

# LuxLeaks whistleblower's conviction overturned

January 11 2018, by Catherine Kurzawa

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Deltour in March had received a six-month suspended jail sentence with a 1,500-euro fine.

A Luxembourg court on Thursday overturned—on human rights grounds—the verdict against a "LuxLeaks" whistleblower who was

convicted of leaking thousands of documents that revealed tax breaks for multinational firms.

Luxembourg's highest [court](#) rejected the conviction against former PricewaterhouseCoopers employee Antoine Deltour, who in March had received a reduced six-month suspended jail sentence with a 1,500-euro fine.

The LuxLeaks scandal erupted in 2014 and sparked a major global push against generous deals handed to multinationals, which grew even stronger with new revelations such as the Panama Papers and Paradise Papers Leaks.

"Today is a victory," Deltour said as he left the courtroom.

The court "has clearly indicated towards a favourable outcome here in Luxembourg," he added.

The sentence against Deltour's colleague Raphael Halet, who received a 1,000-euro fine after an appeal, was however upheld as the court said that he did not fit the whistleblower definition.

The blockbuster leak revealed the huge [tax breaks](#) that tiny EU nation Luxembourg offered international firms including Apple, IKEA and Pepsi, at a time when Jean-Claude Juncker, now head of the European Commission, was prime minister.

The tiny EU country's highest appeal court said Deltour was wrongly accused as he should have been fully recognised as a whistleblower as defined by the European Court of Human Rights.

An appeal court will now hold a fresh trial with new judges tasked to decide a very limited part of Deltour's case, Luxembourg's highest court

said in a statement.

"This decision is a significant step in the protection of whistleblowers in Europe," Deltour's lawyer William Bourdon told AFP.

"For the first time in Europe, a high court recognises the jurisprudence of the European Court of Human Rights," he said.

## **'Small step'**

Several NGOs demonstrated at the opening of the court proceeding and had called for the case's dismissal.

"This is a small step for tax justice, as we await a big step: when companies will be on the dock rather than whistleblowers," said Manon Aubry of Oxfam France.

Deltour was accused of stealing documents from the database of the accounting firm before he left in 2010, revealing highly sensitive business secrets.

The documents later became the basis of a 2012 story by journalist Edouard Perrin on state-owned France 2 television but it stayed under the international radar until the LuxLeaks document dump.

Perrin was earlier cleared of charges of being an accomplice.

The LuxLeaks and subsequent scandals have together forced the EU to take tougher action against tax-avoiding companies.

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