

English translation of the Press Release issued on 25 April 2016

**Transparency International Luxembourg calls for respect for judicial authorities and courts,
for improvement in the legislation protecting whistleblowers and
for the introduction of legislation providing access to information.**

Transparency International Luxembourg notes that certain NGOs, including Transparency International - Secretariat, and numerous media sources, are actively reporting on the criminal trial in the context of the “Luxleaks” file, issuing opinions with varying degrees of specificity regarding the anticipated outcome of the trial.

Transparency International Luxembourg distances itself from these statements for two main reasons:

- Transparency International Luxembourg has no detailed information about the “Luxleaks” file and, in particular, the outcome of the investigations by the judicial authorities. The publicly available information is by definition only available from one perspective, generally presented by the media and various support groups, notably from abroad.
- More fundamentally, however, judicial power including the prosecuting authority, the Minister Public, the investigating authority, the Investigating Judge and the Adjudicating Authority, the Court responsible for the file, are independent bodies and one must respect the work and activities of Justice in the Grand Duchy of Luxembourg. A neutral and independent judiciary is a guarantee of democracy and of fundamental rights and freedoms. Interference by civil society or the media in the judicial process, notably by issuing opinions before the judicial authorities have had the opportunity to state their position, is unacceptable and constitutes an affront to the independence of the judiciary.

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Transparency International Luxembourg repeats its message expressed on numerous occasions and notably during a press conference on 11 May 2015 asking the executive and legislative powers, the Government and the Parliament, to improve the protection of whistleblowers by adapting the current legislation and in particular the law of 13 February 2011.

In this context, the specific demands of Transparency International Luxembourg are:

- broadening the definition of whistleblower,
- the possibility for whistleblowers to obtain advice from one or more approved organization set up specifically for this purpose with an extension of the protection of whistleblowers who contact such an organization, and,
- broadening of whistleblower protection beyond the single area of employment law,
- the determination of permitted channels and levels of communication by whistleblowers over and beyond those foreseen in the law of 13 February 2011.

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Transparency International Luxembourg also calls on the executive and legislative powers finally to introduce legislation giving the right to information. Elected representatives are mandated by a democratic process. As mandatees, they have an obvious duty to be accountable for their actions which goes beyond merely presenting themselves at the next election and which should include the right to information for the media, civil society and citizens.

This right to information has been acknowledged many times by successive Prime Ministers of our country. A proposal and draft law on this topic have been submitted; the first proposal dating from 2000. Since then the Government, despite promises, hasn't been able to present a comprehensive draft law on access to information for the media, civil society or citizens, despite the huge importance of such legislation for a modern democracy.

Issued in Luxembourg, on 25 April 2016