

A national action plan for the
**rights of children
and adolescents in
Luxembourg**



LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de l'Éducation nationale,
de l'Enfance et de la Jeunesse



The 2022-2026 National Action Plan explained to adolescents

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men.lu

droitsdelenfant.men.lu

Full version of the NAP:



To simplify the form and facilitate reading, the masculine gender is used in this text as a neutral gender.

The external websites indicated in this brochure were selected and checked at the time of its preparation in February 2023. The MENJE accepts no responsibility for any changes made to the contents after this date.

2022-2026 National Action Plan

Zesumme fir d'Rechter vum Kand

"Together for the rights of the child" in Luxembourg

All human beings have rights. If you are under 18, you have specific rights. These rights are rules that 196 countries have approved so that you and all adolescents can grow up safely. They are enshrined in the International Convention on the Rights of the Child (ICRC), which Luxembourg adopted in 1993.

In 2022, Luxembourg approved a plan consisting of 64 actions, with each one representing a commitment by the government to protect the rights of children and adolescents in Luxembourg. These are the result of recommendations made by the United Nations (UN)¹ to improve the implementation of children's rights in Luxembourg.

All actions are also aimed at adolescents:

- of all ages,
- of all cultures and religions,
- sad or happy,
- at any time and especially when they need help,
- who live with their parents,
- who do not live with their parents,
- who come to Luxembourg, alone or accompanied by an adult, from a country at war or in crisis.

It is important to know that all adolescents in the world have the same rights! It doesn't matter where they live, whether they are poor or rich, whether or not they have a disability, what languages they speak, what religions they practise or what cultures they belong to.

Learn more about the articles and principles of the International Convention on the Rights of the Child →



¹ The United Nations (UN) is a global organisation responsible for maintaining peace in the world. It was created after the Second World War. For more information: <https://www.ungeneva.org/en/un-for-kids>

The eight main themes of the plan

1

Participation of and information for adolescents

You have the right to express your views and to be listened to with regard to all decisions that affect you, as well as to receive age-appropriate information. You have the right to say what you think, as long as you are not hurting anyone else. Governments should encourage the media to provide clear and objective information in language that adolescents understand.

2

The right to an identity and protection from discrimination

You have the right to have a name and a nationality, as well as to know your biological parents and to be treated equally to all other children and adolescents in Luxembourg (regardless of your nationality, culture, religion, gender, ...).

3

The right to keeping ties with your family

You have the right to see your parents regularly, even if you cannot live with them.

4

The right to health and support in case of special needs

You have the right to the best possible health care in case of special needs, to be protected, supported, and be able to participate in everyday social life, such as school, sport or cultural activities.

5

Protection from violence

You have the right to be protected from violence and if you are a victim of violence, you have the right to get the help you need.

6

Youth-friendly justice

You have the right to ask for help from a lawyer and to be treated fairly and appropriately by the judges. They must listen to you, inform you in a way that you can understand and take your needs into account in their decisions.

7

Care for unaccompanied minors

If you have arrived in Luxembourg without your parents, for example after fleeing danger or war, you have the right to receive help and protection here.

8

Helping adolescents in a crisis context

When a country is in a crisis situation, rights to protection and assistance are maintained. In that case, specific measures are put in place to ensure that your rights are guaranteed, whether you live in Luxembourg or are welcomed here from a country in crisis.

Luxembourg has committed to guaranteeing you all these rights. Decisions that affect you and your life are taken in your best interest.



What is the best interest?

In all decisions that concern you, your best interest must be a priority. Adults are obliged to evaluate your situation by taking into account all your needs, whether they are related to your family or school life, or even your diet. They must weigh up the pros and cons carefully in order to make the decision that best meets your needs. You must be able to express your views freely before any decision is made about you and adults have to listen and explain to you why they have taken the decision they have.



Participation of and information for adolescents

§ Articles 12, 13 and 17 of the ICRC

What are the needs in Luxembourg?

- To actively involve adolescents in national decisions that affect them.
- To inform adolescents of their rights.

What is being done?

Youth organisations and movements, such as the students' committees, the National Students' Council, the Youth Parliament and the Jugendrot (CGJL a.s.b.l.) have been established and their opinions are listened to by adults.



For more information:

The National Students' Council of Luxembourg, or CNEL, is the national committee of school students. It represents the opinions and interests of all students in Luxembourg's secondary schools.

For more information →



The Youth Parliament or Jugendparlament, is a platform for young people aged between 14 and 24, living in Luxembourg or attending a Luxembourg educational establishment. It is organised into committees, and its themes often deal with the challenges faced by young people in Luxembourg. The committees debate, give opinions and adopt resolutions.

For more information →



The National Youth Council of Luxembourg, or Jugendrot, is the voice of youth at the national and international level. It is the umbrella organisation of about thirty youth organisations in Luxembourg. It is regularly consulted by the ministries.

More details at →





What is “participation”?

Do you know that one of the responsibilities and duties of adults is to listen to you, to take your opinion into account and to give you clear and understandable information? This information should help you form an opinion which you can express. You have the right to be consulted and to convey your views in both your private and public life. This concept is called **participation**. You have the right to express your opinion and it should be taken into account when decisions are made. Adults must explain to you why they have taken a specific decision about you. When expressing your opinion, it is important for you to respect your counterpart's perspective.

You can find more information on adolescent participation in Luxembourg by clicking on the following link →



Here is a concrete example of adolescent participation in Luxembourg:

The Children's and Youth Council – Kanner- a Jugendrot – of the State Institute for Child and Youth Welfare (Institut étatique d'aide à l'enfance et à la jeunesse – AITIA) is composed of members who live in the homes of the Institute. Its aim is to promote the participation of residents in decisions about the organisation of life in the home. Discussions in the Kanner- a Jugendrot have led to residents' demands being met. As an example, they have been given the key to their room to ensure their right to privacy, access to WiFi to ensure their right to information, and cash to buy clothes. The installation of ping pong tables is also among the success stories.



The right to an identity and protection from discrimination

§ Articles 2 and 8 of the ICRC

What are the needs in Luxembourg?

- To give all children and adolescents the same rights whether they are born of the parents' first marriage or of a subsequent relationship.
- To provide, as far as possible, the opportunity for everyone to know their biological parents.
- To ensure that all adolescents have the same opportunity to succeed at school, regardless of their parents' income.

What is being done?

- The law has been changed so as to no longer make a distinction between children of married parents and children of unmarried parents.
- A new law has been created which gives every resident in Luxembourg the right to ask for information about their biological parents, for example if they were adopted.
- School books are free in order to facilitate access to school for all students.
- Since the beginning of the 2022-2023 school year, a large offer of music, spoken arts and dance courses are free of charge in the music schools of the municipalities.

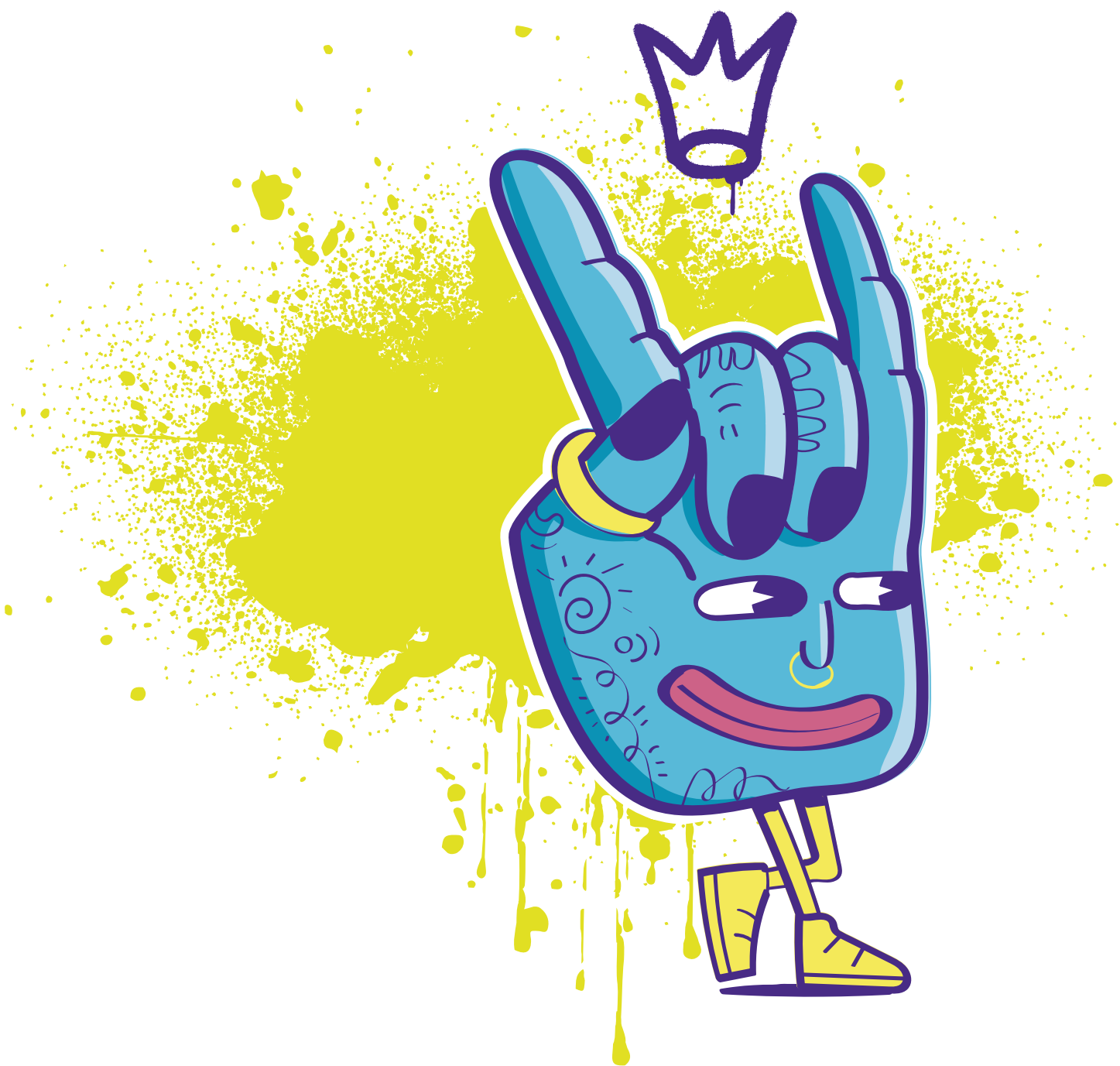


What is "discrimination"?

Discrimination means being treated differently and unfairly by others. For example, if you are treated worse than another person in the same situation because of the colour of your skin, your gender, age, nationality, languages, religion, sexual orientation or other factors, you are being discriminated against.

Scan this QR code to see a cartoon that humorously explains the concept of discrimination →





3

The right to keeping ties with your family

§ Articles 9, 20 and 25 of the ICRC

What are the needs in Luxembourg?

- To ensure that adolescents who cannot live with their family have regular contact with their parents and siblings.
- To carry out a study on the contexts and the development of child and adolescent placements in Luxembourg.
- To ensure fair living conditions for adolescents who do not live with their parents.

What is being done?

- A new law to provide help, support and protection for minors, young people and families is currently being drafted. Among other things, it will aim to:
 - strengthen support for parents so that they can live as long as possible with their children, even in difficult situations;
 - support families who take in a child from another family;
 - ensure that for each decision, the adolescents and their family are invited to give their opinion and to participate actively in the procedure and the support measures.



Why can't some adolescents live with their parents?

Life circumstances can sometimes make it impossible for parents to look after their children for a certain period of time. There are various reasons for this, such as money, health or psychological problems. When these problems become serious, it may be decided to place the adolescents in a home or with foster families to help and support them during the time their parents cannot care for them.

**Good to know:**

If it has been decided that you cannot live with your family,

- you keep your right to be protected and to receive help;
- decisions made about your life in the home or with the foster family are regularly reviewed with you;
- you have the right to see your family regularly; if you cannot visit your parents at home, the Treff-Punkt service offers neutral places where you can meet them.

The Treff-Punkt service is available to children and adolescents whose parents are separated or divorced or who live in a home or with a foster family.

For more information, click on this link →



4

The right to health and support in case of special needs

§ Article 23 of the ICRC

What are the needs in Luxembourg?

- To help adolescents with special needs to participate more easily in school and leisure activities.
- To continue to protect the adolescents concerned against discrimination.
- To provide more specialised training for adults working with adolescents with special needs.
- To hire more qualified professionals to look after these adolescents.

What is being done?

- The participation of adolescents with special needs in school, music and sports classes has been simplified.
- Accompaniment during school transport has been reinforced.
- Laws are being changed in order to better support adolescents with special needs.
- The number of specialised training courses for professionals is increased.
- More jobs are being created for adults working with adolescents with special needs.



What does “special needs” mean?

A **special needs** pupil is a person who has special educational needs for a variety of reasons, such as a health condition, or a physical, sensory or mental disability.

You can find out more about what disability is here →



**Good to know:**

If you have a special need and want to ask for help, you can talk about it (alone or with your parents) to the members of:

- the management of your school,
- the psycho-social counselling and school support service (service psycho-social et d'accompagnement scolaires – SePAS)
- the team supporting pupils with special needs (équipe de soutien des élèves à besoins spécifiques – ESEB) at your secondary school,
- the school inclusion commission (commission d'inclusion scolaire – CIS) at your secondary school,
- the national inclusion commission (commission nationale d'inclusion – CNI)

More information can be found by clicking on this link →





Protection from violence

§ Article 19 of the ICRC

What are the needs in Luxembourg?

- To strengthen the protection of adolescents against all forms of violence.
- To continue to help adolescents who have been victims of violence.
- To make adolescents aware of their rights and of risk situations.

What is being done?

- Documents informing adolescents about risk situations and the various support services are being made available to them.
- Websites are being promoted for adolescents to warn them of possible dangers and to allow them, for example, to report all illegal content of sexual abuse of minors.
- A new project is being introduced in a few secondary schools before being generalised. It allows for students who are being harassed to seek out the help of a "reference person". The "reference person" of the school is trained to listen to and support students in a confidential manner, this in situations of harassment or abuse within the school community that have to be reported. The "reference person" can be called upon when students are being harassed themselves by other students or by an adult in or outside the school community or if they have witnessed someone else being harassed. This allows for quicker interventions to protect the victims and avoid further abuse.

This project follows the principle of "student welfare" (dispositif bientraitance), a concept that will be reinforced increasingly in future.



What exactly do the words "violence" and "harassment" mean?

Violence is a voluntary action intended to cause harm. When you insult someone, you are committing verbal violence. When you hit or hurt someone physically, you are committing physical violence. When a person violently, coercively, threateningly or by surprise sexually abuses another person, this is sexual violence. The same applies when someone uses a group to harass a member of that group or someone else.

You have the right to be protected against all forms of violence, including in your family and in institutions that care for children and adolescents.

Harassment is repeated verbal, physical or psychological violence over a shorter or longer period of time by one or more people against another person whom they want to demean. This is especially true if the harassment is filmed and posted online.



Good to know:

If you are a victim of violence, please talk to someone you trust. You can find help here:

- the **psycho-social counselling and school support service** (service psycho-social et d'accompagnement scolaires – SePAS) of your secondary school.
- **Ombudsman fir Kanner a Jugendlecher** (www.okaju.lu) if your rights are not respected.
Tel: 28 37 36 35 and contact@okaju.lu
- **National Office for Children** or Office national de l'enfance (www.officenationalenfance.lu) if your welfare is at risk. Tel: 247-73696 and one@one.etat.lu
- **Kanner-Jugendtelefon** (www.kjt.lu) if you have concerns that you prefer to discuss anonymously.
Tel: 116 111 and online or via chat
- **BEE secure helpline** (www.bee-secure.lu/fr/helpline) if you are being harassed or abused via social networks. Tel: 8002 1234



6

Youth-friendly justice

§ Article 40 of the ICRC

What are the needs in Luxembourg?

- To ensure that adolescents in trouble with the law are treated in a manner appropriate to their needs and age.
- To ensure that adolescents who are victims or witnesses of an offense receive appropriate care.

What is being done?

- Every adolescent summoned by the police or by a judge has the right to the assistance of a lawyer free of charge.
- Two new draft laws are currently being discussed in Parliament (Chambre des Députés). You will find the following principles there:
 - ➔ Adolescents who have to appear before a court, must be informed about their rights and about the decisions affecting them in a way that enables them to understand the situation and what is being said;
 - ➔ Adolescents who are to be punished by the judge are asked to commit and show responsibility when measures other than imprisonment are decided upon (e.g. a caution, mediation or reparation, community service, therapeutic follow-up);
 - ➔ They have the right to be heard and to express their opinion freely in decisions affecting them. Adults should take them seriously.
- Another new draft law regulates the protection of children and adolescents who are victims or witnesses of an offense.



Good to know:

- To request the assistance of a lawyer free of charge, you can contact the legal aid department:
45, Allée Scheffer, L-2520 Luxembourg
Tel: (+352) 46 72 72-1
Email: aj@barreau.lu

This QR code informs you about your legal rights →



- If your rights have not been respected and you have not found a solution in your country, you can complain to the UN Committee on the Rights of the Child. If you want to know more about this topic, **scan this QR code →**



Lexicon and fun activity:

Link each word in the lexicon with its explanation. Solution on page 23.

Therapeutic follow-up

An alternative sanction to imprisonment which is educational in nature and during which convicted persons carry out activities of benefit to the community with the aim of giving them the opportunity for satisfactory interactions with their environment

Offense

Written reminder or warning

Mediation

Psychological support activity or therapy; psychotherapy of a person

Reparation

Failure to obey a law; violation of a law

Caution

Damages, reparation, compensation for damage or excuse

Community service

Intervention by a person specially trained as a mediator, whose aim is to bring two parties in dispute to an agreement



Care for unaccompanied minors

§ Article 22 of the ICRC

What are the needs in Luxembourg?

- To ensure the protection and welfare of unaccompanied minors.
- To ensure that unaccompanied minors receive appropriate assistance.

What is being done?

- Every adolescent who arrives in Luxembourg without a parent or relative has the right to be assisted by a guardian and an “ad hoc administrator”².
- Unaccompanied adolescents are enrolled in school as soon as possible.
- Unaccompanied minors are provided with the necessary information to understand the rules and to find help.



Who are “unaccompanied minors” (UAMs)

Unaccompanied minors are persons under the age of 18 who arrive in a country alone, without their father, mother or another adult representing them. They have the right to special protection, such as safe accommodation in a home or with a foster family. They have the right to a guardian to help them with daily activities and to a lawyer to support them in the process of applying for international protection. They can also get help to find their parents and bring them to Luxembourg.



Services that help unaccompanied minors:

- **National Office for Children** (Office national de l'enfance – ONE)
www.officenationalenfance.lu
- **Caritas**
www.caritas.lu/en/refugees-migrants
- **Red Cross**
www.croix-rouge.lu/en/we-help/young-people-and-families

² Who is qualified for this task. This is usually a lawyer.



For more information:

More information on the reception and accommodation of unaccompanied minors in Luxembourg is available here:



The asylum procedure explained to unaccompanied children and adolescents in Luxembourg



Application for UAMs to inform them about support networks



Reception centre in Luxembourg

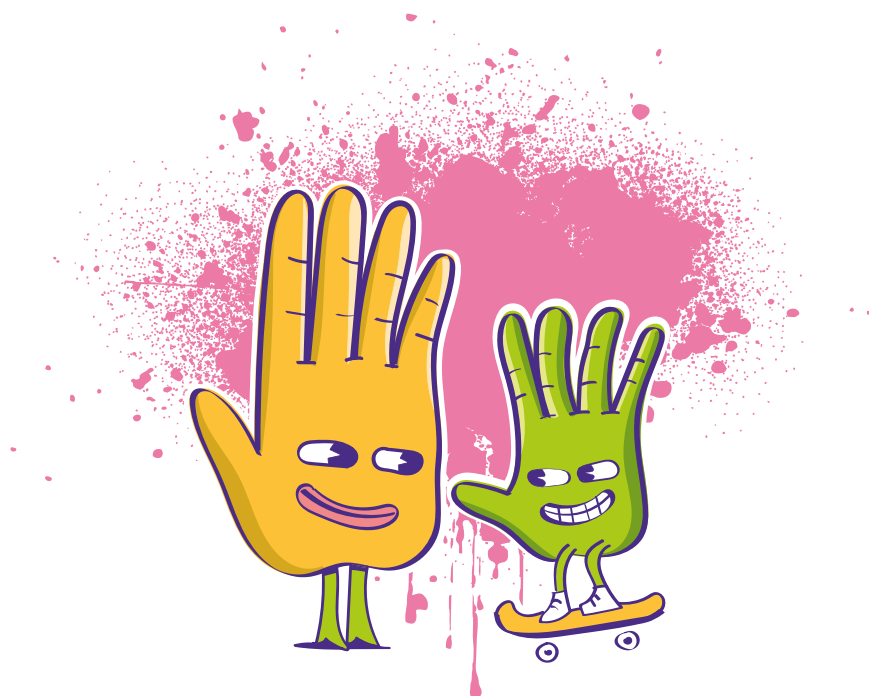


Life stories of children and adolescents living in a Luxembourg home for UAMs



Age assessment: why and how?

Sometimes it can be difficult to determine your age: as puberty is different for every adolescent, it can make you appear older or younger than you really are. The following clip explains how to assess the age of unaccompanied adolescents in Europe and why this is important for you. →





Helping adolescents in a crisis context

§ Articles 19, 35 and 39 of the ICRC

What are the needs in Luxembourg?

- To continue to protect the rights of adolescents in crisis contexts by adapting the prevention, protection and response systems to the respective situations.
- To protect adolescents who have to flee a country against the risk of trafficking.

What is being done?

- To ensure access to education, access to schools and educational facilities is guaranteed as long as possible, for example if Luxembourg is in a health crisis.
- School courses are being offered during the summer to ensure the best chance of success for adolescents.
- More specific accommodation is being created for adolescent refugees.
- The number of international classes is being increased to ensure that adolescent refugees have the right to attend school.
- A brochure providing information on the help and protection services in Luxembourg is being distributed in several languages.



What is meant by “crisis context”, “refugees” and “trafficking”?

Wars, such as those in Syria and Ukraine, or natural disasters, such as a major storm or flooding, or other serious events, can destroy the infrastructure of a region and jeopardise the survival of its inhabitants. This is called a **“crisis context”**.

A pandemic, such as COVID-19, can affect the health of many people (= “health” crisis) and, depending on its severity, give rise to social and economic problems.

Refugees are people who have to leave their home country because their lives are in danger. There are different reasons for this, for example repression by those in power who do not accept that some inhabitants have a different opinion.

If their survival is threatened, one option for survival may be to leave their country. They can then apply for international protection and be awarded the status of “refugee” in the country they arrive in.

Trafficking in children and adolescents is the abduction and trade of minors who are held captive, are sold as slaves in other parts of the world and forced to do illegal work. Most often they are sexually exploited. The risk of becoming a victim of trafficking is very high for unaccompanied minors.



Good to know:

During the COVID-19 pandemic, the Schouldoheem website (www.schouldoheem.lu/en) was created. Here you can download the summer school subject-based folders. These folders do not replace the lessons taught at school, but are a useful supplement in order to learn more about a subject or to revise during the holidays.

If you have any questions about school, you can call the helpline **8002-9090**.

You are new to Luxembourg and you are wondering about the school system best suited to your needs or your professional future?

Then contact the Department for the Schooling of Foreign Children
(Service de scolarisation des enfants étrangers) at the following address:

29, rue Aldringen

L-1118 Luxembourg

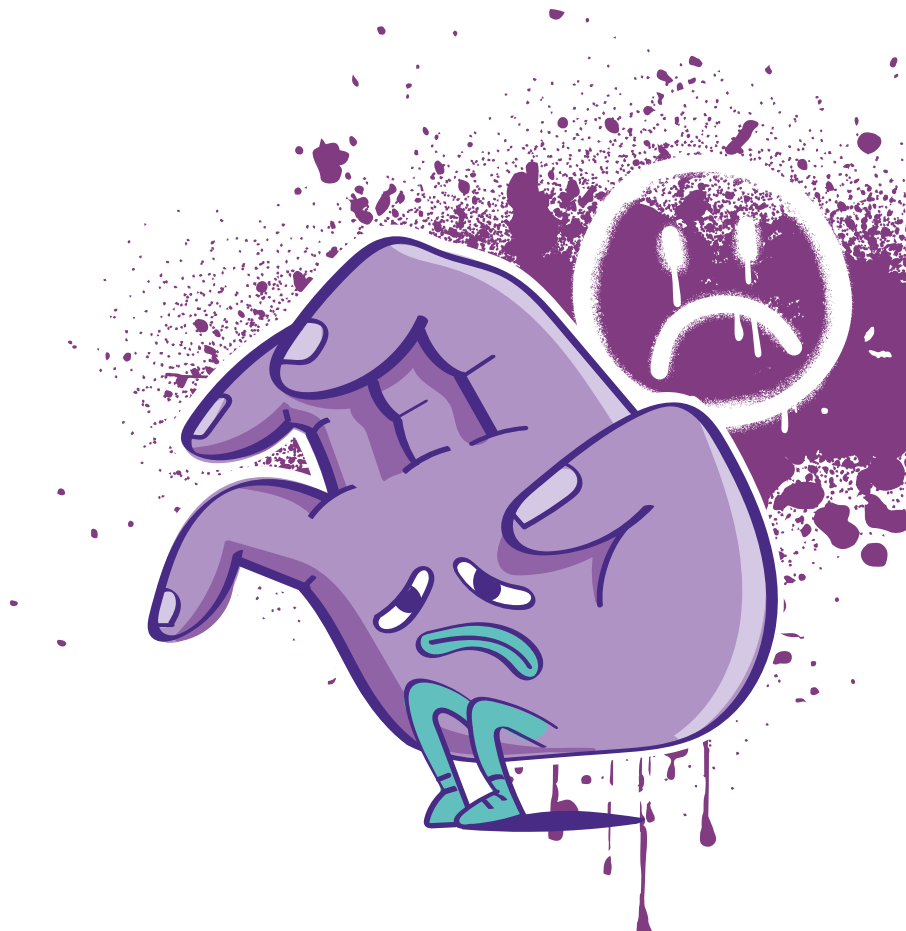
B.P. L-2926 Luxembourg

Tel: (+352) 247-76570

Email: secretariat.secam@men.lu

The reception is in
Luxembourgish,
French, German, English
and Portuguese.

If you do not speak any of
these languages, the department
will look for an interpreter to
help you.



Addresses of some help and information services

Kanner–Jugendtelefon (KJT)

Telephone support for children and adolescents

www.kjt.lu/en

Tel.: 116 111

National Office for Children (Office national de l'enfance–ONE)

Support and assistance: daily from Monday to Friday

www.officenationalenfance.lu

Tel.: 8002-93 93

Ombudsman fir Kanner a Jugendlecher (Okaju)

Support in cases of non-compliance with children's rights

www.okaju.lu

Tel: 28 37 36 35

Bee Secure Helpline

Free, anonymous and confidential telephone help

www.bee-secure.lu/fr/helpline

Tel.: 8002 1234

Solution to the fun activity on page 17:

Offense	Failure to obey a law; violation of a law
Mediation	Intervention by a person specially trained as a mediator, whose aim is to bring two parties in dispute to an agreement
Reparation	Damages, reparation, compensation for damage or excuse
Caution	Written reminder or warning
Community service	An alternative sanction to imprisonment which is educational in nature and during which convicted persons carry out activities of benefit to the community with the aim of giving them the opportunity for satisfactory interactions with their environment
Therapeutic follow-up	Psychological support activity or therapy; psychotherapy of a person



