

Whistleblower Protection: What CSOs Should Know

Why Whistleblower Protection Should Be on Your Radar

Whistleblowers expose wrongdoing, risk and malpractice to protect the public interest and prevent harm, often revealing issues at the heart of what many civil society organisations (CSOs) in Europe are established to address – from corruption, tax injustice and human rights violations to animal welfare and environmental abuses.

Yet without strong support and protection, many whistleblowers face isolation, retaliation, and silencing. CSOs are frequently contacted by whistleblowers seeking assistance or to report concerns that fall within their mission, making them uniquely positioned to:

- **Safeguard & Support:** Offer resources, aid and expertise to support those taking risks for the public good, ensuring you and potential whistleblowers receive guidance from CSOs specialising in whistleblower protection, or by raising concerns collectively to shield vulnerable individuals.
- **Amplify Whistleblower Voices:** Use your platform to give whistleblower disclosures the attention and traction they need to drive systemic change and combat negative narratives, stereotypes and stigma.
- **Advocate for Better Protections:** Push for stronger laws, policies and enforcement that align with best practice principles, and protect and integrate CSOs into the legal framework.
- **Facilitate Disclosures:** Establish secure channels to receive and handle reports which meet best practices for identity and retaliation protection, and feedback.
- **Bolster Mission Success:** Leverage whistleblower disclosures to advance your advocacy.

The EU Directive on Whistleblowing: What CSOs Need to Know

[EU Directive](#) 2019/1937 has significantly reshaped whistleblower protection across the EU. A new wave of national whistleblowing laws has set a new global standard and created new opportunities for CSOs.

Key Changes You Can Leverage:

Harmonised Protection Landscape: Whistleblowers now benefit from confidentiality guarantees & anti-retaliation safeguards; making reporting workplace wrongdoing more predictable, & safer. *

Expanded Reporting Rights: Reports can be made directly to authorities or, in certain conditions, disclosed publicly – to the media, or to CSOs - enhancing pathways for accountability and advocacy.

Provision for Facilitation & Advice: Those supporting disclosures are generally better protected from retaliation, with some laws extending coverage for CSOs assisting whistleblowers. New funding opportunities may support CSOs by providing advice and assistance.

** The scope of reportable wrongdoing varies across countries, with some covering only EU breaches, others extending to national law, specific issues like sexual harassment or supply chain infractions, and others encompassing any threat to the public interest.

How CSOs Can Take Action

Become a Voice for Whistleblowers: Advocate for laws that ensure robust protections in your country. Rally public support for whistleblower rights by leveraging your connections and credibility, and by communicating their stories to your mission. **Become a Safe Haven:** Develop or enhance your reporting mechanisms. Position your organisation as a trusted ally for whistleblowers, offering confidentiality and guidance. Also, lead by example with strong procedures for staff. **Build Whistleblower Confidence:** Provide or signpost tools like legal advice, emotional support, or practical assistance to help whistleblowers navigate their challenges. Showcase success stories to encourage others to speak up. **Implement best practice:** Establish policies and procedures which comply with new obligations as well as best practice principles for internal whistleblowing systems.

CSOs at the Forefront of Whistleblower Protection

There is a growing number of CSOs around the world that are dedicated to supporting and defending whistleblowers. This includes CSOs who specialise in providing legal advice and dedicated support to whistleblowers. Many more working in anti-corruption, media freedom and human rights have developed whistleblower protection activities, including advocacy, research and public education – see [Whistleblowing International Network \(WIN\)](#).

Whistleblowers are essential in the fight against corruption. Operating in more than 60 countries, national chapters of the [Transparency International](#) movement have established [Advocacy and Legal Advice Centres](#) (ALACs) to empower individuals, families and communities to safely report corruption.

Quick Wins

- ✓ **Audit Your Policies & Procedures:** Ensure your reporting channels comply with the Directive's requirements and best practices.
- ✓ **Train Your Team:** Equip your staff, beneficiaries and stakeholders with the tools to handle whistleblower disclosures sensitively, effectively and securely (important!)
- ✓ **Partner Up:** Connect with whistleblower protection advocates, legal experts, media outlets, and other CSOs to create stronger networks of support to collaborate on advocacy and cases.

Resources for Action

- To track national implementation & emerging cases, **visit the [EU Whistleblowing Monitor](#).**
- **Connect with experts & CSOs** through the [Whistleblowing International Network \(WIN\)](#) and **explore a collection of publications** of laws, analysis, & best practice guidance at the [WIN Library](#).
- Access the *Government Accountability Project's* [Guide for Public Interest Organisations](#) offering practical advice for CSs working with whistleblowers.
- Connect with your local *Transparency International* [Advocacy & Legal Advice Centres](#) and **find free [Compliance Tools](#)** for establishing your Internal Whistleblowing Systems.
- **Learn more about [Globleaks](#)** free secure reporting platforms.

Join the growing movement to protect whistleblowers and strengthen the fight for accountability!

EU Directive on Whistleblowing – Key Provisions Guide

All EU member states have adopted new legislation to implement [Directive \(EU\) 2019/1937](#), which sets minimum standards to facilitate the reporting of breaches and protect reporting persons.

Transposition Matters: While the Directive aims to harmonise protection across the Union, there are differences in its transposition into national law, with ongoing compliance challenges that may impact legal certainty. Nevertheless, this wave of legislation is a significant step forward and introduces several ground-breaking provisions CSOs should familiarise themselves with:

The Scope

What is protected: Reports of breaches of Union law, with some member states extending to some or all national laws, specific wrongdoing, or harm to public interest (*Article 2*).

Who is protected: Covers a broad range of workers, inc. volunteers, trainees & contractors, shareholders, as well as third persons (family members or colleagues) & facilitators (*Article 4*).

Protection Measures

Identity: Strict rules that whistleblowing channels must ensure confidentiality (*Art 16*)

Remedies: Must include full compensation for any retaliation damage suffered (*Art. 19*)

Immunity: New wide-reaching immunities from civil & criminal liability for reporting & acquiring information (*Art 21*)

Interim Relief: Whistleblowers should have access to injunctive measures (*Art 21*)

Key Standards

Reasonable Belief: The motive for reporting is irrelevant & no proof is required, only reasonable grounds to believe (*Art 6*)

Reversed Burden of Proof: The evidential burden is switched to the retaliator (*Art 21*)

Reporting Channels

Mandatory Procedures: Employers (*Art 8*) & authorities must establish systems to receive, follow-up & feedback on reports (*Art 11*)

External & Public Disclosure: Reports can be made directly to national authorities (*Art 14*) & EU bodies (*Art 6*), & disclosed publicly (e.g. to the media) is protected in certain conditions (*Art 15*)

Penalties: Effective dissuasive sanctions for those who retaliate, breach confidentiality or hinder reporting (*Art 23*)

Support Measures: Whistleblowers must have access to guidance, advice & assistance, potentially extending to legal, financial or psychological support (*Art 20*)

For a list of national laws & emerging updates, visit the [EU Whistleblowing Monitor](#).

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