



BRIEFING PAPER
WHISTLEBLOWER PROTECTION IN THE EU

Whistleblower Protection in Greece

Introduction

Despite being plagued by institutionalized corruption for decades, Greece has very limited mechanisms in place to receive reports of misconduct and protect whistleblowers from retaliation. Civil society groups are calling for urgent reforms, amid the country's still-unresolved political and financial crises.

A minor whistleblower provision introduced in 2014 – the first in the country's history – has been considered a first step in addressing the issue.

Laws, Institutions and Procedures

In April 2014 Greece introduced provisions that aim to protect people who report corruption from criminal prosecution for perjury, slander, libel, and breach of confidentiality and personal data. Additionally the law bans various forms of retaliation against public employees who report corruption, including firing, disciplinary actions, discrimination and withholding of promotions. The measure also provides witness protection measures if needed and regulates whistleblowing in the financial sector.

The law lacks many key provisions, however, such as establishing an agency to receive and investigate disclosures, and the right of people to report offenses other than corruption and still be protected from retaliation and prosecution.

The Civil Code includes protections for employees from unfair dismissal, but the law lacks specific provisions for whistleblowers.

Generally, all Greek citizens are legally required to inform authorities if they witness a crime. However, some whistleblowers as well as investigative journalists have been threatened, arrested or killed.

Recent or Ongoing Initiatives and Trends

Few companies are known to have whistleblower services in place, and the disclosure of business secrets is punishable by at least three months in prison. Most major companies have codes of conduct in place, but they typically contain few provisions about encouraging or protecting whistleblowers.

There is no independent agency to support whistleblowers or receive their reports. Greece does not have an anti-corruption agency.

Whistleblower Cases

Greece has not seen many public cases of whistleblowing. Rather, many political and other scandals have emerged that theoretically could have been exposed earlier – and thus, the damage lessened – if whistleblowers could have relied on stronger support and protections. In some cases, it became apparent that many people knew of ongoing misconduct but were prevented or deterred from going public with the information due to a lack of whistleblower protections.

In 2004-05 the illegal phone tapping and monitoring of more than 100 prominent public figures became public. The affair became known as the “Greek Watergate.” An investigation into the alleged involvement of public officials as well as Vodafone executives yielded no results. After the suspicious death of a Vodafone employee who was linked to the affair, as well as evidence suggesting the involvement of the US Embassy, the case was reopened in 2010. Despite efforts to arrest certain suspects, no one has yet been held responsible.

The damage caused by the Ferrostaal bribery scandal also could have been reduced if insiders would have been able to speak up. In 2000 the Greek government ordered four new submarines. After technical difficulties and significant delay of the submarines’ delivery, Greece attempted to cancel its contract with the German industrial multinational corporation Ferrostaal. During the affair, it became known that the contract had been signed under significant pressure from the German government, and that Ferrostaal had bribed Greek public officials with more than €55 million.

Data and Statistics

Because Greece has no government agency that tracks whistleblower cases, the number of cases filed each year, and their outcomes, is not known.

Public Perception of Whistleblowing

Although Greece has been struck with numerous political and other scandals related to corruption, nepotism and fraud in recent years, public awareness and support for whistleblowers remain weak. These cases caused initial public outrage, but insufficient support was generated to significantly improve protections for whistleblowers.

Due to growing public demands for more transparency and accountability within government, certain political leaders have become more aware of the positive impacts of whistleblowing. Momentum toward strengthening whistleblower rights may be growing.

Capacities and Knowledge Centers

There are NGOs in Greece specifically dedicated to the rights of whistleblowers. As one of its initiatives, the Greece chapter of Transparency International has been advocated for stronger whistleblower protection laws. The Hellenic Data Protection Authority deals with matters concerning the protection of personal data.