

Whistle-blower protection

International standards

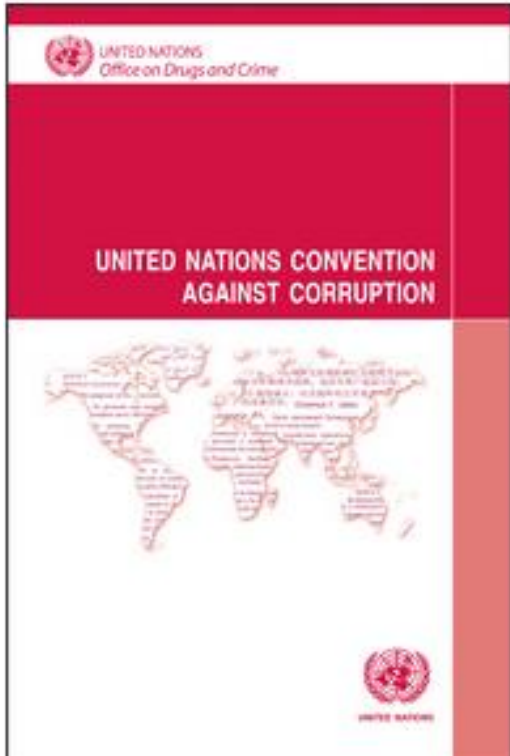


United Nations
Office on Drugs and Crime

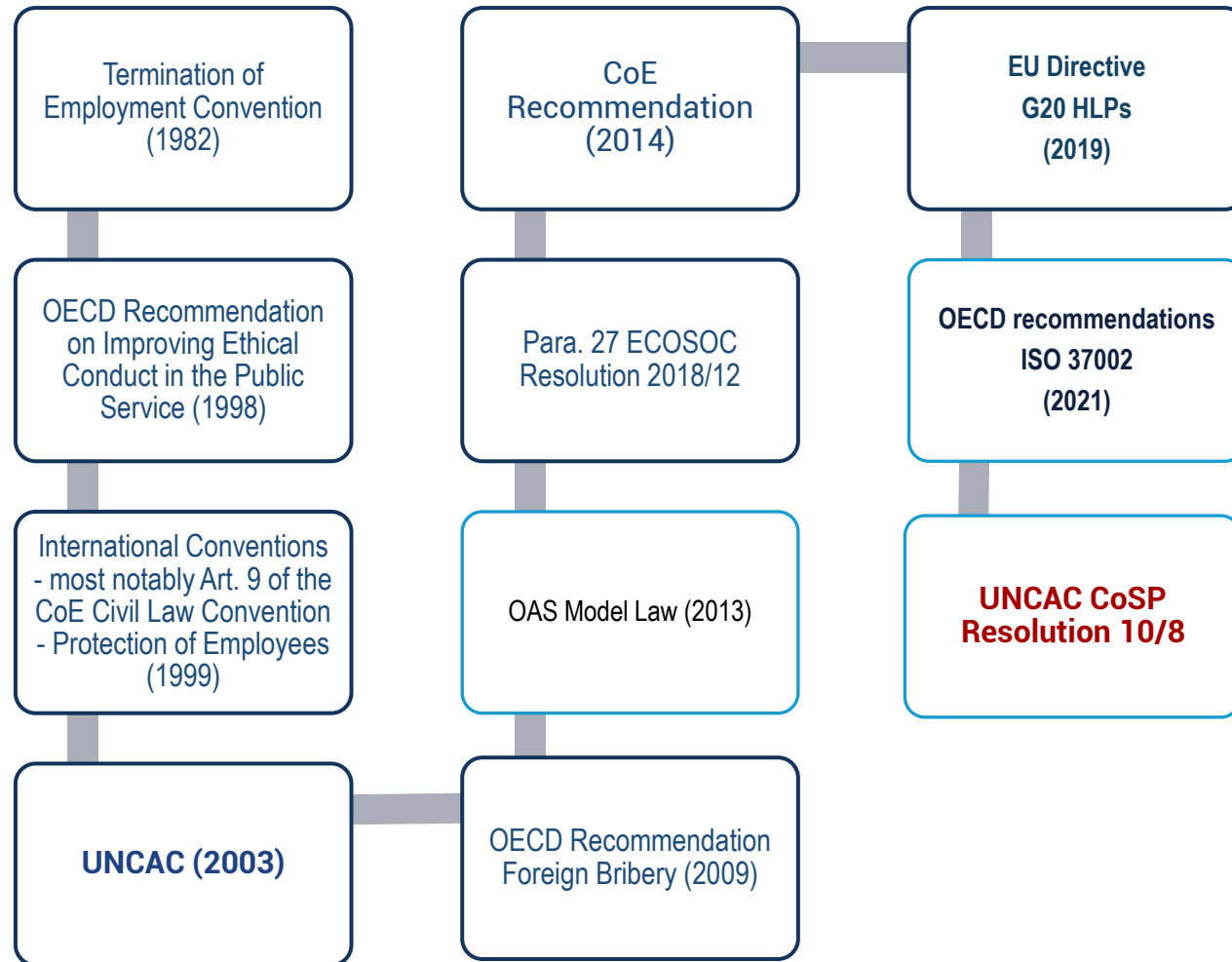
Corruption & Economic
Crime Branch

Article 33 of UNCAC

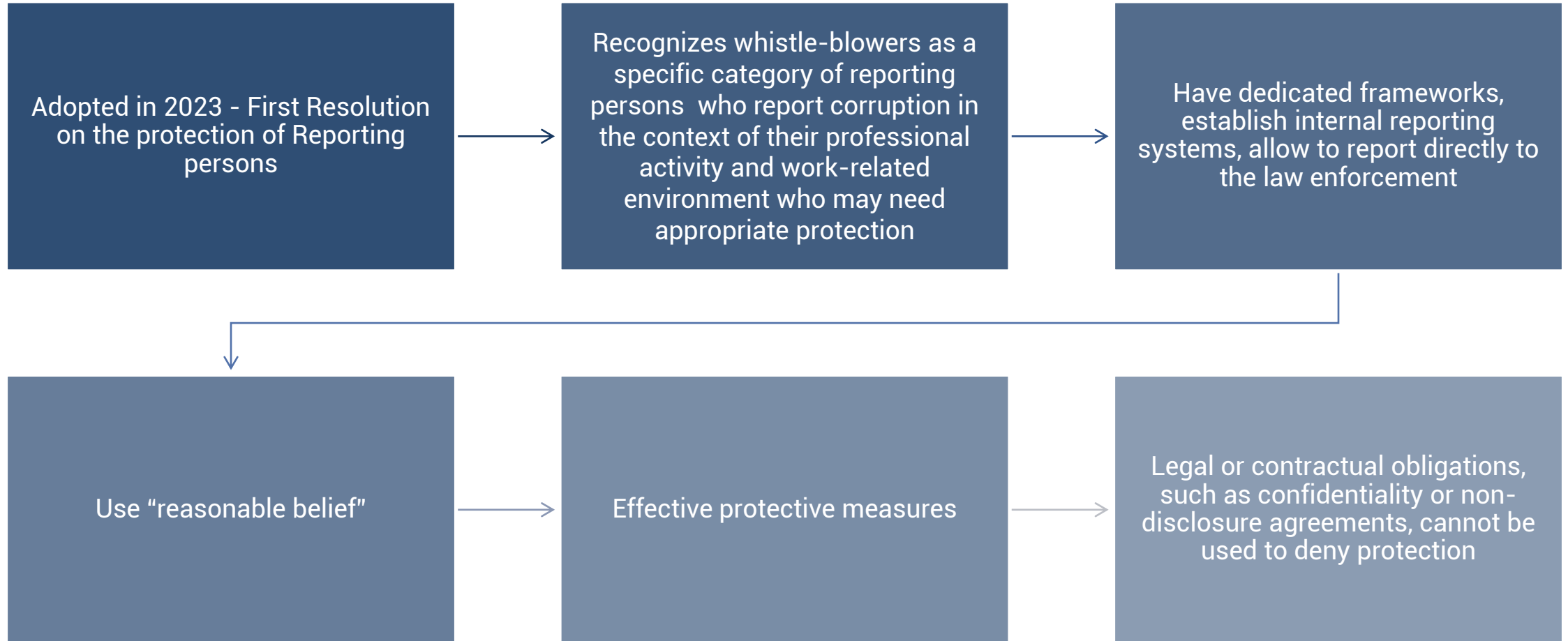
Consider measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with this Convention.



Global Evolution of International Standards



CoSP Resolution 10/8 “Protection of Reporting Persons”



Definition of who is a whistle-blower

Who?

Persons who report in work-related context
All kind of workers from all kind of workplaces

What?

Focus on wrongdoing, not limited to corruption or criminal offences

Where?

Possibility to report internally but not a condition to go to law enforcement / allow public reporting

How?

Emphasize should be on “reasonable grounds/belief” the information reported is true at the time of the report



Protection against unjustified treatment

What we protect:

- Protection against professional retaliation
- Protection against physical threats

Objective:

- Prevent
- Stop
- Compensate

How:

- Reinstate
- Temporary/definitive transfer or other *ad hoc* measures
- Financial compensation
- Protection against criminal and civil liability (protection against SLAPP) / reversal burden of proof
- Non validity of legal or contractual obligations related to confidentiality
- Recognition (rewards, awards, honors)



Main points to consider

1

Adopting a dedicated framework for the protection of whistle-blowers

2

Expanding the scope of the Witness protection frameworks

3

Establishing internal reporting and protection systems at internal level

4

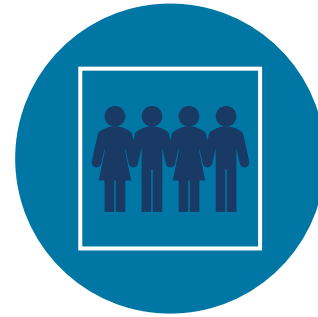
Adopting a wide range a protective measures

UNODC technical assistance



Knowledge products and tools

Awareness raising and workshops



Implementing partnerships (PPLAAF)



Normative assistance, legal advice and drafting support



Technical support for establishment of internal reporting and protection mechanisms

Extending our expertise – The corruption detectors workstream:

- ✓ Extend expertise and work with **investigative journalists**
- ✓ Strengthening work and technical assistance on the **Nexus between investigative journalists and whistleblowers**
- ✓ Common forms of retaliation (i.e. SLAPP)
- ✓ Working on the **linkages** between whistle-blowers and human rights defenders
- ✓ Partnership with PPLAAF
- ✓ Collaboration with other **partners and organizations** (EU, OECD, UNESCO, CSOs)





The Road to COSP11 in Doha

1. Possible resolution on the importance of journalist to combat corruption
2. Uncovering Corruption Thematic Day:
 - ✓ Thursday 18 December as of 8am
 - ✓ Will have a dedicated side event as opening for **ACE awards winners** organized by ROLACC
 - ✓ Launch of a **new toolkit** to develop whistleblower protection frameworks
 - ✓ Launch of **the PPLAAF policy brief**
 - ✓ Showcase the success of our partnerships
 - ✓ Focus on building an « **ecosystem to uncover corruption** »

All COSP Participants are welcome to attend the « Uncovering Corruption Day »

For Further Information:

+ (43) (1) 26060

@UNODC and @UNODC_AC

www.unodc.org/corruption

uncac@un.org

PO Box 500, A 1400 Vienna | Austria



United Nations
Office on Drugs and Crime

Corruption & Economic
Crime Branch

