

Journalists Against Tiered Reporting Approach in Draft Whistleblowers Directive



News

Thomas Wahl

On 17 January 2019 – on the eve of final deliberations in the Council that led to adoption of its general approach on the so-called whistleblower directive – [the European Federation of Journalists \(EFJ\)](#) re-published an [open letter](#) calling for robust protection of persons who choose to publicly report unlawful or wrongful acts.

The letter, which was co-signed by four additional European media associations, criticises the Commission’s April 2018 proposal (see [eucrim 1/2018, p. 27](#) and [G. Georgiadou, eucrim 3/2018, p. 166](#)) for unsatisfactorily protecting whistleblowers who exercise their right to freedom of expression. The EFJ rejects the tiered approach and the order of priority for internal and external channels. Investigative journalists would fail to work properly.

According to the letter, “such layered administrative burdens which fall on the whistleblower would unavoidably have a deterrent effect on the latter and would *de facto* act as an obstacle for the whistleblower to report to the media. This would have a negative impact on media freedom in Europe and on the citizens’ fundamental right to receive and impart information, as guaranteed by the European Charter of Fundamental Rights.”

The drop of the three-tiered approach is one of the most controversially discussed issues, not only among the EU institutions but also among civil society stakeholders (see [eucrim 3/2018, pp. 157-159](#) for further details).

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