, on the protection of persons who report breaches of Union law (*whistleblowers*).

According to Directive (EU) 2019/1937 Chapter VII (Final Provisions) Article 28 (Entry into force), the Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. According to Chapter VII (Final Provisions) Article 26 (Transposition and transitional period), Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 17 December 2021.

However, as of today, Saturday 22nd January 2022, only 6 out of 27 Member States have managed to adopt the law, while it's delayed for 20 out of 27 Member States and not started for 1 out of 27, according to the EU Whistleblowing Monitor (a WhistleBlowing International Network initiative).

Link to the full reports: <https://whistleblowingmonitor.eu/>

In the past years, in Greece, whistleblowers, reporters and journalists have been the martyrs of a European Union that fails to protect them. Particularly, due to the lack of such a robust and holistic legislative framework that would protect whistleblowers and the corresponding procedures that should be carefully examined and followed, Greece has:

1. Mourned over a dozen whistleblowers, reporters, and journalists
2. Dismissed / Put on hold a plethora of court cases of public interest
3. Dismissed numerous magistrates
4. Criminally charged journalists and reporters investigating cases of public interest

To this end, the European Union has already failed countless times to holistically protect whistleblowers and the integral functioning of the

judicial system of its Member States, in accordance with EU law. Furthermore, it is not acceptable that under these circumstances, the majority of the EU Member States has delayed transposing Directive (EU) 2019/1937 into their legislative frameworks.

The European Union must not solely be a union of economic regulations, but also a union of equity and judicial integrity, that would in any case provide holistic protection to the procedures and persons involved in the whistleblowers institution.

With regard to the aforementioned arguments, the Pirate Party of Greece proposes to the 9th Council Meeting of the European Pirate Party to adopt the following motion.

Motion:

Regarding the current situation in Europe, concerning the delay of the EU Member States to transpose Directive (EU) 2019/1937 into their legislative frameworks, regarding that whistleblowers and their protection is at the core of the Pirate movement values, and by taking under consideration the imminent dangers and the inequity that derive from the incompetence of the EU Member States to successfully legislate in favor of the whistleblowers institution, we, the members of the European Pirate Party, state that:

- We condemn any intransparency and / or intentional delay of the competent governments of the EU Member States, which have delayed or have not yet started the procedures required to transpose Directive (EU) 2019/1937 into their legislative frameworks.
- We will actively engage (if and however possible), in the procedures of the transposition and transitional period of Directive (EU) 2019/1937, pushing towards the direction of the immediate protection and holistic support of the whistleblowers institution.

We, members of the European Pirate Party, call upon pirate members of national parliaments, members of national delegations in the Council of Europe and members of the Pirate delegation in the European Parliament to further persist in favor of immediate response of all EU Member States, to comply with Directive (EU) 2019/1937, to build a secure and confidential environment within the European Union, for the protection of persons who report breaches of Union law (whistleblowers).