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Ombudsman calls on EU institutions to adopt whistleblowing rules

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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, Emily O'Reilly, has found that seven out of the nine EU institutions questioned by her office have still to comply with a January 2014 obligation to introduce internal whistleblowing rules. While an inter-institutional committee is examining a common approach, she urges the committee to complete its work as quickly as possible.

The Ombudsman made inquiries of nine EU institutions, namely the Commission, Parliament, the Council, the Court of Justice, the Court of Auditors, the External Action Service, the Economic and Social Committee, the Committee of the Regions and the Data Protection Supervisor. Only the Commission and the Court of Auditors have introduced internal whistleblowing rules.

Emily O'Reilly stated: "The public needs to know that the EU institutions welcome whistleblowing and protect whistleblowers against retaliation to make sure that serious misconduct or wrongdoing in the EU administration are brought to light. While I am disappointed that seven key EU institutions have not yet adopted such rules, I commend the Commission and the Court of Auditors for having done so."

The Ombudsman's own whistleblowing rules

All employees working for the EU administration have the duty to speak up if they become aware of serious irregularities in the course of their work. Since January 2014, all EU institutions are obliged to introduce internal whistleblowing rules.

In July 2014, the Ombudsman opened an investigation on her own initiative by sending the nine institutions a list of questions, including how they protect whistleblowers, and how they encourage persons from outside the EU institutions to blow the whistle.

An inter-institutional committee is currently discussing whether the institutions can adopt a common approach to their obligations in this area. The Ombudsman encourages the committee to finalise its discussions as soon as possible. The full decision in this case is available here: <http://www.ombudsman.europa.eu/en/cases/decision.faces/en/59114/html.bookmark>

Furthermore, to lead by example, the Ombudsman drafted her own whistleblowing rules, based on consultations with her staff, and invited interested parties to comment. She hopes that the final version of the rules for the Ombudsman's office can serve as useful guidance for others. They are available here:

<http://www.ombudsman.europa.eu/en/cases/correspondence.faces/en/59102/html.bookmark>