



Combating violence against women

LUXEMBOURG

**NON.
NO.
NEIN.**

Say No!
Stop
violence
against
women

Violence against women is rooted in women's unequal status in society, and that status reflects the unbalanced distribution of social, political, and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women ⁽¹⁾. Violence against women undermines women's dignity and integrity and imposes serious harms on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 ⁽²⁾.

The full extent of violence against women is difficult to estimate, as it continues to be underreported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Luxembourg, 80 % of the population tend to trust the police ⁽³⁾.

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher ⁽⁴⁾. It is estimated that in Luxembourg, 38 % of women have experienced violence, which is 5 % higher than in the EU overall ⁽⁵⁾.

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Luxembourg could amount to € 113 million per year. This figure was calculated according to the methodology used in EIGE's 2014 study ⁽⁶⁾, which Member States can replicate, as done by Estonia in 2016 ⁽⁷⁾.



What are the facts?

- In 2010, 31 % of people in Luxembourg said they knew someone who has been a victim of domestic violence ⁽⁸⁾.
- During the period 2010—2012, an estimated 1.9 per 100 000 people in Luxembourg were victims of human trafficking ⁽⁹⁾.

The 2014 European Union Agency for Fundamental Rights survey data results showed that since the age of 15:

- 38 % of women in Luxembourg have experienced physical and/or sexual violence;
- 30 % of women have been stalked;
- 67 % of women in Luxembourg have been sexually harassed, significantly higher than the EU figure of 55 % ⁽¹⁰⁾.

When trust in police is low, victims are less likely to report violence.



Is violence against women a crime in Luxembourg?

There is no specific law on violence against women in Luxembourg. The legislative terminology used is neutral in terms of gender and applies irrespective of the victim's gender, in accordance with the equality principles and values between men and women. The penal code covers physical, sexual and psychological violence, such as assault, murder, rape, insults, threats, molestation, stalking, exploitation of prostitution, pimping and trafficking. Sexual harassment and moral harassment based on sex is covered by the labour code ⁽¹¹⁾, by laws ⁽¹²⁾, and the status of civil servants ⁽¹³⁾.

Luxembourg's penal code outlaws rape, including by use of force or threat, by trick and artifice, or by abusing a person unable to consent or resist freely ⁽¹⁴⁾. There is no law making female genital mutilation a crime in Luxembourg, although genital mutilation is covered under the penal code under general terminology of mutilation with aggravated circumstances ⁽¹⁵⁾.

Luxembourg's domestic violence law ⁽¹⁶⁾ has established an advisory body (Comité de coopération entre les professionnels dans le domaine de la lutte contre la violence) ⁽¹⁷⁾ under the supervision of the Ministry of Equal Opportunities, which examines the implementation and enforcement of legislation, and centralises and analyses statistics collected by its members (police General Attorney, non-governmental organisations (NGOs) for victims, NGOs for perpetrators and State Authorities).

What is being done to eliminate violence against women in Luxembourg?

Luxembourg's Gender Equality Plan 2015—2018 identifies domestic violence and prostitution as priorities of the Ministry of Equal Opportunity ⁽¹⁸⁾. A national strategy on prostitution was adopted in the Spring of 2016; it includes on the one hand a national action plan, 'Prostitution', and on the other hand a bill strengthening the fight against sexual exploitation criminalised by the criminal code ⁽¹⁹⁾.

Luxembourg's action against human trafficking is coordinated by an Inter-Ministerial Committee on Trafficking, which plans to launch information and awareness campaigns ⁽²⁰⁾. The Government plans to adopt a national action plan against trafficking of human beings at the end of 2016.

On 11 May 2011, Luxembourg signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) but has not yet ratified it ⁽²¹⁾.

An inter-ministerial working group was set up in 2016 to work towards ratifying the Istanbul Convention. The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

Good practices show the way

When Luxembourg passed the new domestic violence law, a special training module was developed and delivered to all new police officers and to existing officers during in-service training. Training was accompanied by tools such as guidance on writing reports for the public prosecutor and an information card for victims and perpetrators.

The training has enabled the new law to be implemented smoothly, with only 1 % of cases proving problematic ⁽²²⁾.

To strengthen the implementation of the penal code, the government has implemented an institutional and associative framework, as well as annual information, awareness programs and campaigns, and training in different languages (regarding the multicultural population) that also integrate a gender dimension.

How are women and girls protected?

In 2009, Luxembourg adopted the Palermo Protocol, the Council of Europe's Convention on Action against Trafficking in Human Beings and the Council Directive.

In 2013 the legal framework on domestic violence recognised children who have witnessed violence as victims, extending the law to cover every person living in a family with an alleged perpetrator.

The domestic violence law enables police to ban perpetrators from the home for 14 days and through a judicial restraining order for up to 3 months ⁽²³⁾. The eviction order also bans perpetrators from contacting or approaching the victim ⁽²⁴⁾.

What help is available in Luxembourg?

Luxembourg's national domestic violence helpline, Fraentelefon (12 344), operates Monday to Friday from 09:00 to 15:00; languages available are Luxembourgish, French, German, English and Portuguese ⁽²⁵⁾.

The Domestic Violence Victim Support Service (SAVVD Femmes en Détresse) provides advice and legal support (26 48 18 62). Email: savfed@pt.lu; Web: www.fed.lu.

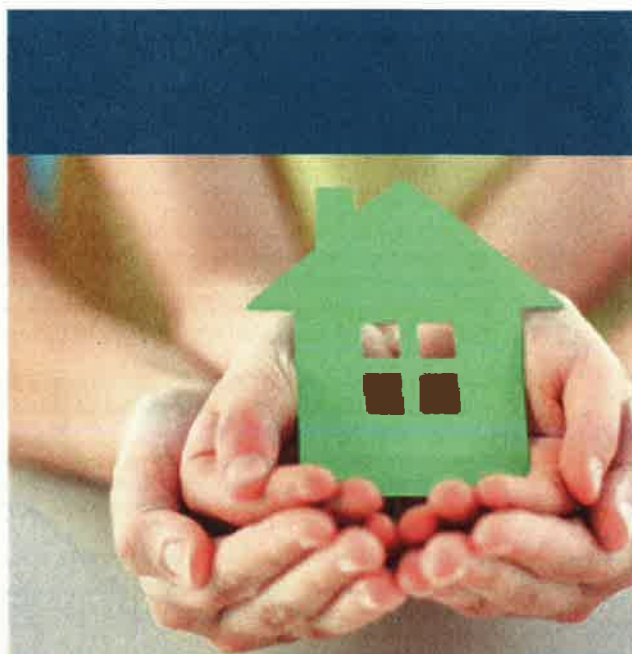
Specialist services are available for prostitutes and victims of trafficking; for example *DropIn* is a consultation service for prostitutes provided by the Luxembourg Red Cross, offering support and also exit strategies for prostitutes. Email: dropin@croix-rouge.lu.

Two services for victims of trafficking are *SAVTEH* of the asbl Femmes en détresse asbl, and *COTEH* of the Fondation Maison de la Porte Ouverte. These services provide ambulatory help and support to victims of trafficking irrespective of their gender. Email: Traite.humains@visavi.lu; coteh@fmpo.lu.

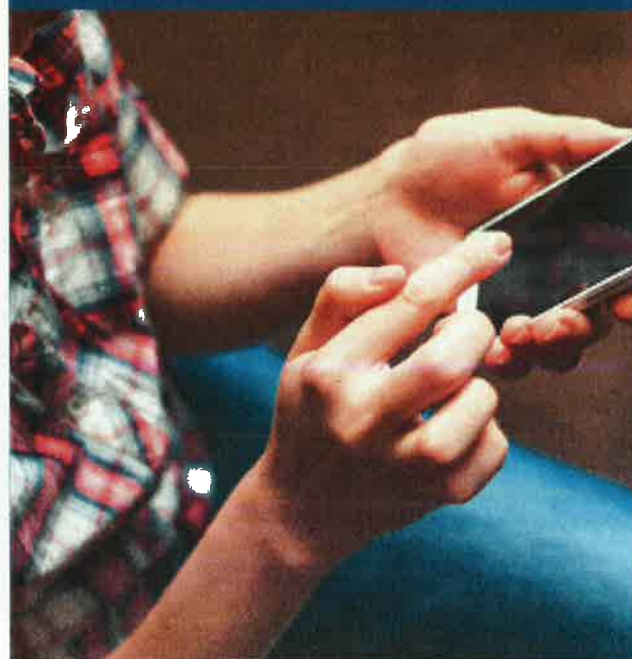
There are also services available for perpetrators; *Riicht Eras* is a service provided by the Luxembourg Red Cross that works with perpetrators of domestic violence. Their goal is to reduce violence at its source by leading the perpetrator to take responsibility for their violent behaviour and acknowledge their emotions and feelings. Email: riichteraus@croix-rouge.lu

infoMann is a consultation service for men in distress (including victims of violence and trafficking), run by the non-profit organisation actTogether asbl, that provides help, support and accommodation. Email: info@infomann.lu.

Other services are also available that provide various forms of support, such as consultations, protection, accommodation, psychological and social support, and judicial aid for women and girls. They are all funded by the Ministry of Equal Opportunities, and run by NGOs ⁽²⁶⁾. In addition, services exist that provide support and accommodation for girls and boys in distress (also victims of domestic violence and victims of trafficking) approved and funded by the Ministry for National Education Children and Youth.



Luxembourg's women's shelters have nearly 220 beds for women in distress, with or without children, with priority given to victims of domestic violence ⁽²⁷⁾.



Luxembourg also has a helpline for sexual violence (00352 49 58 54) ⁽²⁸⁾.

Endnotes

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- (4) European Institute for Gender Equality (2013). *Gender Equality Index Report*. Publication Office of the European Union, Luxembourg. Available at: <http://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>.
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- (13) <http://www.legilux.public.lu/leg/a/archives/2012/0137/a137.pdf#page=3>
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- (15) European Institute for Gender Equality (2015). *Female genital mutilation in the European Union and Croatia*. p 95. Available at: <http://eige.europa.eu/sites/default/files/documents/eige-report-fgm-in-the-eu-and-croatia.pdf>.
- (16) Loi du 8 septembre 2003 sur la violence domestique, modified on 30 July 2013.
- (17) Rapport 2013 du Comité de coopération Violence. <http://www.mega.public.lu/fr/publications/publications-ministere/2014/rapport-cooperation-violence/Rapport-au-Gouvernement-2013.pdf>
- (18) Ministry of Equal Opportunities (2015). *Making Gender Equality: Gender equality plan 2015-2018*. p 6-8 Available at: http://www.mega.public.lu/fr/publications/publications-ministere/2015/pan-egalite-2015/06385_Broch_Plan_Egalite_Femmes_Hommes_2015-2018_Eng_06-2015-Web.pdf.
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European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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