

State of the Rule of Law in Europe in 2022

Reports from National
Human Rights Institutions

Luxembourg



Luxembourg

Consultative Human Rights Commission of Luxembourg

Impact of 2021 rule of law reporting

Follow-up by State authorities

The Consultative Human Rights Commission of Luxembourg states that there have been several follow-up state initiatives that would tackle the issues reported in the 2021 ENNHRI Rule of Law Report. However, it is not clear whether these actions or initiatives are the results of a direct impact of 2021 ENNHRI rule of law report.

In Luxembourg there have been political discussions about media pluralism. However, the situation remains problematic. The independent Luxembourg authority for controlling audio-visual content highlighted some deficiencies/shortcomings in their recent opinion.

Furthermore, the Parliament has voted a new legislation on financial aid for professional journalists. It must be noted that the journalist association ALJP remains sceptical and critical about both the content of the law and its drafting process.

Last but not least, the draft Whistle blower legislation has finally been published.

References

- Avis n°1/2021 du Conseil d'administration de l'Autorité luxembourgeoise indépendante de l'audiovisuel: https://www.alia.lu/assets/upload/files/Avis/2021-03-22_Avis-n01-2021_1007_ECsite.pdf
- Loi du 30 juillet 2021 relative à un régime d'aides en faveur du journalisme professionnel: <http://data.legilux.public.lu/eli/etat/leg/loi/2021/07/30/a601/jo>
- Cordula Schnuer, *L'accès à l'information demeure problématique*, Paperjam, 22.07.2021: <https://paperjam.lu/article/acces-a-information-suppressio>
- Claude Damiani, *Réforme de l'aide à la presse: "La qualité du journalisme en pâtira »*, 9.7.2021 : <https://lequotidien.lu/politique-societe/reforme-de-laide-a-la-presse-la-qualite-du-journalisme-en-patira/>
- Draft whistleblower legislation: <https://chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAff>

Further, the SCA recalled that it is preferable for a NHRI to have the explicit power to table reports directly in the legislature, rather than through the Executive, and in doing so to promote action on them.

The SCA also found that the Luxembourgish NHRI's resources, including its staff complement and financial resources, were not sufficient to effectively carry out its mandate. Thus, the SCA encouraged the institution to continue to advocate for processes to ensure financial autonomy, and sufficient and sustainable State funding.

Finally, the SCA noted that, at that time, the Luxembourgish NHRI was not systematically consulted on draft legislation by the Executive. The SCA commended the institution for continuing to produce reports and recommendations despite this.

References

- (1) https://www.ohchr.org/sites/default/files/Documents/Countries/NHRI/GANHRI/SCA_FINAL_REPORT_-_NOVEMBER_2015-English.pdf

Regulatory framework

The situation of the Luxembourgish NHRI in terms of its independence, effectiveness and regulatory framework is balanced.

It is, though, to be noted, that the CCDH has invested a lot of time and resources in the screening of the Covid-19 legislation. At the same time, working on other time- and resource heavy projects such as the biannual report on human trafficking led to the result that some other important projects could not be finalised within a reasonable timeframe. However, the NHRI has received additional funding for human resources, which is expected to improve the situation.

There have been no significant changes in the regulatory framework after the 2021 ENNHRI Rule of Law Report. It is to be noted, though, that Covid-19 measures introduced at the national level has impacted the ways of working of the NHRI (f. ex. Access to building and working in the office, attending in-person meetings).

The Consultative Human Rights Commission of Luxembourg (the CCDH) is established by law as an independent state institution and does not have a constitutional basis. The Commission has the mandate to contribute to access to justice for individuals, including through awareness-raising.

The CCDH believes that the NHRI regulatory framework should be further strengthened. The NHRI's role could be enshrined in the Constitution. In the context of the current constitutional reform in Luxembourg, the Parliament has the intention to grant the Ombudsman a constitutional basis. The equality body, the Ombudsman for the rights of

the child and the CCDH however “only” have a legal basis. The CCDH recommended considering creating a constitutional basis for the latter institutions as well.

Moreover, it would be useful to consider reinforcing the impact of the NHRI’s recommendations, for instance by explicitly obliging the government and/or the parliament to respond and justify their (in)actions (at the very least give a timely and reasoned response).

References

- CCDH, Avis sur la réforme de la Constitution, https://ccdhd.public.lu/dam-assets/dossiers_th%C3%A9matiques/constitution/avis/R%C3%A9vConstit-Avis-CCDH-v10-final.pdf

Enabling and safe space

At least some relevant state authorities have good awareness of the NHRIs’ mandate, independence and role of the NHRI but it largely depends on the different state authorities. While some seem to be unaware of the existence, the independence, the mandate and the role of a NHRI (mistaking it for an NGO), an increasing number of state authorities seem to become aware of the NHRI’s mandate.

Some ministries and administrations, with whom the CCDH is, until now at least, rarely working with (for instance agriculture, environment, SMEs ...), are most likely unaware of the NHRI’s mandate independence and role. The NHRI could maybe proactively reach out to these actors in order to raise their awareness and reinforce the transversal approach to human rights.

In addition, unfortunately, the Luxembourgish NHRI does not have adequate access to information and to policy makers and it is not involved enough in all stages of legislation and policy making with human rights implications.

Overall, the CCDH has access to information and can access to most of the data it is requesting. But the access largely depends on the authorities involved. Some ministries or administrations are not very cooperative which could be due to the general lack of collecting disaggregated data in Luxembourg. Better data collection and collaboration is therefore still necessary. Others take their time to respond, only respond partially or do not respond at all. This could also be a result of the lack of awareness of the NHRI’s mandate. Some ministries and administrations fully cooperate and respond to the CCDH’s requests for information and meetings.

Another more general flaw is that Luxembourg's legislation is mostly not consolidated, which makes it rather difficult and laborious to assess the applicable law. Legislation should be easily accessible not only for the CCDH, but for the public as a whole.

The same could be said about the case law. The government has recently published a national database with case law. However, it seems like the relevant authorities only publish a selection of decisions on the database. (Anonymised) case law should thus also be more accessible and, if possible, even linked to the relevant legislation.

Another concern raised by the Commission is the fact that the addressees of the NHRI's recommendations are not legally obliged to provide a timely and reasoned reply. There are no such measures or practices in place to ensure authorities' timely reply. The responsiveness largely depends on the Ministry and the administration (and its public officials/employees) involved as well as on their commitment to a human rights based approach. For instance, during a meeting in the context of the CCDH's role as the National Rapporteur on Human Trafficking, one minister refused to cooperate and instructed his administration not to share "internal" information with the Rapporteur. The director and employees of his administration previously cooperated with the NHRI.

In terms of measures in place necessary to protect and support the NHRI, heads of institution and staff against threats and harassment and any other forms of intimidation (including SLAPP actions), so far, the Luxembourgish NHRI has not experienced a pressing need for special protection. The Luxembourgish NHRI does not have any form of special protection against such threats or attacks. Although, its deliberations and meetings are protected by a legal confidentiality clause. However, during a meeting, a minister has questioned the NHRI's role as an independent human rights advisory body in the context of the Covid-19 pandemic. This does not amount to a threat or harassment. Anyway, it may serve as an indication that some ministers tend to question the NHRI's role, value and significance. Some other members of the government most likely share the minister's opinion.

Developments relevant for the independent and effective fulfilment of the NHRIs' mandate

The Commission has taken actions to address to improve its functioning by sporadically raising attention to issues linked to the Paris Principles (via the Commission's opinions, communications, press conferences, etc.), especially regarding its efficiency and independence, the role of civil society, etc. The NHRI has also applied for and received additional human resources to enhance the NHRI's efficiency. The CCDH has not specifically acted upon the Recommendation 2021/1 of the Committee of Ministers of the Council of Europe on NHRIs.

References

- See for instance the opinions on the Covid-19 laws:
<https://ccdh.public.lu/fr/avis.html>

NHRI's recommendations to national and regional authorities

- Put in place a follow-up procedure or an obligation to respond for public authorities.
- Introduce a constitutional basis for functioning of the NHRI.
- Provide more human resources for the NHRI.
- Improve general knowledge about the NHRI's role, mandate and independence
- Ensure better data collection by public authorities and communication with the NHRI.

Human rights defenders and civil society space

The Consultative Human Rights Commission of Luxembourg assessed that human rights defenders and civil society space situation in Luxembourg has not changed since last year. While some of the issues reported remain relevant, as illustrated below, the CCDH overall assesses the situation as balanced.

Laws and practices negatively impacting on civil society space and/or on human rights defenders' activities

Social tensions seem to be more generally on the rise. Freedom of assembly in the context of Covid laws is currently limited to a specific area in Luxembourg City. This was justified by the fact that there have been violent physical and verbal outbursts by protesters.

On 10th January 2022, the Minister of Justice proposed a draft legislation aiming at transposing the EU Whistle blower Directive 2019/1937 into national law. It is worth noting that Luxembourg failed to respect the deadline set by the Directive (17th December 2021). While it seems that a press association has been consulted during the drafting process of the draft national legislation, at least to a certain degree, some of the other relevant stakeholders have not been consulted in advance. They have however been asked to issue an opinion on the draft legislation. The CCDH's opinion has not (yet) been formally requested. Nonetheless, it is currently analysing its scope and content in order to assess whether or not it offers sufficient protection for whistle blowers.

Access to and involvement of civil society actors in law and policy making

As reported in 2021 ENNHRI Rule of Law Report, government's communication and transparency, as well as access to information, especially for journalists, still need improvement.

Threats and attacks, including strategic litigation against public participation (SLAPPs)

The CCDH did not assess whether or not any specific lawsuits amount to SLAPPs. However, politicians, private individuals and businesses have sued journalists, artists, scientific experts and civil society actors speaking out on matters of public interest. For instance, some prominent individuals involved in anti-COVID-19 and anti-vaccination protests sued a newspaper outlet. Said newspaper previously portrayed some of the leaders of these protests in a critical article. A couple of months later, a member of parliament sued a journalist of the same outlet for comments made during a live radio event, where he criticised the politician.

Anti-COVID-19 and anti-vaccination groups filed a lawsuit against a scientific expert (virologist) because of a statement of his in which he strongly criticised people who decided not to be vaccinated.

Some years ago, an artist was sued by politicians and prosecuted because of the criticism and the language used in a song. Also, an NGO was sued by a company for publicly criticising the company of contributing, through its value chain, to human rights abuses.

References

- M. Bucher and S. Wiltgen, *Slapp-Klagen gegen Journalisten*, 17.12.2021:
<https://www.tageblatt.lu/headlines/slapp-klagen-gegen-journalisten-wenn-das-rechtssystem-zum-einschuechtern-missbraucht-wird/>
<https://5minutes.rtl.lu/actu/luxembourg/a/1832212.html>

NHRI's role in promoting and protecting civil society space and human rights defenders

The CCDH participated in an initial "brainstorming" event organised by the government in order to gather input for the development of the project "shelter cities" for human rights defenders. The aim of this governmental project aimed at setting up a procedure for the reception of individual human rights defenders in Luxembourg for a predetermined rest period, via the protectdefenders.eu website. Since the abovementioned initial meeting, there has not been any noticeable progress, at least not to the CCDH's knowledge. However, the government reiterated its commitment to the project "shelter cities" in its candidacy pledge for the Human Rights Council 2022-2024.

In addition, the Luxembourgish NHRI has issued recommendations regarding the protests in the context of Covid-19 and the need for protection for journalists. It also highlighted the importance of valuing scientific expertise. More specifically, the CCDH made an appeal to the government to tackle disinformation and the risk of radicalisation, to take into account the diverse reasons and motivations of people who have not yet been vaccinated by adapting its strategy accordingly and maintaining an inclusive approach, to avoid marginalisation and stigmatisation, to improve its communication strategy (needs to be clear, continuously adapted and based on scientific data) by including independent experts, etc.

References

- Luxembourg Candidacy for the human rights council 2022-2024:
<https://maee.gouvernement.lu/dam-assets/directions/d1/candidature-cdh/EN-Brochure-candidature-CDH.pdf>
- See, for example, CCDH, *Avis sur les mesures de lutte contre Covid-19*, p. 2:
https://ccdh.public.lu/dam-assets/dossiers_th%C3%A9matiques/pand%C3%A9mie/avis/2021/Avis-CCDH-PL7924-final.pdf

NHRI's recommendations to national and regional authorities

- Ensure and protect the right to access to information for journalists;
- Fully implement the whistle blower directive and protect against SLAPPs;
- Finally put in place the "Shelter cities" project (for foreign human rights defenders).

Checks and balances

The CCDH considers that the situation of the checks and balances system in Luxembourg has remained balanced. In the institution's opinion, however, the Covid-19 pandemic continues to put the checks and balances on a stress test. The situation has not improved, nor has it become worrying. However, as the time passes, it becomes more and more difficult to justify some worrying practices or habits in the legislative procedure.

Most of the CCDH more recent findings concerning negative impact on checks and balances mechanism in Luxembourg are related to the Covid-19 pandemic consequences, and are illustrated in the dedicated section on the impact of COVID-19 on rule of law and human rights protection, below.

In addition, there is overall a lack of a judicial review “culture” in Luxembourg. State authorities are only rarely accused and held accountable in courts for example for lack of effective implementation of judgments of supranational courts or treaties as well as for unconstitutional legislation. This could be due, at least in part, to the fact that Luxembourg does not have any national independent authority invested with the power to file formal human rights complaints to the courts or represent individuals before the courts.

The judicial authorities, or more precisely the public prosecution, are currently occupying a predominant role in the “protection” of children and are involved in the proceedings that can lead to the removal of children from their families and/or other measures deemed necessary for their protection and their well-being. Children that do not break the law can also be subject to such measures and they have less procedural guarantees than adults do. The rule of law is thus currently flawed when it comes to minors. After lengthy discussions stretching over more than a decade and with the help of an external expert of the UN CRC, the legislation is finally about to change and there is going to be a clear-cut separation of the “protection system” and the “criminal justice system” for children. While the Minister of Justice is seemingly fully supporting the change of legislation, it is unclear whether it is going to be accepted by the public prosecution and the judicial authorities.

References

- <https://ccd.h.public.lu/dam-assets/avis/2019/avis-pl-7276-protection-de-la-jeunesse.pdf>

Trust amongst citizens and between citizens and the public administration

The Luxembourgish NHRI does not have the impression that state authorities sufficiently foster a high level of trust. There is a risk that public trust decreased during the pandemic because of the lack of transparency and coherence in the government’s response to Covid-19. The government and parliament have launched sporadic initiatives to improve participation and transparency. However, most of these initiatives were not really participatory, nor transparent. Recently, the government improved its exchanges with the public by organising “Live” Q&A sessions, sometimes together with scientific experts. It remains to be seen whether these activities can be considered as a good practice or not.

Unfortunately, the current reform of the Constitution is a good example of how not to foster trust between citizens and the public administration. After political tensions between some of the major political parties, the parliamentarians involved in the reform have decided to divide the planned reform into four different chapters and votes, rendering the reform process even more inaccessible – for legal professionals and citizens alike. In addition, the initial idea of holding a referendum has been abandoned. The same

happened to a planned large-scale information campaign. Instead, each chapter of the reform seems to be preceded only by a televised presentation and a one-time information session has been organised during which citizens could ask their questions to the members of parliament in charge of the reform. In all fairness, there has also been a public consultation on how to modify the Constitution. Overall, this approach was unsatisfactory and the result is a rather disappointing text that does not meet the required standards of a modern democracy.

References

- (1) CCDH, Avis sur la réforme de la Constitution : https://ccdh.public.lu/dam-assets/dossiers_th%C3%A9matiques/constitution/avis/R%C3%A9vConstit-Avis-CCDH-v10-final.pdf

NHRIs as part of the system of checks and balances

The CCDH is publishing opinions and other activities on various topics. Its recommendations are mostly addressed to the government; however, it also addresses recommendations to the legislative and judicial authorities. It addresses the rule of law issues in a transversal manner in its opinions, most recently in its opinions in the context of Covid laws. It also meets with government officials and its administrations, participates as an observer in interministerial committees and addresses letters to the government in order to point out problematic practices and to ask for explanations. Most of its interventions are published on its website and/or presented during press conferences.

The CCDH is also a member in two consultative assemblies: The independent audio-visual media authority of Luxembourg (ALIA) and the newly created consultative commission on video surveillance. Its independence is very important in that respect and it reserves itself the possibility to issue dissenting opinions.

The CCDH is monitoring the government's national and international legal and political commitments, for instance, by submitting and presenting alternative reports to various organs of the treaties.

As already mentioned above, recently, one Minister was reluctant to cooperate with the CCDH and prevented his administration to communicate important information to the CCDH in the context of its human trafficking report. Other ministries sometimes do not respond to the requests of the CCDH, but, overall, the relationship with state authorities and non-state bodies has improved a lot over the past few years.

NHRI's recommendations to national and regional authorities

- Strengthen the resources and powers of the NHRIs for instance by legally obliging the Government and/or Parliament to provide a reasoned reply within an appropriate timeframe Better/more training for judicial authorities regarding human rights;
- Strengthen the position of the Press and create an explicit right to access to information for journalists.

Functioning of the justice system

The CCDH has not been made aware of any particularly worrying shortcomings. However, in its recent human trafficking report, it found that there is a lack of human resources in the judiciary system that needs to be addressed. Moreover, the judiciary is in need of additional human rights training. Some decisions showed legal inconsistencies, insufficient access to compensation for victims and a risk of victim blaming.

Also, as already mentioned above, the justice system for children is in dire need of improvement. The on-going legislative reform aims to ensure clear separation of the "protection system" and the "criminal justice system" for children to enhance the protection of rights of the children.

Also, access to legal aid, specialisation and training of judges are in need of improvement. As already mentioned above, the CCDH has found that additional human rights trainings and specific trainings regarding victims and certain types of crimes are necessary, because some judges seem to adopt an approach that could be interpreted as focussing too much on the victim's behaviour.

Furthermore, access to compensation for victims of human trafficking is also insufficient.

Third country nationals, who are not victims of human trafficking but may very well be victims of other forms of labour exploitation, are insufficiently protected under Luxembourgish law.

Access to legal aid is insufficient and in need of improvement. Substantial modifications have been announced and it remains to be seen whether these are going to be sufficient or not.

Role of the NHRI in contributing to the effective functioning of the justice system

The CCDH has raised these issues in its 3rd report on human trafficking. It published the report, presented it to the press and to the human trafficking working group of the government.

References

- Rapport sur la traite des êtres humains (Années 2019-2020): https://ccdh.public.lu/dam-assets/dossiers_th%C3%A9matiques/traite_des_%C3%AAtres_humains/rapports/Rapport-TEH3-03122021-FINAL.pdf

NHRI's recommendations to national and regional authorities

- More/better human rights (and specialisation) training for judges;
- Improving access to legal aid, remedies and compensation;
- Raising awareness and usefulness of NHRI contributions for the justice system.

Media freedom, pluralism and safety of journalists

In the opinion of the Consultative Human Rights Commission of Luxembourg, the situation of media freedom, pluralism and safety of journalists in Luxembourg deteriorated comparing to 2020 and is worrying.

The situation is getting worse for journalists, especially those who are working on Covid-19. They are victims of verbal attacks and threats. Also, they are subjected to alleged "legal harassment". Opponents of the government's Covid-19 strategy have (mostly verbally) attacked journalists. A politician of a far-right political party has shared the private phone number of a journalist on a social media platform. Members of that same political party are suing journalists for criticizing them.

Furthermore, as mentioned above, the right to access to information for journalists is still not fully respected.

Role of the NHRI in promoting and safeguarding an enabling environment for media and freedom of expression

The CCDH has raised these issues in its various opinions and repeatedly advocated in favour of a right to access to information for journalists.

References

- https://ccdh.public.lu/dam-assets/dossiers_th%C3%A9matiques/constitution/avis/R%C3%A9vConstit-Avis-CCDH-v10-final.pdf

- https://ccdh.public.lu/dam-assets/dossiers_th%C3%A9matiques/bilan_covid19/rapports/2021/Covid-EffetsDroitsHumains-DocReflexion-20210225.pdf
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- Paperjam.lu, *Des journalistes menacés dans l'exercice de leur profession*, 7.12.2020: <https://paperjam.lu/article/journalistes-menaces-dans-exer>
- David Marques, *A côté de la plaque*, 7.12.2021: <https://lequotidien.lu/editoriaux/a-cote-de-la-plaque/>

NHRI's recommendations to national and regional authorities

- Right to access to information for journalists;
- Transposing the Whistle blower directive;
- Protection against SLAPPs.

Corruption

Mostly the lack of capacity and resources lead to the fact that the CDDH has not more specifically tackled the question of corruption. Related issues are not a current priority in the CCDH's work and therefore have not yet been considered.

NHRI's recommendations to national and regional authorities

- Implementing the Whistle blower's directive;
- Putting in place a comprehensive and wide-ranging transparency register for politicians.

Impact of measures taken in response to COVID-19 on the national rule of law environment

The CCDH finds that the situation concerning COVID-19 measures in Luxembourg has deteriorated and it is worrying.

While some measures aimed at the general public have been lifted, the measures are now aimed at certain categories of people. They are rather strict and prevent them from accessing certain parts of public and private life, the aim being exerting pressure in order to convince people to get vaccinated. Plus, decision-making is still not very transparent and the legislative process is not very inclusive nor comprehensive. Democratic processes and institutions are weakened.

Most significant impacts of measures taken in response to the COVID-19 outbreak on the rule of law and human rights protection

Measures for the general public have largely phased out and been replaced by strict measures for unvaccinated persons and persons who do not fit in the major categories. For instance, it remains unclear how people who are vaccinated with vaccines not yet recognised by the EU are being treated.

Legislation is still being revised on a monthly or bimonthly basis, which, at least in theory, is rather positive since human rights restrictions need to be reviewed on a regular basis. In practice, however, this approach has some serious shortcomings. Sometimes there are only three days between the presentation of a draft legislative proposal by the government and the vote by parliament, thus leaving little or no time to parliament and the advisory bodies to do their work. The overall “legal” quality of the legislation is decreasing with each modification. It is increasingly difficult for the general public to understand and therefore follow the rules. As an example, in a timeframe of barely 4 weeks, the Covid legislation has been substantially amended three times. It did not seem like the information justifying these measures had not already been available before. We therefore encourage the government and parliament to take the time required to draft qualitative legislative proposals. Even if the pandemic requires sometimes swift and emergency decision-making, this approach does not seem justified in every case.

It is certainly a good practice that parliament has always been involved in the drafting and voting process of Covid-19 laws. However, the decision-making process remains rather foggy and the same goes for the justification of some of the measures. There is no transparency and inclusive approach.

Recently, there has been a request for input by parliament and the government regarding the question of whether or not compulsory vaccination should be introduced. However, the actors and institutions involved had to issue their opinion within 3 working days. There has been a debate in Parliament – however, it is unclear whether the different opinions and arguments have been properly discussed or even analysed (the deadline for submission was on the 18th on January and the debate in parliament was on the 19th. The government seems to have taken its decision that same day, or even before). The aim of the consultation appears to have been mostly of a symbolic nature.

It must also be noted that some measures circumvent the ordinary legislative procedure - they are instead based either on recommendations (which seem to be considered as *de facto* compulsory, this is the case for the education sector or persons living in institutions) or “ordonnances” taken by the Health Directorate (for instance country entry conditions). No explanation has been offered by the government so far for this approach which raises serious rule of law questions.

In terms of possible medium and long-term implications for rule of law and human rights protection in Luxembourg, arising from the COVID-19 outbreak and the measures taken to address it, the CCDH stressed that there are calls for stricter freedom of assembly and protest rules because of violent Covid-19 protests and the government seems to be willing to follow these calls.

References

- David Marques, Manifestations antirestrictions: “Il nous faut être plus fermes », 14.1.2022: <https://lequotidien.lu/police-justice/manifestations-antirestrictions-il-nous-faut-etre-plus-fermes/>

Most important challenges due to COVID-19 for the NHRI’s functioning

Covid-19 measures also affected the NHRI’s work and access to its premises. Meetings of more than 10 people had to be organised under a “Covid check regime” meaning attendees either need to have proof of vaccination, recovery or a negative test result. Since this is a legal sanitary requirement, the CCDH complied with them.

Other than that, the NHRI decided to continue to allow people to enter its premises without having to show abovementioned proof, while respecting other sanitary rules, in order to adopt an inclusive approach and remain as accessible as reasonably possible.

Efforts by state authorities to mitigate challenges

The government asked a group of independent scientists to write a reasoned opinion on the question of compulsory vaccination. This is a good practice as it finally showed on

what basis the government wanted to take its decisions. However, as already mentioned above, the concerns and opinions raised by other institutions and organisations were not taken into account.

There is emergency and recovery funding which is of course important in the context of the pandemic. The CCDH does not have any information whether or not this kind of funding can be seen as a good practice.

Actions taken by the NHRI to promote and protect rule of law and human rights in the crisis context

The CCDH has published numerous opinions and reports, given interviews, exchanged with Ministers and civil society. However, overall, there has been no or only little follow-up on the CCDH's recommendations and questions.

References

- <https://ccdhdh.public.lu/fr.html/>

NHRI's recommendations to national and regional authorities

- Obliging public authorities to give a reasoned response or follow-up to the CCDH's recommendations;
- Taking the required amount of time and resources to improve the Covid laws, while adopting a transparent and inclusive approach;
- Adequate legal basis for all Covid measures.