

Hello Distinguished Delegates and delegations.

My name is Kate and I'm here representing the National whistleblower center. NWC is really encouraged to see that so many members of civil society and states parties have called for the implementation of a dedicated whistleblower resolution. We want to contribute some thoughts on what such resolution would look like and particularly encourage the use of "ACE model" for best practice whistleblower provisions.

In this model, the "A" stands for anonymity. As many of you know, Article 33 and 32 of UNCAC call for the protections of people generally considered to include whistleblowers. This protection is only possible if whistleblowers can come forward without the government or the corporations implicated ever knowing their identity. This is possible through the establishment of explicit whistleblower offices, which would bring cases or investigations forward against the implicated party rather than having the whistleblower themselves bring them forward, therefore, revealing identifying information.

The second aspect of the ACE model is the "C", referring to compensation. That can look like either providing whistleblowers with a portion of the sanction acquired or at the bare minimum, it looks like giving whistleblowers compensation for the legal fees they've incurred, as well as any salary loss through retaliation. In Article 37 of the convention UNCAC calls for the incentivization of people who have borne witness to corruption to provide their information. Compensation does precisely that. At the end of the day, the information that is necessary in order to prosecute crimes of corruption is only held in many instances by those who have participated to some extent in the crime. A financial incentive works to help these people take the risk of reporting, because it's less of a risk with that financial backing.

The final aspect of the ACE model would be Enforcement. Whistleblowers need to know that their claims can result in effective enforcement. We, in our written statement, particularly focused on two key categories of corruption: environmental crime and money laundering. Over 300 members of civil society wrote an open letter emphasizing the need for a safe and enabling environment for environmental whistleblowers and safe enabling we interpret to basically mean that there's whistleblower protection and financial incentivization/compensation. As far as money laundering goes, the entirety of article 14 of the convention is dedicated to anti money laundering provisions. And we know that oftentimes, those who are high-up executives in financial corporations are the only people who have information about corruption and money laundering occurring here, which is why implementing ACE model best practice whistleblower programs is so necessary.

Thank you so much and I look forward to speaking with many of you.