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:

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

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.

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