

# **Network of European Integrity and Whistleblowing Authorities (NEIWA)**

## **Dublin Declaration**

**With a view to the EU Directive transposition deadline 17 December 2021**

**Adopted at the virtual NEIWA meeting in Dublin on 10 December 2021**

NEIWA currently consists of the following members:

<b>Austria</b>	Ministry of Justice
<b>Belgium</b>	Federal Ombudsman Vlaamse Ombudsman
<b>Bulgaria</b>	Bulgarian Commission for Anti-Corruption and Illegal Assets Forfeiture
<b>Croatia</b>	Ombudswoman
<b>Czech Republic</b>	Ministry of Justice
<b>Denmark</b>	Data Protection Authority
<b>Estonia</b>	Ministry of Justice
<b>Finland</b>	Ministry of Justice
<b>France</b>	Défenseur des Droits
<b>Greece</b>	National Transparency Authority
<b>Hungary</b>	Commissioner for Fundamental Rights
<b>Ireland</b>	Garda Síochána Ombudsman Commission (Office of the Ombudsman observer)
<b>Italy</b>	Autorità Nazionale Anticorruzione (Italian Anticorruption Authority)
<b>Latvia</b>	State Chancellery
<b>Lithuania</b>	General Prosecutor's Office
<b>Netherlands</b>	Huis voor Klokkenluiders
<b>Portugal</b>	Portuguese Ombudsman's Office Prosecutor General
<b>Romania</b>	Ministry of Justice
<b>Slovenia</b>	Commission for the Prevention of Corruption
<b>Slovakia</b>	Whistleblower Protection Bureau i.o. Whistleblower Protection Office of Slovakia
<b>Spain</b>	Agencia Valenciana Antifraude Oficina Antifraud de Catalunya Prevention and Fight against Corruption Office of the Balearic islands
<b>Sweden</b>	Ministry of Employment
<b>Montenegro</b>	Agency for Prevention of Corruption (observer)

*Recalling that the Network of European Integrity and Whistleblowing Authorities (NEIWA), currently representing 22 European Union (EU) Member States and one observer, has been established in May 2019 to offer a platform to cooperate, exchange knowledge and experiences in the field of integrity and whistleblowing, with particular attention to the implementation of the Directive (EU) 2019/1937*

of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (hereinafter: 'the Directive').

*Considering* that persons who report information about threats or harm to the public interest obtained in the context of their work related activities make use of their right to freedom of expression, and that therefore the work of NEIWA is underpinned by Articles 11 of the EU Charter of Fundamental Rights and Article 10 of the European Convention on Human Rights.

*Reminding* that NEIWA consists of practitioners in the field of whistleblowing and that our goal is to coordinate our efforts towards the strengthening of the protection of reporting persons within the European Union and promoting a safe work environment, through the exchange of knowledge and practices. The opportunity to speak up and to safely report a breach of law or wrongdoing are essential conditions to advance integrity in the workplace and by doing so to protect the public interest. NEIWA also strives to uphold recognized international standards for the protection of reporting persons and the promotion of integrity.

*Determining* that the main future goals of NEIWA are to:

- offer a platform in the areas of promoting integrity and whistleblowing to exchange knowledge, documentation, initiatives, case law and best practices;
- continue to gather information on the proper transposition of the Directive on reporting persons by Member States and follow the practical implementation in Member States;
- promote a close collaboration between NEIWA members and national, European and international public organizations for the development of common activities in the areas of whistleblowing and integrity, in particular with the EU institutions; and
- promote and disseminate NEIWA's experiences, knowledge and recommendations and actively engage with stakeholders, including civil society and legislators.

*Highlighting* the previous recommendations of NEIWA in the Paris declaration of 2 December 2019, the Rome declaration of 26 June 2020, the Brussels declaration of 17 December 2020, the Utrecht declarations of 4 June 2021 and the declaration with a final call adopted on 17 September 2021.

*NEIWA:*

1. Reminds EU Member States that the Directive required them to have transposed the Directive (EU) 2019/1937 into national law by 17 December 2021;
2. Notes that only 3 EU Member States have achieved this obligation;
3. Encourages the other Member States to complete the transposition without further delay, not only to the wording, but also with a full-hearted recognition of the spirit of the Directive;
4. Stresses once again that reporting persons should be protected against any form of retaliation, and are entitled to the protection measures available;

5. Emphasizes that by 17 December 2021, important elements of the Directive may have direct effect within national legislation in member states where the transposition has not yet occurred, in the relationship between citizens and the state (in the broadest sense possible), including the obligation to start setting up external reporting channels by competent authorities and therefore NEIWA encourages Member States to proactively implement these and other elements provided by the Directive;
6. Recommends authorities to inform the public broadly, in a transparent and clear manner about the rights of reporting persons and persons connected to them, as well as protection against retaliation and to also interpret the legislation in their respective countries in accordance with the spirit and wording of the Directive.

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The Hungarian Commissioner for Fundamental Rights and the Croatian Ombudswoman Office have not participated in the vote.