

Contribution of the Luxembourg Press Council to the Consultation for the 2025 Rule of Law Report

January 23, 2025

Introduction

The Luxembourg Press Council welcomes the opportunity to contribute to the European Commission's 2025 Rule of Law Report. As an independent authority dedicated to promoting press freedom and upholding journalistic ethics, we view the rule of law as fundamental to protecting freedom of expression and ensuring media independence.

Our contribution highlights key areas where the rule of law intersects with press freedom in Luxembourg, focusing on legal frameworks, economic challenges, and technological transformations, alongside recommendations to enhance media resilience and public trust.

1. Press Freedom and Media Independence

Luxembourg has a strong legal framework protecting press freedom, yet challenges linked to digital transformation and evolving consumption habits call for sustained attention to preserve a diverse and independent media landscape.

- **A Resilient Legal Framework with Emerging Challenges**
The legal safeguards for press freedom are well-established. However, misinformation, declining trust in journalism, and the rise of digital platforms present new challenges. Addressing these issues requires promoting media literacy and fostering trust across traditional and digital media.
 - **Economic and Structural Pressures**
Media outlets face financial constraints due to shrinking advertising revenues and the high costs of digital adaptation. These challenges can impact editorial independence and investigative reporting. Supporting innovative, sustainable business models is critical to ensuring the sector's resilience.
 - **Enhanced Monitoring Mechanisms**
The Press Council advocates for improved tools to assess media concentration, editorial independence, and trust. Strengthening monitoring mechanisms would provide better insights into the sector and foster a pluralistic, transparent, and sustainable press environment.
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2. Protection of Journalists

Journalists must be free to perform their work without fear of intimidation, harassment, or interference. The protection of their rights is essential to ensuring access to information and fostering democratic debate.

- **Addressing Threats and Harassment**
Journalists covering sensitive topics may face threats or intimidation. Vigilance and robust legal protections are necessary to safeguard their ability to report freely.

- **Protection of Sources**

Protecting journalistic sources is a cornerstone of press freedom and critical to investigative journalism. Efforts to reinforce this protection should remain a priority.

- **Preventing Violence and Digital Harassment**

While physical violence is rare, digital harassment and verbal abuse remain concerns. Combating these forms of aggression is essential to preserving journalistic independence.

3. Access to Public Information and Transparency

Timely access to public information is vital for journalists to hold institutions accountable and serve the public interest.

- **Addressing Barriers to Access**

Journalists face delays and restrictions in accessing public information, often due to bureaucratic hurdles or overly broad classifications of sensitive data. Furthermore, a circular from our Prime Minister and Media Minister ensures that officials from administrations and ministries are afraid to speak to the press, as it is forbidden in the mentioned circular, except with the permission of their superiors.

- Streamlining access would support more effective reporting.

- **Strengthening Government Transparency**

Improving the responsiveness and transparency of public authorities would create a more favorable environment for informed journalism and democratic participation.

4. Impact of New Technologies and Digital Platforms

Technological advancements have reshaped the media landscape, presenting both opportunities and challenges for press freedom.

- **Combating Misinformation and Fake News**

The rapid spread of misinformation undermines public trust in journalism. Initiatives to counter fake news through fact-checking and public education are essential.

- **Regulating Digital Platforms**

Ensuring transparency and accountability from digital platforms is critical to balancing freedom of expression with the need to combat harmful content.

- **Protecting Personal Data**

Robust safeguards for personal data must remain a priority to maintain privacy and trust in the digital age.

5. Role of the Luxembourg Press Council and Recommendations

The Press Council plays a crucial role in monitoring and supporting journalistic standards. To further strengthen press freedom and independence, we recommend:

1. **Diversifying Media Actors:** Encouraging diversity in the media landscape to ensure pluralism and independence.
2. **Strengthening Journalist Protections:** Reinforcing legal frameworks to safeguard journalists and their sources.
3. **Enhancing Monitoring Tools:** Providing the Press Council with better instruments to assess media concentration, editorial independence, and trust.
4. **Improving Access to Information:** Facilitating quicker and more transparent access to public data for journalists.
5. **Adapting to Technological Change:** Offering training and resources to help journalists manage new technologies and counter misinformation.

Conclusion

Press freedom and journalistic independence are pillars of democracy and essential components of the rule of law. The Luxembourg Press Council remains committed to defending these principles and contributing to discussions on media resilience and trust.

We thank the European Commission for the opportunity to participate in this consultation and remain available for further dialogue.

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