



AUTORITÉ DE LA
CONCURRENCE

GRAND-DUCHÉ DE LUXEMBOURG

WHISTLE- BLOWERS

ANNUAL REPORT 2024

VI. WHISTLEBLOWERS

Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law aims to create a uniform EU legal framework to protect whistleblowers in certain areas of EU action.

In accordance with the law of 16 May 2023 transposing this directive, whistleblowers who report breaches of the law of which they have become aware in a professional context are protected against all forms of retaliation.

Luxembourg has 22 competent authorities to collect such reports, each within its area of expertise, including the Competition Authority.

The Authority handle reports from any **whistleblower** who has obtained information in a **professional context** (current, past or future work relationship), whether they are an employee, a civil servant, self-employed or a service provider in a professional relationship with one of the stakeholders, concerning breaches falling within one of its fields of competence, namely:



in **the field of competition law**, in the case of anti-competitive practices such as cartels or abuse of a dominant position



in the field of **digital markets**, in the event of harm to the collective interests of business users of online platforms (P2B) or of a breach of the Digital Service Act (DSA)



in the field of **agricultural and food supply**, in the event of unfair trading practices (UTP) by buyers vis-à-vis their less powerful suppliers



on **freedom of establishment and free provision of services** for the defence of the collective interests of undertakings in the internal market

WHISTLEBLOWER DEPARTMENT

In view of the multidisciplinary approach needed to ensure the protection of whistleblowers and the resources available, the Authority has not set up a fully-fledged department to handle reports.

The Authority has put in place a specific and secure procedure to process the reports it receives.

ALERT PLATFORM OF THE COMPETITION AUTHORITY

Since September 2023, the Authority, in collaboration with the *Centre des technologies de l'information de l'État* (CTIE), has made available on *MyGuichet.lu* the first assistant for collecting, without authentication, of whistleblower reports in the areas falling within its remit.

Whistleblowers can report these breaches either internally through the channels set up by their company/administration or externally to one of the 22 competent authorities in Luxembourg if an internal report could harm them.

The [Competition Authority's alert platform](#) thus enables anonymous reports to be collected securely.

COLLECTION AND PROCESSING OF ALERTS

10

REPORTS

In 2024, the Authority has received **10 alerts**, 8 of which were submitted via its alert platform and 2 by e-mail.

Some of these reports were either transferred to other competent authorities or dismissed due to lack of relevance, lack of substance or failure to respond to requests for additional information.

The Authority shall not disclose the substance of cases or the follow-up given to them.

NETWORK OF COMPETENT AUTHORITIES RESPONSIBLE FOR THE IMPLEMENTATION OF THE LAW ON THE PROTECTION OF WHISTLEBLOWERS

The Network of Competent Authorities for the Implementation of the Law on the Protection of Whistleblowers set up by the Reporting Office brings together representatives of the competent authorities responsible for collecting and handling reports from whistleblowers in accordance with the Law of 16 May 2023 on the Protection of Whistleblowers. It enables the various competent authorities to discuss common topics related to the application of the Law on the Protection of Whistleblowers.

On 3 June, the network met to analyse recent developments in whistleblower protection. Participants presented the CSSF whistleblowing procedure, the OECD whistleblower protection recommendations of the OECD Working Group on Bribery and the guidelines for the implementation of internal reporting channels in the state civil service and the obligations of public officials.

On 9 July, the Authority actively participated in the meetings of the 'controls and fines' and 'communication' working groups set up by the Reporting Office. The Working Group on Administrative Controls and Fines focused on defining its work programme and operating procedures. The second group met at a kick-off meeting with the Office's communication agency in order to coordinate its awareness-raising strategy on the protection of whistleblowers.



2A, RUE D'ANVERS | L-1130 LUXEMBOURG

TÉL. (+352) 247 84737

INFO@CONCURRENCE.PUBLIC.LU | CONCURRENCE.LU