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Committee on Economic, Social and Cultural Rights

Fourth periodic report submitted by Luxembourg under articles 16 and 17 of the Covenant, due in 2008*

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I. Introduction

1. The Grand Duchy of Luxembourg hereby submits to the Committee on Economic, Social and Cultural Rights (hereinafter “the Committee”) its fourth report under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights.
2. The present report was prepared in accordance with the Committee’s guidelines on the form and content of periodic reports (E/C.12/2008/2). It was drafted, in consultation with civil society organizations and national human rights institutions, by the Interministerial Human Rights Committee, which was established in May 2015.
3. In June 2015, the Government decided to establish an Interministerial Human Rights Committee with responsibility for the ongoing coordination of its work of monitoring the implementation of international human rights law in Luxembourg, including by submitting regular reports to the treaty bodies of the United Nations system.
4. The Interministerial Committee holds working sessions every six to eight weeks, bringing together representatives of all ministries and administrative authorities concerned with human rights. Each session is followed by a consultation meeting with civil society and national human rights institutions.
5. The work of the Interministerial Committee is coordinated by the Ministry of Foreign and European Affairs, and its meetings are chaired by the Ambassador-at-Large for Human Rights.

II. Article 1

6. Nothing to report.

III. Article 2

A. International cooperation

7. In September 2018, the Government of Luxembourg approved the country’s new comprehensive strategy for cooperation, which incorporates a needs-based approach and is designed to address the new development cooperation context. The main objective is to contribute to the reduction and eventual eradication of extreme poverty by providing support for sustainable economic, social and environmental development.
8. To achieve this objective, Luxembourg continues to promote a multi-stakeholder approach to the implementation of the 2030 Agenda for Sustainable Development and the achievement of the related Sustainable Development Goals. Alongside gender equality and environmental sustainability, human rights are one of the three cross-cutting priorities.
9. Consequently, the principle of “leaving no one behind”, which is enshrined in the 2030 Agenda and the Addis Ababa Action Agenda on financing for development, is at the heart of the new comprehensive strategy, which is structured around four interlinked priority themes.
10. Those four priorities are: (1) increasing access to high-quality basic social services; (2) enhancing the socioeconomic integration of women and girls; (3) promoting sustainable and inclusive growth; and (4) promoting inclusive governance.

B. Non-discrimination

11. With a view to emphasizing the importance attached to the principle of equality and non-discrimination, many laws in Luxembourg contain specific provisions designed to reiterate the prohibition of all forms of discrimination.

12. In criminal matters, the main legal provision on combating discrimination is article 454 of the Criminal Code, which was introduced by the Act of 19 July 1997¹ and which contains an exhaustive list of all forms of discrimination.
13. In addition, the concept of “gender identity” was added to article 454 of the Criminal Code by the Act of 20 July 2018 approving the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).²
14. Article 455 of the Criminal Code sets out the applicable penalties for the various forms of discrimination.
15. In addition to the provisions in the Criminal Code, other national laws also deal with discrimination.
16. Firstly, the Act of 28 November 2006 on equal treatment, which transposes European Council Directive 2000/43/EC of 29 June 2000³ into national law, defines and promotes the principle of equality by prohibiting any direct or indirect discrimination based on religion or belief, sex or sexual orientation.
17. Secondly, the Act of 16 December 2008 on the Reception and Integration of Foreign Nationals in the Grand Duchy of Luxembourg⁴ gives the Luxembourg Reception and Integration Agency legal powers to combat all forms of discrimination and provides for the establishment of a National Integration and Anti-Discrimination Action Plan. A range of anti-discrimination projects were launched under the first Action Plan, which was published in November 2010⁵ and focused on four areas of action, namely reception, integration, action against discrimination and migration monitoring. In the new National Integration Action Plan⁶ adopted in July 2018, the fight against discrimination, the promotion of diversity and equal opportunities have been integrated into all the areas of action.
18. Since 2002, the Luxembourg Reception and Integration Agency has been operating a programme of information and awareness-raising activities to combat discrimination.
19. These activities are supported by the PROGRESS community programme and are designed to combat discrimination within the meaning of article 19 of the Treaty on the Functioning of the European Union, namely discrimination based on religion or belief, disability, age, sexual orientation, race or ethnic origin.
20. Since its creation, the Agency has represented the Grand Duchy of Luxembourg in the Governmental Expert Group on Non-Discrimination.
21. In order to encourage associations and public and private companies in Luxembourg to promote diversity, the Luxembourg Charter for Diversity was launched in 2012.
22. The Charter operates at the national level and is supported, on the one hand, by the Union of Luxembourg Enterprises and other employers’ associations, the American Chamber of Commerce Luxembourg and business networks, and, on the other hand, by the European Commission, the Ministry of Family Affairs, Integration and the Greater Region, the Ministry of Equality between Women and Men and the Centre for Equal Treatment.
23. In order to monitor the Inspiring More Sustainability project launched under the Charter, the Government has set up a Luxembourg Charter for Diversity Committee⁷ composed of the following key partners: Deutsche Bank, the Luxembourg Reception and Integration Agency, PricewaterhouseCoopers, RBC Investor & Treasury Services and Sodexo. The Committee steers the project and collaborates with two working groups

¹ Act of 19 July 1997: <http://legilux.public.lu/eli/etat/leg/loi/1997/07/19/n1/jo>.

² Act of 20 July 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/07/20/a631/jo>.

³ Act of 28 November 2006: <http://data.legilux.public.lu/eli/etat/leg/loi/2006/11/28/n1/jo>.

⁴ Act of 16 December 2008: <http://data.legilux.public.lu/eli/etat/leg/loi/2008/12/16/n5/jo>.

⁵ http://www.olai.public.lu/fr/publications/programmes-planactions-campagnes/plan/07-olai_plan_daction_fr.pdf.

⁶ <http://www.olai.public.lu/fr/actualites/2018/07/pan/PAN-integration.pdf>.

⁷ <http://www.chartediversite.lu/>.

composed of representatives from 10 different entities, including public institutions and companies.

24. In order to promote diversity within companies and among the general public, the Luxembourg Charter for Diversity Committee organizes a national Diversity Day. This event aims to bring together companies, public entities and associations to promote diversity.

25. In addition to its direct anti-discrimination efforts, the Government is implementing an equal opportunities policy through its integration programmes. In order to place the integration of applicants for international protection at the heart of its reception policy, the Government has developed the Supported Integration Programme. This Programme lays the groundwork for the integration of persons who are applying for or who have been granted international protection, beginning in the first weeks after they arrive in Luxembourg. The Programme is based on the principle that there are two prerequisites for well-planned integration: learning the country's national and administrative language and understanding how everyday life works in Luxembourg. In order to promote the social and professional integration of all persons seeking international protection, it is imperative that all adults in that category are able to attend information and training sessions, irrespective of their age and level of education.

26. Lastly, staff from the Luxembourg Reception and Integration Agency have taken a large number of training courses on preventing all forms of discrimination, including courses on cultural, sexual and gender diversity, the Arab world and diversity management.

27. With regard to equality between women and men, in the legal sphere the 2006 constitutional amendments anchored equality between women and men in the Constitution. There have also been legal reforms concerning parity in lists for European and national elections (Act of 15 December 2016),⁸ domestic violence (2003,⁹ 2013¹⁰ and 2018¹¹) and violence against women in general (ratification of the Istanbul Convention in 2018,¹² criminalizing all forms of violence against girls and women¹³), and equal treatment in access to and supply of goods and services (2012). In addition, the Labour Code has been amended to guarantee equal pay, combat sexual harassment and encourage companies to promote equality between women and men in the workplace, including through participation in the positive actions programme.¹⁴

IV. Article 3

28. Since the constitutional amendments of 13 July 2006, article 11 (2) of the Constitution¹⁵ has enshrined the principle of equality between women and men and emphasized that men and women have equal duties and rights.

A. Centre for Equal Treatment

29. The aforementioned Act of 28 November 2006, which transposes European Council Directive 2000/43/EC of 29 June 2000 into national law, provides for the establishment of a

⁸ Act of 15 December 2016: <http://data.legilux.public.lu/eli/etat/leg/loi/2016/12/15/n2/fo>.

⁹ Act of 8 September 2003: <http://data.legilux.public.lu/eli/etat/leg/loi/2003/09/08/n1/fo>.

¹⁰ Act of 30 July 2013: <http://data.legilux.public.lu/eli/etat/leg/loi/2013/07/30/n1/fo>.

¹¹ Act of 20 July 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/07/20/a631/fo>.

¹² Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, <https://rm.coe.int/1680084840>.

¹³ While the Convention is specifically focused on all forms of violence against women, it explicitly recognizes that men may also be victims of domestic and other forms of violence. For this reason, States are encouraged also to apply the Convention to male victims. As its legislation is generally gender-neutral, the approach taken by Luxembourg is to apply the Convention to both sexes.

¹⁴ Positive actions programme: <http://mega.public.lu/fr/travail/programme-actions-positives/index.html>.

¹⁵ Constitution of the Grand Duchy of Luxembourg: <http://legilux.public.lu/eli/etat/leg/recueil/constitution/20171020>.

Centre for Equal Treatment, the objectives of which are defined in articles 9 et seq. of the Act.

30. The aim of the Centre is to promote, analyse and monitor equal treatment for all persons without discrimination on grounds of race, ethnic origin, sex, religion or opinion.

31. In fulfilling its mandate, the Centre performs a number of functions, including:

- Publishing reports, issuing opinions and recommendations and undertaking studies on all forms of discrimination
- Producing and providing information and documentation relating to its mandate
- Providing assistance to persons who consider themselves to be victims of discrimination by offering advice and guidance designed to inform them of their individual rights, legislation, jurisprudence and available remedies.

B. National Action Plan

32. The Ministry of Equality between Women and Men adopted its first National Action Plan for Gender Equality in 2006 and renews it every three years.

33. When the first National Action Plan came to an end in 2009, it received a very positive evaluation. Of the 97 measures in the plan, 81 per cent were implemented.

34. The implementation of the action plans is always evaluated by external consultants such as the Free University of Brussels.

35. At present, work is under way to design a permanent, evolving National Action Plan for Gender Equality.

36. As many institutional and civil society stakeholders as possible will be consulted with a view to establishing priority themes based on the elimination of the inequalities that continue to exist between women and men, as well as the promotion of gender equality.

37. The Ministry takes this approach in relation to the National Action Plan for Gender Equality, the report of the committee for cooperation among professionals combating violence, the communication strategy on equality and the strategy to increase awareness of gender equality in education and training.

C. National programme and reforms

38. In the Government's new coalition programme for 2018–2023,¹⁶ gender equality is considered a fundamental value of the European Union. The executive branch will therefore step up efforts to reduce persistent inequalities between women and men and will adopt a cross-cutting strategy targeting the policies of all ministries and administrative authorities.

39. With regard to the representation of women in key positions in the economy, efforts will continue with a view to ensuring that 40 per cent of positions on the boards of directors of public institutions are held by women, who are underrepresented. The same applies to appointments to the boards of directors of private companies in which the State is a shareholder.

40. In civil matters, Luxembourg guarantees men and women the same rights, irrespective of their sexual orientation or gender.

41. Reforms have recently been introduced in the areas of registered partnerships (2004), children's names (2005), equal marriage and adoption (2014), divorce and parental authority (2018) and gender reassignment (2018).

¹⁶ Coalition Agreement for 2018–2023: <https://gouvernement.lu/dam-assets/documents/actualites/2018/12-decembre/Accord-de-coalition-2018-2023.pdf>.

D. Personal rights

1. Attribution and change of surname and forenames

42. The Children's Names Act of 23 December 2005,¹⁷ which enshrines the equality of men and women, established a new system of rules governing the attribution of surnames and forenames. Henceforth, the transmission of surnames and the choice of forenames follow the same principles irrespective of whether a child is born in wedlock (art. 57 of the Civil Code), born out of wedlock (arts. 334-2 and 334-3 of the Civil Code) or adopted (arts. 359 and 368-1 of the Civil Code).

43. Parents may choose to give their child either the father's surname, the mother's surname or both surnames in any order. All parents, including those who are not married, are free to choose their child's name, provided that they can agree on the name to be given.

44. The surname of an adult or child can be changed on the basis of a change in the parent-child relationship, a decision to change the surname (in accordance with the Children's Names Act of 23 December 2005) or a change of nationality (in accordance with the Luxembourg Nationality Act of 8 March 2017).¹⁸

45. A person's forename can be changed on the basis of a decision to change the forename (in accordance with the amended Act of 11-21 Germinal, Year XI),¹⁹ a change of nationality (in accordance with the Luxembourg Nationality Act of 8 March 2017) or a gender change (in accordance with the Act of 10 August 2018).

2. Sex

46. Luxembourg recognizes two genders: male and female.

47. Under article 57 of the Civil Code, the birth certificate states the sex of the child.

48. Transgender or intersex persons may apply to change their registered sex (male or female) or their forenames (male, female or gender-neutral). Since the introduction of the Act of 10 August 2018 on Changes of Sex Designation and Forename(s) in Civil Status Records,²⁰ the procedure is an administrative rather than a judicial one and is open to all persons, both adults and minors, without distinction as to nationality.

49. The possibility of recording a third option in the civil registers is being examined by the Government under the coalition agreement for 2018–2023.²¹

3. Luxembourg nationality

50. The rules for the acquisition of Luxembourg nationality are set out in the Act of 8 March 2017. The same conditions apply to men and women.

51. Since the introduction of the aforementioned Act of 2017, any married person may opt for Luxembourg nationality on the sole basis of his or her marriage to a national of Luxembourg (art. 25).

52. In the past, the legislation on Luxembourg nationality provided this option only for a foreign woman marrying a male national of Luxembourg. That provision was considered discriminatory and was abolished in 2009.

¹⁷ Act of 23 December 2005: <http://data.legilux.public.lu/eli/etat/leg/loi/2005/12/23/n9/jo>.

¹⁸ Act of 8 March 2017: <http://data.legilux.public.lu/eli/etat/leg/loi/2017/03/08/a289/jo>.

¹⁹ Act of 11-21 Germinal, Year XI (as amended in 1982 and 2005): http://data.legilux.public.lu/file/eli-etat-leg-recueil-lois_speciales_4-fr-pdf.pdf.

²⁰ Act of 10 August 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/08/10/a797/jo>.

²¹ Coalition Agreement for 2018–2023: <https://gouvernement.lu/dam-assets/documents/actualites/2018/12-decembre/Accord-de-coalition-2018-2023.pdf>.

V. Article 4

53. Nothing to report.

VI. Article 5

54. Nothing to report.

VII. Article 6

55. Article 11 of the Constitution provides that the law shall guarantee the right to work and assure to every citizen the exercise of this right. Under national law, the right to work is a fundamental freedom, embracing free choice of employment, free access to employment and freedom from discrimination.

56. The legislation of Luxembourg and the decisions of the country's courts guarantee employees strict protection against arbitrary dismissal.

57. Within the framework of the cooperation agreements with partner organizations entered into by the Ministry of Equality between Women and Men, back-to-work training courses are offered to women experiencing various types of difficulty. These include the *Initiativ Rem Schaffen* programme,²² which places special emphasis on specific vocational training.

58. In addition, some organizations working with vulnerable persons, such as the DROPIN²³ service for prostitutes, are actively seeking collaboration with the Agency for the Development of Employment²⁴ as part of its EXIT strategy for persons wishing to leave prostitution. Candidates joining the EXIT programme participate in the Ministry's social initiatives (vocational reintegration schemes), which also include a training component.

59. With regard to prisoners' right to work in Luxembourg, article 21 (4) of the Prison Service Reform Act of 20 July 2018²⁵ allows prisoners to participate in a voluntary integration plan, which may include the following:

- Programmes to develop prisoners' skills, employability and work ethic
- Education and training programmes

60. In this context, article 21 (7) of the above-mentioned Act provides for prison directors to authorize temporary leave for prisoners to enable them to participate in work, education or training activities that will help them return to employment.

61. Article 28 of the same Act provides for the remuneration of work and other activities offered as part of the voluntary integration plan on the basis of the principle of equivalence of remuneration.

62. The arrangements for the performance of the work and its remuneration are laid down by Grand-Ducal Regulation, in accordance with article 27 (2) of the above-mentioned Act.

63. The Labour Code applies to all prisoners who are employees and have a contract of employment under the conditions provided for in the Code.

VIII. Article 7

64. Luxembourg is a party to the International Labour Organization Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105), both of which it ratified in 1964; the Worst Forms of Child Labour Convention, 1999 (No.

²² <https://www.remschaffen.lu/cycledeformation.html>.

²³ <http://www.croix-rouge.lu/dropin-dispensaire-pour-sexworkers/>.

²⁴ <http://adem.public.lu/fr/index.html>.

²⁵ Act of 20 July 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/07/20/a626/jo>.

182), which it ratified in 2001; and the Equal Remuneration Convention, 1973 (No. 100), which it ratified in 1967.

65. Under the legislation in place in Luxembourg, all persons, of either sex, who have normal physical and mental capacity and hold a contract with an employer are entitled to the minimum wage. The minimum wage is applied generally, irrespective of the economic sector in which the employer operates. Under the law, the minimum wage is determined by the legislature in the light of economic development.

66. In order to ensure that wage-earners share the benefits of the country's economic growth, the minimum wage is adjusted at least every two years, subject to overall economic development and income growth. In this respect, the Government must submit a report to the Chamber of Deputies every two years, with a proposal to increase the minimum wage if appropriate.

67. The Labour Code encompasses, inter alia, the principle of equal pay for men and women, protection of workers' health in the workplace, prevention of occupational accidents and illness, caps on working hours, the right to regular paid holidays and remuneration for public holidays.

IX. Article 8

68. Luxembourg is a party to the International Labour Organization Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), both of which it ratified in 1958.

69. Freedom of association and the right to strike are guaranteed by article 11 of the Constitution.

70. Freedom of association is the corollary of the right to organize, which is guaranteed by article 26 of the Constitution and governed by the Act Guaranteeing Freedom of Association.²⁶ Under article 4 of the Act, it is considered a criminal offence to attempt to limit freedom of association by wilfully making the conclusion, performance or continuation of an agreement concerning employment subject to a worker's membership or non-membership of an association.

71. The Labour Code recognizes as a trade union any professional association with an internal organization whose aim is to represent its members, defend their professional interests and improve their conditions. The Code assigns certain specific functions to trade union organizations that are representative at the national level. Trade union organizations are considered representative at the national level if they obtained on average at least 20 per cent of the votes in the most recent elections to the Chamber of Labour.

72. With regard to the right to strike, a High Court decree has stated that article 11 of the Constitution enshrines the right of workers to participate in a legitimate and lawful strike. The exercise by workers of the right to strike and the exercise by an employer of the right of lockout must, however, be preceded by proper negotiations through the National Conciliation Office, whose procedure was established by a Grand-Ducal Decree of 6 October 1945. If a strike is called or a lockout is declared before all conciliation procedures have been exhausted, as documented in an official report of non-conciliation, it is considered illegal.

X. Article 9

A. Compulsory social insurance

73. The social legislation in place in Luxembourg provides for compulsory social insurance for the whole of the working population.

²⁶ Act of 11 March 1936: <http://data.legilux.public.lu/eli/etat/leg/loi/1936/05/11/n2/jo>.

74. Any person residing in the Grand Duchy who cannot be compulsorily enrolled in the health insurance scheme can become a voluntary affiliate.
75. Social legislation covers the following areas:
- Health insurance and maternity insurance
 - Accident insurance
 - Old-age, disability and survivor's pension
 - Long-term care insurance
 - Family benefits
 - Unemployment
76. The legislation in place in Luxembourg guarantees equal enjoyment by men and women of pension rights as regards age of access, qualifying periods and amounts.
77. In Luxembourg, health, maternity, pension, accident and long-term care benefits are not conditional on nationality and are therefore also available to non-nationals.
78. The right to family allowances is available in respect of all children who reside effectively and continuously in Luxembourg and are legally domiciled there, irrespective of nationality.
79. In addition, there are five types of financial aid for low-income households in Luxembourg:
- Social assistance from a welfare office
 - Advance and recovery of maintenance payments
 - Cost-of-living allowance
 - Assistance with the cost of services for older persons
 - Social inclusion income
80. All employees, i.e. all persons who perform, in the Grand Duchy of Luxembourg, a professional activity for others in return for remuneration, as well as all persons who are self-employed and perform an activity on their own behalf, are compulsorily insured against all social security risks (sickness and maternity, accidents at work and occupational illness, old age, invalidity and long-term care).
81. The following categories of persons are formally affiliated to the scheme:
- Apprentices
 - Seafarers employed on a ship flying the flag of Luxembourg and who meet certain nationality or residence conditions
 - Members of religious associations conducting activities that are in the public interest
 - Aid workers in developing countries and persons involved in peacekeeping operations
 - Army volunteers
 - Police volunteers
 - Young persons engaged in volunteer activities
 - Persons with disabilities working in sheltered workshops
 - Elite athletes
 - Persons engaged in craft-based occupations who are paid by a third party (who may be a private individual) without being legally established as self-employed
 - Trainees, whether paid or unpaid, unless the traineeship is part of a school or university course

82. While in principle all paid professional activity is covered against all social security risks, certain activities are insured only against isolated risks and do not give rise to affiliation.

83. Employees are exempt from health and pension insurance if they perform their professional activity only occasionally and on a non-regular basis for a predetermined period not exceeding three months per calendar year.

84. At the request of the employee, activities carried out in the cultural or sporting spheres on an ancillary basis for non-profit associations can be exempted from health and pension insurance if the professional income derived from it does not exceed two-thirds of the annual minimum wage, namely €13,407.38.

85. In Luxembourg, employers can use a simplified procedure to declare staff hired to help in the household, look after a child or provide care and assistance to a dependent person.

86. The same procedure applies to a host family hiring an au pair.

87. A single declaration on the salary paid must be completed and sent to the Joint Social Security Centre, which will process the claim and collect the relevant social security contributions and any applicable tax deductions.

88. Once declared by the employer, household staff are insured against sickness and accidents at work or while commuting and are also entitled to old-age and disability insurance.

B. Reform of social inclusion income legislation

89. In order to revitalize the guaranteed minimum income scheme, which had been in place in the same form since 1999, it was necessary to clarify, amend or supplement it. To that end, the Act of 28 July 2018²⁷ on social inclusion income entered into force on 1 January 2019 and replaced the guaranteed minimum income scheme. The Act sets out four objectives, the second of which is aimed more specifically at those persons who face the greatest barriers to joining the labour market:

- Implementation of a social inclusion approach
- Establishment of a coherent system of policies for stabilization, participation in social activities and vocational reintegration
- Action to tackle poverty among children and single-parent families
- Simplification of administrative procedures

90. In the context of social inclusion income, those persons facing the greatest barriers to joining the labour market are entitled to participate in social and work-related activity schemes tailored to their needs and skills.

91. Social inclusion income has two components:

- Inclusion allowance: this is financial assistance for households, designed to provide a basic subsistence level for people who have no income or whose income is below a certain threshold.
- Activities allowance: this is intended to provide financial support to persons participating in activity schemes.

92. The Government has continued to take measures to modernize its family and other policies by promoting employment, particularly for women, and job retention, with the aim of ensuring that both parents are financially independent.

²⁷ Act of 28 July 2018: <http://legilux.public.lu/eli/etat/leg/loi/2018/07/28/a630/jo>.

C. Family benefits in Luxembourg

93. Following the entry into force of the Act of 23 July 2016,²⁸ the former National Family Benefits Fund has changed its name to the Children's Future Fund.

94. The Fund is responsible for the management and payment of all family benefits and parental leave allowances in Luxembourg. It has an annual budget of almost €1.2 billion.

1. Birth grant

95. The birth grant is paid to women who have medical certificates attesting that they have attended compulsory examinations and received regular medical supervision and monitoring during their pregnancy, at the time of the birth, and until their child's second birthday. The birth grant is divided into three instalments:

- The antenatal allowance
- The birth allowance
- The postnatal allowance

96. The birth grant totals €1,749.09. It is paid on request, in three instalments of €580.03 each.

97. The antenatal allowance is paid only to mothers-to-be who are legally resident in Luxembourg or who were covered by the social security legislation in Luxembourg at the time of their most recent medical examination.

98. The antenatal and birth allowances are only for women who are pregnant or have given birth. They are paid to the mother. Cross-border workers cannot claim the allowances for wives or partners who are not resident in Luxembourg.

2. Children's Future allowance

99. The allowance is payable from the month of the child's birth until he or she reaches the age of 18 years.

100. The amount of the family allowance is set at €265 per child per month. The amount increases by €20 per month for each child from the month in which he or she reaches the age of 6 years, and by €50 for each child from the month in which he or she reaches the age of 12 years.

101. Except for the month of birth, the conditions for receiving the allowance must be met on the first day of each month. Cross-border or temporary workers must meet the conditions for affiliation for a minimum of half of each month plus one day.

102. The allowance is no longer payable from the month following the month in which the child reaches the age of 18 years, unless the child is enrolled in secondary or equivalent education, in which case the allowance may continue to be paid until the age of 25 years.

3. Schooling expenses allowance

103. The schooling expenses allowance is paid in August for children aged 6 years and over who are enrolled in primary education. This allowance is intended to alleviate the burden of the additional expenses incurred at the start of the new school year. The amount of the allowance varies depending on the age of the child. The schooling expenses allowance is set at €115 for a child over the age of 6 years and at €235 for a child over the age of 12 years. It is automatically paid to children who are in receipt of the family allowance in the month of August each year. It ceases to be paid in the calendar year in which secondary or technical secondary education is completed.

²⁸ Act of 23 July 2016: <http://legilux.public.lu/eli/etat/leg/loi/2016/07/23/n2/jo>.

4. Special supplementary allowance for a child with disabilities

104. Eligibility for the special supplementary allowance, which is set at €200 per month, is dependent upon receipt of the family allowance, and the child must have one or more conditions that constitute a permanent deficiency or reduction of at least 50 per cent of his or her physical or mental capacity.

105. The Government is continuing to modernize family policy and will continue to promote equal opportunities, including by taking measures to reduce the risk of poverty, particularly for single-parent families. In the light of its discussions on promoting benefits in kind instead of cash benefits, the Government decided to launch a study on the costs of raising a child, which will provide a reliable overview of existing transfers for children across different age groups and the actual costs borne by families with dependent children.

106. Investment in families and children will be continued, with an increased emphasis on benefits in kind. For example, the reception and supervision of primary school children at childcare centres during the school week will be made available on a free-of-charge basis.

D. Minimum amount and readjustment of certain benefits

1. Old-age or disability pension

107. In Luxembourg, the minimum monthly old-age or disability pension paid out, on the basis of 40 years of work, is €1,841.51.

108. If the insured person has not completed the 40-year qualifying period but can prove that he or she has been insured for at least 20 years, the minimum pension is reduced by one fortieth for each missing year.

109. In order to maintain purchasing power, old-age and disability pensions calculated on the basis of a cost-of-living index of 100 are adjusted in line with current living costs. The adjustment is made automatically if, over the previous six months, the index has fluctuated by 2.5 per cent compared to the previous reference threshold. In addition to cost-of-living adjustments, pensions are readjusted annually in step with real wage trends (increase in purchasing power). Depending on the financial situation of the pension scheme, the readjustment may or must, if necessary, be reduced or cancelled through legislation.

2. Unemployment benefits

110. The amount paid out in unemployment benefits is equal to 80 per cent of the gross wage earned during the three months preceding the period of unemployment, capped at 2.5 times the minimum wage (€2,071.10 as at 1 January 2019). This cap is gradually lowered, according to a sliding scale, as payments continue to be made.

111. In certain circumstances, the three-month period may be extended to six months, and the rate may be set at 85 per cent if the beneficiary has one or more dependent children.

E. Schemes to supplement social security

1. Supplementary health insurance

112. In addition to compulsory health and maternity insurance, there are opportunities to obtain supplementary insurance. Any individuals registered with the Joint Social Security Centre, whether resident or non-resident, can take out supplementary insurance with a private insurance institution or a mutual insurance company if they wish to obtain further reimbursement of their health-care costs.

113. Mutual insurance companies offer customized services for different groups (residents, cross-border workers, students, etc.). Some health-care expenses are not reimbursed until after a qualifying period.

2. Supplementary pension

114. Employers set up supplementary company schemes either for all their employees or for just one category of them. They are thereby able to offer their employees benefits to supplement the retirement, death, disability or survivor benefits paid out under statutory social security schemes. The employer's obligations towards employees may take the form of defined benefits, whereby the final level of benefits is predetermined, or defined contributions, whereby the employer's contributions to the supplementary pension scheme are fixed. Employers may give their employees the option of topping up their supplementary pension with personal contributions, in addition to those made by the employer.

115. Since the entry into force, on 1 January 2019, of the Act of 1 August 2018²⁹ amending the Act of 8 June 1999 on Supplementary Pension Schemes, self-employed workers and members of the liberal professions have been able to join a supplementary pension scheme in order to establish an additional pension. Supplementary pension schemes for self-employed workers are set up by a promoter and require prior approval by the General Inspectorate of Social Security.

116. While employers have the option of funding their supplementary pension scheme either as an internal scheme, by recording provisions on the company's balance sheet, or as an external one, by paying premiums to an insurance company or contributions to a pension fund, supplementary pensions for self-employed persons must be financed through an external scheme, either in the form of supplementary pension insurance or a pension fund.

117. From a tax perspective, provisions, insurance premiums and contributions to supplementary pensions are subject to a withholding tax of 20 per cent in respect of income tax.

118. This withholding tax is final for members of a supplementary pension scheme. Therefore, they do not have to declare these contributions, or the tax withheld on them, on their income tax return.

119. For eligible employees, personal contributions to the supplementary pension scheme set up by their employer are deductible as special expenses, capped at €1,200 per year.

120. Resident taxpayers who receive benefits paid out under a supplementary pension scheme covered by the amended Act of 8 June 1999 on Supplementary Pension Schemes do not have any tax obligations to fulfil, since these benefits are not taxable. However, a contribution towards long-term care insurance is deducted when the supplementary pension benefits are paid out.

121. If an employee leaves his or her employment before retirement age or a self-employed person ceases his or her activity before that age, the full preservation of his or her accrued rights in the supplementary pension scheme must be guaranteed, even in the event of dismissal for gross misconduct.

122. Instead of being preserved in the scheme, accrued rights may, where appropriate, be transferred to a supplementary pension scheme set up with a new employer or to another supplementary pension scheme authorized to accept them.

123. Accrued rights may also be repurchased in the following circumstances:

- If a member who no longer fulfils the criterion for active membership of the supplementary pension scheme has accrued reserves on his or her account that do not exceed three times the monthly minimum wage for an unskilled worker aged at least 18 years (€6,213 as at 1 January 2019)
- If the member loses his or her active membership of the supplementary scheme and, in his or her new activity, is no longer subject to Luxembourg health insurance in accordance with Book 1, Chapter I, of the Social Security Code

²⁹ Act of 1 August 2018: <http://legilux.public.lu/eli/etat/leg/loi/2018/08/01/a708/jo>.

XI. Article 10

A. Protection of the family

124. Article 11 of the Constitution provides that “the State guarantees the natural rights of the individual and the family”.

1. Right to enter freely into marriage

125. In Luxembourg, marriage is the union between two persons of the opposite or same sex (Civil Code, art. 143). It is an authenticated legal act having the effect of making the status of marriage applicable to both spouses and changing their civil status accordingly.

126. Spouses have a duty to be faithful to each other and to help and assist each other (Civil Code, art. 212). They work together in the interests of the family to give moral and material support, provide for the family’s upkeep, bring up the children and prepare them to become independent (art. 213).

127. The Act of 4 July 2014³⁰ amending the existing law on marriage brought about the following changes:

- Marriage was opened up to same-sex couples, which also means that a married person no longer needs to divorce in the event of a gender change
- Same-sex married couples enjoy all the legal effects of marriage (including provisions on the dissolution of marriage, the adoption of children, tax affairs, and donations and inheritance), with the exception of presumed paternity (Civil Code, arts. 143 and 132)
- The legal age of marriage was aligned with the age of majority: both future spouses must be 18 years old in order to marry (Civil Code, art. 144)
- Marriage formalities no longer include the need for a premarital certificate (Civil Code, art. 63)
- A widowed or divorced woman is no longer required to wait 300 days before entering into a new marriage

128. Since the major reform of the law on marriage in 2014, Luxembourg has used gender-neutral terminology. Throughout national legislation, the terms “husband” and “wife” have been replaced with “spouse” and the terms “father” and “mother” with “parent”.

129. In addition, Book II, Title VII, of the Criminal Code contains numerous criminal provisions on the protection of the family.

130. For example, bigamy (art. 394) and marriages of convenience (arts. 387 and 388) are prohibited and punishable under criminal law.

131. In order to combat forced and/or sham marriages, the 2014 reform also introduced preventive measures to strengthen the powers of civil registrars and the State prosecutor. In this connection, marriage by proxy is strictly prohibited (Civil Code, art. 144).

132. Article 389 provides that:

“Forcing someone, by violence or threats, to enter into a marriage or partnership shall be punishable by imprisonment for 1 to 4 years and a fine of €20,000 to €40,000, or one of these penalties only. An attempt to commit this offence shall be punishable by imprisonment for 1 to 2 years and a fine of €10,000 to €20,000, or one of these penalties only.”

Moreover, article 265 provides for a penalty of imprisonment for 3 months to 1 year and a fine of €500 to €5,000 for a civil registrar who celebrates a marriage against the will of the persons whose consent is required.

³⁰ Act of 4 July 2014: <http://data.legilux.public.lu/eli/etat/leg/loi/2014/07/04/n1/jo>.

2. Family and parental authority

133. Provided that parents do not infringe the physical integrity or the moral and material interests of their children, the State cannot intervene directly. Any intervention must be in accordance with the law and must be subject to the approval of the judicial authority, which guarantees civil liberties.

134. It is now accepted that the concept of a family covers not only the relationship between a married couple, whether in a legal partnership or a de facto union, or a couple and their children, but also the relationship between a single parent and his or her children.

135. Establishment of a child's parentage allows the attribution of parental authority.

136. The Act of 27 June 2018³¹ establishing the family court and amending the law on divorce and parental authority introduced the principle according to which parents, whether married or not, exercise parental authority jointly. All provisions relating to parental authority are based on the concept of co-parenting, which must continue even after a couple breaks up.

137. All parents are equal, whether they are married, unmarried, in a civil partnership, separated or divorced, and whether they are of the opposite or the same sex.

3. Parentage of children born in and out of wedlock

138. Although Luxembourg continues to make a formal distinction between legitimate and illegitimate parentage, the principle of equality between children born in and out of wedlock is well established in law (see the Act of 26 April 1979 on the inheritance rights of illegitimate children, the aforementioned Children's Names Act of 23 December 2005 and the aforementioned Act of 14 July 2014 amending the law on marriage). The last of these laws established the principle of the equality of all children, including the children of married same-sex couples.

139. Parentage may be established in respect of the mother and father of any child, whether born in or out of wedlock, other than those born to parents who are strictly forbidden from marrying (incestuous parentage).

4. Protection of children

140. Under the Act of 10 August 1992 on the Protection of Young People,³² as amended by the Act of 6 October 2009³³ and the aforementioned Act of 27 June 2018, the juvenile court may act, either on its own initiative or at the request of the child or any other person, to protect the material and moral interests of the child.

141. In the event that acts committed intentionally against a minor are brought before the State prosecutor or investigating judge, and the interests of the minor are not fully protected by at least one of his or her legal representatives, the State prosecutor or investigating judge shall appoint an ad hoc administrator from the court's list of lawyers to defend the interests of the minor and to exercise the rights of the plaintiff on his or her behalf.

142. Furthermore, the family court may always appoint a public administrator for a minor in respect of whom a care order has been issued by the juvenile court.

143. Lastly, since 1 November 2017, a secure unit has been operational at the State Socio-Educational Centre. It provides closed accommodation for up to 12 minors placed there in accordance with decisions by the judicial authorities.

5. Maternity protection

144. In order to protect the health of pregnant women and their unborn children, the legislature has introduced numerous measures for pregnant women, including protection of

³¹ Act of 27 June 2018: <http://legilux.public.lu/eli/etat/leg/loi/2018/06/27/a589/jo>.

³² Act of 10 August 1992: <http://data.legilux.public.lu/eli/etat/leg/loi/1992/08/10/n3/jo>.

³³ Act of 6 October 2009: <http://data.legilux.public.lu/eli/etat/leg/loi/2009/10/06/n1/jo>.

their health and safety at work, protection against dismissal, and maternity leave (which consists of prenatal and postnatal leave).

145. Any pregnant woman engaged in an occupational activity (whether as an employee, self-employed worker or apprentice) has the right to maternity leave. This right serves to protect the health of the women concerned and to give them the opportunity to devote themselves fully to their child after the birth.

146. In accordance with articles 332-1 and 332-2 of the Labour Code, a pregnant woman may not be engaged in an occupational activity either during the 8 weeks preceding the expected delivery date (prenatal leave), as indicated on a medical certificate, or during the 12 weeks following the birth (postnatal leave), a period for which a medical certificate indicating the date of delivery is also required.

147. In addition, the law protects pregnant women from having to perform work regarded as arduous. Pregnant women and breastfeeding mothers are prohibited by law from working overtime.

148. Taking maternity leave does not break a woman's employment contract. For the duration of a woman's maternity leave, the employer is obliged to retain her position or, where this is not possible, a similar position commensurate with her qualifications and with at least equal remuneration.

149. Companies must also provide employees who are absent on maternity leave with access to in-service training to enable them to keep abreast of developments in technology and production processes.

150. The period of maternity leave is taken into account in determining rights relating to length of service. In addition, the employee retains all the employee benefits that she had acquired before the beginning of her maternity leave.

151. In order to bring up her child, a woman may, without giving notice, decide not to return to her position at the end of her maternity leave (special education leave). In such cases, the woman is entitled by law to apply to be rehired within one year following the end of her maternity leave. Upon receipt of this request, the employer must, for one year, give priority to hiring her for any positions for which she is suitably qualified.

152. A female employee also enjoys protection against dismissal from the day she submits her pregnancy certificate to her employer until 12 weeks after the birth.

153. During this period, the employer is prohibited from notifying the employee that the employment relationship has been terminated (with notice or with immediate effect) or summoning her to a pre-dismissal interview. Any dismissal or summons to a pre-dismissal interview notified in breach of this prohibition is null and void.

154. If a female employee is notified of the termination of her employment before she has submitted a medical certificate of pregnancy to her employer, she may, within eight days of receiving notice of the dismissal, provide evidence of her pregnancy by transmitting a certificate by registered post. The employer will be obliged to rescind the dismissal. If the employer refuses, the pregnant woman may bring an action to have the dismissal declared null and void. The same applies if the employer was informed of the pregnancy prior to the dismissal.

155. A pregnant employee faced with dismissal must, within 15 days following the termination of her employment contract, petition the president of the labour court to declare the dismissal null and void with a view to ordering her continued employment or her reinstatement in the company. Once this period has elapsed, the pregnant woman may no longer bring an action to have her dismissal declared null and void; however, she may, where appropriate, bring legal proceedings for unfair dismissal in accordance with the legal forms and time limits. These two possible remedies are not cumulative.

156. An employer may immediately suspend a pregnant employee who commits gross misconduct. The employer may not directly dismiss her with immediate effect, but instead must apply to the labour court for authorization to terminate the employment contract. Where

the labour court refuses to grant this request, the suspension is rescinded and its effects automatically removed.

157. If the employer suspends the employee pending the court's decision, she may apply to the court, within 15 days of notification of the suspension, for continued payment of her wages pending the court's final decision.

158. Article 241-4 of the Luxembourg Labour Code further specifies that "provisions relating to the protection of pregnancy and maternity do not constitute discrimination, but a condition for the achievement of equality of treatment between men and women".

159. In Luxembourg, the phenomenon of non-standard employment has yet to be properly addressed under national law. No distinction is made in national legislation between so-called standard and non-standard forms of employment.

160. With regard to women who are not entitled to work-related maternity benefits, it should be noted that the payment of maternity allowances was abolished by the Act of 19 December 2014 on the Implementation of the Package for the Future.³⁴ Maternity allowances used to be paid for 16 weeks – 8 weeks before and 8 weeks after the birth – to women who were not in work. The amount was set at €196 per week.

161. Women who are not entitled to work-related maternity benefits are nevertheless entitled to benefits in kind as co-insured persons. They have what are known as derivative rights, which are rights granted to persons other than those who have paid contributions, provided that the persons concerned, in this case in their capacity as spouses, are not covered in their own right and reside in Luxembourg. As family members, they will have health and maternity cover, but only for benefits in kind.

162. Lastly, there are heavy penalties for perpetrators of forced abortion (Criminal Code, art. 348 et seq.).

6. Modifying various categories of extraordinary leave

163. In order to ensure greater balance between professional and private life and thereby enable individuals, especially women, to remain in employment, the Government, under the Act of 15 December 2017,³⁵ modified various categories of extraordinary leave.

Postnatal leave

164. The same Act also introduced changes to maternity leave. In particular, maternity leave after a child's birth, which is known as "postnatal leave", has been increased to 12 weeks so as not to disadvantage women who have given birth and who do not wish to breastfeed their child or are unable to do so. Prior to this change, the period of postnatal leave was set at 8 weeks but could be extended by a further 4 weeks (to 12 weeks in total) in the case of mothers who had breastfed their child for at least 5 weeks.

165. Insured women on maternity leave receive a maternity cash allowance from the National Health Fund, which is equal in value to the sickness allowance. It cannot be paid out concurrently with the sickness allowance or with other professional income.

166. The maternity cash allowance is in principle equal to the woman's previous salary, capped at five times the minimum wage. From 1 January 2019, the maximum allowance payable was €10,355.50 gross per month (index of 814.40 points).

167. In order to be eligible for maternity allowances, a woman must have made mandatory employment contributions for a period of at least six months in the year preceding the maternity leave.

168. Maternity benefits also include medical assistance, attendance by a midwife, medicines and pharmaceutical supplies, stays in a maternity ward or clinic, and dietetic

³⁴ Act of 19 December 2014: <http://legilux.public.lu/eli/etat/leg/loi/2014/12/19/n13/jo>.

³⁵ Act of 15 December 2017: <http://data.legilux.public.lu/eli/etat/leg/loi/2017/12/15/a1082/jo>.

products for infants, as well as any other benefits provided for under the health insurance scheme.

169. The National Health Fund covers all necessary maternity care in full.

170. There is no waiting period for accessing these medical benefits, which are provided throughout the pregnancy.

171. The law does not provide for the suspension of maternity benefits.

Paternity leave

172. The duration of paternity leave is 10 working days, 8 of which are covered by the State budget. The primary aim of paternity leave is to give the father more free time when his child is born so that he can play an integral role in the event and form a strong relationship with his child. Paternity leave also serves to respond more effectively to the needs of parents, who can help each other and begin genuine responsibility-sharing immediately after the birth of the child. Until the recent legislative changes, paternity leave was limited to two days.

173. In 2018, 2,751 applications were filed under the new legislation on paternity leave, which entered into force on 1 January 2018.

Parental leave

174. The new system of parental leave came into effect on 1 December 2016. The reform was aimed at:

- Promoting a balance between family and professional life
- Creating a strong relationship between children and their parents
- Responding more effectively to the needs of parents
- Increasing the proportion of fathers who take parental leave in order to promote equal opportunities
- Increasing the overall number of people who take parental leave

175. The first period of parental leave must be taken immediately after maternity or adoption leave, failing which this right is lost. The second period of parental leave may be taken by the parent who did not take the first parental leave, before the child reaches the age of 6 years (or 12 years in the case of adoption). Leave is non-transferable and may not be taken twice by the same parent. However, the first and second periods of parental leave may be taken simultaneously by both parents in respect of the same child.

176. There are various forms of parental leave. For example, the applicant may, in certain circumstances, take either full-time parental leave for four or six months or split parental leave (one day per week over a period of 20 months or four periods of one calendar month each over a period of 20 months).

177. The parental leave allowance is a form of income replacement calculated on the basis of:

- Income declared by the employer to the Social Security Affiliation Centre in the 12 months preceding the period of parental leave
- The average hours worked in the 12 months preceding the period of parental leave. The parental leave allowance is capped at 5/3 of the minimum wage and may not be less than the minimum wage (for full-time work).

178. By December 2017, one year after the new system of parental leave had come into effect, the number of parental leaves had doubled (from 4,361 in 2016 to 8,251 in 2017) and, of these, the proportion taken by fathers had increased from 24.7 per cent in 2016 to 44.5 per cent in 2017. By December 2018, the proportion of parental leaves taken by fathers had reached 49.9 per cent, which means that Luxembourg has achieved parity in parental leave.

Leave for family reasons

179. Leave for family reasons, which is intended to enable parents to care for a sick child, has been overhauled: instead of 2 working days per year, the number of days that parents will be able to request will depend on the age of the child: 12 days for children aged 0 to 4 years, 18 days for those aged 4 to 13 years, and 5 days for those aged 13 to 18 years who are hospitalized. This overhaul has brought leave for family reasons more into line with the needs of parents, as the entitlement varies significantly in accordance with the age of the sick child.

B. Combating domestic violence

1. Amending the Domestic Violence Act

180. Physical violence, in a general context, is covered by articles 398 and 409 of the Criminal Code. Sexual violence is punishable under article 372 of the Criminal Code, on indecent assault, and article 375, on rape.

181. In the interests of preventing acts of domestic violence, holding the perpetrators accountable and promoting social awareness of the seriousness and distinct nature of domestic violence, the legislature adopted the Domestic Violence Act³⁶ on 8 September 2003. The Act was further strengthened by the Act of 30 July 2013³⁷ and by the aforementioned Act of 27 June 2018, which established the family court.

182. Under article 1 of the Act, a person may be evicted from his or her home if there is evidence to suggest that he or she is preparing to commit any offence against a person with whom he or she lives in a family setting.

183. The Act of 30 July 2013³⁸ brought about a number of improvements, including:

- The replacement of the concept of “close relative” with the broader concept of “family setting”. The circle of alleged victims whom an eviction order may be issued to protect has been expanded to include any alleged victim who lives with the alleged perpetrator in a family setting, a broader concept that covers not only the traditional family in a broad sense, namely spouses, partners, child and adult ascendants and descendants, and siblings, but also blended families, namely the partners of ascendant and descendant members and siblings, when they live together in a family setting. Eviction orders may not be issued in respect of persons who live together under a joint tenancy or subtenancy agreement.
- When an eviction takes place, any child victims living in the household, whether they are direct or indirect victims, must receive support from a domestic violence support service specialized in caring for child victims of violence. The police officer must give the parents an information sheet to inform them of this support.
- The duration of the eviction has been extended from 10 to 14 days. In addition to the ban on returning to the home, the evicted person is now also subject to two new bans for a period of 14 days: a ban on approaching the victim and a ban on making contact with the victim orally, in writing or through an intermediary.
- A new ban has been added to those that may be imposed under article 1017-8 of the New Code of Civil Procedure, namely a ban on approaching the shelter where the victim is staying, including adjoining buildings, the childcare facilities and the school.

184. The amending Act of 30 July 2013 also significantly strengthens the extent to which perpetrators of domestic violence are held accountable for their acts.

185. The Act provides for the establishment of a committee for cooperation among professionals, made up of representatives of State bodies and representatives of both approved support services for victims of domestic violence and services working with the

³⁶ Act of 8 September 2003: <http://data.legilux.public.lu/eli/etat/leg/loi/2003/09/08/n1/jo>.

³⁷ Act of 30 July 2013: <http://data.legilux.public.lu/eli/etat/leg/loi/2013/07/30/n1/jo>.

³⁸ Act of 30 July 2013: <http://data.legilux.public.lu/eli/etat/leg/loi/2013/07/30/n1/jo>.

perpetrators. This committee is responsible for centralizing and studying statistics on domestic violence, examining the implementation of the law and any possible problems concerning its practical application and submitting to the Government any proposals that it deems useful.

186. If a perpetrator of violence is evicted by decision of the State prosecutor, the police informs both a service working with perpetrators of domestic violence and a support service for victims of domestic violence. The aim is to assist, guide and counsel victims of domestic violence, including children, by actively seeking to make contact with them.

187. The evicted person must report to a service working with perpetrators of violence within the first seven days of the eviction order. Otherwise, the service will make contact and summon him or her for an interview.

188. Article 439 of the Criminal Code establishes criminal penalties, in line with the seriousness of the offence, for persons who violate an eviction order or a ban on returning to their home.

189. If the public prosecutor's office does not order an eviction, the police provide the members of the household with an information sheet on support services for adult and minor victims and services working with perpetrators of domestic violence, as well as possible legal measures, in a language that they understand.

190. Luxembourg has a network of assistance and support services developed for victims, especially female victims, of violence. An exhaustive list is available on the website of the Ministry of Justice and on the website of the recent information campaign on the ratification of the Istanbul Convention.

2. Istanbul Convention

191. The Act approving the Istanbul Convention³⁹ has broadened the perspective with regard to the Domestic Violence Act of 8 September 2003. The Convention is based on the idea that violence against women and girls is a form of gender-based violence insofar as it is perpetrated against women because they are women. It is the duty of the State, which is otherwise at fault, to effectively combat such violence in all its forms by taking measures to prevent it, protecting the victims and prosecuting the perpetrators. According to the Convention, it is clear that gender parity will not be a reality as long as gender-based violence persists on a large scale, openly and in full view of public bodies and institutions.

192. In the coming years, the implementation of the Istanbul Convention will be a good way to:

- Raise awareness among both professionals and the general public about all aspects of violence against women and girls
- Provide information on the network of assistance and support services, improve the quality of the network and enhance access to it
- Bring together and involve all State and non-State actors in combating violence against women and girls
- Expand the provision of support and assistance to victims

193. While the Convention is specifically focused on all forms of violence against women, it explicitly recognizes that men may also be victims of domestic and other forms of violence. As its legislation is generally gender-neutral, the approach taken by Luxembourg is to apply the Convention to both sexes.

3. Training on domestic violence for police officers

194. Police officers in training from groups B1, C1 and C2 are given 14 hours of training in the area of domestic violence. This training includes a theoretical part (six hours) and on-the-job training (eight hours).

³⁹ See footnote 2.

195. In addition, all police personnel have received two hours of training on the changes introduced by the Act of 30 July 2013 amending the Domestic Violence Act of 8 September 2003.

4. Information, awareness-raising and prevention

196. Combating violence against girls and women has traditionally been a central concern of the gender equality policy of Luxembourg. This prioritization has been reflected in all the various awareness-raising campaigns carried out over the past few years.

197. The Ministry of Equality between Women and Men regularly organizes information, prevention and awareness-raising campaigns (media campaigns, scientific studies, conferences and awareness-raising events) on violence against women, often in cooperation with non-governmental organizations.

5. Results

198. In recent years, there has been a decline in evictions and police intervention in cases of domestic violence. While evictions were still at a record high of 375 in 2012, the committee for cooperation among professionals combating violence registered 217 evictions in 2017, a decrease of 42.2 per cent. There has also been a drop in police interventions, which numbered 876 in 2014 and 789 in 2016. The efforts undertaken in the areas of information, awareness-raising and prevention have contributed to this downward trend. The annual reports that the committee for cooperation among professionals combating violence submits to the Government contain extensive figures.

C. Policy for older persons

1. Governmental approach

199. The Government is pursuing a policy based on a positive view of old age that promotes physical, mental and social well-being; participation in social, economic, cultural and sporting activities; and the protection of older persons against any attack on their dignity, autonomy and independence.

200. In this respect, the Government will put in place an “active ageing” strategy, to be developed jointly with all actors in the older persons sector, which will include measures to help people better prepare for the transition from working life to retirement, to promote the integration of older migrants, to encourage voluntary work, to develop measures to prevent and combat the isolation of older persons, to promote learning at all ages and to promote the availability of leisure activities for older persons. This cross-cutting approach should make it possible to actively promote the well-being and quality of life of older people, as well as to enable them to live independently for as long as possible and actively take part in life in all areas of society. The strategy will provide for actions to underscore the skills of senior citizens in order to promote intergenerational dialogue and strengthen the social links between generations.

2. Long-term care insurance

201. In 2017, the legislation relating to long-term care insurance was amended by the Act of 29 August 2017. The purpose of long-term care insurance is to cover – at least in part – the costs arising from care and the need for assistance to perform the essential acts of everyday life. It is reasonable for the community at large to cover these costs, given both the widespread nature and the uniformity of the risk, which can affect anyone at any age, and the magnitude of the costs, which can hardly be borne by one person alone or even by his or her family. Long-term care insurance creates an unconditional entitlement to benefits, i.e. one that does not require means-testing of the dependent person.

202. The different types of benefits are:

- Assistance and care to perform the essential acts of everyday life: Assistance and care at home or in institutions with washing and bathing, using the toilet, cooking and eating, getting dressed and undressed, mobility
- Activities to support independent living: Specialized individual or group activities at home or in an institution
- Home support activities: Individual home care, group care in a day centre, night care, caregiver training, training in the use of technical aids, assistance with household tasks

203. Under long-term care insurance and subject to certain conditions, older persons living at home can also receive the following benefits:

- Housing adaptation: Partial financing of an adaptation of the dependent person's housing to allow him or her to stay longer in his or her own home
- Car adaptation: Partial financing of a car adaptation so that the person can use his or her own car for as long as possible
- Technical aids: Coverage of technical aids, such as walking frames, wheelchairs and shower chairs, so that the person can stay for as long as possible in his or her own home
- Social pricing: Social pricing is a measure designed to help people over 60 years of age who do not have sufficient financial means to meet the costs of the long-term care and assistance they require and who normally are not covered by long-term care insurance
- Cost of living allowance: The National Solidarity Fund grants, on request and under certain conditions, a specific allowance for low-income households

204. Since the amendment of the legislation on long-term care insurance, assistance has been provided for dependent persons on a sliding scale with 15 levels. Depending on the applicant's needs for assistance and care to perform essential acts of everyday life and the time required for these acts, a fixed amount of time per week is granted. Each level thus determined will correspond to a rate expressed in minutes ranging from level 1, which corresponds to 210 to 350 minutes, to level 15, which corresponds to more than 2,170 minutes. This system allows benefits to be tailored on a daily basis to the individual needs of the dependent person. The amendment also introduces more regular and systematic reassessments of the dependent person's needs.

205. The role of the caregiver, i.e. the friend or family member providing assistance to the dependent person, is given greater importance and this person benefits from enhanced monitoring and supervision provided by the Monitoring and Evaluation Administration. Under the amended legislation, the applicant declares his or her caregiver to the Administration by submitting an information form. The Administration assesses the caregiver's abilities and availability to provide, at least once a week, assistance and care in performing essential acts of everyday life, as well as his or her need for supervision and training. Contributions to the caregiver's pension insurance continue to be paid at the request of the dependent person if the caregiver does not have a personal pension.

206. The quality of the assistance and care provided is being strengthened by a new quality control system.

3. Supplementary benefit for the care of older persons

207. A supplementary benefit is provided for the long-term care of persons admitted to an assisted living facility, an integrated centre for older persons or a nursing home but whose personal resources cannot cover the cost of housing and personal needs. The benefit is paid to the facility that is housing the applicant. As of 1 January 2019, the monthly payments ranged between €1,750.96/person for a double room and €2,023.62 for a single room. The amount of the supplementary benefit is the difference between the price of the accommodation and the applicant's income, minus a protected amount to cover personal needs; as at 1 January 2019, this protected amount was €464.24, based on a cost-of-living index of 814.24 points.

208. All the applicant's income is taken into account in calculating the supplementary benefit. In addition, the applicant must have exhausted all his or her assets above the threshold of €20,360.00. When the spouse of the beneficiary of the supplementary benefit continues to occupy the marital home, he or she is entitled to a protected monthly share of €1,863.49. This protected share may be increased by a contribution of up to €814.40, as at 1 January 2019, to the rent to be paid or the repayment of a mortgage.

209. Any properties owned by the beneficiary are mortgaged to the National Solidarity Fund. If these properties are located outside the territory of Luxembourg, a life annuity is recorded for calculation of the supplementary benefit, determined by converting the market value of these properties.

210. Repayment of the supplementary benefit will be sought from a beneficiary whose financial situation improves, or from the recipient of a gift from the beneficiary, the beneficiary's legatee or his or her estate.

211. The Fund regularly examines whether the eligibility requirements continue to be met. The elements on which the calculation is based, and the legal payment schedules, are linked to the cost of living index.

212. If the beneficiary has made a direct or indirect gift within the 10 years preceding his or her application for the supplementary benefit or since the application was submitted, the National Solidarity Fund will demand that the recipient of the gift return the sums given.

4. Child-raising lump sum

213. The child-raising lump sum is payable to the parent, or any other person in place of a parent, who has devoted himself or herself primarily to raising one or more children. Such a parent becomes eligible for the child-raising lump sum at 65 years of age. The applicant must be domiciled in Luxembourg and have resided there at the time of the child's birth to be eligible. However, there are some specific exceptions to this last condition.

D. Combating human trafficking

1. The comprehensive legal framework on trafficking

214. Articles 382-1 to 382-3 of the Criminal Code establish the penalties for the offence of human trafficking, defined as:

“the recruitment, transportation, transfer, harbouring or receipt of a person, or the passing or transfer of control of him or her, with a view to:

- (1) committing offences of procuring, sexual assault or sexual abuse against that person;
- (2) exploiting that person's labour or services in the form of forced or compulsory labour or services, servitude, slavery or practices similar to slavery and in general in conditions which are contrary to human dignity;
- (3) forcing him or her to beg, exploiting his or her begging or allowing him or her to be used as a beggar to elicit public sympathy;
- (4) removing organs or tissues in violation of the relevant legislation; and
- (5) causing that person to commit a crime or offence against his or her will.”

215. In 2014, article 382-1 (4) was added to the Criminal Code:

“Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration”.

216. For all these offences, aggravated penalties, up to 15 years' imprisonment, are stipulated in the cases specified in article 382-2 of the Criminal Code, in accordance with the distinctions established therein.

217. In order to establish the offence of human trafficking, two constituent elements must be present:

- The material element is the recruitment, transportation, transfer, harbouring or receipt of a person, or the passing or transfer of control of him or her.
- The mental element is the fact that the act must have been committed for one of the exploitative purposes exhaustively listed in article 382-1 (1-5).

218. Like the aforementioned provisions on human trafficking, articles 382-4 and 382-5 of the Criminal Code establish severe penalties for the smuggling of migrants.

219. The exploitation of the prostitution of others and procuring are punishable in accordance with the distinctions set out in articles 379 and 379bis and articles 320 to 382 of the Criminal Code. Aggravated penalties are provided for, inter alia, when the victim is a minor or when the offence was committed by a legally recognized, natural or adoptive ascendant of the victim or by a person who has authority over the victim or who abuses the authority vested in him or her by virtue of his or her position.

220. For the law to be applied, it is not necessary for the victim to have been deprived of fundamental rights or for organized crime to have been involved.

221. The public prosecutor's office is responsible for assessing, on the basis of the elements of the criminal file, whether or not article 382-1 of the Criminal Code applies.

222. The policy of Luxembourg on trafficking, like the action plan promoted by the European Union and the Council of Europe, is based on four pillars:

- Prevention
- Protection and promotion of victims' rights
- Prosecution of principals and joint principals
- Partnership

223. In the context of legal proceedings against the alleged perpetrators of trafficking in human beings and in order to strengthen the likelihood that an in-depth judicial investigation will be conducted, article 93 of the amended Act of 29 August 2008 on the Free Movement of Persons and Immigration provides for victims of trafficking in human beings to be granted a period of reflection followed, where appropriate, by a residence permit in accordance with article 95.

224. Special measures for the protection and assistance of victims of trafficking are provided for in the Acts of 8 May 2009⁴⁰ and 9 April 2014.⁴¹

225. Both nationals of third countries and citizens of the European Union can be granted the status of a victim of trafficking in human beings.

226. Victims are granted assistance and protection measures with a view to promoting their physical, psychological and social recovery.

227. The statistics on sexual and labour exploitation are as follows:

| <i>Year</i> | <i>Sexual exploitation</i> | <i>Labour exploitation</i> | <i>Practices similar to slavery</i> |
|-------------|----------------------------|----------------------------|-------------------------------------|
| 2007 | 5 | 0 | 0 |
| 2008 | 7 | 0 | 0 |
| 2009 | 3 | 0 | 0 |
| 2010 | 6 | 1 | 0 |
| 2011 | 6 | 0 | 2 |
| 2012 | 1 | 0 | 0 |

⁴⁰ Act of 8 May 2009: <http://data.legilux.public.lu/eli/etat/leg/loi/2009/05/08/n 1/jo>.

⁴¹ Act of 9 April 2014: <http://data.legilux.public.lu/eli/etat/leg/loi/2014/04/09/n 1/jo>.

| <i>Year</i> | <i>Sexual exploitation</i> | <i>Labour exploitation</i> | <i>Practices similar to slavery</i> |
|-------------|----------------------------|----------------------------|-------------------------------------|
| 2013 | 10 | 0 | 0 |
| 2014 | 8 | 7 | 0 |
| 2015 | 7 | 0 | 0 |
| 2016 | 16 | 2 | 0 |
| 2017 | 3 | 15 | 0 |
| 2018 | 5 | 8 | 0 |

228. In line with international trends, Luxembourg has established a national action plan setting out the measures to be undertaken to combat trafficking at the national level. The purpose of the action plan developed by the Monitoring Committee on Combating Trafficking in Persons is to provide the public with detailed information on the strategy for eradicating this crime and the efforts made in that regard.

229. The legal framework on trafficking in human beings and sexual exploitation has been strengthened in the context of the national action plan on prostitution adopted in June 2016 by the Government of Luxembourg, making it necessary to amend the Criminal Code and the Code of Criminal Procedure. These amendments are codified by the Act of 28 February 2018 strengthening Measures to Combat the Exploitation of Prostitution, Procuring and Trafficking in Human Beings for Sexual Purposes and provide for, inter alia:

- The institutionalization of the “prostitution platform” as a standing committee and the creation of synergies with the Monitoring Committee on Combating Trafficking in Persons
- Legislative measures recommended by the Chief Public Prosecutor’s Office, the Grand-Ducal police and the Monitoring Committee on Combating Trafficking in Persons with a view to better detecting and identifying victims
- The criminalization of clients if the prostitute is found to be “a minor, a particularly vulnerable person or a victim of sexual exploitation relating to the exploitation of prostitution, procuring or trafficking in human beings for sexual purposes, with the possibility that criminal proceedings might not be brought against the client under certain conditions (client’s testimony)”

230. With a view to strengthening the legislative framework, the Act of 28 February 2018⁴² provided for the establishment of a committee responsible for monitoring the development and consequences of prostitution in Luxembourg and the implementation of the national action plan on prostitution, in close cooperation with the Monitoring Committee to Combat Trafficking in Persons. By means of the same Act, a new chapter VI-III, entitled “Use of prostitution”, was added to the Criminal Code. Under articles 382-6 and 382-7 thereof, clients of a prostituted person who is a minor, a victim of trafficking in human beings, or in an especially vulnerable situation, which is apparent or known to the perpetrator, owing to the person’s illegal or precarious administrative status, precarious social situation, pregnancy, illness, disability or physical or mental deficiency, will be liable to imprisonment.

231. The same Act also introduced article 210-1 into the Criminal Code. According to this article, any person who obtains, procures, destroys, conceals, disposes of, confiscates, retains, alters, reproduces or holds a travel or identity document of another person or facilitates the fraudulent use thereof, for the purpose of sexual exploitation, procuring, trafficking in persons or smuggling of migrants, will be subject to 3 to 5 years’ imprisonment and a fine.

232. Pursuant to article 5-1 of the Code of Criminal Procedure, any Luxembourg national, any person who has his or her habitual residence in Luxembourg and any foreign national located there, may be convicted in Luxembourg of the aforementioned serious offences, committed abroad, without the requirement for double criminality.

233. Legal persons may also be held responsible for such crimes and offences and may be subject to criminal penalties in accordance with the provisions of articles 34 et seq. of the

⁴² Act of 28 February 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/02/28/a170/jo>.

Criminal Code, in cases where the offence was committed in the name and interest of a legal person by one of its statutory bodies or by one or more of its de jure or de facto managers. In the case of offences such as trafficking or procuring, aggravated penalties also apply to the legal person.

234. Under article 3-1 of the Code of Criminal Procedure, any association of national importance, with legal status and approved by the Minister of Justice, may, inter alia, in cases concerning the sale of children and trafficking in human beings (arts. 382-1 and 382-2 of the Code of Criminal Procedure), domestic violence (art. 409 of the Criminal Code) or discrimination (arts. 454–455 of the Criminal Code), exercise the rights of the plaintiff with the latter's express agreement, provided that such offences are directly or indirectly prejudicial to the collective interests which the association was established to defend, even if the association does not have a material or legal interest and even if the collective interest it seeks to defend is identical with the social interest defended by the public prosecutor's office.

235. Finally, in the field of public procurement⁴³ and concession agreements,⁴⁴ contracting authorities and entities are obliged to exclude an economic operator from participation in a contract or concession award procedure if they have established that the said economic operator has been convicted, by a final judgment, of child labour or other forms of trafficking in human beings as defined in article 382-1 of the Criminal Code.

2. Special factors in the case of child trafficking

236. Articles 361 et seq. of the Criminal Code impose severe penalties for acts intended to prevent or destroy the proof of a child's civil status.

237. Trafficking in children is punishable under the Criminal Code (arts. 367-1 and 367-2), as is the exposure or abandonment of children (arts. 354–360).

238. The Criminal Code imposes heavy penalties for acts related to trafficking in human beings and, in general, acts of violence, but when such acts are committed against minors, they are punished more severely than if the offence was committed against an adult.

239. Articles 382-1 to 382-3 of the Criminal Code establish heavy penalties for all offences involving the sale of children, including any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration.

240. In addition, in general, any fraudulent abuse of a minor's state of ignorance or vulnerability with a view to leading him or her to act or refrain from acting in a way that is seriously detrimental to him or her is punishable on the basis of article 493 of the Criminal Code.

241. Child pornography, including the possession or viewing of such material, is punishable under the Criminal Code (arts. 379 and 383–385bis). The Criminal Code also establishes penalties for the incitement of minors to debauchery (art. 379) and the sexual propositioning of a minor under 16 years of age by means of electronic communication (art. 385-2).

242. Under articles 637 and 638 of the Code of Criminal Procedure, the limitation period for the prosecution of certain crimes or offences committed against minors (e.g., the sale of children, indecent assault and rape), does not begin until the date on which the victim reaches the age of majority (or the date of the victim's death, if that occurs before he or she reaches majority).

243. Lastly, articles 3-7, 48-1 and 79-1 of the Code of Criminal Procedure contain special provisions on court hearings involving minors, in order to take account of their vulnerability.

⁴³ Act of 8 April 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/04/08/a243/jo>.

⁴⁴ Act of 3 July 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/07/03/a560/jo>.

3. International instruments on human trafficking ratified by Luxembourg

244. Luxembourg has ratified a number of international instruments relating to trafficking in human beings and people smuggling, the most recent of which are:

- The Council of Europe Convention on Action against Trafficking in Human Beings, signed in Warsaw on 16 May 2005⁴⁵
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, opened for signature from 12 to 15 December 2000 in Palermo, Italy⁴⁶
- The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, concluded on 15 November 2000,⁴⁷ signed in Palermo, Italy, on 12 December 2000
- The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, which was opened for signature in Lanzarote, Spain, on 25 and 26 October 2007⁴⁸
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, done at New York on 25 May 2000⁴⁹

Reception and accommodation of applicants for international protection and their families

245. The committee⁵⁰ for the reception and integration of foreign nationals in Luxembourg tasked the Luxembourg Reception and Integration Agency with organizing the provision of social assistance to international protection applicants.

246. The Act of 18 December 2015 on the Reception of Applicants for International Protection and Temporary Protection⁵¹ sets out standards for the reception of international protection applicants.

247. The main purpose of the Act is to ensure that Luxembourg fully honours its commitments as a country of asylum, in accordance with international and European law. The Act also defines the various types of assistance provided by the Luxembourg Reception and Integration Agency to international protection applicants in Luxembourg.

248. This new legal framework strengthens the role of the Luxembourg Reception and Integration Agency in order to ensure that international protection applicants are treated appropriately upon arrival, in all circumstances.

249. There is a particular focus on taking into account the specific needs of vulnerable persons and protecting their physical and mental health. Vulnerable persons are defined in the Act as a category that includes minors, unaccompanied minors, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with mental health problems and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, including victims of female genital mutilation. The provisions relating to minors are based on the principles of the best interests of the child and family unity. In 2018, the Luxembourg Reception and Integration Agency recruited an expert in the protection of potentially vulnerable persons to develop an action plan for identifying such persons, providing them with assistance and addressing their potential vulnerability. The vulnerability screening process begins as soon as international protection

⁴⁵ Act of 13 March 2009: <http://data.legilux.public.lu/eli/etat/leg/loi/2009/03/13/n 2/jo>.

⁴⁶ Ibid.

⁴⁷ Act of 21 July 2012: <http://data.legilux.public.lu/eli/etat/leg/loi/2012/07/21/n 3/jo>.

⁴⁸ Act of 16 July 2011: <http://data.legilux.public.lu/eli/etat/leg/loi/2011/07/16/n 2/jo>.

⁴⁹ Ibid.

⁵⁰ Act of 16 December 2008: <http://data.legilux.public.lu/file/eli-etat-leg-memorial-2008-209-fr-pdf.pdf>.

⁵¹ Act of 18 December 2015: <http://legilux.public.lu/eli/etat/leg/loi/2015/12/18/n16/jo>.

applicants arrive in Luxembourg and continues throughout the proceedings. The Agency's partners, Caritas Luxembourg and the Luxembourg Red Cross, are responsible for identifying vulnerable persons.

250. The Act establishes reception measures, which include the provision of housing, food and clothing – in kind, in the form of a financial allowance, in the form of vouchers or through a combination of these three options – as well as a monthly allowance and medical care.

251. Applications for social assistance are filed with the Luxembourg Reception and Integration Agency. Persons applying for such assistance are informed, as far as possible, in a language that they may reasonably be expected to understand, of the assistance available and of their obligations relating to the reception measures provided, including access to education and vocational training, access to medical care and access to the labour market.

252. The social assistance provided depends on the structure of the household, the age of its members and the income available to it.

253. Social support and follow-up for international protection applicants is provided by a team of social workers from the Luxembourg Reception and Integration Agency and its partners. The social workers are responsible for helping with administrative procedures, providing material assistance, monitoring the family situation, managing any conflicts that may arise and offering advice on sexual and emotional issues. In the accommodation facilities managed by the Agency's partners, there are on-site supervisors who monitor and support the residents. Within the Agency's reception team, there is a social and educational support team, which is responsible for familiarizing international protection applicants with the social environment of the host country, including through family-oriented activities and health promotion.

XII. Article 11

A. Right to the continuous improvement of living conditions

254. The tax reform of 1 January 2017 was intended to promote social equity and to support families, especially single-parent households. The measures that benefit families include, for example, an increase in the tax credit for single parents and employees, an increase in the tax allowance for external assistance with childcare, housework and caring for older family members, and an increase in tax deductions for mortgage interest payments.

B. Right to adequate food

255. The Health Code does not establish a "right to adequate food" as such; however, there are food distribution services in Luxembourg. Social grocery stores provide food and everyday products to people in precarious situations, in exchange for a small financial contribution. The general aim of these stores is to reduce poverty among those in need, to strengthen solidarity and social cohesion, to promote a balanced diet and to combat food waste. A supply centre handles the collection, purchase and distribution to stores of around 100 products. This initiative is supported by the Ministry of Family Affairs, Integration and the Greater Region.

256. In addition to the standard range, nine essential products are distributed free of charge thanks to the Fund for European Aid to the Most Deprived. This Fund, which complements the other European Structural Funds, is helping to reduce the number of people at risk of poverty and social exclusion, in line with the Europe 2020 Strategy.

C. Right to water

1. Adequate access to water for all

257. In Luxembourg, all members of the population have access to drinking water in sufficient quantity. Measures to maintain the quality of drinking water include creating protection zones, developing a set of measures for each zone in order to preserve the quality of the water intended for human consumption, and establishing water treatment systems where necessary in order to produce drinking water.

2. Affordable water services

258. Drinking water is supplied exclusively by the public sector (communes or associations of communes). When it comes to pricing, Luxembourg applies the rules laid down in the Water Framework Directive (Directive 2000/60/EC) regarding the recovery of the costs of water services, meaning that those costs, including environmental and resource costs, are borne by the users, in accordance with the user pays principle and the polluter pays principle. The price covers all the costs relating to the design, construction, operation, maintenance and upkeep of the infrastructure needed for supplying water. The pricing system is described in articles 12 to 17 of the Water Act.

3. Monitoring of water quality

259. The quality of the water provided by drinking water suppliers must meet the standards set out in Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption and the amended Grand-Ducal Regulation of 7 October 2002⁵² on the same subject. The water must be perfectly clean and wholesome and must meet specific criteria relating to taste, smell and appearance. It must also be transported in accordance with certain rules, from the abstraction point to the consumer.

260. The communal authorities monitor the quality of the water that is distributed to local inhabitants, even if it is supplied by a drinking water association. They inform consumers about the quality of the drinking water every year. In addition to this monitoring at the communal level, the Water Management Agency carries out further tests on the water in the supply networks. The Agency's annual report contains information on the monitoring of drinking water quality in Luxembourg.

4. Dissemination of information on the hygienic use of water, the protection of water sources and methods to minimize water wastage

261. Any citizen can obtain information about drinking water quality by requesting a copy of the latest test report from the communal authorities.

262. Protection zones are established by Grand-Ducal regulations in order to protect waterbodies or parts of waterbodies that serve as sources for the production of water intended for human consumption. These Grand-Ducal regulations establish rules or authorization requirements that are applicable to any projects, facilities, works or activities that are likely to affect the quality or usable flow of the water source.

263. Public awareness campaigns are conducted in order to encourage people not to waste water. In addition, a strategy aimed at reducing water consumption is being drawn up. There is also a metered charge for water intended for human consumption, comprising a fixed annual amount per meter and a variable amount based on annual consumption, which serves as an incentive to save water.

D. Right to adequate housing

264. Despite the many positive measures taken, the fact remains that the supply of available housing and land is greatly surpassed by the growing demand, and house prices have

⁵² Amended Grand-Ducal Regulation of 7 October 2002: <http://data.legilux.public.lu/eli/etat/leg/rgd/2002/10/07/n1/jo>.

continued to rise. It is above all the price of land that has led to this rapid increase in house prices.

265. The new Government has expressed its commitment to pursuing an active housing policy. Its efforts will be focused on the following priorities:

- Completely reworking the amended Act of 25 February 1979 on housing assistance and the system of housing subsidies⁵³
- Developing social rental management
- Promoting the development of more social housing and affordable housing
- Making use of building land
- Stepping up the use of existing tools for increasing supply (land-use plans, communal planning, nature protection)
- Establishing a new housing pact (version 2.0) between the State authorities and the communal authorities
- Combating property speculation and increasing the transparency of rental market prices

1. Housing assistance

266. The State encourages home ownership through individual housing allowances, known as “personal allowances”, which are an effective means of increasing the solvency of low-income households in order to give them access to the housing market. These include purchase or construction grants, home improvement grants, savings subsidies and grants for adaptation to the needs of persons with disabilities. The State also helps with the repayment of loans taken out for the construction, purchase or improvement of housing by offering financial aid on interest (interest subsidies and interest relief), aimed at reducing the household’s monthly costs. All these allowances depend on the income and family situation of the recipient household.

267. The State also provides “bricks-and-mortar assistance” to public and private developers for projects carried out as part of a subsidized housing development programme and particularly encourages the building of rental housing for the most deprived households.

268. In Luxembourg, where foreign nationals make up around 48 per cent of the population, the conditions that must be met in order to obtain individual housing allowances or access to social housing are the same for nationals of Luxembourg as for foreign nationals.

269. Since 1 January 2016, it has been possible to obtain housing assistance in the form of a rental subsidy. This subsidy is intended to help low-income households to gain access to decent rental housing. The amount varies depending on the income and structure of the household.

2. Protection of tenants

270. The amended Act of 21 September 2006 on Residential Tenancy⁵⁴ provides extensive protection for tenants (for example, limiting annual rent to a maximum of 5 per cent of the capital invested, providing for a reduction in rent when this amount is re-evaluated, and providing for notice periods in the event of eviction and grace periods in the event of lease termination). It also establishes that communal authorities are responsible for ensuring, as far as possible, that all persons residing in the commune have access to housing. The Act even establishes that, in the event of the involuntary removal of an individual subject to an eviction order, the relevant communal authorities are responsible for storing the evicted person’s belongings in an appropriate place.

271. In view of the shortage of social rental housing (illustrated by the long waiting list with public developers) and the continuous increase in house prices and rents in Luxembourg,

⁵³ Amended Act of 25 February 1979: <http://data.legilux.public.lu/eli/etat/leg/loi/1979/02/25/n3/jo>.

⁵⁴ Amended Act of 21 September 2006: <http://data.legilux.public.lu/eli/etat/leg/loi/2006/09/21/n1/jo>.

at the beginning of 2016 the State introduced a new allowance in the form of a rental subsidy, in order to enable low-income households to spend a lower proportion of their income on rent thanks to a monthly supplement from the State.

3. Policy to support persons with disabilities

272. Under the Convention on Social and Educational Support,⁵⁵ the Ministry of Family Affairs, Integration and the Greater Region provides financial support to persons with disabilities who use residential or daytime activity services but cannot afford to cover the cost of those services in full.

273. The Ministry pays an individual supplement to cover the portion of the basic fee for residential services that cannot be covered by the users of those services.

274. In addition, the bodies that manage residential and daytime activity services receive a social and educational support payment from the Ministry; this helps to cover any costs relating to the specific needs of users that are not covered by the basic fee or by long-term care insurance.

4. Contracted services

275. The Ministry has entered into agreements with several residential facilities and day centres for people who are homeless or at risk of social exclusion.

276. The Ministry supports associations that run shelters for the homeless.

277. There are various types of adult residential facility available to suit the needs of different users, including hostels, single rooms, group homes, studios and apartments. These facilities operate day and night and are open to single persons as well as families. Social support, ranging from occasional assistance to a presence throughout the day, is provided according to users' needs.

278. Lastly, there are specialized residential facilities for young adults between 18 and 30 years old who need support and individual supervision in carrying out their daily activities before they are able to live independently.

5. Childcare service vouchers

279. As part of the reform of the childcare system (Act of 29 August 2017), some changes were made to the childcare service voucher scheme in order to make the rates more attractive to parents.

280. This scheme constitutes the State's contribution to the cost of childcare for any child up to 12 years of age who lives in Luxembourg. Residents wishing to join the scheme must submit an application to the authorities of the commune in which they live.

281. Non-resident workers who register their child with an education and childcare service and wish to make use of the scheme must submit a request to the Children's Future Fund. They must be registered with the Joint Social Security Centre and the family allowance must be received in Luxembourg in respect of the child concerned.

6. Measures to reduce homelessness

282. The Ministry of Family Affairs, Integration and the Greater Region is responsible for coordinating the implementation of the National Strategy against Homelessness and Housing-related Exclusion. The Strategy covers the period from 2013 to 2020 and provides a framework for government action in this area. It is based on the "housing first" principle and promotes a holistic approach that takes into account the social, psychological and medical needs of the homeless person.

⁵⁵ Convention on social and educational support for persons with disabilities who use residential or daytime activity services, concluded annually between the Ministry of Family Affairs, Integration and the Greater Region and the bodies that manage those services, on the basis of the amended Act of 8 September 1998.

283. In this context, the Ministry of Family Affairs, Integration and the Greater Region and the Ministry of Housing sign agreements with various types of social real estate agencies that rent vacant properties from private landlords in order to provide housing for people on a low income. These agreements help to combat housing-related social exclusion.

284. The “Winter Action” initiative, which has been organized annually by the Government since the winter of 2001/02, involves providing homeless people with accommodation in order to prevent them from getting hypothermia during periods of extreme cold. The initiative is coordinated by the Ministry of Family Affairs, Integration and the Greater Region, in partnership with various institutions and organizations. Since December 2013, the initiative has included a day centre run by the Luxembourg Red Cross, in collaboration with the Ministry. Homeless persons can spend time there and are offered a hot meal at lunchtime. Nursing and medical services are also provided on a regular basis by professional volunteers.

XIII. Article 12

A. Cost of health-care services and health insurance

1. Health insurance

285. Health insurance coverage extends to all persons who perform, in the Grand Duchy of Luxembourg, a professional activity for others in return for remuneration and all those who have joined the health and maternity insurance and old-age pension scheme on a voluntary basis.

286. The following family members are also covered, subject to certain conditions:

- Spouses and registered partners
- Direct or collateral relatives up to the third degree, including relatives by marriage, who, in the absence of a spouse or registered partner, run the household of the primary insured person
- Legitimate, legitimized, illegitimate and adoptive children of the primary insured person, for whom he or she receives a tax reduction
- Children who have become long-term members of the insured person’s household, whose upbringing and maintenance are the responsibility of the insured person and for whom the insured person or his or her spouse or partner receives a tax reduction
- Eligible persons under 30 years old for whom the tax reduction for children is no longer granted, if their income is less than the guaranteed minimum income for a single person

287. The relationship between the health insurance system and health-care providers is governed by agreements between the National Health Fund, the professional associations that represent doctors and other health-care professionals, and the association that represents hospitals.

2. Non-hospital sector

288. The procedures, professional services and prostheses offered by health-care providers are organized into lists of reimbursable treatments. Each of the procedures and services listed has a key letter and a corresponding coefficient.

289. The value of the key letter in monetary units is negotiated and fixed by the parties to the relevant agreements. If the parties do not reach a consensus within certain time limits, a mediation procedure is initiated. If the mediation is unsuccessful, the mediator draws up a report recording the failure, which is transmitted to the High Council on Social Security. The Council then makes an arbitration award that cannot be appealed. The coefficient is a number that expresses the relative value of each procedure that is listed. The fee for a procedure or service is calculated by multiplying the coefficient by the value of the relevant key letter.

290. The lists of reimbursable treatments are established by Grand-Ducal regulations on the basis of a detailed recommendation from the commission responsible for such lists. The members of this commission are appointed by the Ministers of Social Security and Health, the steering committee of the National Health Fund, and the professional associations that have signed the agreements mentioned above on behalf of doctors and other health-care providers.

3. Hospital sector

291. In even years, by 1 October at the latest, the Government sets an overall budget for hospital spending for the next two financial years, on the basis of a forecast report. The various components of the budget are established on the basis of the changing demographics of the resident population, morbidity and evidence-based medical practices, taking into account the country's economic growth. The overall budget and specific hospital budgets are drawn up with due regard for the hospital plan, the specific features of specialized and national services and centres of expertise, and the obligations relating to participation in the emergency medical service.

292. The National Health Fund covers the services provided by the hospital sector in accordance with the budget established for each hospital on the basis of its foreseeable activities over the next two financial years. The health insurance scheme applies only to activities that are duly authorized under hospital legislation.

4. Patient's contribution and reimbursement

Patient's contribution towards treatment costs

293. For non-hospital medical examinations, the patient's direct contribution is 20 per cent of the cost. For other medical procedures, aside from inpatient treatment, and for medical consultations, the patient's contribution is 12 per cent. This rate does not apply to chemotherapy, radiotherapy, haemodialysis, preventive or screening examinations, or technical procedures carried out in the context of preventive medicine programmes. Nor does it apply to treatment in a day centre, in a regional psychiatric unit or at the National Centre for Functional Re-education and Rehabilitation, for which a fixed rate is charged.

294. Treatment in hospital is fully reimbursed. A stay in hospital gives rise to a contribution of €20.93 per day, up to a maximum of 30 days per calendar year, for all patients except those under 18 years old. Persons who require treatment in a psychiatric day hospital are exempt from the personal contribution of €1.35 per day.

295. Medicines are dispensed and reimbursed on prescription only. Reimbursement is available only for medicines that are on the positive list of medicines. In order to be added to the list, a medicine must have a marketing authorization and a public price and the marketing authorization holder must have submitted a request to the National Health Fund asking for the medicine to be listed. Some homeopathic medicines may also be included in the list.

296. The medicines on the positive list are divided into three categories:

- The preferential reimbursement rate of 100 per cent applies to medicines with the following characteristics:
 - They have a specific therapeutic indication.
 - They contain only one active ingredient.
 - They are irreplaceable or vitally important for the treatment of particularly serious or chronic diseases.
 - They would otherwise give rise to an inappropriately high statutory contribution for the patient.
- The 100 per cent rate also applies to any vaccines that are covered by the health insurance scheme.

- The reduced reimbursement rate of 40 per cent applies to categories of medicines that are of moderate medical value and that are used in the symptomatic treatment of benign conditions.
- The standard reimbursement rate of 80 per cent applies to all medicines for which there is no other statutory rate.

297. The reimbursement rates of 40 and 80 per cent may be raised to 100 per cent if the medicines in question are prescribed in the course of lengthy and expensive treatment or administered intravenously immediately after hospital treatment and would otherwise give rise to an inappropriately high contribution for the patient.

298. The dental procedures and services on the list of reimbursable dental treatments are fully reimbursed up to an annual cap of €60; beyond that limit, 88 per cent of the established rate applicable at the time of treatment is reimbursed.

299. The reimbursement rate is 80 per cent for all dental prostheses except restorative maxillofacial prostheses, which are fully reimbursed. Patients are exempt from the personal contribution if they can prove that they consulted a dentist annually as a preventive measure during the two calendar years before the prosthesis was fitted. There is also no personal contribution in cases where complete dentures are replaced or repaired.

300. Orthodontic treatment is covered only if it is carried out with prior authorization and under the supervision of the Social Security Medical Board. Reimbursements are granted only for treatment that has already been carried out.

Reimbursement procedure

301. As a general rule, the insured person must pay the bill for any treatment received and then apply to the health insurance fund for reimbursement, taking into account the applicable personal contribution. However, if the full sum is beyond the means of the insured person, the National Health Fund may issue a coverage certificate, which must be signed by the person concerned; the advance payment is then made by crossed cheque to the relevant service provider from a National Health Fund bank account. In addition, if the upfront payment exceeds a certain amount, the insured person can be reimbursed by cheque at a National Health Fund counter.

Direct payment system

302. The Act of 18 December 2009⁵⁶ enshrines the right to receive social assistance; the aim of the Act is to reduce poverty and social exclusion and to enable every person to lead a life consistent with human dignity. Since 1 January 2013, people who lack financial security and whose legal residence is in Luxembourg have been able to apply for direct payment at their local welfare office. The direct payment system is designed to facilitate access to medical and dental care for those in difficult financial and social situations by exempting them from the requirement to pay up front and then claim a partial reimbursement. Under this system, insured persons pay only their contribution and the National Health Fund pays the remainder directly to the health-care provider, for the following services:

- Hospital treatment, excluding doctors' fees
- Medicines
- Biomedical tests
- Rehabilitation in a special facility
- Blood transfusions
- Procedures carried out by health professionals

303. Direct payment is also granted in cases where the insured person is living in extreme poverty, subject to confirmation from the welfare office.

⁵⁶ Act of 18 December 2009: <http://data.legilux.public.lu/eli/etat/leg/loi/2009/12/18/n14/jo>.

B. Preventive medicine

304. Within the national legislative framework, there are a number of laws and regulations that promote preventive medicine:

- Act of 15 May 1984 introducing Routine Medical Examinations for Children Aged Two to Four Years Old
- Act of 13 May 2008 establishing a single status
- Amended Grand-Ducal Regulation of 8 December 1977 on medical and dental examinations of pregnant women, postnatal examinations of mothers, and maternity record booklets
- Amended Grand-Ducal Regulation of 8 December 1977 on medical examinations of young children, on the frequency of such examinations and on the model used for health record booklets and the entries that must be made in such booklets
- Grand-Ducal Regulation of 12 December 1984 on medical and dental examinations of children aged two to four years old
- Act of 27 June 1906 on the Protection of Public Health
- Act of 1 August 2018 on the Obligation to Declare Certain Diseases for the Protection of Public Health

C. HIV

305. The Grand-Ducal Regulation of 4 October 2018⁵⁷ regulates the use of rapid diagnostic tests for HIV, viral hepatitis and other sexually transmitted infections.

306. There is also a monitoring committee that is responsible for providing information on all matters relating to AIDS, infectious hepatitis and sexually transmitted infections to:

- Health professionals
- The general public
- Target groups

307. This committee develops and implements programmes to combat AIDS, infectious hepatitis and sexually transmitted infections.

D. Code of ethics for health professionals

308. Article 4 of the Grand-Ducal Regulation of 7 October 2010 establishing the Code of Ethics for Certain Health Professions reads as follows:

Health professionals must never witness, participate in or condone acts of torture or forms of cruel, inhuman or degrading treatment, for any reason or in any situation, including civil or armed conflict. Likewise, health professionals must never use their knowledge, skills or abilities to facilitate the use of torture or any other cruel, inhuman or degrading practice for any purpose.

309. Article 12 reads as follows:

Health professionals shall encourage patients to participate actively in the treatment process. In this context, they shall respect the patient's personality and right to freedom of choice and they shall involve the patient in decision-making where necessary, if he or she is able to take part. Free choice of treatment shall be expressed through informed consent. However, in a life-threatening emergency, health

⁵⁷ Grand-Ducal Regulation of 4 October 2018: <http://legilux.public.lu/eli/etat/leg/rgd/2018/10/04/a923/jo>.

professionals may need to undertake treatment without the patient's informed consent, based on professional ethical reasoning.

XIV. Article 13

A. Pupils with special needs in the Luxembourg school system

310. In Luxembourg, school is compulsory for all children from the age of 4 years. A requirement for children with special needs to attend school was introduced under the Act of 14 March 1973 on the Establishment of Differentiated Education Establishments and Services,⁵⁸ and confirmed by the Act of 6 February 2009.⁵⁹ Ensuring that pupils with special needs are able to attend mainstream schools is a principle of the Luxembourg education system that has been enshrined in law since 1994. As things currently stand, fewer than 1 per cent of pupils are enrolled in special schools, which means that the inclusion rate is high. In order to effectively maintain this level of inclusion, a new system of support for children with special needs has been set up. The system operates at three levels – local, regional and national – and is provided for in the Act on Regional Directorates, which was passed by the Chamber of Deputies on 31 May 2017.

1. At the local level

311. Starting from the 2016/17 school year, 150 primary school teachers specializing in special needs education were recruited over a period of four years to help class teachers and all teaching staff to adopt teaching methods that are adapted to pupils' needs.

2. At the regional level

312. There are coordinated teams that provide support to pupils with special educational needs. In collaboration with the primary schools and teachers concerned, they make an initial diagnosis and monitor the provision of support to the pupils in question, if the support provided by the school is insufficient. There is an inclusion commission within each directorate of basic and secondary education. These commissions are responsible for defining the support that is to be provided to pupils with special needs, either at the request of the parents or at the request of a teacher or a childcare centre representative, subject to the parents' consent.

3. At the national level

313. The entry into force of the Act of 20 July 2018⁶⁰ led to the establishment of nine centres of expertise in educational psychology for inclusive education, and the abolition of the Differentiated Education Department. The aim of the centres of expertise is to ensure that children and young persons with special educational needs can enjoy their right to education and to foster their overall development, autonomy and sense of fulfilment. To that end, the centres may carry out a specialized assessment of any pupil who is referred to them. The staff of a centre of expertise provide targeted in-class assistance, offer ambulatory support and recommend that certain pupils attend classes at the centre, either on a temporary or long-term basis.

B. Recognition of German Sign Language in Luxembourg

314. The Act of 23 September 2018,⁶¹ amending the Act of 24 February 1984 on Language Policy, provides for the recognition of German Sign Language. Persons who are hard of hearing or deaf will be entitled to use sign language and to request the assistance of an interpreter in their dealings with State authorities. The costs will be borne by the State.

⁵⁸ Act of 14 March 1973: <http://data.legilux.public.lu/eli/etat/leg/loi/1973/03/14/n1/jo>.

⁵⁹ Act of 6 February 2009: <http://data.legilux.public.lu/eli/etat/leg/loi/2009/02/06/n2/jo>.

⁶⁰ Act of 20 July 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/07/20/a664/jo>.

⁶¹ Act of 23 September 2018: <http://data.legilux.public.lu/eli/etat/leg/loi/2018/09/23/a872/jo>.

Furthermore, families of hard-of-hearing persons will be entitled to 100 hours of sign language lessons. These lessons will be free of charge and will be provided by the future centre for the development of language skills.

315. The Act also concerns education. It establishes the right of all deaf and hard-of-hearing pupils to use sign language and to receive basic and secondary education in sign language.

C. Addition of the “Life and Society” course to the secondary school curriculum

316. The “Life and Society” course has been taught in secondary schools since the start of the 2016/17 school year and in primary schools since the 2017/18 school year. It replaces religious education and moral and social education and its aims are to: (1) promote tolerance based on knowledge; (2) encourage learning through critical reflection; and (3) explore major issues relating to life and society.

317. This course reflects a multidimensional approach that encompasses key issues and ideas relating to humanity, human rights, knowledge gained through science and reason, and the religious cultures that form the foundation of our societies and more distant societies.

318. The course is taught by the teachers who were previously responsible for religious education and moral and social education. Training sessions on the new course have been organized for these teachers.

XV. Article 14

319. In Luxembourg, all children aged 5 years old are required to complete one year of pre-primary education. The Act that establishes this requirement explicitly states that preschool education must not involve formal lessons.

320. Compulsory education, in the usual sense of the term, lasts for nine years. Children spend six years at primary school, starting when they are 6 years old. They then move to supplementary classes, secondary education, vocational training or technical secondary education, depending on their abilities and interests. The minimum length of post-primary education is three years, which means that children are usually 15 years old when they finish their compulsory education.

321. State school education is free of charge.

XVI. Article 15

A. Right of everyone to take part in cultural life

322. The current Government attaches the utmost importance to the right of everyone to take part in cultural life and has included the following objective in its programme of work: “It is not enough for the cultural activities on offer to be richly varied and of excellent quality; they must genuinely be shared by everyone and efforts must be made to include those who are most at risk of being excluded.”

323. With this in mind, various policies and measures have been implemented at different levels:

- For people on low incomes, there is a culture card that offers free access to partner museums and tickets to dance performances, concerts, plays, film showings, festivals and other events at a reduced rate.
- Initiatives aimed at children and young people include the following: (1) almost all cultural organizations run programmes and workshops for young people; and (2) there is an internet platform for the promotion of cultural education in schools and childcare

centres, which is designed to facilitate access to culture for all children by connecting artists and educational establishments.

- Culture at the regional level and in rural areas is promoted by a specific regional culture department and through grants for cultural projects and infrastructure at the communal level.
- There is a strategy for the digitization of cultural heritage, the aim of which is to provide broad and inclusive online access to items of cultural heritage in digital form. In addition, all cultural entities have websites and social media pages, which are often available in several languages.
- For 10 years now, Fondation EME, a public interest foundation attached to the Philharmonie Luxembourg concert hall, has been ensuring access to music for older persons, persons with illnesses or disabilities, and marginalized persons.
- Various grants are available to artists, creative workers and casual workers, irrespective of their origin.

B. Support for associations for the integration of foreign nationals

324. During the period covered by the report, the Luxembourg Reception and Integration Agency approved a number of projects through national collaboration contracts and agreements with its partners.

325. These projects were implemented by the Association de soutien aux travailleurs immigrés (Support Association for Migrant Workers) (ASTI); the Comité de liaison des associations d'étrangers (Liaison Committee for Associations of Foreign Nationals) (CLAE); the Centre d'étude et de formation interculturelles et sociales (Centre for Intercultural and Social Studies and Training) (CEFIS); and Caritas Luxembourg.

326. Under these collaboration contracts and agreements, funding was provided for integration projects that focused on areas such as language learning, the creation of local networks, the development of integration tools and the dissemination of information to foreign nationals.

327. In addition, as part of the campaign to encourage foreign nationals to register as voters ahead of the communal and European elections, the Luxembourg Reception and Integration Agency issued some ad hoc calls for proposals in order to provide support to associations.

328. The Agency can also grant subsidies to associations. It does so in order to support a range of associations that propose projects relating to integration.

329. Lastly, after extensive consultations with its five main partners (ASTI, CLAE, CEFIS, Caritas Luxembourg and the Luxembourg Red Cross), in 2018 the Agency launched a restricted call for proposals relating to the organization of workshops for international protection applicants, within the framework of the Supported Integration Programme.

Concluding remarks

330. The State relies on initial and continuous training as a means of ensuring that legal professionals, including lawyers, ordinary court judges, administrative court judges, notaries and bailiffs, are aware of the enforceability of the Covenant. In order to ensure the quality of the training, the State organizes courses in Luxembourg, at the University of Luxembourg and the National Institute of Public Administration, and has partnerships with some specialized institutes abroad, such as the National College of the Judiciary in France and the Academy of European Law in Germany.

331. In recent years, every major policy change has been accompanied by specific training for the professionals concerned and a public awareness campaign. These are two key ways to ensure the success of social reforms in Luxembourg, as part of a change management

strategy. Examples of reforms include those relating to domestic violence, trafficking in persons, same-sex marriage, divorce and gender reassignment.
