

Mr. Dragos Pîslaru
Chair, Committee on Employment and Social Affairs (EMPL)
European Parliament
Bât. WILLY BRANDT
05M023
60, rue Wiertz / Wirtzstraat 60
B-1047 Bruxelles/Brussel

Email: dragos.pislaru@europarl.europa.eu

RE: Uber Files – Mark MacGann

Dear Mr. Pîslaru,

My name is Jennifer Gibson and I am the Legal Director of The Signals Network, a non-profit organization that works to support and protect whistleblowers. We have been supporting Mr. Mark MacGann, the whistleblower behind the Uber Files, since he went public in July 2022. In my capacity as his legal counsel, I am writing to inform you that Mr. MacGann unfortunately will not be able to attend the hearing if the committee insists on the format currently proposed by the EMPL secretariat.

Less than three years ago, the European Parliament recognized the important role that whistleblowers play in a functioning democracy. The EU Whistleblower Directive was a crucial step in ensuring brave individuals who risk everything to expose wrongdoing receive the protection they deserve. Whistleblowers suffer not just from legal and economic retaliation, but are often themselves suffering from significant trauma. That trauma comes from what they have witnessed, from the process of whistleblowing itself, which is often extremely lonely, and from the retaliation that often follows. Mr. MacGann is no different than any other whistleblower in this regard.

I am therefore surprised that an institution that so recently spearheaded whistleblower protection would suggest a format that leaves the whistleblower unprotected. Worse yet, the format the committee has suggested would force Mr. MacGann to share a public platform with the organization at the core of his revelations. The approach your committee is insisting on not only puts Mr. MacGann at further legal risk, but it also exposes him to additional, unnecessary, trauma and sends a troubling signal that the European Parliament does not in fact value or protect whistleblowers.

When I raised these issues with the EMPL secretariat, I was informed there was nothing that could be done. The format had been agreed by your committee because there was a desire for the


hearing to be “unbiased”. In an effort to find a compromise, I suggested to the secretariat that the two hours be split, such that Mr. MacGann answer questions from MEPs during the first hour and any other panelists from which the committee wishes to hear answer questions during the second hour. I was again told there was nothing that could be done by the EMPL secretariat and that my only option was to send a letter to you. I am therefore following that advice.

From the start, Mr. MacGann has made clear that the reason he risked everything was simple. He wanted to ensure that policymakers had the information they needed to better understand how platforms operate, based on his substantial experience of the sector. In this way, he hoped – and continues to hope – that legislators can better understand how to regulate them. The Uber Files – and the data contained therein – show that to date attempts at regulation have failed, especially when it comes to the basic social rights of drivers.

Mr. MacGann remains willing to answer any and all questions the European Parliament may have about the data he provided to the media, and his knowledge of Uber’s expansion across Europe during his tenure. The hearing structure currently proposed by EMPL undermines his role and puts him in harm’s way.

If the European Parliament is unwilling to act on the spirit and the letter of the EU Directive on whistleblower protection, Mr. MacGann will have no other option than to rescind his acceptance to appear in front of your committee.

Sincerely,



Jennifer Gibson
Legal Director
The Signals Network