WHISTLEBLOWER NETZWERK E.V. Zivilcourage zeigen! http://whistleblower-net.de

What you always wanted to know about

Whistleblowing

What is whistleblowing? The disclosure by organisation members (former or current) of impending risks or wrongdoings (illegal, immoral or illegitimate practices) under the control of their employers, to persons (within or outside their own organisation) or to organisations that may be able to effect action.

Whistleblowers go public anonymously, don't they?

This is only one possibility. Whistleblowing can be done openly, confidentially or anonymously. There is internal, regulatory, and external whistleblowing according to whether the recipient is a member of the organization, a regulator or an outsider like the media. Therefore, internal whistleblowing is whistleblowing as well.

How does whistleblowing work?

Typically, whistleblowing is a process of five stages:

Step 1: Recognition

Event seen as risk or possible wrongdoing

Step 2: **Assessment**

Choosing between "neglect", "exit," and "voice"

Step 3: Action

Blowing the whistle (recipient/content/form)

Step 4: Reactions

by the addressee and/or the organisation and its members

Step 5: Evaluation

of reaction as success or failure (back to step 3?)

Do whistleblowers get due protection?

In Germany, internal whistleblowing is obligatory for the whistleblower before taking any further action, like informing public authorities. Under labour law, going public is forbidden. Violation of these rules can lead to dismissal without notice. But even when following the rules, whistleblowers are often subjected to reprisals and harassment. They carry the burden of proof, which often leaves them without any protection.

Why is whistleblowing important?

Wrongdoings can flourish thanks to a lack of **transparency**. Someone who does not know that things go wrong cannot take action. With an increase in the division of labour we more and more rely on insiders to point us to problems and risks. Within organisations (e.g. companies/authorities) critical information is often filtered out when reporting to superiors. So bosses should have an interest in promoting whistleblowing. Democracy as government by the people needs knowledge of the people for a democratic discourse to take place.



Do whistleblowers get protection of sources from journalists?

They might. But protection of sources just means that journalists cannot be legally forced to reveal their sources. When blowing the whistle internally or to regulatory authorities, source protection does not apply. And even when it does, it is just a right of journalist and not one of whistleblowers, who have no way to enforce their protection. It is also necessary to be aware that any supposed protection that is based on anonymity does not work, if there are only few people who have had the information and if the whistleblower has raised his/her critique before. Besides, it depends on lucky preconditions for a whistleblower case to make it into the media.

Why does whistleblowing happen so rarely in Germany?

What does Whistleblower-Network want to change?

Employers and unions should see its benefits and support whistleblowing.

necessary. In our view this requires:

to values.

We want to create conditions where people can and will blow the whistle whenever it is

Changing the attitudes of people concerning whistleblowing: Starting in schools and

kindergarten where critical questioning and discussing should be encouraged and

awareness raised about the dangers of uncritical loyalty to authorities instead of loyalty

Besides the insufficient protection and the fear of reprisals there are two other main reasons why whistleblowing does not happen frequently. The most important one is probably a 'culture of hush' and unreflected obedience mistaken for loyalty. Science (Ash, Milgram) proofs that most people rather keep their tongue or go with the flow instead of taking a stand for values and justice, for fellow human beings, for peace, democracy or the environment. The chance to make a difference is another factor since whistleblowing will only take place where the whistleblower believes in having a chance to succeed.

As a non-profit organization we see our main task in informing about whistleblowing via our homepage at http://whistleblower-net.de. In our blog we spread news and we also try to give advice to individual whistleblowers. We are trying to set up a civil society's support network (e.g. with journalists, lawyers, physicians and scientists). We talk to the media, politicians and organisations and develop concepts how to support whistleblowing within organisations and through legislation.

What can you do?

What is our mission?

Visit our website. Support us and especially:

Please support the next whistleblower at your workplace!

No, on the contrary. But they are loyal to moral values and not to those who act illegally, immorally or illegitimately.

Are whistleblowers disloyal?

What is there at stake?

Whistleblowers risk to be excluded or harassed by their organisation or by their colleagues. They risk to be fired or in worse cases prosecuted. Their health or even life may be endangered - depending on the power and reaction of those affected by their whistleblowing. The legal protection of whistleblowers is insufficient.

Are there examples?

If whistleblowing is done internally, it often does not become visible. If the addressed organisation reacts properly and takes corrective action it may appear as a routine case.

Things look different where the organisation denies taking action and instead answers whistleblowing with reprisals. In this case, some whistleblowers have gone public.

Important whistleblowers are 'Deep Throat alias Mark Felt, who blew the whistle on Watergate, Daniel Ellsberg making the Pentagon Papers public or Mordechai Vanunu who disclosed Israels atomic weapons' programme. One could see Martin Luther as the most famous whistleblower from Germany.

Currently, in Germany, there is Brigitte Heinisch, a nurse for the elderly who was fired for disclosing intolerable conditions in a nursing home. She has finally won a law suit against Germany at the European Court of Human Rights. Rudolf Schmenger and his colleagues, as tax inspectors, would not accept restrictions in tracking tax fraud and consequently were forced into early retirement by means of flawed psychiatric expertise.

rights and must be expanded to the workplace. Informing the authorities about wrongdoings at the workplace must become legal.

Finally whistleblowers need to be protected and encouraged - as well as those mistakenly suspected of wrongdoing.

The legislator is called upon to act. Freedom of opinion and petitioning are basic human

