



Luxembourg Fact Sheet on Social Care & Support Services Sector for Persons with Disabilities

Part of a series of Country Fact Sheets available on the EASPD website

Written by: Shafagh SHAHABI and Arthur LIMBACH-REICH, University of Luxembourg

Coordinated and edited by: Policy Impact Lab



SUBSECTORS OF SOCIAL CARE & SUPPORT SERVICES AND THEIR CHARACTERISTICS

The legal framework for persons with disabilities in Luxembourg was established through a number of documents produced by international and national organisations: the UN, the European Union, the Consultative Commission on Human Rights, the Center for Equal Treatment and the Mediator, or Ombudsman. The Luxembourg Labour Code and the Amended Law of 12 September 2003 on Disabled Persons and its Implementing Regulation of 7 October 2004 are the national source documents. The Ministry for Family and Integration and the Greater Region¹ is in charge of coordinating national policy for persons with disabilities², and is advised by the Higher Council of Persons with Disabilities³ on all draft laws or regulations related to disability. In performing its mission, the Ministry is supported by the non-for-profit organization Info-Handicap Asbl, i.e. Luxembourg's National Disability Information Centre in charge of publishing and disseminating thematic information on disability topics.

The Grand Duchy of Luxembourg ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) on 13 July 2011, which entered into force on 12 August 2011. With this act, Luxembourg committed to implementing a National Action Plan that aims to eliminate all barriers to the recognition and effective exercise of the rights of persons with disabilities. In addition and as appointed in the leading text of the Rights of Persons with Disabilities Act (Memorial 09 August 2011 A-169), there are two institutions mandated with the independent monitoring of the realisation of the convention task at national level: The Luxembourg Consulting Commission on Human Rights (CCDH)⁴ and the National Centre for Equal Treatment (CET)⁵.

Within this legal framework, there are several programmes in Luxembourg aimed at providing a variety of services to persons with disabilities. Service providers include public bodies such as the National Social Security (CNS) and the National Employment Agency (ADEM)⁶, as well as non-for-profit organisations such as the Luxembourg League for the Relief of Children, Adolescents and Adults mentally or cerebrally disabled (APEMH foundation)⁷, Autisme Luxembourg asbl, Kräizbiërg foundation, Multiple sclerosis foundation⁸, Ligue HMC⁹ asbl, Tricentenaire asbl, and Elisabeth asbl.

Early Childhood Intervention

In Luxembourg, early childhood intervention is regulated by the Law of 20 July 2018 on the creation of eight Competence Centres for specialised psycho-pedagogy to favour school inclusion. These national centers, listed and further described below (under Education Support), are under the joint responsibility of the Ministry of National Education and Ministry of Health, and publicly funded.

Furthermore, several national not-for-profit organisations, accredited and financially supported by the government, provide early intervention services to children with disabilities. Among those, there are in particular (1) an outpatient service since 2018, which has been part of the Family and Child Assistance Services (SAEF) by the Elisabeth Group and offers early intervention psychological, social and educational assistance services to children with disabilities from birth to 8 years (a waiting list is maintained); and (2) *Schrëtt fir Schrëtt asbl* which offers comprehensive and highly structured support based on the *Petö system* (also named "conductive education", an educational system, based on the work of Hungarian Professor A. *Petö*, that has been specifically developed for children and adults who have motor disorders of neurological origin such as cerebral palsy). It is

¹Ministère de la Famille et de l'intégration now Ministère de la Famille, de l'Intégration et de la Grande Région.

²Accessibility, awareness raising, self-determination, empowerment, inclusion, independent living, participation etc.

³Conseil Supérieur des personnes handicapées.

⁴Commission consultative des Droits de l'Homme du Grand-Duché de Luxembourg.

⁵Centre pour l'égalité de traitement.

⁶Agence pour le développement de l'emploi.

⁷Association des Parents d'Enfants Mentalement Handicapés – Hébergement et Services asbl

⁸Fondation Sclérose en Plaques.

⁹Mentalement et Cérébralement Handicapé.

adapted to school hours and for children with physical disabilities or disability accompanied by delayed motor skills. The support is available in addition to the early education of basic education from 3 years old. From 4 years, it is offered in the context of school groups. The offer is valid within the limits of places available.

The non-profit organization Yolande, of the Elisabeth Group, has an agreement and is therefore funded by the Ministry of Families, Integration and the Greater Region (MIFA) on the so-called "ASP"¹⁰ model (Socio-Pedagogical Support). Funding is based on three pillars:

- Service fee paid by the user or his/her parents.
- ASP package contribution by MIFA (depends on the need for support).
- Dependency insurance contribution by the Ministry of Social Security.

The MIFA can also:

- Intervene to financially help a user or his/her parents whose income does not allow them to pay their share.
- Participate in the financing of infrastructure through a special fund for socio-family infrastructure.

The ASBL Schrëtt fir Schrëtt, an organization providing conductive education for people with disabilities, is approved by the Ministry of National Education, Children and Youth (MENJE). Their services follow a different funding scheme as described below:

- MENJE subsidies: agreement allowing the care of children of school age, but not guaranteeing the wages: MENJE provides rooms, lunch and bus transport.
- Parents participate through the school fees in funding and cooperate on administrative tasks.
- All the administration takes place on a voluntary basis and is not compensated.
- The remaining necessary financial means must be guaranteed by donations.

Other associations operating at national level and accredited, financially supported by the government, and offering individual childhood support such as early diagnosis, therapeutic, educational and psychological services as well as consultation services for parents include the Association of Assistance to People Epileptics asbl (AAPE), the Rare Diseases Luxembourg asbl (ALAN), the Parents Association of People Autism attacks in Luxembourg asbl (APPAAL), the Children's Parents Association Mentally Handicapped (APEMH), the Association for the visually impaired, the Association for the Spina Bifida asbl, the Besondere Geschwister asbl, the Space~Family (HMC League), the Erziéngs- a Familljeberodung (AFP), the Haus 89 - Liewens-Partner Famille, and the Berodung asbl.

Education Support

The trend at the time of drafting this factsheet in the end of 2019 in Luxembourg is characterised by a progressive shift from institutionalised special education towards mainstream education for children with disabilities. This trend is boosted by the Law of 20 July 2018 on the creation of public competence centres for specialised psycho-pedagogy to favour school inclusion. This law is being implemented by the Ministry of National Education. It is estimated in 2019 that the percentage of students enrolled in specialised schools for children with disabilities is less than 1% of the school population, representing a high inclusion rate.

In Luxembourg, those pupils who cannot be properly cared for with the means normally available to the teacher are considered as having specific or special educational needs in areas such as motricity, sight, language and hearing, the cognitive development and behaviour etc. The necessary services to those pupils are determined in consultation with the child welfare services and the education and childcare structures called Relay Houses¹¹. The decision as to the type of schooling and services is the parents' responsibility. These services are publicly funded, and there is no waiting list per se. However, the procedure may take several months.

The Relay House system is a communal service that takes care of children outside the school hours. It is intended for families with children less than 12 years attending schools in communes. Children with special needs attending basic school

¹⁰Accompagnement Socio-Pédagogique.

¹¹Maison Relais.

and requiring additional coaching hours are welcomed as well. The communal authorities, respectively the managers of the structure, decide and set the admission criteria. Admission is decided by the Officer of the Ministry of National Education, Childhood and Youth, in charge of each Relay House, e.g. based on a medical certificate presented by the parents.

Several publicly funded specific support measures are available at the level of public and private mainstream schools, which is compulsory for pupils between 4 and 16 years old. In elementary education, each elementary school must develop, in its school development plan, its own inclusion concept to offer pupils with specific or special educational needs the opportunity to follow classes in regular education. Some 150 teachers are recruited by the Ministry of National Education with a four year mandate, and assigned to schools. They intervene by providing support for pupils with special or specific educational needs and assist them in the classroom. They further consult with the class teachers and the pedagogical team, meet with parents, and the inclusion committee at regional level. In secondary education, like in elementary schools, high schools define their inclusion approach for their students in their school development plan. In addition, in every high school, an *inclusion commission* defines and supervises the education of students with special or specific educational needs¹². It advises on appropriate measures, e.g. more time during tests, use of human or technological support etc., and proposes an individualised education plan if the student is not able to follow the study pace. The commission includes a member of the directorate, the high school psychologist, a social worker, the school doctor, two teachers and a representative of the network of competence centres for specialised psycho-pedagogy.

Additional measures are taken at regional level under the responsibility of the elementary education directorates, which only applies to elementary education (as well as to education and childcare structures). Within the fifteen elementary education directorates¹³, an assistant director is primarily responsible for organising the support team for pupils with specific or individual educational needs (ESEB)¹⁴, as well as for the good functioning of the inclusion commission. The support team advises teachers and can provide ambulatory measures. Under the responsibility of the directors of the directorates the ESEBs establish a first diagnosis together with the teachers and monitors the implementation of specific measures for these pupils, if the monitoring provided by the school is not sufficient. The (regional-level) *inclusion commission* will then define the type of measures that are again implemented by the support team.

The (regional-level) *inclusion commission* exists at the level of each elementary education directorate. They may include representatives of the elementary education directorate, the education and childcare services sector, the ESEB, and the national office for childhood¹⁵ and the Competence Centres for specialised psycho-pedagogy. The mission of these inclusion commissions is to define, either at the parents' request, or at the request of the teacher or a representative of the Relay House specific support measures for pupils. The intervention to support the child is documented in an individualised care plan¹⁶, and is submitted to the parents for approval.

In the event the above measures implemented at the local level (school, high school) and the regional level do not lead to the desired results, it is possible to request the intervention of the national level Competence Centres for specialised psycho-pedagogy, created by the Law of 20 July 2018. This Law defines the missions of eight Competence Centres in different fields of specialization¹⁷, as well as the applicable procedure. It also introduces the Agency for the Transition to

¹²The type of support services is regulated by Law and described below under the eight Competence Centres.

¹³*Directions de l'enseignement fundamental.*

¹⁴In French "équipe de soutien des élèves à besoins éducatifs particuliers ou spécifiques".

¹⁵*Office national de l'enfance.*

¹⁶Plan de prise en charge individualisé.

¹⁷The following Centers are created:

1. Center for the development of language, hearing and communication skills;
2. Center for the development of skills related to sight;
3. Center for Socio-Emotional Development;
4. Center for the Development of Learning;
5. Center for Motor and Body Development;
6. Center for Intellectual Development;
7. Center for the Development of Children and Young People with Autism Spectrum Disorder;
8. Center for monitoring intellectually precocious children and young people.

Independent Living (ATVA)¹⁸, which cooperates with the Competence Centres to facilitate access to vocational training and the job market for young people with specific educational needs. The eight competence centres have numerous joint missions, however some objectives are specific to each one of them and focus on the development of children and young people; information and support of parents; specific measures in schools and high schools; scientific research; and national and international networks. Overall, the Competence Centers cover physical, sensorial, intellectual, learning, psychosocial, and Autism Spectrum Disorder (ASD) disabilities.

Based on a motivated request and a specialised diagnosis, a national inclusion commission (CNI)¹⁹ determines the support measures to be provided by one or more Competence Centres. These specific support measures cannot be implemented without the consent of the parents or the students if they are over 18. They can take the form of a specialised ambulatory intervention, i.e. the student will be followed by the Competence Centre while attending a regular school or high school class. They may also, in some Centres, take the form of specialised full-time schooling in a class of the Centre or of additional schooling to regular education. In both cases, the Competence Centre develops an individualised education plan. For specialised ambulatory intervention, this plan is prepared together with the school or high school of the student. The classes of the competence centres can be located in a school or high school to encourage interaction with other students: they are called cohabitation classes. They provide specialised support measures implemented by trained staff and inclusion in joint activities or lessons. Parents of out-of-school children, for whom there are no local or regional level, can contact the Competence Centres directly.

The CNI includes representatives from the Ministry of National Education, Children and Youth, the Ministry of Health and the Ministry of Family, Integration and the Greater Region (in charge of Disability Policy). It also includes representatives of the National Childhood Office, the Competence Centers, the parents' committee concerned, the Director of the competent Center and the staff of his diagnostic unit, as well as a psychologist, a social worker, a medical specialist in child psychiatry or pediatrics. If the discussion is about a student of basic education, the people involved at the local and regional level will also be invited: the president of the inclusion commission of the region, a member of the support team for pupils with educational needs ESEB), the teacher for pupils with special educational needs (I-EBS) of the school concerned, etc. If it is a secondary school student, it is the president of the high school's Inclusion Committee and a representative of his school psycho-social and school support service (SePAS) who will take part in the deliberations.

Regarding higher education, the number of students with disabilities at Luxembourg University has risen continuously since 2005. In 2015 the new campus called Belval became operational, and hosts a service for students with special needs. This campus was planned and designed under the national Act on accessibility, and an alignment with the universal design principles is still expected. For incoming students fully accessible apartments are offered by the student service (SEVE)²⁰.

Since 23 September 2018, by a dedicated Act under Minister of Family, Integration and the Greater Region, the German sign language is recognised as a fully-fledged language in Luxembourg. According to this law, hearing-impaired people are given the right to use sign language in contact with authorities. Hearing impaired students are given the right to access sign language instruction and to learn sign language. In addition, parents and siblings of hearing-impaired children are given the right to attend free sign language courses. Interpreters in sign language translate spoken language into sign for hearing-impaired clients and the language of spoken language signs for hearing customers. The written interpreter converts the spoken language into a language in writing so that the persons concerned can read at the same time. Written interpreters and sign language interpreters do not advise and explain nothing. They are neutral and subject to confidentiality rules.

¹⁸Agence pour la transition vers une vie autonome.

¹⁹Commission Nationale d'Inclusion.

²⁰Service des Études et de la Vie Étudiante.

Employment Support

In Luxembourg, the Ministry of Labour, Employment and Social and Solidarity Economy (MTEESS) implements the National Action Plan as regards the professional integration and reintegration of persons with a disability. Recruitment of a person with a disability is regulated by the Amended Law of 12 September 2003, which provides for a strong involvement of the National Employment Administration (ADEM) and its Department for Disabled Workers (SSH)²¹. ADEM is the public body of reference in Luxembourg for any employer who wishes to recruit employees with disabilities. The ADEM's Department for Disabled Workers is in charge of training and placement of persons who are acknowledged as "disabled workers".

To be acknowledged as a "disabled worker", it is up to the person with a disability to launch the recognition process by submitting a request to the ADEM's Medical Commission. The request must provide information about the applicant's professional situation and qualifications, as well as their reduced work capacity and general health. The ADEM's Medical Commission determines the percentage rate of the reduced work capacity. There is no waiting list per se, but the process can take several months. The rate is assessed in comparison to a person without disabilities of the same age. So it is the ADEM's responsibility to decide whether or not to grant the recognition of the status. This service is provided at national level as is free of any charges for users.

The Labour Code qualifies as a "disabled employee" any person who has at least 30% decreased work ability, incurred following specific conditions, e.g. a work accident at a company legally established in Luxembourg. The Occupational Counselling and Redeployment Panel (COR)²² then makes a substantiated decision on whether to guide the worker with disabilities into the mainstream labour market or into a sheltered workshop. Lastly, based on the COR's proposal, the ADEM decides what action must be taken for the professional integration or reintegration of the candidate who has been guided into the mainstream labour market. Recognised "disabled workers" are automatically registered with the ADEM if they have no employment.

Recruitment of a person with a disability is regulated by the Amended Law of 12 September 2003, which has a provision setting up "quotas". Whereas the public sector²³ must comply with the obligation to employ full-time employees who have been recognised as having a disability at a rate of 5% of their total staff, for private employers the rate is linked to the size of their organization: at least one worker with disabilities for employer with 25 to 50 employees; 2% of the total staff with 50 to 300 employees, and 4% with over 300 employees. Private sector employers with less than 25 employees are not affected by these quotas. The actual recruitment is coordinated by ADEM, based on positions opened by employers. In addition, a certain number of services are provided in order to facilitate the integration of a disabled worker in her/his work place, such as awareness-raising and training to employers, as well as making the necessary accommodations.

Furthermore, throughout the country there were at the time of drafting this factsheet in the end of 2019 some 27 sheltered workshops²⁴, also called Inclusion Workshops²⁵, employing persons with disabilities. In 2018, there were also 18 therapeutical workshops²⁶ in operation. These workshops are enterprises with a social and economic mission, accredited²⁷ by the Ministry for Family, Integration and the Greater Region, and enable workers with disabilities and mental health issues to carry out paid employment in conditions that are adapted to their skills, and provide professional inclusion measures as well as support and supervision. These are generally Cooperative Companies²⁸ (therefore commercial), some of which have the Societal Impact Society label²⁹. From a legal point of view, the task is to prepare people for the open labour market, but there is indication, albeit no official data was found on transition rates, that this rarely happens successfully.

²¹Service des Salariés Handicapés.

²²Commission d'orientation et de reclassement professionnel.

²³State institutions, the communes, all public establishments and the Luxembourg National Railway Company CFL.

²⁴atelier protégé.

²⁵atelier de l'inclusion.

²⁶ateliers de travail thérapeutiques et protégés.

²⁷conventionné.

²⁸Sociétés Coopératives.

²⁹Société d'Impact Sociétal (SIS).

Also, trade unions can be a reference for employers who wish to integrate a disabled worker. The Confederation of Independent Trade Unions of Luxembourg (OGB-L)³⁰ has a disabled workers department to represent the trade union, political, and social demands of workers with disabilities. Also, the Luxembourg Confederation of Christian Trade Unions (LCGB)³¹ commits to reinforcing the integration of persons with disabilities in the corporate world and to encouraging companies to accomplish a real integration of disabled workers.

Finally, wishing to improve and diversify the tools for the professional integration of disabled workers, the Luxembourg Government together with its institutional and civil partners has taken additional measures such as the following:

- “Job Coaching” is intensive and individualised support provided to guide a person towards and during their employment. It focuses on the person’s empowerment and accountability. It is centred on developing and expressing the worker’s personal strengths in adequation with the company’s needs. A “Job Coaching” programme consists in a series of steps to prepare candidates to integrate into their professional environment and to follow them up after their integration. The programme comprises a series of tasks such as the assessment of socio-professional competencies, professional guidance counselling, follow-up in the workplace in both mainstream and sheltered environments, setting up customised training, organising professional integration traineeships, implementing a mentoring programme in the workplace, working in partnership with the competent services and administrations, as well as providing information and raising awareness on disability. Several sheltered workshops provide employment support for their disabled employees. The European Social Fund has supported several specific “Job Coaching” projects in Luxembourg. Specialised private organisations also offer intensive and individualised support programmes for persons with or without disabilities that end when an employment contract is signed. The organisation’s coaches guide candidates in creating their personal projects, developing their objectives and preparing their applications for targeted work positions. They also provide help in preparing for job interviews.
- “Job Carving” is used for people with different kind of disabilities prior to integrating in a public or private work place, including mainstream companies, who need specific support due to their conditions. It includes analysing the functions and tasks of a specific work position to identify the tasks that could be assigned to an employee with reduced capacities, which helps in defining an adequate vacant position. The point is not to create jobs that devalue people with disabilities by separating them physically from other workers or by making them carry out tasks that are considered inconvenient, dangerous, or unpleasant for example, but to enable the realisation of tasks that match the person’s competence, while unburdening them from tasks that are understood as inadequate. Job carving is the responsibility of ADEM, and therefore of the State. Certain associations, such as ADAPTH asbl, provide technical support, particularly for planning facilities. ADAPTH is funded by MIFA and long-term care insurance. Adaptations of workstations can be financed by ADEM.

Day Care

In Luxembourg, a variety of day care services for persons with disability are provided at national level by a number of accredited non-for-profit organisations. The latter are financially supported by the Ministry of Family, Integration and the Greater Region, and governed by the Accreditation Act of 23 April 2004³². They specifically include housing services of the Luxembourg League for the Relief of Children, Adolescents and Adults mentally or cerebrally disabled (APEMH foundation)³³, Autisme Luxembourg asbl, Kräizbiërg foundation, Multiple sclerosis foundation³⁴, Ligue HMC³⁵ asbl, Tricentenaire asbl, and Elisabeth asbl.

For example, the APEMH foundation allows nation-wide persons with intellectual disability to stay in the family sphere, while ensuring specific day care services. For families, it is an alternative to placement in long-term institutional care. The

³⁰Onofhängege Gewerkschaftsbond Lëtzebuerg.

³¹Lëtzebuërger Chrëschtliche Gewerkschaftsbond.

³² Texte coordonné du 4 mars 2009 du règlement grand-ducal modifié du 23 avril 2004 concernant l’agrément gouvernemental.

³³ Association des Parents d’Enfants Mentalement Handicapés – Hébergement et Services asbl.

³⁴ Fondation Sclérose en Plaques.

³⁵ Mentalement et Cérébralement Handicapé.

association encourages the involvement or even the participation of parents in caring for their child. Daily care services include activities such as sport, drawing, handcrafting gardening, carpentry, and also opportunities for exchanges with professionals and other parents.

Also, the Kräizbiërg Foundation, established in 2009, provides care services to multi-handicapped persons who are beneficiaries of the funding scheme called Dependency Insurance³⁶ (details below, under Living Support) and cannot engage in a professional activity, or who do not have the status of disabled employee. In small groups, participating persons with disabilities are encouraged to participate in motor, cognitive, playful and social activities to stimulate their awakening, abilities and aptitude. Hygiene activities are also covered. The supervising staff is qualified and specialized in the socio-educational and care fields. Therapeutic services are further provided by a team composed of occupational therapist, (neuro-)psychologist, physiotherapist, speech therapist and medical consultants. Similar services are provided by Elisabeth asbl.

The funding scheme is the ASP (same as for the Elisabeth Group with regard to accommodation and day care). Other services are also funded by the MIFA in the form of a “classic” agreement (deficit coverage³⁷): vocational training service, consulting services. The physiotherapy service is financed by fees reimbursed by the National Health Fund.

Living Support

In Luxembourg, the National Action Plan 2012 to implement the UN CRPD calls for a more flexible system of care and help to enable independent living of more persons with disabilities, and the Luxembourgish Ministry of Family, Integration and the Greater Region provides a range of independent living services for persons with disabilities. Also, some big accredited institutions and association such as APEMH, Elisabeth asbl, LIGUE HMC, and 'Nëmme Mat Eis' have, however, started to broaden their structures and services with relatively small housing units for independent living of persons with disabilities (generally eight to ten residents per unit)³⁸. The funding scheme is also ASP.

For example, the semi-autonomous housing provided nation-wide by the APEMH association offers adults with intellectual disabilities a form of housing where the roommates benefit from personalised and flexible support that allows them to establish and carry out their individual life project. As part of community houses, each roommate has a private space (room), the other rooms (kitchen, living room, bathroom) are shared spaces. The houses usually accommodate four adult roommates. The roommates sign a contract with APEMH and participate in rent and support costs (following the ASP scheme). A flexible support by a multidisciplinary team is offered, which is adapted to the individual needs of each person. For some people, this type of housing is an intermediate step before installation in an individual home. For others, it's a permanent solution. Most institutions offer a home services or visits³⁹. The self-advocacy group 'Nëmme Mat Eis' may play a crucial role here to advance independent living for persons with disabilities in Luxembourg. In the context of psychiatric disorder, the extramural service 'Liewen Dobaussen' offers community-based living structures ranging from assisted small group-units to individual flats.

Independent living for persons with disabilities remains, however, quite a marginal phenomenon in Luxembourg, in spite of significant public measures such as the national compulsory Dependency Insurance (introduced in 1998)⁴⁰, the basic guaranteed income (RMG) for working persons with disabilities, and the basic guaranteed income for persons with disabilities unable to work (RPGH)⁴¹. The national Dependency Insurance, however, ensures also the financing of assistive equipment, home adaptations, and home care for people with disabilities. The Dependency Insurance provides financial assistance to dependent people with disabilities to perform activities of everyday life like hygiene, eating, and mobility. The goal is to enable people with disabilities to live or continue living in their own homes. After examination and assessment

³⁷Assurance-dépendance.

³⁷Couverture du déficit.

³⁸Logement partagé offert par des foyers d'hébergement.

³⁹Services d'assistance à domicile.

⁴⁰is the national insurance fund under the umbrella of the national social security system.

⁴¹Revenu pour personne gravement handicapée.

of individual cases by the Dependency Insurance, a certain number of hours of support is allocated in form of professional services, or cash benefit if the assistance is provided by a family member or other private person. Most of the equipment, e.g. wheelchair, and technical supports financed by the national association of supportive technologies for persons with disabilities (ADAPTH)⁴². There are also particular benefits and financial support measures for blind and deaf persons. Physically handicapped persons can apply for allowances if they need reasonable accommodations at home.

The professional service providers are mainly foundations and non-profit associations (such as Hellef Doheem and Help) and a few commercial companies. They must have a ministerial approval as provided for by the law and adhere, by the signing of an aid and care contract, to the framework agreement concluded between the national health fund and the COPAS federation of provider organizations⁴³.

There are further specific mobility solutions for disabled pupils⁴⁴, persons with mobility impairments⁴⁵, for wheelchair users (“Adapto”), a taxi bus for travelling in the Grand Duchy for people with reduced mobility, and a countrywide special service of transportation for children with disabilities⁴⁶.

Long-term Institutional Care and Respite Care

In Luxembourg, there are no obligations for people with disabilities to live in a particular living arrangement. However, in exceptional cases, involuntary placement and forced admission of persons with mental disorders to long-term institutional care centers (non-for-profit associations and foundations) may be imposed by court order together with a determination about the placement in situations of ‘imminent danger’ (without her/his consent). This applies in particular when psychiatric disorders with a significant risk of self-endangerment or to harm others, a confirmed mental health problem, or risk of child abuse have been identified.

Based on accreditations and financial support provided by the Ministry for Family, Integration and the Greater Region, and governed by the Accreditations Act of 23 April 2004, some long-term institutional care services are provided by non-for-profit organisations mentioned above (under Living Support), such as specifically the semi-autonomous houses and related care services as explained above. For example, the housing structure for people with disabilities called Brill Foyer was established in 1982. It is the most recent building of the Kräizbiërg Foundation, in collaboration with the public Housing Fund⁴⁷.

Regarding respite care, in Luxembourg when a person with disability is recognized as dependent by the CNS (in the sense of the dependency insurance), some specialized intermittent facilities⁴⁸ (for details, please see above under “Living Support”) are made available upon request for temporary stays based on decision by the Administration of evaluation and control of the insurance dependency (AEC).

Leisure and Social-Life Support

In Luxembourg, leisure and Social-Life Support for persons with disabilities covers several areas. For example, the non-for-profit association Tricentenaire asbl provides 321 Vakanz, a specialized holiday and leisure service for people with “all” kinds of disabilities and / or reduced mobility. Created in 2009, the 321 Vakanz service targets people with disabilities by providing them with travel packages, excursions and other services to promote their well-being and access to cultural and leisure venues. Contributors are mostly volunteers, supervised by professionals. The stay fees are the responsibility of the participants, including the costs of accompanying volunteers.

⁴²Association pour le développement et la propagation des aides techniques pour personnes handicapées.

⁴³Fédération des organismes prestataires d’aides et de soins (COPAS) asbl.

⁴⁴Service de transport des enfants de l’éducation différenciée.

⁴⁵Services occasionnels spécifiques de transports de personnes, adaptés aux personnes à mobilité réduite.

⁴⁶spezialisierter Transport - transport spécialisé.

⁴⁷Fonds du Logement.

⁴⁸Établissements de Séjour Intermittent (ESI) essentiellement actifs dans le secteur du handicap.

There are also specific laws and regulations on public transport for persons with disabilities, and a variety of transport services are provided by the Ministry of Mobility and Public Works⁴⁹. Services currently provided include free bus transportation, accessible tourist buses, transport by train, air transport, transport by boat, organized transport, "door-to-door" transport, all trips to the Grand Duchy of Luxembourg (the "Adapto" mobility service), transport by ambulance and taxi, priority card and disability card, parking card, parking spaces for disabled people, and electric wheelchair. The disability card service is available in three forms called "A", "B", and "C", depending on the degree of disabilities. From 1/1/2020 onwards all public transports in Luxembourg will be available free of any charges.

There are furthermore services that indirectly support leisure and social-life for disabled people, more specifically by enabling access to all public buildings in Luxembourg (covered by the national Accessibility Acts of 2001 and 2008⁵¹), and on-line services for information, ticketing, transportation etc. The 'e-Luxembourg' project launched by the Luxembourg Government concerns specifically e-accessibility and the accessibility of official governmental or municipal websites. The RENOW guidelines on the creation of web sites for the Luxembourg Government⁵¹ assists the Luxembourg Government in web design for all.

FUTURE TRENDS

The program of successive Luxembourgish governments since the Accessibility Act in 2001 has recognised accessibility as a key element in the participation of people with disabilities in social and professional life". Within this context, the legislation on the accessibility of public places dating back to 2001 is being revised to further develop accessibility in places open to the public, in the field of public transport, in the field of leisure, as well as in communication (electronic, print and television formats). Furthermore, "Design for all" is a strategy that aims to create accessible environments and products that can be used by everyone regardless of age, size or ability and therefore also by people with disabilities.

Regarding education in Luxembourg, the boundaries between special and inclusive education are shifting, and several new trends facilitating inclusive schooling may be identified such as the extension of teacher education to embrace inclusion-oriented aspects (e.g. pedagogy of diversity), specialised teams that provide ambulatory support services in general schools to enable pupils with specific educational needs to remain in general schools and classrooms while receiving the supports and services they need, and flexible solutions to individualize learning progress and broaden its measurement.

CONDUCTED INTERVIEWS

- Olivier Grüneisen, Director, National Disability Information Centre ("Info-Handicap").
- Joël Delvaux, Counselor, Services for Persons with Disabilities at OGBL (the largest Trade Union in Luxembourg).
- Michel Colin, General Secretary, FEDAS Luxembourg (umbrella organization that joins service providers for different types of disability in Luxembourg).

⁴⁹Ministère de la Mobilité et des Travaux Publics..

⁵⁰Règlement Grand-Ducal sur l'accessibilité des lieux ouverts au public.

⁵¹Référentiel de normalisation web des sites gouvernementaux luxembourgeois.

DATA SOURCES

- Labour Act (Code du travail)
http://www.legilux.public.lu/leg/textescoordonnes/codes/code_travail/Code_du_Travail.pdf
- Amended Law of 12 September 2003 on Disabled Persons and its Implementing Regulation of 7 October 2004
Loi du 12 septembre 2003 relative aux personnes handicapées; Règlement Grand-Ducal du 28 octobre 2013 portant modification du règlement grand-ducal du 7 octobre 2004 portant exécution de la loi modifiée du 12 septembre 2003 relative aux personnes handicapées ; Loi du 11 août 1982 portant réforme du droit des incapables majeurs ; Loi du 28 juillet 2011 portant
1. approbation de la Convention relative aux droits des personnes handicapées, faite à New York, le 13 décembre 2006
2. approbation du Protocole facultatif à la Convention relative aux droits des personnes handicapées relatif au Comité des droits des personnes handicapées, fait à New York, le 13 décembre 2006
3. désignation des mécanismes indépendants de promotion, de protection et de suivi de l'application de la Convention relative aux droits des personnes handicapées.)
- Ministry for Family and Integration and the Greater Region (Ministère de la Famille et de l'intégration now Ministère de la Famille, de l'Intégration et de la Grande Région)
<https://mfamigr.gouvernement.lu/fr.html>
- The Luxembourg Consulting Commission on Human Rights (Commission consultative des Droits de l'Homme du Grand-Duché de Luxembourg) – CCDH
<https://ccdh.public.lu/fr.html>
- The National Centre for Equal Treatment (Centre pour l'égalité de traitement – CET)
<http://cet.lu/en/>
- (Handi) Cap Emploi
https://imslux.lu/fra/nos-activites/pole-de-specialites/9_handi-cap-emploi
- National Employment Agency ADEM (Agence pour le développement de l'emploi)
<https://adem.public.lu/en/marche-emploi-luxembourg/acteurs/adem.html>
- Info-Handicap (Luxembourg's National Disability Information Centre)
<http://www.info-handicap.lu>
- The Confederation of Independent Trade Unions of Luxembourg (Onofhängege Gewerkschaftsbond Lëtzebuerg – OGB-L)
<http://www.ogbl.lu>
- The Luxembourg Confederation of Christian Trade Unions (Lëtzebuenger Chrëschtliche Gewerkschaftsbond – LCGB)
<https://lcgb.lu>
- The Dependency Insurance Act (Assurance-dépendance)
<https://www.secu.lu/assurance-dependance/livre-v>
- Administration in charge of the Dependency Insurance Act (Administration d'évaluation et de contrôle – AEC)
<https://aec.gouvernement.lu/fr.html>
- The national association of supportive technologies for persons with disabilities (Association pour le développement et la propagation des aides techniques pour personnes handicapées – ADAPTH)
<http://www.adapth.lu/j3/>
- Schrëtt fir Schrëtt asbl
<http://www.schrett-fir-schrett.lu>
- Sipo asbl (suivi pédagogique et thérapeutique du jeune enfant et de sa famille)
<http://www.sipo.lu>
- Act on Higher Education at Luxembourg University
<http://legilux.public.lu/eli/etat/leg/loi/2018/06/27/a587/jo>
- University of Luxembourg (Loi du 12 août 2003)
<http://eli.legilux.public.lu/eli/etat/leg/loi/2003/08/12/n17>
- University of Luxembourg (overview)
http://wwwfr.uni.lu/universite/documents_officiels

- University of Luxembourg (new campus)
http://wwwfr.uni.lu/universite/belval_nous_voici
- Draft law on Higher Education at Luxembourg University
http://leopold-loewenheim.uni.lu/wwwAPUL/documents/projet7132_1.pdf
- Law of 20 July 2018 on the creation of competence centres for specialised psycho-pedagogy to favour school inclusion (loi du 20 juillet 2018 portant création de Centres de compétences en psychopédagogie spécialisée en faveur de l'inclusion scolaire)
<http://legilux.public.lu/eli/etat/leg/loi/2018/07/20/a664/jo>
- National inclusion commission (Commission Nationale d'Inclusion – CNI)
https://guichet.public.lu/en/organismes/organismes_citoyens/ministere-education-nationale/commission-nationale-inclusion.html
- Agency for the Transition to Independent Living (Agence pour la transition vers une vie autonome – ATVA)
<http://www.men.public.lu/fr/themes-transversaux/elevs-besoins-specifiques/03-11-niveau-national-centres/09-atva/index.html>
- Ministry of Labour, Employment and Social and Solidarity Economy (Ministère du Travail, de l'Emploi et de l'Économie sociale et solidaire – MTEESS)
<https://mteess.gouvernement.lu/en.html>
- Accreditation Act of 23 April 2004 (Texte coordonné du 4 mars 2009 du règlement grand-ducal modifié du 23 avril 2004 concernant l'agrément gouvernemental)
<http://legilux.public.lu/eli/etat/leg/tc/2009/04/10/n1/jo>
- APEMH <http://www.apemh.lu/>
- Kräizbiërg Fondation <http://www.kraizbiërg.lu/>
- Elisabeth asbl <https://www.elisabeth.lu/>
- National Service for Persons with Disabilities
<http://www.info-handicap.lu/index.php/de-DE/dokumente/test/537-top-thema-logement>
- Self-help group Nëmme mat eis
<http://www.nemmemateis.lu/online/www/func/news/DEU/index.html>
- Self-help group open psychiatry
<http://www.liewen-dobaussen.lu/de/leben-bei-liewen-dobaussen.html>
- Annual reports of the National Psychiatry
http://www.chnp.lu/fr/corporate/documentation/rapport_annuel
- Annual reports of the Ministry of Family, Integration and the Greater Region
<http://www.mfi.public.lu/publications/index.html>
- Ministry of Mobility and Public Works (Ministère de la Mobilité et des Travaux Publics).
<https://mmtp.gouvernement.lu/en/le-ministere.html>
- Adapto mobility service
<http://www.adapto.lu/>
- The Praeger International Handbook of Special Education [3 volumes] by Michael L. Wehmeyer, James R. Patton, Michael L. Wehmeyer, James R. Patton; Volume 2 – Europe - Chapter 21: Grand Duchy of Luxembourg by Powell, J W Justin, Arthur Limbach-Reich, Michelle Brendel, 2017, pp. 296-309. Available at <http://hdl.handle.net/10993/27436>.
- Disability assessment – country report Luxembourg – DOTCOM: the Disability Online Tool of the Commission by Arthur Limbach-Reich, published by the Academic Network of European Disability Experts (ANED), 2019.
<https://www.disability-europe.net/dotcom>



This fact sheet is prepared as part of the EASPD “Reaching Out” Work Programme 2019.
With the financial support of the European Union Programme for Employment and Social Innovation
“EaSI” (2014-2020).

The information contained in this publication does not necessarily reflect the official position of the European Commission.

Copyright © EASPD 2019. All rights reserved. No part of this publication may be reproduced, stored in or introduced into a retrieval system without the prior permission of the copyright owners.