



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
HUMAN RESOURCES AND SECURITY

The Director General

Brussels, 28 02 2012
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NOTE FOR THE ATTENTION OF DIRECTORS-GENERAL AND HEADS OF SERVICE

Subject: Inter-service consultation – Guidelines on whistleblowing

In 2004, rules on whistleblowing were introduced in the Staff Regulations (Articles 22a and 22b).

Although these rules have already triggered a number of significant investigations by the European Anti-Fraud Office (OLAF), the number of whistleblowing cases remains low. According to the OLAF statistics, there are about five cases a year on average.

While most serious irregularities are reported in the normal line of duty, i.e. without an explicit reference to the whistleblowing rules, a recent study¹ commissioned by the European Parliament underlines the business case of having clear, well-known and trusted reporting channels and whistleblowing arrangements in place: they are of key importance for reducing the losses that organisations suffer through fraudulent activities.

More specifically for the EU Institutions, the study highlights the need to enhance confidence of staff members in the way in which the whistleblowing rules work in practice. To this end, it recommends in particular improving the guidance and support offered to potential whistleblowers, and to emphasise the protection that whistleblowers who act in good faith enjoy against retaliation.

DG HR has therefore brought together the existing rules, working arrangements and case law concerning whistleblowing in a single set of guidelines, with the intention of communicating it to all staff, with the aim of enhancing the confidence of staff in the Commission's whistleblowing arrangements. Clear guidelines in this area are not only helpful for members of staff who are unsure of whether or not to report certain facts, but also help to avoid ill-advised denunciations and potentially damaging disclosure-related conflicts.

¹ "Corruption and conflict of interests in the European Institutions: the effectiveness of whistleblowers" (IP/D/ALL/FWC/2009-056 PE 453.222).

Finally, enhancing the profile of the whistleblowing rules is also part of the Commission's Anti-Fraud Strategy, adopted in June of last year (SEC(2011) 787).

I would be grateful if you could let us have your comments within ten working days following the start of this inter-service consultation.

A handwritten signature in black ink, appearing to read 'Irene Souka', with a stylized, cursive script.

Irene Souka

Copy: Mr. Christian Linder, Cabinet Šefčovič