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**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C)  
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Luxembourg\***

The present report is a summary of four stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The periodicity of the review for the first cycle being four years, the information reflected in this report mainly relates to events that occurred after 1 January 2004.

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. BACKGROUND AND FRAMEWORK**

### **A. Scope of international obligations**

1. Luxembourg's Advisory Commission on Human Rights (CCDH) pointed out that Luxembourg has ratified most of the international human rights instruments. However, it has asked the Government to ratify the Convention on the Rights of Persons with Disabilities. ACAT (Action by Christians for the Abolition of Torture) Luxembourg and the International Federation of ACAT (FIACAT) have recommended that Luxembourg should ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as soon as possible.<sup>2</sup>

### **B. Constitutional and legislative framework**

2. The Advisory Commission on Human Rights stressed that the Constitution of Luxembourg of 17 October 1868 draws on the democratic and constitutional concept of national sovereignty, and welcomed the amendment of 13 July 2006 introducing the principle of equality between men and women into article 11 of the Constitution. The amendment of 29 March 2007 to article 11, paragraphs 1, 3, 4 and 5 and the first subparagraph of paragraph 6, of the Constitution guarantees the protection of privacy, the right to strike, action to combat poverty, and the social integration of persons with disabilities.<sup>3</sup>

3. The Advisory Commission welcomed two bills that would incorporate the Council of Europe Convention on Action against Trafficking in Human Beings into domestic law, and called on the Government to speed up ratification of the Convention. It also called on the Government to honour its international commitments and to follow up on the recommendations of regional and international bodies.<sup>4</sup>

4. The Advisory Commission also welcomed the Government's bill on the adoption of the Optional Protocol to the Convention against Torture, which Luxembourg signed on 13 January 2005. However, according to the Advisory Commission, there are some gaps in the bill that could hamper the smooth functioning of the national preventive mechanism provided for in article 17 of the Optional Protocol. These gaps concern, in particular, the multidisciplinary nature of the mechanism, unannounced visits, the places to be visited (as set out in an exhaustive list in the bill) and coordination with other bodies.<sup>5</sup>

### **C. Institutional and human rights infrastructure**

5. The Advisory Commission stressed that several pieces of Luxembourg legislation provide for the establishment of bodies concerned with human rights in the broad sense of the term:

(a) The Government-in-Council regulation of 26 May 2000 establishing the Advisory Commission on Human Rights.<sup>6</sup> The Prime Minister has just tabled a bill that will give the Advisory Commission a legal basis in accordance with the principles relating to the status and functioning of national institutions for the promotion and protection of human rights (the Paris Principles);<sup>7</sup>

(b) The Act of 25 July 2002 establishing the Luxembourg Committee on the Rights of the Child;

(c) The Act of 2 August 2002 establishing the National Commission on Data Protection;

(d) The Act of 22 August 2003 establishing the Ombudsman;

(e) The Act of 28 November 2006 incorporating into law Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.<sup>8</sup> The Centre for Equal Treatment should provide assistance to individuals who feel they have been the victims of discrimination, by providing advisory and guidance services to give them information on their individual rights, legislation, case law and ways to assert their rights. However, the Advisory Commission criticized the delay in establishing the centre, especially in appointing members, and the lack of resources for it to carry out its task.<sup>9</sup>

6. Under its mandate, the Advisory Commission can take any initiative that helps promote and protect human rights in Luxembourg. It proposes to the Government “measures and programmes of action that it considers would help protect and promote human rights”. In addition, under the new law about to be adopted (see paragraph 5 above), the Advisory Commission will monitor the ratification of international human rights instruments, the harmonization of domestic legislation, regulations and practices with these instruments, and their implementation.<sup>10</sup> The Advisory Commission regrets that it has not been consulted more often by the Government and that its opinions have had little impact in practice. Since its establishment, it has drafted 19 opinions, but only 6 of these were prepared at the request of the Government.<sup>11</sup>

#### **D. Policy measures**

7. As regards human rights education, the Advisory Commission cooperates with the Ministry of Education and Vocational Training on projects and reforms in the areas of education for democratic citizenship and human rights, living together, and the dialogue between religions and between cultures.<sup>12</sup>

8. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) recommended that the Luxembourg authorities should give very high priority to the professional training of police officers of all grades and categories and should make interpersonal communication skills a key requirement in police recruitment and training procedures.<sup>13</sup> The Luxembourg authorities have responded to this recommendation.<sup>14</sup>

## **II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND**

### **A. Cooperation with human rights mechanisms**

N/A.

### **B. Implementation of international human rights obligations**

#### **1. Equality and non-discrimination**

9. The European Committee of Social Rights of the Council of Europe (ECSR) noted that there was still a gap between the average remuneration of male and female workers and repeated its previous request to the Luxembourg authorities to deal fully with the issue of objective job evaluation in order to guarantee effective implementation of the right to equal treatment with respect to remuneration, which they recognize in law.<sup>15</sup> The Committee also concluded that the right to increased remuneration for overtime hours was not guaranteed to all workers.<sup>16</sup>

10. The Committee indicated that there was no anti-discriminatory legislation in the field of education and training and no specific legislation prohibiting discrimination on the grounds of disability in employment.<sup>17</sup>

## **2. Right to life, liberty and security of person**

11. The delegation from the European Committee for the Prevention of Torture stressed that the majority of the individuals it met who were, or had recently been, detained by the police told it that they had been properly treated. The delegation nonetheless heard, during its visit, a small number of allegations of deliberate physical ill-treatment by the police, mostly when the person was being taken in for questioning. In some cases, the delegation received medical information that was compatible with the allegations. In addition, the delegation heard many allegations of verbal abuse, including insults with racist or xenophobic overtones.<sup>18</sup> The Luxembourg authorities have responded to these claims.<sup>19</sup>

12. The Committee recommended that senior police officers should regularly remind their colleagues that ill-treatment, including insults with racist or xenophobic overtones, are not acceptable and will be severely punished. It also recommended that the Luxembourg authorities ensure that all persons deprived of their liberty by the police are duly informed of all their rights. This procedure should be followed not only when the person is held in police custody, but also when they are subjected to any other form of deprivation of liberty by the police.<sup>20</sup> The Luxembourg authorities have responded to this recommendation.<sup>21</sup>

13. The Committee also recommended that, whenever individuals suspected of a criminal offence appear before a prosecutor or investigating judge after being detained by the police and allege that they have been ill-treated, the prosecutor or judge should have the allegations written down, order an immediate forensic medical examination and take the necessary steps to have the allegations properly investigated. This approach should be taken regardless of whether the individual concerned has any visible external injuries. Even where there is no explicit allegation of ill-treatment, the prosecutor or investigating judge should order a forensic medical examination and inform the relevant authorities whenever there are any other signs of ill-treatment.<sup>22</sup> The Luxembourg authorities have responded to this recommendation.<sup>23</sup>

14. The Global Initiative to End All Corporal Punishment of Children (GIEACP) noted that corporal punishment is lawful in the home. The right of “paternal punishment” in the Civil Code was abolished in 1939, but there is no explicit prohibition of all corporal punishment by parents. The Government has stated its intention to prohibit corporal punishment at home, and as at May 2007, a bill was pending that would prohibit corporal punishment within the family and in all educational settings. Corporal punishment is already prohibited in schools and in the penal system. There is no explicit prohibition of corporal punishment in alternative care settings.<sup>24</sup>

15. According to the Advisory Commission on Human Rights, the question of placing minors in Luxembourg prison is one of the major concerns of the European Committee for the Prevention of Torture. Since 1993 there have been numerous reports on this subject by, for example, the Council of Europe Commissioner for Human Rights and the relevant United Nations bodies. ACAT Luxembourg and FIACAT have expressed similar concerns.<sup>25</sup> In its opinion of 8 July 2008, the Advisory Commission concluded that Luxembourg prison is basically an unsuitable institution for minors subject to custodial placement orders, and called on the Government to honour its international commitments with regard to custodial measures for minors. The Advisory Commission also considered that it was not possible to pursue training and educational objectives in the prison, as staff had neither the time nor the resources to prepare proposals. Detention in

Luxembourg prison is presented as a protective measure, but in fact all it does is make an already difficult situation worse for the minor, as it offers only constraints and deprivation of liberty in a dehumanized environment, with no educational component apart from a few courses offered at the personal initiative of some professionals. Noting that, on several occasions, unaccompanied minors in an irregular situation who had been sent to Luxembourg prison were released on condition that they allow themselves to be escorted to the border, the Advisory Commission demanded that this practice be scrapped. It recommended that everyone, at every level of the judicial establishment, including judges and lawyers, who comes into contact with minors experiencing problems, should receive special training.<sup>26</sup>

16. ACAT and FIACAT have pointed out that the Act of 16 June 2004 on the reorganization of State socio-educational centres, which provided a legal basis for the construction of the Dreibern secure unit for juveniles “by mid-2005”, has still not been acted on, even though the Luxembourg Government had promised that work would begin in 2008. To this day, construction work on the unit has still not begun. Technical difficulties and problems in obtaining permits from local councils are cited in explanation of the delay. Moreover, the secure unit project is apparently only aimed at young males. ACAT and FIACAT have expressed fears that nothing is planned for under-age girls held in Luxembourg prison, who are even more exposed to contact with adults because there are so few of them.<sup>27</sup> The European Committee for the Prevention of Torture has appealed to the Luxembourg authorities to take immediate steps to set up a special juvenile detention unit outside the prison system.<sup>28</sup> The Luxembourg authorities have responded to this recommendation.<sup>29</sup> The Council of Europe Commissioner for Human Rights has made a similar recommendation.<sup>30</sup>

17. In addition, ACAT and FIACAT stressed the need to recruit adequate numbers of prison warders and to broaden the recruitment base, including by opening certain posts to foreigners in order to guarantee greater cultural and linguistic diversity among staff, given that over 70 per cent of the prison population in Luxembourg is foreign or of foreign origin.<sup>31</sup> The two organizations stressed that, in 2005/2006, detainees had to wait over eight months for outside medical treatment. The results of medical tests that should have led to further tests were filed away by prison doctors and no follow-up was arranged.<sup>32</sup>

18. ACAT and FIACAT noted that, from January 2002 to January 2006, the prison population rose from 341 to 735 persons, of whom 667 were housed in Luxembourg prison. At the end of 2006, the figure was estimated at between 670 and 700, even though the institution can hold only 550 persons comfortably. Overcrowding exacerbates or causes numerous problems in the prison: lack of privacy, tensions between prisoners or between staff and prisoners, high levels of violence, racist remarks and behaviour, lack of activities, shortage of staff, and difficulties in releasing staff for training.<sup>33</sup> The European Committee for the Prevention of Torture recommended that the Luxembourg authorities should take steps to ensure that prisons in Luxembourg are regularly visited by an independent body.<sup>34</sup> The Luxembourg authorities have responded to this recommendation.<sup>35</sup>

19. The Council of Europe Commissioner for Human Rights recommended that the Luxembourg authorities establish effective supervision of the issuing of cabaret artistes’ visas in order to prevent any risk of their being used for such unlawful purposes as trafficking in persons, and that they introduce an appropriate system for protecting witnesses and victims of this criminal activity.<sup>36</sup>

### **3. Administration of justice and the rule of law**

20. The European Committee for the Prevention of Torture recommended that prison staff working in direct contact with minors should receive special training. In addition, the amount of

time spent in the juvenile wing by youth workers should be significantly increased.<sup>37</sup> The Luxembourg authorities have responded to this recommendation.<sup>38</sup> ACAT and FIACAT believe that a better solution needs to be found to the problem of how to deal with the children of women prisoners.<sup>39</sup> ACAT received a number of allegations of arbitrary behaviour and racist insults by warders in Luxembourg prison, aimed particularly at African prisoners.<sup>40</sup> There is an urgent need to provide adequate training for guards, but no such measure is planned. A first attempt apparently failed because the trainers were ill-prepared for the practical realities of the prison environment and the academic level of the prison warders.<sup>41</sup>

21. With regard to the implementation of detention measures in Luxembourg, ACAT noted with concern that some detainees were not informed in a language they understood about their administrative situation or their rights and possible remedies, for lack of an interpreter or written material, and that the persons in the holding unit of Luxembourg prison had no access to a guide setting out clearly the regulations applicable there.<sup>42</sup> The European Committee for the Prevention of Torture recommended that the Luxembourg authorities should ensure that all placement measures are properly explained to detainees in a language they understand. If necessary, the services of an interpreter should be provided.<sup>43</sup> The Luxembourg authorities have responded to this recommendation.<sup>44</sup>

#### **4. Right to privacy**

22. In February 2008, the Advisory Commission on Human Rights addressed an opinion to the Government on the bill on access by judges and judicial police officers to certain personal data from public agencies. The Advisory Commission analysed the bill from the viewpoint of fundamental rights, particularly the right to dignity, to respect for private and family life, and to asylum. In fact, the bill would establish a legal framework for access by judges from the prosecution service and judicial police officers to a huge amount of personal data. The Advisory Commission stressed that, while it understood the legislature's desire for more effective ways to combat organized crime and prevent terrorist acts, it believed that the measures proposed should scrupulously respect the Convention for the Protection of Human Rights and Fundamental Freedoms, especially article 8, on the right to respect for a person's private and family life, home and correspondence.<sup>45</sup>

#### **5. Right to work and to just and favourable conditions of work**

23. The European Committee of Social Rights indicated that eligibility for the Guaranteed Minimum Income (Revenu Minimum Garanti, RMG) was conditional on applicants' willingness to accept and take part in measures to encourage entry in the labour market, to sign an employment integration contract with the national social action department and to be available for employment and ready to accept any job offered by the employment office. It also added that the RMG will not be granted to persons who refuse to accept such measures or drop out of them without proper justification, in the case of first-time applicants, and all other persons will have their entitlement suspended. The Committee considered that reducing or suspending social assistance benefits should not deprive the individual concerned of means of subsistence, and that there must be a right of appeal against any decision to suspend or reduce benefits.<sup>46</sup> The Committee also noted that persons who have been dismissed for serious misconduct are not entitled to the RMG, that persons aged under 25 and in need are not entitled to adequate social assistance and that the RMG is subject to an excessive length-of-residence requirement.<sup>47</sup>

## **6. Right to social security and to an adequate standard of living**

24. The Advisory Commission on Human Rights stressed the need for the strengthening of the fundamental rights of mental patients placed in psychiatric institutions, and called on the Government to take steps to remedy the lack of resources in terms of facilities for inpatients and outpatients, especially in the area of child psychiatry.<sup>48</sup>

## **7. Migrants, refugees and asylum-seekers**

25. In an opinion issued in June 2008, the Advisory Commission welcomed the Government's efforts to introduce new legislation on the free movement of persons and on immigration, which, among other things, would incorporate fairly recent European directives on the subject into domestic law. However, the Advisory Commission said it was struck by the wide-ranging discretion that could be exercised by the Minister for Foreign Affairs and Immigration in the application of certain provisions of the future law, including those concerning family reunion, trafficking in persons, detention, expulsion or the checks introduced to combat illegal immigration. Moreover, the Advisory Commission regretted that the bill contained many provisions of a general nature for which the rules on implementation would be set by Grand Ducal regulations, whereas certain provisions concerning human rights should be dealt with and set out exclusively in the law.<sup>49</sup>

26. In general, the Advisory Commission expressed concern about the time limits contained in the proposal; in some cases they were far too short and in others too long. The time limits concern, among other things, family reunion, trafficking in persons (time for reflection) and detention. With regard to applications for residence permits, the Advisory Commission called on the Government to find a fair solution that respected the human rights and fundamental freedoms of the persons concerned.<sup>50</sup>

27. Furthermore, the Advisory Commission pointed out that the still current practice of holding foreigners in a section of Luxembourg prison had been criticized on many occasions at both the national and international levels.<sup>51</sup> This situation was also highlighted by ACAT and FIACAT.<sup>52</sup> The Advisory Commission, in its opinion of April 2007, welcomed the preparation of a bill on the establishment of a holding centre that was separate from the prison.<sup>53</sup> ACAT and FIACAT reported that the construction of an independent holding centre as provided for in bill No. 5654 of 19 December 2006, which the Government had promised would be under way by autumn 2008, was still on the drawing board. The two organizations nonetheless welcomed the decision by the Luxembourg authorities to grant permission to a number of authorized non-governmental organizations, including ACAT, to hold meetings with detainees twice a week as from November 2006.<sup>54</sup> The Advisory Commission regretted that the holding regime was not defined by law, and that the intention was to simply make it the subject of a Grand Ducal regulation. In this context, it drew attention to the fundamental principle set out in all international human rights instruments whereby any measures that deprive a person of his or her liberty must be established by law.<sup>55</sup>

28. The Council of Europe Commissioner for Human Rights recommended that the Luxembourg authorities should expedite the processing of asylum applications, notably by reinforcing the team responsible for this task.<sup>56</sup> The Advisory Commission learned that the Ministry of Foreign Affairs and Immigration has for several years been serving notices on the families of rejected asylum-seekers living illegally in Luxembourg.<sup>57</sup> In this context, the Advisory Commission stressed its principled position on the deplorable and continuing absence in Luxembourg of legislation on the procedures and implementation of decisions to forcibly expel individuals from the country. Given the seriousness of any forcible expulsion for the individuals and families concerned, the

Advisory Commission continues to believe that such procedures must be regulated by law. In particular, the Advisory Commission reiterated its concerns about the manner and timing of entry to the homes of those concerned, the use of physical constraints and the fact that there is no outright ban on certain practices that constitute torture and inhuman and degrading treatment. The Advisory Commission called on the Government, in light of the current legal void, “to consider suspending measures to forcibly expel from the country individuals in an irregular situation”.<sup>58</sup> Still on the question of the right to asylum, the Advisory Commission considered that the placement in detention of those seeking international protection is contrary to article 5 of the Convention for the Protection of Human Rights and Fundamental Freedoms, on the right to liberty and security of person.<sup>59</sup>

29. ACAT and FIACAT also expressed concern about the practice of organizing face-to-face meetings between detained foreign nationals and their consular officials for the purposes of identification, against the will of the foreign nationals, who might well have reason to fear reprisals against themselves or the families they left at home if it was established that they had applied for asylum in Luxembourg or simply left their country illegally. Foreign detainees in an irregular situation who have served their full sentence are often placed in detention for a further period of up to three months because the authorities have not made the necessary arrangements for their repatriation during the period of imprisonment.<sup>60</sup>

30. ACAT and FIACAT would like a thorough medical examination to be given as a matter of course to everyone who is the subject of a failed attempt to expel them. They also emphasize the need for the presence of independent observers at every forcible expulsion operation, and for a precise definition of the mandate of these observers, as well as for an official code of conduct for the police conducting the operations.<sup>61</sup> ACAT and FIACAT believe that the wording of article 6, paragraph 12, of the Act of 5 May 2006 on the right to asylum and to complementary forms of protection could have very serious consequences, and that it contravenes article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>62</sup> Luxembourg has drawn up, in the Grand Ducal regulation of 21 December 2007, a list of safe countries of origin whose nationals’ asylum applications will be considered under a fast-track procedure. ACAT and FIACAT expressed concern about the risk to these persons of not having access to all the guarantees of a thorough, personalized and objective consideration of their request for international protection.<sup>63</sup> Also on this issue, the European Committee of Social Rights stated that the grounds for expulsion of migrant workers provided for by the legislation, i.e. the lack of legitimate means of subsistence or a threat to public health, go beyond the grounds acceptable under the European Social Charter.<sup>64</sup>

31. The European Committee of Social Rights noted that the Act of 18 July 2003 represents discrimination toward non-European Economic Area migrant workers who are not in possession of a B or C type work permit, since they can only constitute up to one third of the members elected to works councils.<sup>65</sup> The Committee concluded that migrant workers from States which are not party to the Hague Convention on Civil Procedure of 1 March 1954 are discriminated against since they must deposit a *cautio judicatum solvi* when bringing proceedings before domestic courts.<sup>66</sup> The Committee recalled that there was no legislation in Luxembourg which enables a migrant worker from a non-European Economic Area State to be joined by his or her family.<sup>67</sup>



### III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

N/A.

### IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

### V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

#### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council. Two asterisks denote a national human rights institution with “A” status).

#### *Civil Society*

ACAT Luxembourg et FIACAT	Action des Chrétiens pour l’Abolition de la Torture (Luxembourg) et Fédération Internationale de l’Action des Chrétiens pour l’Abolition de la Torture, Paris (France).*
GIEACP	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom).*

#### *National human rights institution*

Commission Consultative des Droits de l’Homme (CCDH), Luxembourg.\*\*

#### *Regional intergovernmental organization*

Council of Europe (CoE), Strasbourg, France

ECSR: Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 (Luxembourg).

ECSR: Council of Europe, European Committee of Social Rights, Conclusions XVIII-2 (Luxembourg).

Luxembourg/Ratification of European Social Charter.

CPT: European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Report to the Government of The Grand Duchy of Luxembourg on the visit to Luxembourg carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 2 to 7 February 2003 CPT/Inf (2004) 12.

Response of the Government of The Grand Duchy of Luxembourg to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Luxembourg from 2 to 7 February 2003.

Commissioner for Human Rights, Final observations and recommendations from the report of the Commissioner’s visit to The Grand Duchy of Luxembourg, 2-3 February 2004, CommDH(2004)11.

Council of Europe Directorate of Monitoring (DGHL) and PACE, contribution to UNHCHR Universal Periodic Review session 3.

Report of The Grand Duchy of Luxembourg pursuant to article 52 ECHR to the Secretary General of the Council of Europe and additional report.

Contribution by the Department for the Execution of ECHR judgments 30/06/2008.

Pending cases against Luxembourg.

Luxembourg/Treaties signed and ratified or having been the subject of an accession as of 11/7/2008.

- <sup>2</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 6.
- <sup>3</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 1, para. 3.
- <sup>4</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 1, para. 4.
- <sup>5</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 4-5, para. 15.
- <sup>6</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 1, para. 5.
- <sup>7</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 2, para. 8.
- <sup>8</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 1, para. 5.
- <sup>9</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 2, para. 6.
- <sup>10</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 2, para. 9.
- <sup>11</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 2, para. 10.
- <sup>12</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 4, para. 13.
- <sup>13</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 15, para. 18.
- <sup>14</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 8.
- <sup>15</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-2 Luxembourg, p. 13.
- <sup>16</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-2 Luxembourg, p. 12.
- <sup>17</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-2 Luxembourg, p. 6, 35.
- <sup>18</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 11, para. 12.
- <sup>19</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 5.
- <sup>20</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 17, para. 28.
- <sup>21</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 6, 11.
- <sup>22</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 12, para. 16.

- <sup>23</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 6.
- <sup>24</sup> Global Initiative to End All Corporal Punishment of Children, UPR Submission, 10 July 2008, p. 2, para. 1.
- <sup>25</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 1, para. 1.
- <sup>26</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 4, para. 14.
- <sup>27</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 1-2, para. 1a.
- <sup>28</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 21, para. 36.
- <sup>29</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 15.
- <sup>30</sup> Council of Europe, Final observations and recommendations from the report of the Commissioner's for Human Rights visit to the Grand Duchy of Luxembourg, 2-3 February 2004, UPR Submission.
- <sup>31</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 3, para. 2d.
- <sup>32</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 3, para. 2e.
- <sup>33</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 2, para. 2.
- <sup>34</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 39, para. 93.
- <sup>35</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 34.
- <sup>36</sup> Council of Europe, Final observations and recommendations from the report of the Commissioner's for Human Rights visit to the Grand Duchy of Luxembourg, 2-3 February 2004, UPR Submission.
- <sup>37</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 24, para. 42.
- <sup>38</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 16.
- <sup>39</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 2-3, para. 2b.
- <sup>40</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 3, para. 2c.
- <sup>41</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 3, para. 2d.
- <sup>42</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 4, para. 3.
- <sup>43</sup> Conseil de l'Europe, Rapport au Grand Duché de Luxembourg relatif à la visite effectuée au Luxembourg par le Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants du 2 au 7 février 2003, p. 26, para. 59.
- <sup>44</sup> Conseil de l'Europe, Réponse du Gouvernement du Luxembourg au Rapport du Comité Européen pour la prévention de la Torture et autres traitements Inhumains ou dégradants relatif à la visite effectuée au Grand Duché de Luxembourg du 2 au 7 février 2003 CPT/Inf (2004) 13, p. 21.
- <sup>45</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 5, para. 17.
- <sup>46</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 Luxembourg, p. 14-15.

- <sup>47</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 Luxembourg, p. 16.
- <sup>48</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 5, para. 16.
- <sup>49</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 11.
- <sup>50</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 11.
- <sup>51</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 11.
- <sup>52</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 4, para. 3.
- <sup>53</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3 para. 11.
- <sup>54</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 4, para. 3.
- <sup>55</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 11.
- <sup>56</sup> Council of Europe, Final observations and recommendations from the report of the Commissioner's for Human Rights visit to the Grand Duchy of Luxembourg, 2-3 February 2004, UPR Submission.
- <sup>57</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 12.
- <sup>58</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 12.
- <sup>59</sup> Commission Consultative des Droits de l'Homme (CCDH), Grand Duché de Luxembourg, contribution à l'EPU, p. 3, para. 12.
- <sup>60</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 4, para. 3.
- <sup>61</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 4, para. 4a.
- <sup>62</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 5, para. 4b.
- <sup>63</sup> ACAT Luxembourg et FIACAT, contribution conjointe à l'EPU, p. 5, para. 4c.
- <sup>64</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 Luxembourg, p. 22.
- <sup>65</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 Luxembourg, p. 20.
- <sup>66</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 Luxembourg, p. 21.
- <sup>67</sup> Council of Europe, European Committee of Social Rights, Conclusions XVIII-1 Luxembourg, p. 20.

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