

## European Directive of commercial confidentiality and whistleblowers

### To protect Journalists and NGO's

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**USPA NEWS** - Protect journalists and their sources, NGOs and whistleblowers, and the right to information of citizens does matter especially, after the release of Panama Papers<sup>1</sup>! The French Socialist delegation in the European Parliament was mobilized from the presentation of the draft directive on the secret.

Protect journalists and their sources, NGOs and whistleblowers, and the right to information of citizens does matter especially, after the release of Panama Papers<sup>1</sup>! The French Socialist delegation in the European Parliament was mobilized from the presentation of the draft directive on the secret business by the European Commission with very clear objectives.

Pursuing these goals is more honorable than the easy and sterile posture of rejection, which is why we have made improvements to the text. They make this directive a real improvement on the current law.-----

#### ONLY FIVE MEMBER STATES HAVE SPECIFIC LEGISLATION TO PROTECT WHISTLEBLOWERS-----

Recall that only five Member States have specific legislation on the protection of whistleblowers; worse, seven of them do not protect at all. For journalists and whistleblowers these countries, this directive is a significant step: with the action of the Socialists and Democrats, all of Europe will be protected in case of disclosure of business secrets "in the public interest."

The result of our work is also welcomed by Reporters Without Borders (RSF), the European Federation of Journalists (EFJ), all European federations of Press Publishers (EMMA and ENPA) and the European Broadcasting Union (UER-EBU).

The current proposal does not address, it is true, all the difficulties that can face whistleblowers. Simply because it is not a directive on whistleblowers, but of business secrets. This is why we require a specific text: Europe must ensure protection to employees - public and private -, consultants, and managers - internally and externally - by reversing the particular burden of proof and by compensating for reprisals from the company concerned.-----

A LEAK OF THE DIRECTIVE PREPARED BY THE GREENS PARTY-----A leak of the directive prepared by the Greens has allowed us to peruse the text, we find that their project would not protect Antoine Deltour, and Article 18.2 [1] verbatim the wording we have obtained in the text voted today! Meanwhile a European protection of whistleblowers, the socialists and radicals will get the directive "business secrets" is a step forward. It will protect jobs, technologies, investments while fighting against industrial espionage: what is its purpose, while 20% of companies had at least attempted espionage (Alstom Power, DuPont Nemours, Michelin, Valeo, AMSC recently). SMEs and start-ups are most affected because larger groups are more ways to protect themselves against these practices.-----

We have worked to rewrite the text to protect the freedom of information, the journalists and their sources, while defending employment, industry and innovation in Europe. It is therefore our responsibility voted in favour of this directive, while maintaining the pressure on the European Commission to obtain a specific text for whistleblowers.-----

[1] "Protected disclosure extends to cases in which disclosure of a trade secret reserves the public interest, insofar as directly relevant misconduct, wrongdoing or illegal activity is revealed in accordance with this Directive." Source: French Socialist delegation in the European Parliament

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**Editorial program service of General News Agency:**

United Press Association, Inc.  
3651 Lindell Road, Suite D168  
Las Vegas, NV 89103, USA  
(702) 943.0321 Local  
(702) 943.0233 Facsimile  
[info@unitedpressassociation.org](mailto:info@unitedpressassociation.org)  
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