



Contribution to the third session of the Universal Periodic Review (UPR) working group by the Office of the Commissioner for Human Rights of the Council of Europe

Final observations and recommendations from the report of the Commissioner's visit to the Grand Duchy of Luxembourg [Comm-DH\(2004\)11](#)

Final observations and Recommendations

43. Luxembourg manifestly has a long tradition of respect for human rights and basic human values, and is constantly seeking to ensure increasingly effective compliance with the fundamental rights of the individual. The exchanges of views which I held during my visit with the most senior Luxembourg officials convinced me that the authorities really would do their utmost to solve the small number of problems with which they are currently faced. In order to shore up their firm determination and assist them in pursuing their aims, and in accordance with Article 8 of Resolution (99) 20, I would recommend the following measures:

- 1) to accord absolute priority to construction of a special centre for the detention of minors;
- 2) to determine, at least on an indicative basis, the duration of placement of minors in open or closed centres;
- 3) to humanise the conditions of solitary confinement in the Schrassig CSEE by providing the minors in question with access to an outdoor area;
- 4) as far as possible to keep young people who can legitimately be described as "offenders" separate from other minors;
- 5) to expedite the processing of asylum applications, notably by reinforcing the team responsible for this task;
- 6) as soon as possible to introduce activities for foreigners detained in prison and provide them with greater access to outdoor areas;
- 7) to reduce or even abolish the requisite period before foreigners detained in prison can receive visits;
- 8) to increase the number of wardens in the Luxembourg Prison and provide access to certain specialist posts for non-Luxembourgers;

9) to 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 human beings; and to introduce an appropriate system for protecting witnesses and victims of this criminal activity;

10) to ratify Protocols 12 and 13 to the ECHR and to sign and ratify the Additional Protocol to the European Social Charter providing for a system of collective complaints.

44. In accordance with Article 3 f) of Resolution (99) 50, this report is addressed to the Committee of Ministers and the Parliamentary Assembly.