

**For immediate release**

## Waiting for Transparency in Luxembourg: Eleven Years and Counting

*Madrid, 20 June 2011* – Today marks exactly eleven years since Luxembourg's “freedom of access to information” law was first proposed, but the law has not yet been adopted. Luxembourg is one of the only countries in the European Union (and the wider Council of Europe region) not to have such a law.

Human rights organisation Access Info Europe today sent a letter to Prime Minister Jean-Claude Juncker calling for Luxembourg to improve the draft and adopt a law in line with highest European and democratic standards.

The pro-transparency organisation also wrote today to Alex Bodry of the Chamber of Deputies, the original promoter of the law and current rapporteur in charge of this file, enquiring what happened since a March 2010 initiative to bring the draft back to life.

Globally there are around 90 access laws, with most recent adoptions being Nigeria (28 May 2011) and Mongolia (16 June 2011). In the EU only Cyprus, Luxembourg and Spain do not yet have a law guaranteeing the public's right to know about the functioning of the state.

*“Luxembourg, one of the wealthiest countries in the world, is failing to achieve even minimum standards when it comes to open government, public participation, and accountability,”* commented Helen Darbishire, Executive Director of Access Info Europe.

Testing of access to information in Luxembourg by Access Info has shown that in practice the country is falling far short of international standards. As reported in March in [The Secret State of EU Transparency Reforms](#), Luxembourg's government has failed to provide information to Access Info Europe about its position regarding the reform of EU access to documents rules. Repeated requests for this information yielded, after 77 days, the answer that it was “physically impossible to compile such a file” and a comment from the Foreign Ministry that an answer had been sent merely “out of politeness” (see page 19 of the report).

*“Luxembourg's treatment of requests falls short of the international standards which oblige public authorities to respond to the requester in a timely manner, providing specific reasons in the case that access to a document is refused,”* commented Access Info Europe researcher Pamela Bartlett Quintanilla.

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### ***Notes to the Editor:***

1. Access Info Europe is a human rights organisation dedicated to promoting and protecting the right of access to information in Europe as a tool for defending civil liberties and human rights, for facilitating public participation in decision-making and for holding governments accountable. Access Info's mission is that the right of access to information be enshrined in law and work in practice. Access Info Europe is based in Madrid.
2. Information on the draft Luxembourgian access to information law can be found [here](#). The text of the draft (in French) is available [here](#).
3. [The Secret State of EU Transparency Reforms](#) recounts Access Info Europe's attempts to find out the positions being taken by the 27 Member States of the European Union on the reform of the EU's access to documents rules (Regulation 1049/2001). In Luxembourg, Access Info submitted a request for this information on 26 March 2010 and on 9 June 2010 to the Permanent Representation of Luxembourg to the EU (part of the Ministry of Foreign Affairs). No information was received in response.

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