



Madrid, February 13th 2019

Dear Mr. Timmermans

As member of EPSU, our European Federation of Public Service Unions, we, The Spanish Federation of Public Services Employees (FeSP) of General Union of Workers (UGT) have been campaigning for EU-wide legal protection of whistle-blowers.

As the proposal for a directive on the protection of reporting persons is now entering its final negotiating stage in Trilogue, we urge you to support the following **six essential points** to make the directive effective:

1. The right for the reporting person to be represented by a trade union, definition of which must be brought in line with ILO Convention No. 135 on worker representatives, which must be referred to in the recitals. This concerns in particular article 5 of the proposal which should read as follows: The procedures for reporting and following up of reports referred to in Article 4 shall ensure that the reporting person or any person considering reporting has the right to be accompanied by a workers' representative or represented by their trade union at all stages of the procedure, including during physical meetings as provided for under this Article.
2. The right for the reporting person to seek advice from trade unions and NGOs
3. The right to contact law enforcement directly (see below)
4. Safe disclosure to journalists
5. Safeguards for existing national whistleblower laws (a stronger non-regression clause)
6. A broad whistleblower definition, with no extra test on how the reported information was acquired (the Council's attempt at excluding whistleblowers who have acquired the reported piece of information unlawfully would be the kiss of death for Deltour like whistleblowers).

These six points are the subject of a Wemove.eu petition here, text of which has been agreed by a large group of trade unions and NGOs.

Regarding mandatory internal reporting, we underline that EPSU is amongst the more than 70 signatories of the attached letter that urges the Trilogue to adopt the Parliament's position on the reporting channels so that both internal and external channels be placed on an equal footing.



It is absolutely crucial that the directive builds upon international best practices, ensures the removal of critical barriers for persons reporting breaches of law and wrongdoing in the general interest and recognises and promotes the role of trade unions in protecting, supporting and representing whistle-blowers at work.

Kind regards,

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'L' that are connected and enclosed within a large, horizontal oval shape.

Julio Lacuerda Castelló  
General Secretary of FeSP-UGT