Whistleblowing as a tool to fight and prevent corruption. European experience.

UNODC – GEM on Corruption involving vast quantities of Assets
December 5, 2018. Lima, Peru
La Fiscalía se opone a la extradición de Falciani a Suiza

Falciani: "Suiza aprovecha la debilidad para pedir mi extradición"

El Confidencial
El Confidencial informa sobre el caso de Falciani, quien se ha negado a ser extraditado a Suiza. Se menciona que el juez ha dictado una orden de extradición.

Profile: HSBC whistleblower Hervé Falciani
BBC News
Perfil de Hervé Falciani, conocido como el "whistleblower" de HSBC, quien denunció irregularidades en el banco. Se menciona que está en prisión en España y que ha sido liberado en treinta días.

Tribunales
El Constitucional avala el empleo de la lista Falciani contra los defraudadores
Se informa sobre la decisión del Constitucional que permite el empleo de la lista Falciani para perseguir a los defraudadores.

Tribunales
LISTA FALCIANI
SE2
Se menciona la lista Falciani y su objetivo de perseguir a los defraudadores.

Economía
La Fiscalía se opone a la extradición de Falciani a Suiza
El Confidencial
Se informa sobre la negativa de la Fiscalía a extraditar a Falciani a Suiza.
19 of 28 EU countries have enacted at least partial legal protections for whistleblowers. Yet none of these laws fully meet European and international conventions and standards.

Seven countries – one-fourth of the EU – met none of the standards, in whole or in part, and scored 0 per cent across all categories: Czech Republic, Denmark, Estonia, Finland, Lithuania, Poland and Spain.

Ireland, Malta and France as good examples.
What about that EU Directive?
Highlights - Legal Affairs Committee Report – November 20, 2018

- protection would be granted to employees in both the private and the public sector
- the definition of a whistle-blower is appropriately wide and includes non-traditional work relationships
- the scope of reportable wrongdoing reflects the EU legislative mandate
- provisions foresee a range of reporting channels, including effective internal mechanisms
- thresholds for protection are adequate and confidentiality is respected
- reporting persons are protected against a variety of retaliatory actions
- mechanisms for legal review and transparent use of the legislation are considered

July 2017 – The EU estimated that 5.8 to 9.6 billion Euros could be recovered across the Union every year in the field of public procurement alone.
ENCRYPTION, SECURITY, CREATIVITY

Our particular concerns

1) LOCALIZATION
2) TWO WAY COMMUNICATION CHANNEL

Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

June 2018 - Encryption and Anonymity follow-up report
A CULTURAL AND SOCIAL CHANGE

• The relevance of translations. Example: Alertadores, Lanceur d’alerte

• Promoting whistleblowing protection is also promoting a prevention of crime and corruption

• Is promoting an organizational change inside the Corporations and public administration

• Is promoting a culture of accountability, a personal involvement and concern on pointing what is wrong.
THANKS FOR YOUR ATTENTION