



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues prior to submission of the ninth periodic report of Luxembourg*

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee's previous recommendations

Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations,¹ the Committee requested the State Party to provide information on the follow-up to its recommendations on searches, sexual and gender-based violence and intersex persons.² Noting that replies concerning the information sought by the Committee were provided on 1 October 2024,³ and with reference to the letter dated 15 April 2025 from the Committee's Rapporteur for follow-up to concluding observations,⁴ the Committee considers that the recommendations included in paragraph 34 of the previous concluding observations have been partially implemented, that the information provided by the State Party is insufficient to assess the implementation of the recommendations included in paragraph 18 and that the recommendations in paragraph 36 have not been implemented.

Article 2⁵

2. Please describe the measures taken by the State Party to ensure that the principle of the absolute prohibition of torture is incorporated into its legislation and that it is strictly applied, in accordance with article 2 (2) of the Convention, and that, pursuant to article 2 (3) of the Convention, an order from a superior officer or a public authority may in no case be invoked to justify torture. In this respect, please specify whether steps have been taken to establish mechanisms and procedures to ensure protection from reprisals for subordinates who refuse to obey unlawful orders, including those relating to acts of torture, issued by a competent authority, and indicate what measures have been adopted to ensure that all law enforcement officers are informed of the prohibition on obeying such unlawful orders and

* Adopted by the Committee at its eighty-fourth session (13 April–1 May 2026).

¹ CAT/C/LUX/CO/8, para. 37.

² Ibid., paras. 18, 34 and 36.

³ CAT/C/LUX/FCO/8.

⁴ See https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FLUX%2F62899&Lang=en.

⁵ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also section V of the same general comment.



are made aware of these mechanisms and procedures. Please provide information on the measures taken to incorporate the principle of command responsibility or superior responsibility for the offence of torture and other ill-treatment, according to which hierarchical superiors are held criminally responsible for the conduct of their subordinates where they knew or should have known that the conduct was occurring, or was likely to occur, and they failed to take reasonable and necessary preventive measures or to refer the case to the competent authorities for investigation and prosecution. Please indicate whether the State Party intends to amend the Criminal Code to ensure that the offence of torture is not subject to a statute of limitations, even in cases where it is not classified as a crime against humanity or a war crime, in order to avoid any risk of impunity.

3. With reference to the Committee's previous concluding observations,⁶ please provide information on the steps taken and the procedures put in place to ensure that all persons who are arrested or detained are afforded, in practice and regardless of the offence of which they are accused, all fundamental legal safeguards against torture from the outset of their deprivation of liberty. In particular, please describe the measures taken to ensure that such persons: (a) are granted access, in all circumstances, to the services of a lawyer of their choice without delay and in full confidentiality, or to free legal aid if they do not have sufficient means to pay for legal representation;⁷ (b) can request and receive a free and confidential examination by an independent physician, out of sight and earshot of any police officers and non-medical personnel and without being handcuffed, unless the physician deems it strictly necessary, or can pay to be examined by a physician of their choice; (c) are able to promptly notify a relative or any other person of their choice of their detention and whereabouts. In this regard, please specify under what circumstances the needs of the investigation, as referred to in articles 39 and 84 of the Code of Criminal Procedure, would be a reason to refuse persons deprived of their liberty the right to notify a third party about their deprivation of liberty.⁸ Please describe the measures taken to ensure respect, in practice, for all fundamental legal safeguards by law enforcement officers and other public officials. Please provide information on any disciplinary measures taken since the consideration of the State Party's previous periodic report⁹ against law enforcement officers who did not immediately allow detained persons to benefit from these safeguards. Please indicate what steps have been taken to install video or audio surveillance equipment in all interrogation centres and places of custody, except where doing so might give rise to violations of detainees' right to privacy or the confidentiality of their conversations with their lawyer or doctor.

4. Please provide information on the measures taken to ensure that the Advisory Commission on Human Rights is in full conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including, in particular, the human, technical and financial resources that have been allocated to it to enable it to effectively fulfil its mandate. Please indicate whether the State Party intends to amend the Act of 21 November 2008 on the establishment of the Advisory Commission on Human Rights in order to grant the Commission the mandate to receive and examine individual complaints, including complaints of torture or ill-treatment.¹⁰ Please describe the measures taken to appoint full-time, paid members to the Commission's decision-making body and to explicitly grant the Commission the authority to submit its reports directly to the Chamber of Deputies.

5. With reference to the Committee's previous concluding observations,¹¹ the information provided by the State Party in its follow-up report¹² and the letter dated 15 April 2025 from the Rapporteur for follow-up to concluding observations, please provide up-to-date information on the legislative or other measures taken during the period under review to tackle all forms of violence against women, including spousal abuse and sexual

⁶ CAT/C/LUX/CO/8, paras. 9 and 10.

⁷ CED/C/LUX/Q/1, para. 25.

⁸ Ibid., para. 25.

⁹ CAT/C/LUX/8.

¹⁰ CED/C/LUX/Q/1, para. 4; CEDAW/C/LUX/CO/8, paras. 22 and 23; CERD/C/LUX/CO/18-20, paras. 13 and 14; E/C.12/LUX/CO/4, paras. 8 and 9.

¹¹ CAT/C/LUX/CO/8, paras. 33 and 34.

¹² CAT/C/LUX/FCO/8, paras. 16–23.

violence, in particular in cases where the public authorities or other entities are alleged to have committed acts or to be responsible for omissions engaging the State Party's international responsibility under the Convention. Please explain what measures, including the organization of mandatory and ongoing training for judges, prosecutors, the police and other law enforcement officers, have been taken to strictly enforce the relevant provisions of the Criminal Code to ensure that all cases of violence against women are the subject of effective and impartial proceedings and that the perpetrators are prosecuted and receive punishment commensurate with the seriousness of their acts. Please indicate what steps have been taken to extend the statute of limitations for the prosecution of rape committed against an adult¹³ and to criminalize psychological violence, whether or not accompanied by another offence. Please provide updated data, disaggregated by the victims' age, national or ethnic origin and nationality, on the number of complaints filed, investigations conducted, prosecutions brought and convictions and sentences handed down, and on the protection orders issued by the courts of Luxembourg and the redress afforded to victims, in cases of gender-based violence since the consideration of the State Party's previous periodic report.¹⁴

6. In the light of the Committee's previous concluding observations,¹⁵ please provide information on the measures taken to combat trafficking in persons, in particular women and children, for the purposes of forced labour and sexual and other forms of exploitation. In particular, please describe the steps taken to: (a) amend article 382-1 of the Criminal Code to align the definition of trafficking with international standards¹⁶ and strictly enforce the criminal provisions relating to the fight against trafficking in persons; (b) expedite the adoption of a new national action plan to combat trafficking in persons; (c) ensure that victims of trafficking do not face criminal prosecution and are not deported for administrative offences and violations of immigration law; (d) ensure that all victims of trafficking have access to effective redress, including adequate compensation, assistance and protection, in particular shelters and legal, medical and psychosocial and reintegration support services; and (e) provide specialized training in detecting and identifying victims of trafficking in persons to police officers, prosecutors, border guards, immigration officials, labour inspectors, social workers, medical professionals and other relevant actors so that they can refer such victims to the appropriate social and legal services. Please provide updated information, including statistical data, disaggregated by the victims' age, sex, ethnic or national origin and nationality, on the complaints received or reports registered by the police, the investigations conducted, the prosecutions brought, the convictions handed down, the sentences imposed and the redress provided to victims in cases of trafficking in persons during the period under review.¹⁷

Article 3

7. With reference to the Committee's previous concluding observations,¹⁸ please provide information on the measures taken during the reporting period to ensure that no person is returned to a country where there are substantial grounds for believing that he or she would be in danger of being subjected to torture. Please provide information on the current asylum, return and extradition procedure and, in particular, on the protection afforded to refugees, asylum-seekers and persons who are being extradited or returned, in order to avoid any risk of refoulement. Please describe the action taken to ensure that all applicants for international protection at the border and in reception centres are promptly registered, referred to the appropriate asylum authorities and duly informed of the refugee status determination

¹³ The statute of limitations for the stand-alone offence of rape of a minor was eliminated through the Act of 7 August 2023 amending the Criminal Code and the Code of Criminal Procedure with a view to strengthening the means of combating the sexual abuse and sexual exploitation of minors. However, the statute of limitations for the prosecution of rape committed against an adult remains 10 years, which is unusually short.

¹⁴ CEDAW/C/LUX/CO/8, paras. 30 and 31.

¹⁵ CAT/C/LUX/CO/8, paras. 31 and 32.

¹⁶ In particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

¹⁷ CEDAW/C/LUX/CO/8, paras. 32 and 33; and CED/C/LUX/Q/1, para. 20.

¹⁸ CAT/C/LUX/CO/8, paras. 25 and 26.

procedures and that they receive free legal assistance.¹⁹ Please state whether persons threatened with expulsion, return or extradition are informed, in practice, of their rights to request asylum and to appeal against a deportation order, and indicate whether such appeals have suspensive effect. Please provide information on the measures adopted to strengthen the capacity of all front-line workers supporting migrants and asylum-seekers, including health professionals, to promptly detect and identify victims of torture and refer them to the appropriate services so that their needs are taken into consideration and addressed in a timely manner.

8. Please provide statistical information for the period under review, disaggregated by year and by the sex, country of origin or nationality and age group (minor or adult) of the asylum-seeker, on: (a) the number of asylum applications registered; (b) the number of successful applications for asylum, refugee status or other forms of humanitarian protection, specifying the number of persons whose applications were accepted because they had been tortured or might be tortured if returned to their country of origin; (c) the number of persons who were extradited, expelled or returned, indicating the reasons for which they were subjected to such measures and providing a list of the countries of return; (d) the number of appeals filed against expulsion decisions; and (e) the number of successful appeals and the number of decisions regarding return or expulsion that were reviewed on the grounds that the asylum-seekers had been tortured or that there were substantial grounds for believing that they would be in danger of being subjected to torture if they were returned or expelled. Please state how many returns, extraditions and expulsions were carried out by the State Party during the reporting period on the basis of diplomatic assurances or the equivalent thereof, specifying the States that provided the assurances, the minimum assurances or guarantees required and the mechanisms put in place to monitor whether such assurances or guarantees were respected. Please report on any cases in which the State Party itself has offered such diplomatic assurances or guarantees and the measures taken in such cases with regard to subsequent monitoring.

Articles 5–9

9. Please provide information on any new legislation or measures that have been adopted to implement article 5 of the Convention. Please indicate what measures have been taken by the State Party to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). In particular, please provide updated information on the cases in which the State Party has agreed to extradite a person for torture or related offences. Please also indicate whether the State Party has rejected, for any reason, the request of a State for the extradition of an individual suspected of having committed torture and whether it has started prosecution proceedings against such an individual as a result. If so, please provide information on the status and outcome of such proceedings. Please also inform the Committee of any extradition treaties concluded with other States Parties since the consideration of the previous periodic report and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please describe the legislative and administrative measures taken by the State Party to ensure that the Convention may be invoked as a legal basis for extradition in respect of the offences referred to in article 4 of the Convention when it receives an extradition request from a State with which it has no extradition agreement or treaty. Please indicate whether the State Party has concluded any mutual legal assistance treaties or agreements and, if so, whether such treaties or agreements have led to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples.

10. In the light of the Committee's previous concluding observations,²⁰ please provide information on the legal framework under which the national courts may exercise universal jurisdiction over any person who is suspected of committing acts of torture, is present in the State Party's territory and is not extradited by the State Party to another country. Please

¹⁹ CCPR/C/LUX/Q/4, para. 13.

²⁰ CAT/C/LUX/CO/8, paras. 29 and 30.

indicate whether the competent national courts have ever applied the principle of universal jurisdiction in cases related to torture and, if so, what the outcome of the proceedings was.²¹

Article 10

11. Please provide updated information on the training and education programmes developed to ensure that all public officials who participate in detention-related activities, in particular law enforcement officers, prison staff, immigration officials, border guards, members of the State intelligence service and military personnel, are fully acquainted with the provisions of the Convention, including the absolute prohibition of torture, and are made aware that violations will not be tolerated, that allegations of torture and ill-treatment will be investigated and that those responsible will be prosecuted and, if found guilty, duly punished. Please indicate whether these training programmes are mandatory or optional, how often they are run, how many law enforcement officers, prison staff, immigration officials, border guards and members of the State intelligence service and armed forces have already completed them, what percentage of all such officials have done so and what measures have been taken to train the remaining officials. Please provide detailed information on the training programmes run for police and other law enforcement officers on non-coercive interrogation and investigation techniques, taking into account the Principles on Effective Interviewing for Investigations and Information Gathering (the Méndez Principles). Please further indicate whether the State Party has developed a methodology to assess the effectiveness of training and educational programmes in reducing the number of cases of torture and ill-treatment and, if so, please provide detailed information on that methodology. Please also provide information on the programmes aimed at training judges, prosecutors, forensic doctors and other medical personnel who deal with persons deprived of their liberty in detecting the physical and psychological consequences of torture, ensuring the effective documentation of torture and verifying the admissibility of confessions. Please specify whether these programmes include a specific module on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised. Lastly, please indicate what measures have been taken to give effect to article 10 (2) of the Convention.

Article 11

12. Please describe the procedures in place to ensure compliance with article 11 of the Convention and provide information on any interrogation rules, instructions, methods or practices and any arrangements for custody that have been introduced or updated since the consideration of the State Party's previous periodic report. Please specify the frequency with which these are reviewed and report on the procedures established for this purpose.

13. Please provide annual statistical data on the capacity of all places of detention and their occupancy rates during the period under review and indicate the number of remand and convicted prisoners at each facility, ensuring that these data are disaggregated by the prisoners' sex, age, national or ethnic origin and nationality. In the light of the Committee's previous concluding observations,²² please provide information on the steps taken to address the overuse of pretrial detention, including by putting an end to the application by investigating judges of the presumption of risk of flight in cases concerning foreign nationals or persons without legal residence in Luxembourg. Please specify whether statutory time limits for pretrial detention have been established and whether an effective judicial remedy is available to review the continued necessity and proportionality of detention to a legitimate aim. Please describe the measures taken to actively promote the use of alternatives to pretrial detention by the prosecution service and judges and provide statistical data on the use of such measures during the period under review.

14. With reference to the Committee's previous concluding observations,²³ please provide detailed information on the measures taken to improve conditions of detention in police stations, prisons and other places of deprivation of liberty, in accordance with the

²¹ CED/C/LUX/Q/1, para. 16.

²² CAT/C/LUX/CO/8, paras. 11 and 12.

²³ Ibid., paras. 13, 14, 19 and 20.

United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). In particular, please indicate the steps taken to further reduce the number of individuals being held in places of detention, including through the use of alternatives to detention both before and after trial, and to improve sanitation and the care, especially psychiatric care, provided to detainees in these places. Please inform the Committee of the measures taken to improve detainees' access to educational, recreational, vocational, physical and intellectual activities. Please outline the measures taken to increase the number of trained and qualified prison staff, including medical staff. Please describe the steps taken to meet the specific needs of women deprived of their liberty, in particular pregnant women and women held in detention with their children; persons with disabilities; lesbian, gay, bisexual, transgender and intersex persons; and older persons. Please indicate whether all remand prisoners are routinely transferred to the new Uerschterhaff Prison in order to ensure the effective separation of remand and convicted prisoners. Please provide details on the legislation and practice regarding solitary confinement and indicate the maximum and average duration of this measure. Please describe the measures taken to: (a) specify which acts may be subject to disciplinary sanctions and establish a clear scale of penalties based on behaviour; (b) set shorter time frames for appeals against disciplinary decisions and ensure that such appeals have suspensive effect; and (c) make the composition of disciplinary committees more diverse and multidisciplinary in nature. Please indicate whether solitary confinement and other isolation measures are monitored by an independent mechanism and specify whether the detainees concerned maintain effective access to their doctor, lawyer and family for the entire duration of such measures. Please provide information on the measures taken to end the use of "security cells" that measure 2 m² or less and are located within interrogation rooms in most police stations and in which certain suspects are interrogated and made to wait for extended periods. Please outline the steps taken to ensure that police officers responsible for transporting persons deprived of their liberty use handcuffs only on the basis of an individual risk assessment and not as a matter of routine. Please describe the steps taken to end the practice of tying patients deprived of their liberty to their beds during medical consultations and examinations in hospital cells.

15. With reference to the Committee's previous concluding observations,²⁴ the information provided by the State Party in its follow-up report²⁵ and the letter dated 15 April 2025 from the Rapporteur for follow-up to concluding observations, please outline the measures taken to revise the legal provisions and procedures concerning the conduct of searches in order to ensure that full body searches are subject to conditions similar to those applicable to intimate body cavity searches.²⁶ Please provide information on the measures adopted to ensure the strict supervision of body search procedures, with a view to guaranteeing that such searches are not degrading and that invasive body searches (full body and intimate body cavity searches), in particular those performed on children, are conducted only in exceptional cases where strictly necessary and proportionate to the aim pursued, in the least invasive manner possible, by trained staff of the same sex, and with full respect for the dignity and gender identity of the person concerned, in accordance with rules 50 to 53 of the Nelson Mandela Rules. Please provide information on the alternatives to invasive body searches that have been implemented or are being considered by the State Party, including the use of electronic devices such as body scanners.

16. Please provide statistical data on deaths in custody during the period under review, disaggregated by year, place of detention, the sex, age, national or ethnic origin and nationality of the deceased person and the cause of death. Please provide detailed information on the number of investigations conducted into such deaths and their outcomes, specifying

²⁴ Ibid., paras. 17 and 18.

²⁵ CAT/C/LUX/FCO/8, paras. 1–15.

²⁶ A full body search may be conducted by a criminal investigation officer of the same sex as the person being searched, whereas an intimate body cavity search must be performed by a qualified doctor, be authorized by the public prosecutor or ordered by the investigating judge and be duly justified by the existence of strong evidence that the person concerned is concealing objects, documents or items that are proceeds of a crime or offence or have been used to commit a crime or offence and that would not be found through a full body search. Accordingly, in the absence of the consent of the person concerned, a full body search may be carried out using physical restraint, which is not the case for intimate body cavity searches.

whether forensic medical assessments, including autopsies, were performed, and on the number of deaths that there is reason to believe were caused by violence committed or tolerated by government officials, excessive use of force or medical negligence. Please also indicate the number of prosecutions brought, convictions handed down and criminal and disciplinary sanctions imposed and the steps taken to prevent the recurrence of such acts. Please specify whether the relatives of deceased persons have received compensation in cases in which the criminal liability of the State Party is involved. Please provide information on the measures taken to reduce the suicide rate in detention. With reference to the Committee's previous concluding observations,²⁷ please describe the steps taken to strengthen the monitoring and management of inter-prisoner violence in penitentiary institutions, investigate all incidents of violence and ensure that prison officials are held accountable when they fail to take reasonable measures to prevent and tackle such violence.

17. Please provide information on the visits to places of detention carried out during the period under review by the various national and international bodies with a mandate to monitor and oversee such places, in particular the Ombudsman's external service for the monitoring of places of deprivation of liberty and the Inspectorate General of the Police.²⁸ Please indicate what steps the State Party has taken in response to the recommendations made by these bodies. Please describe the measures taken to ensure that, as the national mechanism for the prevention of torture, the Ombudsman's external service for the monitoring of places of deprivation of liberty can conduct regular, unrestricted and unannounced visits to all such places and communicate confidentially during those visits with all persons deprived of their liberty, and indicate the steps taken to ensure effective follow-up to the findings of these visits and the recommendations arising from them. Please clarify whether all civil society organizations that are authorized to visit the country's places of detention to complement the monitoring undertaken by the Ombudsman are granted access to such places and under what conditions. Please provide information on the civil society organizations that have reportedly been denied access to places of detention.

18. With reference to the Committee's previous concluding observations,²⁹ please indicate what measures have been taken to expedite the adoption of draft laws aimed at strengthening the protection of children in the juvenile criminal justice system³⁰ so that all children in conflict with the law are dealt with by specialized judges and fully benefit from all fundamental legal safeguards, including assistance from a specialized lawyer from the outset of any deprivation of liberty. Please describe the measures taken to end the detention of children in adult prisons, in particular the Luxembourg Prison. Please outline the steps taken to ensure that the minimum age of criminal responsibility is set in accordance with international standards on juvenile justice. Please describe the measures adopted to ensure that children are detained only as a last resort and for the shortest period possible, and to promote non-judicial measures and, wherever possible, the use of alternatives to detention, before and after trial, for children in conflict with the law. Please indicate what measures have been taken to expressly prohibit placement in solitary confinement and the use of force, including physical restraint, as means of coercing or disciplining children in detention. Please specify the measures taken to improve living conditions in detention centres for children, including with regard to access to education and health services, and to ensure that adequate rehabilitation programmes and recreational activities are offered, that the staff receive appropriate training and that regular inspections are carried out.³¹

19. With reference to the Committee's previous concluding observations,³² please describe the steps taken by the State Party to ensure that asylum-seekers and migrants in an irregular situation are placed in immigration detention only as a last resort, when justified, reasonable, necessary and proportionate, for as short a period as possible, and that alternatives to detention are applied in practice. In this regard, please provide statistical data for the period under review, disaggregated by year and by sex, age, national or ethnic origin and nationality,

²⁷ CAT/C/LUX/CO/8, paras. 15 and 16.

²⁸ CED/C/LUX/Q/1, para. 25.

²⁹ CAT/C/LUX/CO/8, paras. 21 and 22.

³⁰ CRC/C/LUX/CO/5-6, paras. 30 and 31; and E/C.12/LUX/CO/4, paras. 30 and 31.

³¹ CRC/C/LUX/CO/5-6, paras. 30 and 31.

³² CAT/C/LUX/CO/8, paras. 27 and 28.

on the number of asylum-seekers and migrants in immigration detention, the average and maximum duration of detention and the use of alternatives to detention. Please describe the measures, including legislative reforms, adopted to ensure that children and families with children cannot be detained solely because of their status under international protection and immigration laws.³³ Please provide information on the steps taken to ensure that migrants and asylum-seekers who have been detained have effective access to adequate physical and mental health, social and education services. Please indicate what procedures are in place to identify victims of torture and ensure that they are not detained in the context of asylum proceedings. Please describe the steps taken to establish independent processes, both when a decision to detain is taken and during detention, to identify people who may face a particular risk of harm as a consequence of their detention.

20. Please indicate the number of persons deprived of their liberty who are being held in psychiatric hospitals and other institutions for persons with intellectual or psychosocial disabilities and describe their living conditions. Please provide information on the measures taken to increase the number of facilities and psychiatrists available to ensure that chronically ill patients receive adequate care. Please specify whether the plan to establish a “sociojudicial psychiatric unit” has been implemented. Please describe the legislative and other measures taken to end the involuntary hospitalization and forced institutionalization of persons with psychosocial or intellectual disabilities and indicate whether other forms of care are being used, such as community-based rehabilitation services and outpatient care programmes. Please specify the steps taken to ensure that physical, mechanical or chemical restraints are used only when strictly necessary and proportionate, in accordance with the law, under supervision and for the shortest time possible. Please describe the steps taken to ensure that the placement of persons with disabilities in solitary confinement is prohibited in cases in which their conditions would be exacerbated by such measures. Please explain what measures have been adopted to ensure that persons with disabilities, in particular those with intellectual or psychosocial disabilities, cannot be subjected to medical treatment or interventions, including sterilization or the administration of contraceptives, without their free, prior and informed consent, in addition to the measures that have been taken to prohibit such practices.³⁴

Articles 12 and 13

21. Please provide information on the measures taken to ensure that all allegations of ill-treatment and excessive use of force by public officials, in particular members of the police service, during the arrest, transport, custody and interrogation of persons are promptly, effectively and impartially investigated by an independent body, and that suspects are duly prosecuted and, if found guilty, sentenced to penalties commensurate with the gravity of their actions. Please indicate whether steps have been taken to establish an effective and independent mechanism for monitoring police activities, including whether measures have been taken to reform the Inspectorate General of the Police in order to guarantee its independence and impartiality. Please describe the efforts made to ensure that persons suspected of ill-treatment or an excessive use of force are immediately suspended from their duties for the duration of the investigation. Please outline the measures taken to ensure that the authorities launch investigations on their own initiative whenever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed. Please specify whether an effective, independent, confidential and accessible complaints mechanism has been set up in each place of detention.

22. Please provide annual statistical data for the period under review, disaggregated by type of offence, by the victims’ sex, age group (minor or adult), national or ethnic origin and nationality and by the services to which the officers accused of ill-treatment or an excessive use of force belong, on: (a) the number of complaints concerning offences such as actual or attempted acts of ill-treatment, complicity or the participation in or consent to such acts; (b) the number of complaints that have led to criminal or disciplinary investigations and the number of cases dismissed; (c) the number of ex officio investigations opened into the

³³ [CCPR/C/LUX/CO/4](#), paras. 17 and 18; and [CRC/C/LUX/CO/5-6](#), paras. 28 and 29.

³⁴ [CRPD/C/LUX/QPR/2-3](#), paras. 11, 12 and 14; and [CEDAW/C/LUX/CO/8](#), para. 29.

aforementioned offences; (d) the number of prosecutions brought; and (e) the number of convictions handed down, including the criminal and disciplinary sanctions imposed, and the length of any prison sentences.

23. With reference to the Committee's previous concluding observations,³⁵ please indicate the measures taken to ensure that the legislative and regulatory provisions governing the right of peaceful assembly and the use of force and firearms, in particular the Act of 28 July 1973 regulating the use of weapons and other means of restraint by members of the security forces in the fight against crime, are in full compliance with the Convention, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement. Please indicate whether mandatory training on the use of force is regularly provided to all law enforcement officers to ensure that they routinely apply non-violent measures prior to any use of force when controlling demonstrations and that they respect the principles of legality, necessity, proportionality and accountability.³⁶

Article 14

24. Please indicate whether measures have been taken to ensure, in law and in practice, that victims of torture or ill-treatment may seek and obtain prompt, fair and adequate compensation and the means for as full a rehabilitation as possible, including in cases in which the civil liability of the State Party is involved. Please provide statistical data on redress and compensation measures, including means of rehabilitation, ordered by the courts or other State bodies and actually provided to victims of torture or ill-treatment or to their families during the period under review. Please indicate the number of applications made for State compensation for torture and ill-treatment, the number of claims that were time-barred, the number of applications granted and the amounts ordered and actually provided in each case. Please specify whether legislative or administrative measures have been taken to ensure that civil proceedings for reparation can be initiated by victims of torture or ill-treatment, their families or the person defending them independently of any criminal proceedings that might have been initiated or completed, including in cases in which the perpetrator has not been identified or found guilty of an offence. Please also provide information on any rehabilitation programmes for victims of torture and ill-treatment and on the resources earmarked for those programmes.

Article 15

25. Please indicate what measures have been taken to amend the Code of Criminal Procedure to explicitly prohibit the use as evidence in judicial proceedings of confessions or other statements obtained through torture, except against a person accused of torture as evidence that such a statement was made under duress. Please describe the measures taken to ensure that, in practice, confessions and other statements obtained through torture or ill-treatment, including any evidence derived from such confessions or other statements, cannot be invoked in proceedings. In this regard, please specify the steps taken to make retrial possible if confessions or other statements obtained through torture or ill-treatment are alleged to have been used during the original trial. Please indicate whether, during the reporting period, judges have refused to admit evidence on the grounds that it was obtained through torture or ill-treatment.

Article 16

26. With reference to the Committee's previous concluding observations,³⁷ the information provided by the State Party in its follow-up report³⁸ and the letter dated 15 April 2025 from the Rapporteur for follow-up to concluding observations, please provide information on the legislative measures taken to expressly prohibit the performance of non-urgent, non-essential and irreversible medical treatment or sex reassignment surgery on

³⁵ CAT/C/LUX/CO/8, paras. 23 and 24.

³⁶ CCPR/C/LUX/Q/4, para. 10; and CCPR/C/LUX/CO/4, paras. 13 and 14.

³⁷ CAT/C/LUX/CO/8, paras. 35 and 36.

³⁸ CAT/C/LUX/FCO/8, paras. 24–26.

intersex children before they are old enough or mature enough to make their own decisions and give their free, prior and informed consent, except where such treatment or surgery is absolutely necessary and urgent from a medical perspective and is the least invasive option. Please inform the Committee of the status of the bill on surgical operations for variations in sexual development. Please describe the measures taken to guarantee that victims of non-urgent and non-essential medical or surgical interventions receive redress, including in the form of appropriate compensation and rehabilitation, and ensure that all intersex children and adolescents and their families receive professional counselling and appropriate psychological and social support.³⁹

Other issues

27. Please provide updated information on the measures taken by the State Party to respond to threats of terrorism. Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State Party has ensured that the measures are compatible with all its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area, the number of persons who have been convicted under legislation adopted to combat terrorism and the legal remedies and safeguards available in law and in practice to persons subjected to counter-terrorism measures. Please specify whether there have been complaints of the non-observance of international standards in applying measures to combat terrorism and, if so, what the outcome was.⁴⁰

General information on other measures and developments relating to the implementation of the Convention in the State Party

28. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State Party's previous periodic report to implement the provisions of the Convention or the Committee's recommendations, including institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State Party considers relevant.

³⁹ [CCPR/C/LUX/CO/4](#), paras. 11 and 12; [CEDAW/C/LUX/CO/8](#), paras. 42 and 43; [E/C.12/LUX/CO/4](#), paras. 36 and 37; and [CRC/C/LUX/CO/5-6](#), para. 19.

⁴⁰ [CCPR/C/LUX/Q/4](#), para. 4.