

# **Constitution of the Network of European Integrity and Whistleblowing Authorities (NEIWA)**

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## **Article 1**

### **Name and Composition**

The Network of the European Integrity and Whistleblowing Authorities (NEIWA) gathers Public Authorities and public bodies from EU Member States, EU-candidates and EFTA countries, who have a central and / or pivotal role in the field of whistleblowing (reports, investigation, protection, support, advice, prevention, education and or enforcement), with the EU Directive 2019/1937 as the common basis.

As a community of practitioners in the field of whistleblowing, our goal is to coordinate our efforts towards the strengthening of the protection of reporting persons, through the exchange of knowledge and practices. The possibility to speak up, to safely report a breach of law or wrongdoing are essential conditions to advance integrity in the workplace and by doing so to protect the public interest. We also strive to uphold and promote recognized international standards for the protection of reporting persons and for integrity in work relations.

## **Article 2**

### **Objectives and Goals**

NEIWA's objectives and goals may include:

- Establishing, maintaining, and developing contacts between authorities as described in article 1.
- Promoting whistleblowing systems and structures which are independent, impartial, and legitimate, as well as accountable, transparent and accessible.
- Offer a platform in the areas of integrity and whistleblowing to exchange knowledge, documentation, initiatives, case law and best practices.
- Gather information on the proper transposition of the EU Directive 2019/1937 on reporting persons by Member States and follow its practical implementation in Member States.
- Promote a close collaboration between NEIWA members and national, European and international public organizations for the development of common activities in the areas of whistleblowing and integrity.
- Promote and disseminate NEIWA's experiences, knowledge and recommendations and actively engage with stakeholders, including civil society and legislators.
- Identify opportunities with regard to possible ways of improving Whistleblower protection through review of legislation, policies and procedures and recommendations.

## **Article 3**

### **General Principles**

NEIWA shall function according to the principles of independence, impartiality, accountability and transparency. All members, partners and associates foster the widest possible co-operation and exchange of information among them.

NEIWA shall strive to achieve a gender and geographical balance.

The information exchanged within NEIWA cannot be disseminated or used for any other purpose than the one agreed by NEIWA. All members, partners and associates commit themselves to adequately protect the confidentiality of the information, in line with the applicable data protection regulations.

#### **Article 4**

##### **Members**

In accordance to article 1 of this constitution, the network is open to:

- public authorities, public bodies, from the EU, EU-candidate or EFTA countries;
- who have national or regional competences;
- with a central and/or pivotal role in the field of whistleblowing.

The membership process will be as set below:

- An application form is sent to the NEIWA Board.
- The NEIWA Board reviews the application and after validation presents it for acceptance to the Network at the General Assembly.

#### **Article 5**

##### **Partners**

NEIWA can collaborate with partners that have similar objectives as mentioned in article 2. (e.g., international and regional organizations, public authorities, public bodies, think-tanks, universities, NGOs, NPOs and civil society organizations).

#### **Article 6**

##### **Honorary Associates**

The General Assembly may elect as an honorary associate of NEIWA any person who has made an outstanding long term contribution to the network's work and who, in the opinion of the General Assembly, deserves such distinction.

#### **Article 7**

##### **Structure**

NEIWA is composed of:

- The Network, which includes all members and from which the board is created.

- The Board, which is the general governing body, consisting of the Chair, the Vice-Chair and the representatives from the authorities who organized the previous, current and future General Assembly.
- The chair and the vice-chair will be representatives from public authorities or public bodies from different countries. An authority or public body can only have one seat on the board. This means that if an authority or public body is represented by the chair or the vice-chair and hosts/ed the previous, current or future General Assembly, the network shall elect a substitute board member from a different authority or public body for as long as either the chair or the vice-chair is in function.

Each member shall appoint at least one delegate and if deemed necessary one substitute delegate to the Network and indicate to the Secretariat of the Network the main contact person for the purpose of exchange of information.

## **Article 8**

### **The Network**

The Network is the body of supreme authority of NEIWA and includes all NEIWA's members.

The duties and responsibilities of the Network are, inter alia:

- determining the general policies of NEIWA;
- accepting, suspending or expelling members, partners and associates;
- electing and dismissing members of the Board
- adopting declarations;
- adopting and amending the Constitution of the Network;
- dissolving the Network.

## **Article 9**

### **The General Assembly**

The Network meets at least once a year at a General Assembly. In addition to General Assemblies, in between meetings of the network can occur.

An extraordinary General Assembly can be held within 6 (six) weeks of an issue being identified to the Board Partners and associates may be invited to attend the General Assemblies and the meetings.

The agenda of the General Assembly is decided by the Board.

## **Article 10**

### **Election of the Chair, Vice-Chair and Treasurer**

The Network shall elect at its General Assembly the Chair, the Vice-Chair and (if required) the Treasurer from among its members. The Chair and Vice-Chair and Treasurer shall be elected by simple majority for two years where over half of the Network is present. They can

be re-elected for 1 additional term. Any member may submit candidatures for the positions of Chair, Vice-Chair and Treasurer.

## **Article 11**

### **The Chair**

The duties and responsibilities of the Chair are, inter alia:

- promoting and advocating the values and objectives of NEIWA (core functions);
- overseeing the overall direction and promotion of NEIWA (development function);
- representing NEIWA;
- liaising and co-operating with other organizations, networks, fora, and stakeholders (external relation function);
- presiding over the General Assembly (presiding function);
- presiding over the Secretariat (administrative function);
- reporting to the General Assembly on the Board and network activities (reporting function);
- liaising with the Vice-Chairperson, Board members and Treasurer;
- preparing applications/decisions for the General Assembly;
- proposing new Members, Partners and associates to the General Assembly.

The Chair may delegate certain of his/ her functions to the Vice-Chair.

## **Article 12**

### **Vice-Chair**

The duties and responsibilities of the Vice-Chair are, inter alia:

- supporting the Chair in all his/her functions;
- overseeing and coordinating the work of the working groups or projects;
- overseeing the application process for new members wishing to be considered, to join NEIWA;
- replacing the Chair in his/her functions as necessary in his/her absence.

## **Article 13**

### **Secretariat**

The member chairing the Network ensures the Secretariat for the Network during the chairmanship period of two years.

The duties and responsibilities of the Secretariat are, inter alia:

- providing strategic, administrative and other support to the structure and overall activities of the Network and of the Board;
- informing - on a regular basis, through email- all NEIWA members, partners and associates on developments and activities;
- maintaining and servicing the NEIWA electronic information storage.

## **Article 14**

### **Treasurer**

The costs of the Secretariat of NEIWA are maintained by the Chair, the costs associated with hosting the General Assembly and other meetings are the responsibility of the host member of the network. Members may be asked for a financial contribution.

The Treasurer can be elected as NEIWA develops into the future.

## **Article 15**

### **Decision making**

NEIWA Members act upon the common understanding and undertaking of professional cooperation and friendship and in the spirit of equal partnership.

When making decisions, the network strives to achieve general consensus.

Where consensus cannot be reached, decisions are made by 2/3rd majority of the attending members of NEIWA where over half of the Network is present.

Decisions regarding the election of Board members, expulsion of NEIWA members, adoption and amendment of the Constitution, financial contributions of members, and dissolution of the Network shall be made through a formal voting procedure; general consensus shall not apply.

Partners and honorary associates do not hold voting rights.

In cases not provided for in this Constitution, the Board will decide and inform the General Assembly accordingly.

## **Article 16**

### **Working Groups**

NEIWA can set up Working Groups that consist of Members. Partners and Associates may also participate.

Working Groups elaborate on specific issues and projects and report their results to the Network.

Within one year of the adoption of this Constitution, an initial set of rules of procedure for its internal functioning shall be developed.

## **Article 17**

### **Language**

The English language shall be the language of NEIWA.

Ratified in Rome 2023

Amended in Valencia 2024