

HUMAN
RIGHTS



Whistleblowers' Protection in Europe

Focus on Directive (EU) 2019/1937
Brussels, 10-11 March 2022

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Human
Rights Law**



Speakers

Vigjilence Abazi, Assistant Professor of European Law, Maastricht University

Francesca Gaudino, Principal – IP & Data Protection, Baker McKenzie, Milan

Ida Nowers, Law and Policy Coordinator, Whistleblowing International Network, Brussels

Jan Passer, Judge, Court of Justice of the EU, Luxembourg

Alja Poler De Zwart, Partner, Morrison & Foerster LLP, Brussels

Raluca Stancescu-Cojocaru, Registry Lawyer, European Court of Human Rights, Strasbourg (to be confirmed)

Jan Tadeusz Stappers, Legal Counsel, Head of Partnership Development, WhistleB (NAVEX Global), Rotterdam

Representative of the European Commission

Key topics

- EU Whistleblowers' Directive implementation
- Trade secrets
- Data protection
- Support and protection measures
- Public disclosures
- Reporting channels
- Relevant ECtHR and CJEU case law
- Best practice

Language
English

Event number
422D127f

Organiser
Sanja Jovičić (ERA)



With the support of the Erasmus+
programme of the European Union

Whistleblowers' Protection in Europe

Thursday, 10 March 2022

09:00 Arrival and registration of participants

09:30 **Opening of the seminar**
Sanja Jovičić

I. EU ACTION ON WHISTLEBLOWING – WHAT IS NEW?

09:35 **Current state of transposition of the EU Whistleblowers' Directive**

- Transparency and inclusiveness of the transposition process
European Commission Representative
Ida Nowers

10:20 Discussion

10:35 **Becoming a “European whistleblower”:** clarifying legal uncertainties
Vigjilenca Abazi

11:20 Discussion

11:30 Coffee break

12:00 **Filling the gap between the Trade Secrets Directive and the EU Whistleblowers' Directive**

- Apparent dichotomy between effective protection of the whistleblower and secrecy of confidential business information
- Exceptions to trade secrets protection in the EU Directives and in national implementation laws
Francesca Gaudino

12:45 Discussion

13:00 Lunch

14:30 **New challenges in whistleblowing and data protection**

- Proper digital means of communications and data storage
- Exceptions to the right to be informed under the GDPR

15:15 Discussion

15:30 Coffee break

16:00 **Protection of sources and whistleblowers**

16:45 Discussion

17:00 **Public disclosures: legal challenges**

17:45 Discussion

18:00 End of first seminar day and networking reception

Objective

This seminar will bring legal practitioners up-to-date on the latest regulatory developments, legislative initiatives, and case law on whistleblowing.

Who should attend?

Policymakers, ministry officials and civil servants, legal staff of ombudspersons and NGOs, in-house counsel, lawyers in private practice, judges and prosecutors.

You will learn...

- how the EU Member States are currently implementing the new Directive
- how to interpret specific provisions of the Directive
- how to balance the conflicting interests in the Whistleblowers' Directive and the Trade Secrets Directive
- what are the challenges involved in data processing and storage in whistleblowing cases
- how to protect sources and whistleblowers
- how to assess public disclosures
- about the relevant ECtHR and CJEU case law and best practices on whistleblowing

What participants liked in 2020

“I really liked the event, the speakers were great, their knowledge, analysis of the subject and our interaction was both inspiring and helpful for further knowledge.”

“Extremely lively discussion with participants and speakers.”

“Diversity of perspectives due to a diverse set of speakers.”

Venue

L42
Rue de la Loi, 42
B-1040 Brussels

Friday, 11 March 2022

II. CASE LAW UPDATES

9:00 **Recent European Court of Human Rights case law on whistleblowing**

- *Gawlik v. Liechtenstein*, no. 23922/19, 16 February 2021
- *Halet v Luxembourg*, no. 21884/18, 11 May 2021, and other cases
Raluca Stancescu-Cojocaru

9:30 Discussion

9:45 **CJEU case law developments on whistleblowers' protection in EU institutions and bodies**

- *CJ v ECDC* (C-170/18 P), 15 May 2019
- *Rodriguez Prieto v Commission* (T-61/18), 4 April 2019
- *DQ and Others v Parliament* (T-730/18), 29 November 2019; and other upcoming cases

Jan Passer

10:15 Discussion

10:30 Coffee break

II. BEST PRACTICE

11:00 **Compliance with the new EU rules on whistleblowing reporting procedures**

Jan Tadeusz Stappers

11:45 Discussion

12:00 **How to handle whistleblower complaints?**

Alja Poler De Zwart

12:45 Discussion

13:00 End of seminar

For programme updates:
Programme may be subject to amendment.

Your contact persons



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CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). Participation in the full programme of this event corresponds to **8,5 CPD hours**. A certificate of participation for CPD purposes with indication of the number of training hours completed will be issued on request. CPD certificates must be requested at the latest 14 days after the event.

Save the date

Training on EU Legislative Procedure in Practice

Online, 7-11 February 2022

NextGenerationEU – Europe's Recovery Plan One Year On

Online, 22-23 February 2022

Annual Conference on Artificial Intelligence (AI) Systems and Fundamental Rights

Brussels/Online, 7-8 April 2022

Protection of Migrant Workers in Irregular Situation in Europe

Trier, 13-14 June 2022

Times indicated are CET
(Central European Time)

Registration

Whistleblowers' Protection in Europe

Brussels, 10-11 March 2022 / Event Number: 422D127f



Europäische Rechtsakademie
Academy of European Law
Académie de Droit Européen
Accademia di Diritto Europeo

Registration

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Online registration:
www.era.int/?131171&en

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ERA
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D-54206 Trier

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Rue de la Loi, 42
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Language
English

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I would like to register for the ERA event mentioned above.

Please update my address (see below) My address (above) is correct Please delete my address

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Surname	<input type="text"/>			
Organisation	<input type="text"/>			
Position	<input type="text"/>	Tel.	<input type="text"/>	
Department	<input type="text"/>			
E-Mail	<input type="text"/>			
Street	<input type="text"/>			
Postcode/City	<input type="text"/>	Country	<input type="text"/>	

Evening programme: I shall attend the networking reception on 10 March 2022 (at no extra charge).

I wish to receive a participation certificate for CPD purposes (with indication of the training hours completed) and agree for my participation to be tracked for this purpose.

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 10/02/2022	€ 531.00 <input type="checkbox"/>	€ 398.25 <input type="checkbox"/>	€ 398.25 <input type="checkbox"/>
Registration after 10/02/2022	€ 590.00 <input type="checkbox"/>	€ 442.50 <input type="checkbox"/>	€ 442.50 <input type="checkbox"/>

* EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons: all EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden), United Kingdom, the German states, Scotland and the City of Trier

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on request);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation
- Fellows of the European Law Institute

Method of payment

Credit card For registration with credit card payment please go to our website www.era.int/?131171&en

Bank transfer I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:
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Place, Date

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