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Luxembourg Leaks trial

Regrettable verdict a wake-up call on whistleblower protection

A Luxembourg court today ruled that ‘Luxembourg Leaks’ whistleblowers Antoine Deltour and Raphaël Halet were guilty of stealing documents, revealing business secrets and violating trade secrets (1). Criticising the verdict, Green transparency spokesperson **Benedek Javor** MEP, who was in Luxembourg for the verdict today, said:

"This deeply regrettable verdict should be a clear wake-up call on the need to finally recognise and protect the crucial role performed by whistleblowers in democratic systems by shedding light on vital information in the public interest. The vital information revealed by the ‘Luxembourg Leaks’ whistleblowers threw the spotlight on the tax avoidance practices of multinational corporations, leading to investigations in the EU Parliament and elsewhere, as well as legislative proposals to close the loopholes that made this tax avoidance possible. There can be absolutely no doubt that Antoine Deltour, Raphaël Halet and Edouard Perrin were serving the public interest. To punish them for their actions is the opposite of what a rational legal system in a democracy should be doing. We will support them in their appeal."

"This trial has driven home the precarious situation of whistleblowers even in modern democratic states. The only way to ultimately resolve this is by providing clear legal protection for whistleblowers. The European Parliament has called on the EU Commission to propose EU legislation to this end on a number of occasions and there is a clear legal basis for such a framework under the EU Treaties. Only last month, our group outlined a prototype for how such an EU law should look (2) and we are now again urging the Commission to act on this and bring forward a proposal."

(1) The Luxembourg court delivered a guilty verdict to Antoine Deltour and Raphaël Halet. Antoine Deltour was sentenced to 12 months in prison with a €1500 fine and Raphaël Halet was sentenced to 9 months with a €1000 fine. In addition to the fine, they have clearly faced an arduous 2-year ordeal and the loss of their jobs. Journalist Edouard Perrin, who was also on trial, was acquitted.

(2) The Greens/EFA proposals for an EU whistleblower directive can be found at: <http://www.greens-efa.eu/whistle-blowers-directive-15498.html>

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