



COVID-19 and people with disabilities

Assessing the impact of the crisis and informing disability-inclusive next steps

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1 Executive summary

Disability inclusivity of disaster and recovery planning

Luxembourg is a Member State of the EUR-OPA Major Hazards Agreement. Including people with disabilities in disaster preparedness and Guidelines for Assisting People with Disabilities during Emergencies, Crises and Disasters have been adopted by the National Security Administration in 2014. In relation to Article 11 of the CRPD, already the first national action plan called for the development of a concept for evacuation of persons with disabilities in case of emergency in cooperation with public emergency services and fire brigades.¹ This was considered in the context of general accessibility issues of persons with disabilities to public buildings. The first periodic national report on implementing the CRPD mentions the need to protect disaster-affected populations and to ensure their safety and dignity. The second action plan mentions that the State ensures that emergency information, including communications and public announcements in situations of natural disasters, are made available to the public through audio-visual media, and is provided in a manner accessible to persons with disabilities. The government also designates an online contact point for any questions or complaints regarding accessibility. However, on the other hand disability experts draw attention to the fact that there is a lack of implementation of accessibility for all, and that the design of emergency or evacuation plans suffer from a lack of knowledge, limited resources, and other priorities. And it seems still very hard to reconcile the right to full inclusion of people with disabilities or reduced mobility with the challenge for evacuation as quickly as possible in case of disasters. The success of emergency plans is considered to be depending on the establishment of a “service chain” based on the idea of avoiding isolated accessibility solutions.

Impact of the virus on mortality among people with disabilities

The available data suggest COVID-19-related excess of mortality, but there are no data to support excess of mortality among people with disabilities.

Outline of key concerns about a disproportionately negative impact of the COVID-19 crisis on people with disabilities

The COVID-19 pandemic is a global pandemic and whenever there is a crisis, the most vulnerable, the disabled, the elderly, the unemployed, are always the ones who struggle the most. During press conferences and hearings, the different types of disabilities were not sufficiently taken into account. People with cognitive disabilities, may have difficulties to understand the complex and complicated vocabulary. Information was not sufficiently provided in simplified language. Conferences lack of subtitles and sign language translations (see Section 6.2 for details).

¹ Ministry of Family Affairs Integration and the Greater Region (2012) First action plan to implement the CRPD in Luxembourg (Aktionsplan der Luxemburger Regierung zur Umsetzung der UNO-Behindertenrechtskonvention) <https://mfamigr.gouvernement.lu/dam-assets/le-ministere/attributions/personnes-handicapées/plan-d-action-du-gouvernement-luxembourgeois-en-faveur-des-personnes-handicapees.pdf>. The First National Action Plan is no longer available at the original Internet address, but it can still be accessed at the following address: <https://vdocuments.mx/aktionsplan-der-luxemburger-regierung-zur-aktionsplan-der-luxemburger-regierung.html>.

The closure of schools was very scary for parents of disabled children, who were wondering what to do. Individual needs of people with disabilities and their families were not always respected sufficiently. For example, the decision not to open the front door of public buses at bus stops has made it more difficult for people with visual impairments to use bus transport (see Section 12.2 for details).

For people who needed specific therapy or medication from abroad it was not certain that they could still access them during lockdown, as borders were closed (see Sections 10.2 for details).

Examples of good practice

- 1 The ADAPTO-Service: People with disabilities can use the national transport service Adapto, for example, to get to test centres or to a vaccination centre. This service is free of charge, as is all public transport in the country.
- 2 All important information related to COVID-19 pandemic is provided in all national languages as well as in English. In addition, information is provided in simple language.
- 3 People with disabilities are considered particularly vulnerable in terms of vaccination priority and are admitted to a privileged vaccination schedule.
- 4 Info-handicap has compiled a series of video materials by and with people with disabilities that depict and encourage their situation in the age of COVID-19.

Recommendations and opportunities for change

- 1 In particular, as far as border closures are concerned, better agreements need to be made between the countries of the Greater Region so that cross-border forms of education, medical care and employment for people with disabilities that existed before the COVID-19 crisis may continue.
- 2 It is worrying for people in the Greater Region Luxembourg (i.e. neighbouring parts of Belgium, France, and Germany) that different measures are taken in response to statistical data on the development of infections. Whether shops or schools are closed or not cannot be understood from the statistical figures and seems to follow rather national economic considerations. This also affects people with disabilities who, as commuters, have to cross borders every day and expose themselves to a health risk.
- 3 The design of public buildings as barrier-free hardly shows whether and how this accessibility is also guaranteed in the event of an evacuation. The national standards on accessibility ("GUIDE DES NORMES")² contain hardly any significant information on the design of rooms and infrastructures, so that barrier-free evacuation is also possible.

² National Guide to environmental accessibility standards 2000 (Ministre de la Famille, de la Solidarité Sociale et de la Jeunesse, 2000. Guide des normes sur l'accessibilité de l'environnement) <https://sante.public.lu/fr/publications/g/guide-normes-accessibilite-environnement/index.html>.

2 Disability-inclusive disaster and recovery planning

Article 11 – Situations of risk and humanitarian emergencies & Article 4(3) – involvement of persons with disabilities

2.1 Commitments to disability in disaster management and recovery strategies

Luxembourg is a member state of the EUR-OPA Major Hazards Agreement³ – a platform for co-operation in the field of major natural and technological disasters between Europe and the South of the Mediterranean. EUR-OPA was launched in 1987 by the Committee of Ministers of the Council of Europe. The platform provides important resources related to disaster preparedness and response in general. Two documents calling for the inclusion of persons with disabilities in the event of a disaster have been prepared and published with Luxembourg's participation:⁴ Including people with disabilities in disaster preparedness and response and Guidelines for Assisting People with Disabilities during Emergencies, Crises and Disasters. The documents were included by the National Security Administration in 2014.⁵

In relation to Article 11 of the CRPD (States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters), the first national action plan⁶ called for the development of a concept for evacuation of persons with disabilities in case of emergency in cooperation with public emergency services and fire brigades in the context of general accessibility of persons with disabilities to public buildings.⁷ The first periodic national report on implementing the CRPD (2014) did not mention any emergency measure or evacuation question but confirms the general need to protect disaster-affected populations and to ensure their safety and dignity.⁸ The second action plan (2019) mentions that the State will ensure that

³ The European and Mediterranean Major Hazards Agreement (EUR-OPA), created in 1987 is a platform for cooperation between European and Southern Mediterranean countries in the field of major natural and technological disasters: EUR-OPA Major Hazards Agreement platform. <https://www.coe.int/en/web/europarisks/home>.

⁴ Alexander, David & Sagramola, Silvio (2014). *Including people with disabilities in disaster preparedness and response [Associer les personnes handicapées à la préparation et à la réaction aux catastrophes]* <https://edoc.coe.int/en/environment/7168-major-hazards-and-people-with-disabilities.html> and Alexander, David & Sagramola, Silvio (2014). «Guidelines for Assisting People with Disabilities during Emergencies, Crises and Disasters» https://www.coe.int/t/dg4/majorhazards/ressources/Apcat2013/APCAT2013_11_Gudelines_Disability_Alexander_Sagramola_17jan2014_en.pdf.

⁵ Emergency Services Administration Year 2014 (Administration des services de secours Année 2014) <https://112.public.lu/dam-assets/fr/publications/rapports/generaux/activ-2014.pdf>.

⁶ Government of the Grand Duchy of Luxembourg: Action Plan for the implementation of the CRPD of the Government of Luxembourg (Plan d'Action de mise en oeuvre de la Convention des Nations Unies relative aux droits des personnes handicapées 2012-2017) <https://mfamigr.gouvernement.lu/fr/publications/plan-strategie/handi.html>.

⁷ Un concept pour l'évacuation des personnes handicapées dans les bâtiments publics doit être mis au point en collaboration avec la protection civile et les pompiers. https://gouvernement.lu/dam-assets/fr/actualites/articles/2016/06-juin/03-cahen-handicap/Plan-d_Action-FR-new.pdf.

⁸ Government of the Grand Duchy of Luxembourg: First periodic report of the Grand Duchy of Luxembourg on the implementation of the United Nations Convention on the Rights of Persons with Disabilities (2014) First national report to implement the CRPD (Premier rapport périodique du Grand-Duché de Luxembourg de la mise en œuvre de la Convention des Nations Unies relative

emergency information, including communications and public announcements in situations of natural disasters, made available to the public through audio-visual media, is provided in a manner accessible to persons with disabilities. The government will also designate an online contact point for any questions or complaints regarding accessibility.⁹

Concerning COVID-specific disaster management, in August 2020, the Luxembourg government announced its first strategy for managing the pandemic called "Zesumme géint COVID-19".¹⁰ This strategy is based on 5 pillars: information, prevention, support, screening and care of COVID patients. Accordingly, a new COVID-19 crisis unit has been set up within the Ministry of Health. This unit is structured around 7 thematic working groups covering the main areas of action, including the medical and social care group that focuses on people in precarious situations. It can be assumed that people with disabilities may also fall into this category.¹¹

2.2 Involvement of people with disabilities in disaster management and recovery strategies

The organisation chart of the crisis unit of the Ministry of Health published on 28 April 2020 shows the participation of the Ministry of the Family and Integration and the COPAS (Confederation of Aid and Care Providers). COPAS represents in Luxembourg providers who offer aid and care services to elderly, sick, mentally ill or disabled people, whether at home or in institutions.¹²

2.3 Disability impact assessments and research to inform disaster management and recovery planning

Silvio SAGRAMOLA (2013), former Director of the National Disability Information and Meeting Centre in Luxembourg draws attention to the fact that there is a lack of implementation of accessibility for all and the design of emergency or evacuation plans is due to a lack of knowledge, limited resources, and other priorities. And it seems still very hard to reconcile the right to full inclusion of people with disabilities or reduced mobility with the challenge for evacuation in case of disasters. The Luxembourg expert concludes that the success of emergency plans depends on the establishment of a "service chain" based on the idea of avoiding isolated accessibility solutions.¹³

aux droits des personnes handicapées (2014) First national report to implement the CRPD).
<https://mfamigr.gouvernement.lu/dam-assets/publications/rapport/crdph/Rapport-periodique-etatique-CRDPH.pdf>.

⁹ Government of the Grand Duchy of Luxembourg: Action Plan for the implementation of the CRPD of the Government of Luxembourg 2019-2024; second national action plan, (Plan d'action national de mise en oeuvre de la Convention relative aux droits des personnes handicapées 2019-2024).

https://gouvernement.lu/fr/publications.gouv_mfamigr%2Bfr%2Bpublications%2Bplan-strategie%2Bhandicap.html.

¹⁰ <https://sante.public.lu/fr/actualites/2020/08/retrospective-14082020/index.html>.

¹¹ <https://covid19.public.lu/dam-assets/COVID-19/documents/publications/Organigramme-MISA-COVID-19-juillet-0720-v2.pdf>.

¹² <https://gouvernement.lu/dam-assets/documents/actualites/2020/04-avril/28-inventaire-groupes-travail/MS-CC-COVID19-organigramme-Cellule-de-crise.pdf>.

¹³ Sagamola, Silvio: Good will is not enough (2013)
https://www.coe.int/t/dg4/majorhazards/activites/2013/DIDRR/Presentation_Sagramola_22-23oct2013.pdf.

The recent Fire and Rescue Corps of the Grand Duchy of Luxembourg (Corps grand-ducal d'incendie et de secours 2019)¹⁴ did not mention any topic about evacuation and emergency tasks concerning people with disabilities. The Act on the organisation of the fire and rescue corps of Luxembourg in 2018¹⁵ also did not mention particularly items in relation to persons with disabilities. Article 4 of that law summarises the responsibility of the corps in a general manner without any reference to people with disabilities.

The new act on accessibility mentions some items about evacuation and disaster management in the context of persons with disabilities.¹⁶

The Ministry of Health has set up various working groups in the context of the fight against COVID-19. These working groups are composed of experts, academics and industrialists who are interested in the scientific and monitoring aspects.¹⁷ This indicates application of impact assessment techniques and research in relevant areas to inform disaster and recovery planning. In addition, experts in ethics and the mediator of the Grand Duchy of Luxembourg are also members of these working groups. It can be therefore assumed that the situation of persons with disabilities is also considered.

2.4 Use of disaster management and recovery planning funds

The national budget 2020¹⁸ does not show any specific budget item for disaster or risk management for persons with disabilities but within the framework of the fund for social-family investments, infrastructures for the disabled will be financed in the amount of EUR 89.7 million, which may also include measures for disaster prevention and evacuation of persons with disabilities within the framework of accessibility.

In the national budget 2021,¹⁹ to safeguard the purchasing power of low-income households and to combat poverty, measures already in place (in the national budget) allocated to the Ministry for the Family, Integration and the Greater to cover expenditure on the Social Inclusion Income (REVIS) (revenu d'inclusion sociale) have been supplemented by other measures, including the cost-of-living allowance (AVC) (allocation de vie chère), which is not only subject to regular adjustment, but whose maximum amounts planned for 2020 have been doubled for this year in order to mitigate the effect of the COVID-19 crisis. Apart from this exceptional measure for the

¹⁴ Fire and Rescue Service of the Great Duchy of Luxembourg (CORPS GRAND-DUCAL D'INCENDIE ET DE SECOURS) <https://112.public.lu/fr/organisation/administration.html>.

¹⁵ Government of the Grand Duchy of Luxembourg: *Loi du 27 mars 2018 portant organisation de la sécurité civile et création d'un Corps grand-ducal d'incendie et de secours*. <http://legilux.public.lu/eli/etat/leg/loi/2018/03/27/a221/jo>.

¹⁶ Proposed law on the accessibility of public places and buildings (*Projet de loi portant sur l'accessibilité à tous des lieux ouverts au public, des voies publiques et des bâtiments d'habitation collectifs et portant abrogation de la loi du 29 mars 2001 portant sur l'accessibilité des lieux ouverts au public*). [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=97CFE9AF11F2FF7FB306A9D207F6DCA2C25A98C75EDF0AB2D605516584B204C971B87B72440CE9DF1B6F6F638848A15\\$C85A1EAC92BAB660601132E63624EB2F](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=97CFE9AF11F2FF7FB306A9D207F6DCA2C25A98C75EDF0AB2D605516584B204C971B87B72440CE9DF1B6F6F638848A15$C85A1EAC92BAB660601132E63624EB2F).

¹⁷ <https://sante.public.lu/fr/actualites/2020/04/inventaire-groupes-de-travail-covid19/index.html>.

¹⁸ Government of the Grand Duchy of Luxembourg. Ministry of Finance Luxembourg, draft Budget 2020 («De Budget»). <https://budget.public.lu/dam-assets/lb/budget2020/links-dokumenter/budget-2020-volume1.pdf>.

¹⁹ Chambre des Députés | Doc. parl. n°7666 | Session ordinaire 2020-2021 «De Budget» <https://budget.public.lu/dam-assets/lb/budget2021/links-dokumenter/PB2021-version-web.pdf>.

year 2020, the AVC is an important measure which is not only intended to affect households which are beneficiaries of the REVIS or the Income for the Severely Handicapped (RPGH) (personnes gravement handicapées), but also those whose salaries are above the thresholds of the two benefits in question, but which still remain close to them. Expenditure on these benefits is also on the rise and is generally maintained at a high level. The national budget covers as well in the area of disability, the Ministry's national actions plan 2019-2024 to continue to implement the resolutions provided for in the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD).²⁰ This includes the creation of a reference centre for independent living and inclusion of persons with disabilities in society called "Zentrum für alternative Kommunikationsformen".

²⁰ Plan d'action national de mise en oeuvre de la Convention relative aux droits des personnes handicapées 2019-2024
https://gouvernement.lu/fr/publications.gouv_mfamigr%2Bfr%2Bpublications%2Bplan-strategie%2Bhandicap.html.

3 Mortality connected to COVID-19 among people with disabilities

Article 10 – The right to life

3.1 Are official statistics available concerning the overall mortality rate of people with disabilities?

No, most official statistics on COVID-19 refer to the total population and are usually just broken down by gender and age. In 2020 STATEC²¹ reports a total of 4 649 deaths compared to 4 283 in 2019. In the first ten months of 2020, STATEC counted 3 601 deaths from all causes of death. While mortality has tended to decrease in recent years, following the appearance of COVID-19, the number of deaths is higher than that recorded over the same period in 2019 (3 498 deaths). This represents an increase of 2.9 %.²²

There is no special consideration of persons with disabilities in the statistics concerning mortality rate. Exceptionally, due to the COVID-19 pandemic, STATEC reports the number of deaths per day. This cumulated statistic on death between 2018-2020 indicates a slight over-mortality.²³ In the first quarter of 2020, STATEC counted 1 129 deaths from all causes combined. Despite the higher mortality observed during the last two weeks of March 2020, this figure is lower than that recorded over the same periods in 2019 or 2018: 1 160 deaths (-2.7 %) in 2019 and 1 272 deaths in 2018 (-11.2 %). In April 2020, STATEC counted 397 deaths, all causes of death combined, of persons residing in Luxembourg. This figure is higher than that recorded in previous years. The increase in the number of deaths is 21.4 % compared to recent years (327 deaths in 2018 and 2019). A comparable number of deaths (397 deaths) can be traced back to April 1975.²⁴

The average age of people who have died from coronavirus in Luxembourg is 83 years. The average age of people who died in April 2020 (all sexes and causes combined) is 78.6 years, which confirms that the lethality by COVID-19 is higher among people aged 80 years and older.²⁵

Concerning the mortality rate of people with disabilities during COVID-19, it is stated that on 17 March 2020 until 13 January 2021 the average number of deaths by COVID-19 is two persons per week (7-day average). The cumulated number of deaths by COVID-19 is 562 in total.

²¹ STATEC: Luxembourg's National Institute of Statistics and Economic Studies (Institut national de la statistique et des études économiques du Grand-Duché de Luxembourg)

<https://statistiques.public.lu/fr/acteurs/statec/index.html>.

²² STATEC 2020 <https://statistiques.public.lu/catalogue-publications/regards/2020/PDF-19-2020.pdf>.

²³ STATEC 2020 Cumulative deaths per day: years 2018 à 2019 (STATEC 2020 Décès cumulés par jours : année 2018 à 2020)

<https://statistiques.public.lu/fr/actualites/population/population/2020/05/20200506/index.html>.

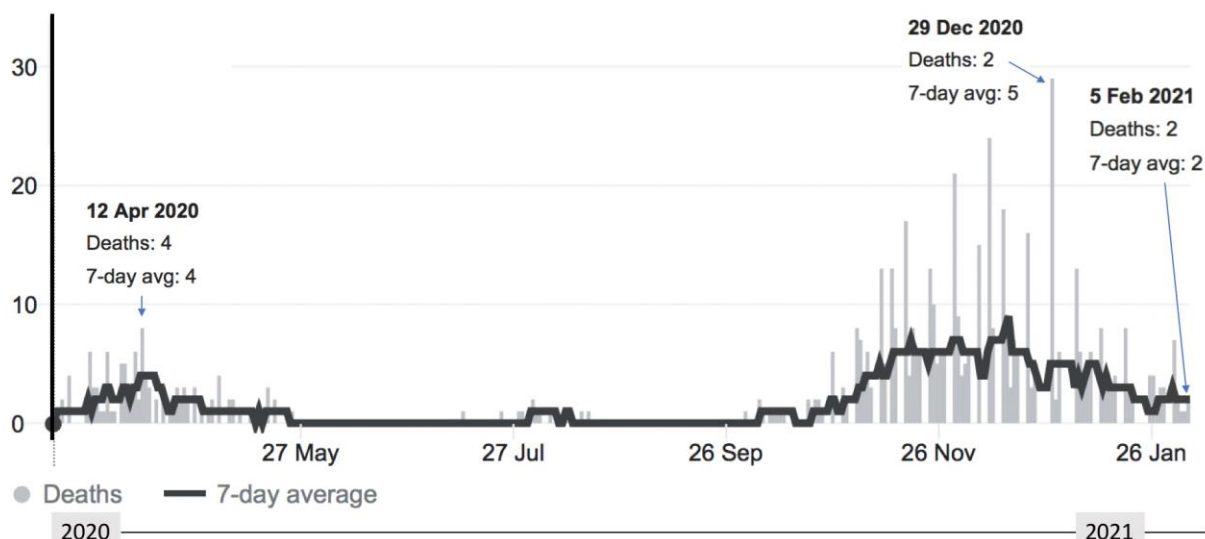
²⁴ STATEC Luxembourg 2020

<https://statistiques.public.lu/fr/actualites/population/population/2020/05/20200506/index.html>.

²⁵ STATEC Luxembourg 2020

<https://statistiques.public.lu/fr/actualites/population/population/2020/05/20200506/index.html>.

Figure 1: Deaths COVID-19 Luxembourg 2020-2021



Source: COVID-19 Data Repository by the Centre for Systems Science and Engineering (CSSE) at Johns Hopkins University.²⁶

The most recent number of deaths is 625 (21 February 2021).²⁷ However, it is not possible to indicate how many of these deaths affected people with disabilities.

Figure 2: Cumulated number of deaths



Source: National coronavirus report 21.01. 2021.²⁸

²⁶ COVID-19 Data https://www.google.com/search?client=safari&rls=en&ei=Es4fYOu-IZPAgwfpzJSACQ&q=COVID-19+Data+Luxembourg&og=COVID-19+Data+Luxembourg&gs_lcp=CgZwc3ktYWIQAzoICCEQFhAdEB46AggAOgUIABCRAjoGCAAQFhAeOgUIABCGA1DC_QFYniADYIqEA2gCcAJ4AYABU4gB0geSAQIxM5gBBaABAaABAqoBB2d3cy13aXgwAQDAAQE&scient=psy-ab&ved=0ahUKEwj6rx1NfuAhUT4OAKHXMSBZAQ4dUDCAw&uact=5 see also: <https://github.com/CSSEGISandData/COVID-19>.

²⁷ Tageblatt <https://www.tageblatt.lu/non-classe/sante-meldet-186-neuinfektionen-am-samstag-ein-weiterer-mensch-stirbt/> 21.02.2021.

²⁸ National coronavirus report 21.01. 2021 <https://download.data.public.lu/resources/COVID-19-rapports-journaliers/20210122-170706/coronavirus-rapport-journalier-22012021.pdf>.

There are no official statistics available concerning data on COVID-19 broken down by people with disabilities.²⁹ This may be because people with disabilities are not well defined across ages and settings in Luxembourg and there are different administrative definitions: for pupils with special educational needs, children with disabilities, employees with disabilities or persons in need of care. The national statistical agency (STATEC) merely emphasizes that the average age of people who died (all sexes combined in April 2020) is 78.6 years. The data confirm that the lethality by COVID-19 is higher among people older than 80 years.³⁰ Recent data from January 2021 published by the Ministry of Health indicate a decrease of the number of new deaths related to COVID-19 from 26 to 19. The average age of the deceased is now 77 years. Most recent data shows: 71 Hospitalisations 57 in normal care and 14 in intensive care (24 January 2020).³¹

3.2 Are official statistics available concerning the mortality rate of people with disabilities who have died from complications connected to COVID-19?

There are no official statistics available concerning data on COVID-19 broken down by people with disabilities.³² The weekly reports on COVID-19 deliver data broken down by age and gender but not by disability or any other health status.³³

The national statistics on death rates for COVID-19 refer only to the general population. The data are not broken down by disability.

The statistics on death rates for COVID-19 refer only to the general population, showing that 68 % died in hospitals and 32 % in domestic or other settings. Persons with disabilities are not specifically identified in the statistics.³⁴

The national statistics on death rates for COVID-19 refer only to the general population. The data is not broken down by disability.

²⁹ Ministry of Health 2020 (Ministère de la Santé) <https://data.public.lu/fr/datasets/COVID-19-rapports-journaliers/>.

³⁰ STATEC report on 12.06.2020: COVID-19 leads to moderate excess mortality in April (Le COVID-19 amène à une surmortalité modérée au mois d'avril). <https://statistiques.public.lu/fr/actualites/population/population/2020/06/20200612/index.html> and [Statec COVID-19 https://statistiques.public.lu/fr/support/recherche/index.php?q=covid&go=OK](https://statistiques.public.lu/fr/support/recherche/index.php?q=covid&go=OK).

³¹ Luxembourg Government <https://covid19.public.lu/en.html>.

³² Ministry of Health (Ministère de la Santé) 2020 daily reports. <https://data.public.lu/fr/datasets/COVID-19-rapports-journaliers/>.

³³ Ministry of Health weekly reports on COVID-19, <https://covid19.public.lu/dam-assets/COVID-19/actualites/2021/01/20-retrospective/coronavirus-rapport-hebdo-20210120.pdf>.

³⁴ Homepage of the Government of Luxembourg "covid19.public.lu" <https://covid19.public.lu/fr/graph.html>.

4 Access to health

[Article 25 – Health](#)

4.1 Emergency measures

Some of the key measures relate to the introduction and implementation of testing to detect the possibility of COVID-19 infection. In Luxembourg the COVID-19 tests are performed by the National laboratory of health³⁵ and are paid from a specific budget of the government.³⁶ In reaction to some allegations³⁷ regarding testing, the government directed that tests are only performed on people who have severe symptoms. The results of the tests are then sent to the doctor “via secure channel”.³⁸ The result is sent to the Health Inspectorate, in application of the law of 1 August 2018 on the compulsory declaration of certain diseases.³⁹ At the patient’s request, the results can also be passed on to their physician. Since 20 March 2020, drive-in testing is done in three areas of the country.^{40 41}

During the first lockdown emerged situations where access to healthcare of people with disabilities and their families were not always respected. For people with disabilities who needed specific therapy or medication from abroad it was not certain that they could still access them, as borders were closed. And, of course, the uncertainty was really difficult for people with disabilities to deal with.⁴²

Luxembourg has undertaken some particular measures in the context of the COVID-19 pandemic which are not exclusively directed to persons with disabilities but concern also people with disabilities.⁴³

On 15 March 2020, nationals and residents living in Luxembourg were strongly advised to stay indoors unless only very necessary. By the Ministerial decree of 16 March 2020, the State narrowed down the movement of citizens to only a few activities like procurement of food, medication and basic necessities, travel to health facilities, travel to the workplace to exercise professional or commercial activity, and assistance and

³⁵ Laboratoire national de santé <https://lns.lu/en/>.

³⁶ Luxembourg Government (Gouvernement Luxembourgeois), Coronavirus: COVID-19 <https://covid19.public.lu/en.html>.

³⁷ Parliamentary question no. 1988 of 10 March 2020 (Question parlementaire urgente no 1988 du 10 mars 2020 concernant le "Coronavirus"), 13 March 2020 [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=1A34B760C9A08B71192A0D3F3BAF89C094C62DD34DD25C7354996B67D2E1A412C12D7378132D5405E51BFE5D23CC6329\\$961BE3E075B634AD10354B16A2563426](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=1A34B760C9A08B71192A0D3F3BAF89C094C62DD34DD25C7354996B67D2E1A412C12D7378132D5405E51BFE5D23CC6329$961BE3E075B634AD10354B16A2563426).

³⁸ Luxembourg Government (Gouvernement Luxembourgeois), Coronavirus: COVID-19.

³⁹ *Law of August 1, 2018 on the mandatory reporting of certain diseases in the context of public health protection* (Loi du 1er août 2018 sur la déclaration obligatoire de certaines maladies dans le cadre de la protection de la santé publique) <http://legilux.public.lu/eli/etat/leg/loi/2018/08/01/a705/jo>.

⁴⁰ Luxembourg, Laboratoires réunis, PCR-Test for 2019-nCoV virus on nasopharyngeal smear, new press release <https://www.labo.lu>.

⁴¹ Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications. Country Report Luxembourg https://fra.europa.eu/sites/default/files/fra_uploads/luxembourg-report-COVID-19-april-2020_en.pdf.

⁴² HANDICAP and COVID (HANDICAP ET COVID) 06.12. 2020 <https://paperjam.lu/article/vivre-avec-handicap-en-periode>.

⁴³ OECD (Organisation de coopération et de développement économiques - OCDE) <http://www.oecd.org/health/>.

care for the elderly, minors, people with disabilities and the vulnerable people. Any cultural, social or sport activities have been cancelled or postponed (Article 2).⁴⁴ On the basis of this act all commercial and artisanal activities have been closed (Article 4). Grocery shops, pharmacies, gas stations, distributors and specialised trade of medical-sanitary equipment, financial and insurance institutions, funeral services remain open (Article 5). These measures of limiting activities also affected people with disabilities, however, no studies could be found that dealt specifically with the extent to which people with disabilities were affected by these activity limitations in enjoying their human rights.⁴⁵

As about two third of health workers in Luxembourg live in border countries (FRA, DEU, BEL), the government offered hotel rooms and childcare facilities near the hospital for health workers.⁴⁶ To increase access to mental health services the Coronavirus mental health website "[covid19-psy.lu](https://www.covid19-psy.lu)" is available in three languages.⁴⁷ The National Disability Information and Meeting Centre a platform for persons with disabilities, "Info Handicap" (Centre National d'Information et de Rencontre du Handicap) delivers Corona pandemic related information in easy language.⁴⁸ The centre for easy language "Klaro" the official office for easy language in Luxembourg, and a service of the APEMH (Association for people with disabilities) provides pictograms and texts in easy language about COVID-19 and related questions.⁴⁹

The Ministry of Interior together with cities and communities organise the distribution of masks to the population.⁵⁰ The Government offered new fixed-term contract to liberal health workers to boost the national health worker reserve.⁵¹

To accelerate research and development activities for vaccines and treatment, the Ministry of the Economy launches a call for projects for start-ups for innovative solutions in the fight against COVID-19.⁵² The Minister of Economy launches new aid linked to the development and production of products in the fight against COVID-19 for an envelope of EUR 30 million on 1 April 2020.⁵³ The COVID-19 task force of the

⁴⁴ Luxembourg, Ministerial Decree of 16 March 2020 on various measures to control the spread of the COVID-19 virus (Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus COVID-19) <http://legilux.public.lu/eli/etat/leg/amin/2020/03/16/a149/jo>.

⁴⁵ Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications. Country Report Luxembourg https://fra.europa.eu/sites/default/files/fra_uploads/luxembourg-report-COVID-19-april-2020_en.pdf.

⁴⁶ Centre Hospitalier de Luxembourg <https://www.chl.lu/fr/mise-a-disposition-de-chambres-hotel-pour-personnel-hospitalier>.

⁴⁷ Coronavirus & Santé Mentale <https://www.covid19-psy.lu> and <https://lequotidien.lu/luxembourg/covid19-psy-lu-desormais-en-trois-langues/>.

⁴⁸ COVID-19 page of Info Handicap: <https://info-handicap.lu/de/covid19/>.

⁴⁹ KLARO <https://klaro.lu/index.php/fr/actuel>.

⁵⁰ SITE CORONAVIRUS (COVID-19) https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/15-distribution-masques.html.

⁵¹ SITE CORONAVIRUS (COVID-19) https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/03-reserve-sanitaire-nationale.html.

⁵² "StartupsVsCovid19" https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/04-appel-startup.html.

⁵³ Government Luxembourg Communiqué 08.04.2020 https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/08-fayot-covid19-aide.html.

Research Luxembourg initiative announces the launch of CON-VINCE, a scientific study aiming to assess the dynamics of the spread of COVID-19 in the Luxembourg population 8 April 2020.⁵⁴

Research Luxembourg has launched a national COVID-19 platform to coordinate research projects and collaborations. The FNR⁵⁵ opens a special fast-track call for proposals to support research efforts.

To improve affordability of diagnostics and treatment for all, Luxembourg⁵⁶ has opened four new centres for advanced healthcare,⁵⁷ free of charge. To protect elderly people the Government has put in place a special leave for family support in order to take care of a disabled adult or a dependent elderly person living in their household.⁵⁸

Since February 2021, people with reduced mobility can use the ADAPTO transport service to get to one of the national test centres. The Ministry of Mobility and Public Works informs that the Adapto service has been providing transport to COVID-19 test centres since 5 February 2021. However, it is essential to make reservations by phone and not via the app or the online platform. This is because the online booking system does not accept loop trips, as the departure and return addresses cannot be identical. For the same reason, this ensures that the same vehicle is used for the outward and return journey and that the user can remain seated in the bus. It is also the only way to ensure that the vehicle is reserved for a single person, which is essential for this type of trip.

To increase access to mental health services a psychological support service is offered 7 days a week, from 7 am to 11 pm. The Government has put in place a platform for telemedicine "econsult.lu" in March 2020 to encourage telemedicine, smarter use of data for surveillance and tracking.⁵⁹

The Luxembourg Government is providing the following vaccination policy: The first people to be vaccinated are health professionals and staff in hospitals, as well as ambulance drivers, staff in residential care facilities for the elderly and in care and support networks, and people living in these facilities. People living in residential facilities for the elderly will be vaccinated on a priority basis, too. Prioritisation of other categories of people will be decided upon at a later stage, depending on the availability

⁵⁴ Government Luxembourg Communiqué 08.04.2020
https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/08-etude-convince.html.

⁵⁵ Luxembourg National Research Fund (Fonds National de Recherche) <https://www.fnr.lu/>.

⁵⁶ Government Luxembourg, Public Health (Gouvernement du Luxembourg, Santé Publique)
<https://sante.public.lu/>.

⁵⁷ Centres de Soins Avancés (CSA) <https://statistiques.public.lu/catalogue-publications/Flash-COVID/2020/01-2020.pdf>.

⁵⁸ Government Luxembourg (Gouvernement du Luxembourg)
https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/03-conge-soutien-familial.html.

⁵⁹ Government Luxembourg National Health insurance (Gouvernement du Luxembourg, Caisse Nationale de Santé (CNS) <https://sante.public.lu/fr/espace-professionnel/recommandations/direction-sante/000-COVID-19/000-COVID-191-annexes/organisation-systeme-sante.pdf> and <https://cns.public.lu/fr/professionnels-sante/teleconsultation.html>.

of additional vaccine doses. The rest of the population will be vaccinated according to the availability of vaccines and the vaccination strategy.^{60 61}

In a communication on 21 January 2021, the National Ethics Commission (C.N.E) (Commission Nationale d'Éthique) published their consolidated opinion on the ethical aspects relating to the prioritisation of persons to be vaccinated against COVID-19.⁶² The C.N.E has specifically approved the government proposal to include some 800 disabled people in Luxembourg *a posteriori* in phase 1 of the vaccination. The C.N.E has further published on 31 March 2020 the essential ethical guidelines for patient referral in a context of limited therapeutic resources due to the COVID-19 pandemic crisis,⁶³ and on 23 July 2020 a position statement of on the vulnerability of certain people caused by the COVID-19 crisis.⁶⁴ None of these include specific recommendations with regard to people with disabilities.

4.2 Access to hospital treatment for COVID-19

Most recently there have been in the week of 11-17 January 2021, 69 hospitalisations in normal care units and 21 hospitalisations in intensive care units due to COVID-19 patients, compared to 76 and 25 respectively in the previous week (Ministry of Family and Integration).^{65 66} Hence, it is always unknown how many people with disabilities are affected in each case.

4.3 Treatment for COVID-19 in congregate settings

Data available by 21.01.2021 shows:⁶⁷

Figure 3: number of care, intensive care and discharged COVID-19 patients

Normal care	Intensive care	Discharge from hospital	Positive test
63	14	10	119

⁶⁰ Luxembourg Government 12.12.2020

https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2020/12-decembre/28-vaccin-covid.html.

⁶¹ Luxembourg Government 22.01.2021 <https://covid19.public.lu/en/vaccination.html>.

⁶² Avis consolidé sur les aspects éthiques relatifs à la priorisation des personnes à vacciner contre la COVID-19 <https://cne.public.lu/dam-assets/fr/publications/avis/Avis-vaccinations-consolidé.pdf>.

⁶³ Repères éthiques essentiels lors de l'orientation des patients dans un contexte de limitation des ressources thérapeutiques disponibles due à la crise pandémique du COVID-19 <https://cne.public.lu/dam-assets/fr/publications/avis/Prise-de-position-COVID-19.pdf>.

⁶⁴ <https://cne.public.lu/dam-assets/fr/publications/avis/Prise-de-position-vulnérabilité.pdf> and in translation English <https://cne.public.lu/dam-assets/fr/publications/avis/Position-statement-vulnerability.pdf>.

⁶⁵ Communication of the Ministry of Family and Integration, section elderly people and people with disabilities (communication du 28 octobre 2020 Secteur "Personnes âgées" et "Handicap", Ministère de la Famille, de l'intégration et à la Grande Région): *Chez les personnes âgées et vulnérables, l'évolution de la maladie est malheureusement souvent plus sévère et le risque de décéder des suites d'une infection est par conséquent aussi plus élevé chez ces personnes qu'auprès du reste de la population* <https://mfamigr.gouvernement.lu/fr/dossiers/faq/fagnew.html>.

⁶⁶ STATEC Le COVID-19 amène à une surmortalité modérée au mois d'avril 12-06-2020 <https://statistiques.public.lu/fr/actualites/population/population/2020/06/20200612/index.html> and [Statec COVID-19; https://statistiques.public.lu/fr/support/recherche/index.php?q=covid&go=OK](https://statistiques.public.lu/fr/support/recherche/index.php?q=covid&go=OK).

⁶⁷ The Luxembourg data platform (La plate-forme de données luxembourgeoise) <https://data.public.lu/en/datasets/donnees-covid19/>.

By 16 February 2021 73 people are in hospital because of severe symptoms, 17 even need intensive care and 267 have been tested positive. Most recent (20 February 2021) data indicate a slight decrease in hospitalisations: 74 people are being treated in hospital (61 in normal care and 13 in intensive care).⁶⁸ The data are not broken down by disability. So, the compilations do not allow any conclusions to be drawn about persons with disabilities.

There have been cases on people with disabilities in long term care homes/institutions who were treated for COVID-19, but did not go to hospital. For example, according to a national press communication on 17 November 2020,⁶⁹ of the 52 retirement and care homes in Luxembourg, 28 were affected by the pandemic with a total of 259 positive cases. To date, 846 COVID-19 infections and 125 deaths have been recorded in institutions for the elderly, according to the Minister of Family, during a news hour devoted to the situation in retirement homes and facilities for people with disabilities. So far, 700 cases have been reported among the staff of these facilities. There are currently 20 infections in facilities for people with disabilities.

4.4 Public health promotion and testing during the pandemic

EUR-OPA Major Hazards Agreement platform of which Luxembourg is a member provides beyond general information also a specific page of resources related to disaster preparedness and response to people with disabilities in the context of the current coronavirus crisis.⁷⁰

The Luxembourg government's corona pandemic website⁷¹ provides information in the three national languages and in English on how to protect from infection and explains all necessary and up-to-date information on the Corona pandemic. The information is written in simplified language with pictures, but not provided in standardised, easy-to-understand language. However, the presented text is quite close to that. The website is declared as partially accessible and compliant with the European Standard EN 301 549 and the RGAA version 4.⁷²

The National Disability Information and Meeting Centre (“Info Handicap”), a platform for persons with disabilities, delivers Corona pandemic related information in easy language.⁷³ The centre for easy language Klaro, the official office for easy language in Luxembourg and a service of the APEMH (Association for people with disabilities),⁷⁴ provides pictograms and texts in easy language about COVID-19 and related questions.⁷⁵ Klaro made also a video in simple language about how to behave in COVID-19 time. The video is in Luxembourgish, the subtitles are in German.⁷⁶ The

⁶⁸ Corona-Ticker Luxemburger Wort <https://www.wort.lu/de/politik/186-neue-positive-corona-tests-5ff484cbde135b92363c488e>.

⁶⁹ <https://5minutes.rtl.lu/actu/luxembourg/a/1615196.html>.

⁷⁰ COVID-19 Page EURO-OPA <https://www.coe.int/en/web/euoparisks/COVID-191>.

⁷¹ Portal of the Government of the Grand Duchy of Luxembourg (2021).

<https://covid19.public.lu/fr.html>.

⁷² Government of the Grand Duchy of Luxembourg

<https://covid19.public.lu/en/support/accessibilite.html>.

⁷³ COVID-19 page of Info Handicap: National Center for Information and Meeting on Disability (Centre National d'Information et de Rencontre du Handicap) <https://info-handicap.lu/de/covid19/>.

⁷⁴ Association des Parents d'Enfants Mentalement Handicapés <https://www.apemh.lu>.

⁷⁵ KLARO Easy Language Office (Bureau langage facile) <https://klaro.lu/index.php/fr/actuel>.

⁷⁶ Link to the Klaro video <https://www.youtube.com/watch?v=hEFgpFhg1VA&feature=youtu.be>.

COVID-19 Taskforce provides the following compilation of data on COVID-19 positive test results in Luxembourg broken down by age but not by disability.⁷⁷

Figure 4: COVID-19 Tests and test-results

group	Age range	Number	Percent	Positive	Percent
0	less than 5	26072	4.55%	7	0.24%
1	5 - 9	31944	5.58%	14	0.47%
2	10 - 14	31696	5.53%	33	1.12%
3	15 - 19	30874	5.39%	81	2.75%
4	20 - 24	34162	5.96%	181	6.14%
5	25 - 29	41337	7.22%	253	8.58%
6	30 - 34	43800	7.65%	277	9.39%
7	35 - 39	42946	7.50%	228	7.73%
8	40 - 44	41896	7.31%	271	9.19%
9	45 - 49	41294	7.21%	299	10.14%
10	50 - 54	42922	7.49%	313	10.61%
11	55 - 59	40396	7.05%	276	9.36%
12	60 - 64	33055	5.77%	169	5.73%
13	65 - 69	26583	4.64%	128	4.34%
14	70 - 74	21775	3.80%	103	3.49%
15	75 - 79	15863	2.77%	60	2.03%
16	80 - 84	12745	2.22%	79	2.68%
17	85 - 89	8249	1.44%	88	2.98%
18	more than	5203	0.91%	89	3.02%
Total		572812	100%	2949	100%

Source: The Luxembourg data platform 2020 (La plate-forme de données luxembourgeoise) <https://data.public.lu/en/datasets/donnees-covid19/>.

4.5 Impact of the COVID-19 crisis on access to health services for general or pre-existing physical or mental health conditions

Even though public transport was temporarily discontinued, the disabled transport service ADAPTO, used also for access to health services, remained in operation.⁷⁸ As access to counselling services and face-to-face contact is hampered by Corona regulations, the government offers an online platform. The website “covid19-psy.lu” is made available in three languages. The National Disability Information and Meeting Centre a platform for persons with disabilities “Info Handicap” delivers Corona pandemic related information in easy language.⁷⁹ The centre for easy language Klaro, the official office for easy language in Luxembourg and a service of the APEMH (Association for people with disabilities), provides pictograms and texts in easy language about COVID-19 and related questions.⁸⁰

⁷⁷ Balling, Rudi & de la Fuente Garcia, Isabel (2020) SARS-CoV-2 Infektionen bei Kindern Luxembourg Center for Systems Biomedicine (LCSB), University of Luxembourg and Kannerklinik, Centre Hospitalier du Luxembourg (CHL) 09.05.2020 <https://men.public.lu/dam-assets/fr/coronavirus/infektionen-kindern.pdf>.

⁷⁸ Government Luxembourg communication on public transport https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/03-mars/13-transport-public.html.

⁷⁹ National Disability Information and Meeting Centre (Service Info-Handicap COVID-19 page of Info Handicap - Centre national d'information et de rencontre du handicap COVID-19) <https://info-handicap.lu/de/covid19/>.

⁸⁰ KLARO <https://klaro.lu/index.php/fr/actuel>.

The Ministry of Interior together with cities and communities organize the distribution of masks to the population.⁸¹ A psychological support service is offered 7 days a week, from 7 am to 11 pm. The Government has put in place a platform for telemedicine "econsult.lu" in March 2020 to encourage telemedicine, smarter use of data for surveillance and tracking.⁸²

4.6 Vaccination programmes

Luxembourg establishes the following priorities for vaccination:⁸³ In phase (1): Health care professionals and staff working in hospitals and residential facilities for the elderly have imperative priority. Similarly, people living in residential facilities for the elderly will be vaccinated as a priority during this first phase. Indeed, age and the presence of co-morbidities are risk factors. In the second phase (2a) of the roll-out of the vaccination campaign, people aged 75 and over, both healthy and vulnerable, will be vaccinated, starting with the oldest people. At the same time (2b), highly vulnerable persons residing in Luxembourg, without any age limit, will also be eligible to be vaccinated. The degree of vulnerability will be ascertained by the attending doctor, who will issue a medical certificate on the basis of certain criteria.

The Superior Council of Infectious Diseases (Conseil supérieur des maladies infectieuses - CSMI)⁸⁴ has provided a definition of persons considered vulnerable: ranging from: "highly vulnerable", "significantly vulnerable", "moderately vulnerable", "may be exposed to increased risk", to "specific categories and general population". These risk assessments are assigned accordingly to vaccination phases. The prioritisation of people with disabilities for COVID-19 vaccination thus depends on the risk of infection to be assigned in each case and on the state of health.⁸⁵

With regard to COVID-19, adults with Down Syndrome are classified as particularly at risk. They can be vaccinated in phase 2b. Any adult with Down Syndrome who does not live in an institution and who wishes to be vaccinated against COVID-19 can contact his or her treating doctor or contact the Centre Hospitalier in Luxembourg (CHL) by email or by telephone to be put on a list for this purpose.⁸⁶

⁸¹ https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/04-avril/15-distribution-masques.html.

⁸² Public Health Luxembourg (Santé Public Luxembourg) <https://sante.public.lu/fr/espace-professionnel/recommandations/direction-sante/000-COVID-19/000-COVID-191-annexes/organisation-systeme-sante.pdf> and <https://cns.public.lu/fr/professionnels-sante/teleconsultation.html>.

⁸³ The degree of prioritisation accorded to persons with disabilities in vaccine roll out programmes. The degree of prioritisation accorded to people living in institutional care settings. Any issues concerning the accessibility of vaccine programmes, including access to promotional or advisory materials, to places where vaccines are being carried out and whether vaccines are being delivered in institutional care settings or people's own homes if they are unable to travel to vaccine centres.

⁸⁴ High Council for Infectious Diseases Vaccination strategy against COVID-19 in Luxembourg - phases 2 and following 27 January 2021 (Avis du Conseil supérieur des maladies infectieuses Stratégie vaccinale contre la COVID-19 au Luxembourg – phases 2 et suivantes 27 janvier 2021) <https://covid19.public.lu/dam-assets/COVID-19/documents/strategie-vaccinale/CSMI-avis-priorisation-vaccin-COVID-19-phases-2-et-suivantes-20210127.pdf>.

⁸⁵ Government of the Grand Duchy of Luxembourg <https://covid19.public.lu/en/vaccination.html>.

⁸⁶ Trisomie 21 Luxembourg <https://www.trisomie21.lu/en/association/blog/vaccine-COVID-19-and-adult-people-downs-syndrome>.

People with severe cognitive impairments (a major neurocognitive deficit / les personnes ayant un déficit neurocognitif majeur) are referred to in the third phase of the vaccination priority.⁸⁷

Residents of nursing homes or other institutions are or have been vaccinated there. During phase 2 Vaccinations are not for other family members.⁸⁸

In Luxembourg, vaccination against the COVID-19 coronavirus was first offered to health professionals, hospital and care facility staff and residents of residential facilities for the elderly, due to the high exposure in the former and high mortality in the latter. Age remains the criterion most significantly associated with mortality and severe forms of COVID-19 infection. In this regard, disability is not mentioned as a criterion to be considered primarily. However, diseases and health conditions that give rise to a preference for vaccination are listed instead: These are in particular persons exposed to an increased risk of a severe progression like people with complicated forms of diabetes or high blood pressure, with cardio-neurovascular repercussions, and people with neuromuscular diseases with clinical repercussions. Finally, there are people whose diabetes or hypertension is well controlled and uncomplicated, as well as people whose BMI is between 30 and 40 kg/m². Persons with disabilities are mentioned as persons with Down Syndrome and as persons with severe intellectual disorders (score MMS° < 20).⁸⁹

From 20 February 2021 on, invitations will be sent out to those covered by phase 2 of the vaccination campaign. Following the decision of the Government Council of 29 January, the people concerned are residents aged 75 and over, starting with the oldest (phase 2a), as well as people who are highly vulnerable due to a pre-existing health condition (phase 2b) including adults with Down Syndrome.⁹⁰

A total of 21 853 people were vaccinated (dose 1) and 708 people were fully vaccinated (dose 2) as of 18 February 2021. The total number of vaccine doses administered is 28 933.⁹¹ However, it is not possible to indicate how many of these people vaccinated are people with disabilities.

The Ministry of Health announced that vaccination with AstraZeneca vaccine batch number ABV5300 has been provisionally ceased on 12 March 2021, following the Austrian agency, on the occurrence of serious adverse events after the administration

⁸⁷ High Council for Infectious Diseases Vaccination strategy against COVID-19 in Luxembourg - phases 2 and following 27 January 2021 (Avis du Conseil supérieur des maladies infectieuses Stratégie vaccinale contre la COVID-19 au Luxembourg – phases 2 et suivantes 27 janvier 2021) <https://covid19.public.lu/dam-assets/COVID-19/documents/strategie-vaccinale/CSMI-avis-priorisation-vaccin-COVID-19-phases-2-et-suites-20210127.pdf>.

⁸⁸ Government of the Grand Duchy of Luxembourg <https://covid19.public.lu/en/vaccination.html>.

⁸⁹ High Council for Infectious Diseases Vaccination strategy against COVID-19 in Luxembourg - phases 2 and following 27 January 2021 (Avis du Conseil supérieur des maladies infectieuses Stratégie vaccinale contre la COVID-19 au Luxembourg – phases 2 et suivantes 27 janvier 2021) <https://covid19.public.lu/dam-assets/COVID-19/documents/strategie-vaccinale/CSMI-avis-priorisation-vaccin-COVID-19-phases-2-et-suites-20210127.pdf>.

⁹⁰ Government of the Grand Duchy of Luxembourg: Launch of the 2nd phase of the COVID-19 vaccination campaign <https://covid19.public.lu/lb.html>.

⁹¹ Corona Report of the Government of the Grand Duchy of Luxembourg <https://download.data.public.lu/resources/COVID-19-rapports-journaliers/20210219-171933/coronavirus-rapport-journalier-19022021.pdf>.

of doses from the same batch of COVID-19 AstraZeneca vaccine.⁹² Due to the restricted age release of this vaccine, it may be assumed for Luxembourg as well that younger people with disabilities in particular have been vaccinated with AstraZeneca vaccine.

⁹² Luxembourg Government COVID-19 News <https://covid19.public.lu/en/news-covid19/communiques/2021/03/12-clarification-msan-astrazeneca.html>.

5 Income and access to food and essential items

[Article 28 – Adequate standard of living and social protection](#)

5.1 Emergency measures

No data could be found to support a limitation of food availability or a substantial reduction in the standard of living of persons with disabilities.

5.2 Impact of the COVID-19 crisis

People with disabilities have not been disproportionately impacted by COVID-19 pandemic effects on income and poverty or access to food comparable to the general population. Statec enhances that by cross-checking various data sources, it is possible to estimate a drop in activity of around 25 % in connection with the COVID-19 epidemic at the height of the containment. This impact would be lower than in neighbouring countries, due in particular to the importance of the financial sector in Luxembourg's economic structure. Statec summarises that with the pandemic job insecurity emerges and affects a quarter of the resident population in Luxembourg and it concerns employed as well as unemployed people. COVID-19 made things worse: the decrease in people's income and ability to save money, and the decline in mental and physical health that took place since the beginning of the pandemic increased the probability of job insecurity.⁹³ But also this survey does not take into account the situation of people with disabilities.

⁹³ STATEC "Regards", issue 06, June 2020 <https://statistiques.public.lu/catalogue-publications/regards/2020/PDF-06-2020.pdf>.

6 Access to transportation and the public spaces

Article 9 – Accessibility

6.1 Emergency measures

During the lockdown in spring 2020, special transport to centres of competences for students with special needs was mostly cancelled. Also, some sheltered workshops had been locked down and so transportation was cancelled. Transport to workshops that remained open and the centres for professional training (CPP) and Alzheimer Luxembourg were maintained. The Adapto transports also function normally.⁹⁴

In particular, the Adapto service started driving to the national COVID-19 test centres in February 2021. For this, simply a reservation by telephone is necessary to ensure that the same vehicle is used for the outward and return journey and that the user can remain seated in the bus. It is also the only way to ensure that the vehicle is reserved for a single person, which is essential for this type of trip.⁹⁵

As the COVID-19 pandemic evolved, wearing a mask became compulsory in public transport with the exception of the driver if a distance of two metres can be respected, or if a partition separates him from the passengers. The front door of the bus remains closed. Travellers are requested to get on and off the bus by using the back doors. The first row of seats must remain unoccupied as far as possible. The bus-driver does not sell tickets (public transportation in Luxembourg are free of charge). Travellers are requested to keep a distance between each other. Every user of public transport is obliged to comply with these measures and no exceptions for persons with disabilities were indicated in the information circular provided by the 'Mobilitéés Zentral'.⁹⁶ But at the national COVID-19 home-page it is explicitly stated that disabled persons or persons with a medical condition who have a medical certificate, as well as children under age 6 are not required to wear a mask or maintain a physical distance.⁹⁷

6.2 Impact of the COVID-19 crisis

During the period of school shutdowns, special transport for pupils with special needs and transport of people with disabilities to some sheltered workshops was cancelled.⁹⁸ Therefore, many people with disabilities had to stay at home or in their residential facilities.⁹⁹ Compliance with the Corona-related regulations made it difficult for persons with disabilities to use public transport. As the COVID-19 pandemic evolved, wearing

⁹⁴ Government Luxembourg
https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/03-mars/13-transport-public.html.

⁹⁵ Info-Handicap Newsflash No. 6/12.2.2021 <https://info-handicap.lu/de/newsflash-de/>.

⁹⁶ Public transport Luxembourg-COVID-19: changes and measures in public and special transport). (Transport public Luxembourg - COVID-19: Modifications et mesures prises dans les transports publics et spécifiques) <https://www.mobiliteit.lu/fr/coronavirus-fr/>.

⁹⁷ <https://covid19.public.lu/fr/mesures-sanitaires-en-vigueur/rassemblements.html>.

⁹⁸ Government Luxembourg public and special transport (Gouvernement Luxembourg transports publics et spécifiques)
https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/03-mars/13-transport-public.html.

⁹⁹ Lamberty, J. (2020) Corona: Neuland für Behindertenbetreuung
<https://www.wort.lu/de/lokales/corona-neuland-fuer-behindertenbetreuung-5e79d78ada2cc1784e359bb4>.

a mask became compulsory in public transport with the exception of the driver if a distance of two metres can be respected, or if a partition separates him from the passengers. The front door of the bus remains closed. Travellers are requested to get on and off the bus by using the back doors. The first row of seats must remain unoccupied as far as possible. The bus-driver does not sell tickets. Travellers are requested to keep a distance between each other. Every user of public transport is obliged to comply with these measures and no exceptions for persons with disabilities were indicated in the information circular.¹⁰⁰ For people with cognitive impairments, these provisions seem to be difficult to understand. Asking bus drivers for help to get on the bus for people with mobility impairments also became almost impossible. However, disabled persons or persons with a medical condition who have a medical certificate as well as children under age 6 are not required to wear a mask or maintain a physical distance.¹⁰¹

¹⁰⁰ Public transport Luxembourg-COVID-19: changes and measures in public and special transport (Gouvernement Luxembourg transports publics et spécifiques - COVID-19: Modifications et mesures prises dans les transports publics et spécifiques) <https://www.mobiliteit.lu/fr/coronavirus-fr/>.

¹⁰¹ Government Luxembourg <https://covid19.public.lu/fr/mesures-sanitaires-en-vigueur/rassemblements.html> and <https://sante.public.lu/fr/actualites/2020/06/lois-covid19/index.html>.

7 Involuntary detention or treatment

[Article 14 – Liberty and security of person](#)

[Article 15 – Freedom of torture or cruel, inhuman or degrading treatment or punishment](#)

[Article 16 – Freedom from exploitation, violence and abuse](#)

[Article 17 – Protecting the integrity of the person](#)

7.1 Emergency measures

In general, all private gatherings at home or during private events, in a closed or open-air venue are limited to people of the same household, or to people who are in the home when exercising their visitation and accommodation rights or in the context of alternating residences. The gathering is limited to a maximum of 2 visitors who are also part of a same household. Individuals who are part of the same household or who cohabit as well as guests are not subject to the obligation of social distancing and the wearing of masks is not compulsory. However, it is recommended to wear a mask and maintain a physical distance of at least 2 metres, when visiting or inviting a person into one's home, especially in the presence of a vulnerable person. Any public gathering of more than 4 and up to and including 10 people is subject to the condition that the people wear masks and observe a minimum distance of 2 metres.

Specific allowances are made on social distancing for persons with disabilities. If it is not possible to maintain physical distance between the person with a disability and the person accompanying him/her, the accompanying person is allowed to implement other health measures to prevent the spread of COVID-19 virus (Act of 24 June 2020, Article 3.2).¹⁰² The obligation to wear a mask does not apply to people with disabilities who have a medical certificate justifying this exemption and who implement other sanitary measures to prevent the spread of the virus. Any gathering exceeding 100 people is prohibited.^{103 104}

There are no particular restrictions for persons with disabilities. From 11 January 2021 on, between 11 pm and 6 am, it is prohibited to move around in public spaces.¹⁰⁵

7.2 Impact of the COVID-19 crisis

The Ministry of Family Affairs, Integration and the Greater Region enables the managers of institutions for persons with disabilities to determine the visiting arrangements on their own responsibility. Managers of residential facilities for the

¹⁰² Act of 24 June 2020 introducing a series of measures concerning natural persons in the context of the fight against the COVID-19 pandemic (*Loi du 24 juin 2020 portant introduction d'une série de mesures concernant les personnes physiques dans le cadre de la lutte contre la pandémie COVID-19*)

[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=258728CBAD472B85CD51DE0DA3EE4C726D318F1A60077B3EDBBDF1854D1CC6301A33448BF1B4F54AEF28CA7094C1F4CD\\$7F87F323BC6319517C67ED305D045F62](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=258728CBAD472B85CD51DE0DA3EE4C726D318F1A60077B3EDBBDF1854D1CC6301A33448BF1B4F54AEF28CA7094C1F4CD$7F87F323BC6319517C67ED305D045F62).

¹⁰³ <https://covid19.public.lu/en/sanitary-measures/gatherings.html>.

¹⁰⁴ Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications. Country Report Luxembourg

https://fra.europa.eu/sites/default/files/fra_uploads/lu_report_on_coronavirus_pandemic_july_2020.pdf.

¹⁰⁵ Government Luxembourg Curfew <https://covid19.public.lu/en/sanitary-measures.html>.

elderly are responsible for ensuring safety in their establishments and, in this context, ensure that the health recommendations issued by the Health Directorate are complied with. Each person in charge of a home for the elderly or nursing home for the disabled decides how to organise social life, visits and leaving the home based on the situation, the residents and the architectural features of the home. Residents and families are informed about this.¹⁰⁶

On 20 May 2020, the Ministry of Health released a new guideline on measures particularly for elderly people living in special structures and care homes. This document has been constantly updated (14 April, 28 April and 30 April 2020); the preventive recommendations regard measures within the third national exist phase (deconfinement) and explains visitation rules, rules for personnel, rules for the directory.¹⁰⁷

Visits of elderly people in care homes have been allowed since 20 May 2020. The visitation recommendations have been outlined by the Ministry of Family in a special document once visits have been allowed under special conditions, preferring a place outdoors or a designated place indoors, which is to be disinfected after each visit.¹⁰⁸

The document on specialised personnel (i.e., doctors) has been updated on 20 May 2020 and explains procedures of doctors' visits of elderly people as well as doctors visiting the premises. But there are no data about residents who are not allowed to leave the residential facility due to COVID-19 measures. As well as there are no data about the number of persons with disabilities or health conditions deprived from visits of their family members by COVID-19 measures.¹⁰⁹

¹⁰⁶ Government Luxembourg <https://mfamigr.gouvernement.lu/dam-assets/dossiers/faq/Brief-Angehorige-Mifa-%2B-Misa-ACC.pdf>.

¹⁰⁷ Government of the Grand Duchy of Luxembourg, Ministry of Health (Ministère de la Santé), Recommendations of COVID-19 infections in accommodations structures for the elderly (Recommandations prévention des infections à A SARS-COV-2 dans les structures d'hébergement pour personnes âgées) https://gouvernement.lu/fr/dossiers.gouv_mfamigr%2Bfr%2Bdossiers%2Bfaq%2Bfaqnew.html.

¹⁰⁸ Government of the Grand Duchy of Luxembourg, Ministry of Family Affairs, Integration and the Greater Region (Ministère de la Famille, de l'Intégration et à la Grande Région), Visits to structures for older people in the context of gradual deconfinement: Recommendations for the prevention of COVID-19 infections (Visites dans les structures pour personnes âgées dans le cadre du déconfinement progressif (Recommandations pour la prévention des infections à SARS-COV-2), 20 May 2020, p.3 <https://sante.public.lu/fr/espace-professionnel/recommandations/direction-sante/000-COVID-19/index.html>.

¹⁰⁹ Government Luxembourg, COVID-19, Measures taken in the context of the health crisis (Mesures prises dans le cadre de la crise sanitaire), <https://covid19.public.lu/en.html>.

8 Violence, exploitation or abuse

Article 16 – Freedom from violence, exploitation and abuse

8.1 Emergency measures

The Minister of Equality between Women and Men (MEGA) highlighted the numerous collaborations with police and judicial institutions and support services in the framework of the law on domestic violence. This cooperation was strengthened during the COVID-19 crisis. From the beginning of the crisis, a crisis management mechanism was put in place to prevent a substantial increase in domestic violence. The measures provided by the Ministry include:

- a weekly monitoring of the evolution of domestic violence;
- the creation of the information site violence.lu (with a FAQ "Domestic violence and COVID-19" in Luxembourg, Portuguese, French and English language);
- the implementation of a helpline, in the form of a pilot project, managed by social managers under agreement with the Ministry of Equality;
- the maintenance of expulsion devices and care of authors.¹¹⁰

8.2 Impact of the COVID-19 crisis

The Ministry of Equality between Women and Men (MEGA) operates a web site on family violence that provides information and support services that can be accessed during the COVID-19 pandemic. The Ministry ensures that support and assistance services for combating domestic violence continue to function during COVID-19 pandemic. Victims can still seek help and support from victim support structures. The web site tackles also the question if domestic violence is increasing during the COVID-19 crisis, but provides no answer. The site merely mentions that with the confinement imposed by the COVID-19 crisis, families and couples are being forced to live in a state of constant closeness, which may be unusual or difficult for them. This can lead to an increased risk of conflict and violent behaviour, as well as the escalation or recurrence of existing conflicts and domestic violence (both familial and marital). Recent studies have shown that confinement can indeed cause tensions within families and relationships, which can escalate into psychological, physical and sexual violence. Evidence for these statements is not provided by the website.¹¹¹ There are also no statements on people with disabilities experiencing violence during COVID-19 pandemic. The CCDH Luxembourg also points out that in families in which one or more members are likely to be victims of violence, the confinement will increase the risk of abuse but does not provide any further details.¹¹²

According to the Ministry of Equality between Women and Men (MEGA)¹¹³ the expulsions and police interventions during the acute phase of the COVID-19 in spring

¹¹⁰ Ministry of Equality between Women and Men (Ministère de l'Égalité entre les femmes et les hommes) <https://mega.public.lu/fr/actualites/2020/06/la-violence-domestique-n-est-pas-une-affaire-privee.html>.

¹¹¹ Government Luxembourg <https://violence.lu/faq-en/>.

¹¹² Advisory Commission on Human Rights (Commission consultative des Droits de l'Homme-CCDH) <https://ccdhd.public.lu/fr/actualites.html>.

¹¹³ <https://mega.public.lu/fr/actualites/2020/06/la-violence-domestique-n-est-pas-une-affaire-privee.html>.

2020 have so far not shown a substantial increase compared to the monthly figures of previous years.

Figure 5: Violence domestique during COVID-19 pandemic

Year	Legal evictions <i>Expulsions autorisées</i>	Legal Evictions average per month <i>Expulsions autorisées en moyenne par mois</i>	Police Interventions <i>Interventions policières</i>	Police Interventions average per month <i>Interventions policières en moyenne par mois</i>
2015	242	20	802	67
2016	256	21	789	66
2017	217	18	715	60
2018	231	19	739	62
2019	265	22	849	71
2020 March	312	26	1092	91
2020 April	228	19	876	73
2020 May	276	23	948	79

Source: <https://violence.lu> data compilation by the author.

The extent to which the observed slight increase in violence in families in spring 2020 also affected people with disabilities cannot be quantified. There are also no reports indicating an increase in violence in institutions for people with disabilities.

9 Independent living

Article 19 – Living independently and being included in the community

9.1 Emergency measures

The first lockdown took place on 16 March 2020,¹¹⁴ with the result that Pubs, cafés, cinemas, leisure facilities and sports facilities were closed down. The second lockdown in October 2020 tightened the restrictions and led to a curfew. The Act of 29 October 2020¹¹⁵ ordered a curfew from 11 pm to 6 am until 30 November 2020. Leaving the house between 11 pm and 6 am was no longer be allowed, except for people returning from abroad, from work or to walk a pet. Derogations for people with disabilities were not communicated.¹¹⁶

On 19 March 2020 the government launched an online shopping platform for older people and/or with health issues.¹¹⁷ The website is easy to use, it provides basic products, the payment is done through the hotline or via the phone, invoice is provided with the delivery. The products are delivered at the door and direct contact is avoided. Other online shopping platforms (luxcaddy.lu)¹¹⁸ have been reserved for people in vulnerable situations as well; some shops have reserved the hours between 8 and 10 am for shopping for vulnerable people.¹¹⁹

The public circulation of any natural person has been prohibited, except for acquisition of foodstuffs, pharmaceutical products and basic necessities, movement towards health structures, travel to the workplace for the exercise of the professional activity and comparable activities. Particular mention was given to assistance and care for the elderly, minors, dependent persons, people with disabilities and particularly vulnerable persons. In case of emergency, movement to financial and insurance institutions and to social security agencies maintained allowed.¹²⁰

During curfew times the Adapto transportation service for citizens with disabilities (permanent severe motor disability, or citizens that are severely visually impaired or

¹¹⁴ Ministerial Decree of 16 March 2020 on various measures to control the spread of the COVID-19 virus (Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus COVID-19) <http://legilux.public.lu/eli/etat/leg/amin/2020/03/16/a149/jo>.

¹¹⁵ Act of 29 October 2020 amending (1) the amended act of 17 July 2020 on measures to combat the COVID-19 pandemic, (2) (loi du 29 octobre 2020 modifiant (1) la loi modifiée du 17 juillet 2020 sur les mesures de lutte contre la pandémie COVID-19, la loi du 23 septembre 2020 portant des mesures concernant la tenue de réunions dans les sociétés et dans les autres personnes morales) <http://legilux.public.lu/eli/etat/leg/loi/2020/10/29/a867/jo>.

¹¹⁶ Coronavirus pandemic in the EU – Fundamental Rights Implications Country report: Luxembourg (3 November 2020) https://fra.europa.eu/sites/default/files/fra_uploads/lt_report_on_coronavirus_pandemic_november_2020.pdf.

¹¹⁷ https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2020/03-mars/19-corona-letzshop.html.

¹¹⁸ Homepage Internet shop <https://luxcaddy.lu>.

¹¹⁹ Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications. Country Report Luxembourg https://fra.europa.eu/sites/default/files/fra_uploads/luxembourg-report-COVID-19-april-2020_en.pdf.

¹²⁰ Grand-Ducal Regulation of 18 March 2020 introducing a series of measures in the fight against COVID-19 (Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le COVID-19) <http://data.legilux.public.lu/file/eli-etat-leg-rgd-2020-03-18-a165-consolide-20200401-fr-pdf.pdf>.

blind, or with a cognitive or neurological disability, or have a serious progressive disease preventing them from using public transportation and driving a vehicle) adjusted the operating schedules according to the measures announced by the Government. Evening departures must start no later than 10:30 pm on Friday and Saturday.¹²¹

Due to COVID-19 restrictions each family will no longer be allowed to accommodate more than four people under the same roof, except for people already living together. After tightening restrictions during the second lock-down private gatherings at home or during private events, in a closed or open-air venue have been limited to people of the same household, or who are in the home when exercising their visitation and accommodation rights or in the context of alternating residences and to a maximum of 2 visitors who are also part of a same household.¹²²

9.2 Impact of the COVID-19 crisis

At the homepage of COVID-19.LU some impacts of the health crisis on the daily lives of people with autism are listed. The confinement has occurred in a rapid, abrupt and unpredictable manner and has a very great impact on daily life. People with autism are, among other things, very sensitive to change, unpredictable situations and uncertainty. People with autism may feel anxiety in this kind of situation. Anxiety reaction to the unknown may result in everyday life behaviour (sleeping problems, eating problems, verbal/physical aggression, anxiety, persistent worries, ...) it may be necessary to ask for help to cope with this situation.¹²³ However, empirical data or scientific studies on this are not mentioned.

The same homepage ([COVID-19.Lu](https://covid19.public.lu)) highlights the constant tension between autonomy and heteronomy of people with intellectual disabilities under the drastic measures, requirements and new regulations due to COVID-19 pandemic. One of the main restrictions for people with intellectual disabilities may be the additional loss of autonomy. The usual daily activities have to be questioned and adapted. The loss of support structures, rituals and fixed routines leads to great insecurity, irritation, fears and frustration. Depending on the degree of disability, there are more or less language and communication barriers. Because of the masks, another important part of non-verbal communication is lost. Normally we unconsciously detect many non-verbal signals from the person opposite. Above all, we read the other person's lips when they speak. This works automatically, with the smile being the most important. This information is missing when communicating with the mask. As a result, emotions such as joy, fear or anger can no longer be recognised. Wearing a mask can be a source of stress and insecurity. Access to information is often difficult for people with intellectual disabilities and the information cannot be questioned. The crisis increases loneliness, isolation and neglect. Minimising physical contact further diminishes the perception of self and others. Caregivers and carers are also faced with the dilemma between the need for support and the needs of the person with a disability on the one hand, and safety requirements to reduce the risk of infection on the other. Indeed, many people with intellectual disabilities belong to the so-called vulnerable group.¹²⁴ But again, no figures or studies are given.

¹²¹ ADAPTO <https://transports.public.lu/fr/services/dossier-services/adapto.html>.

¹²² <https://covid19.public.lu/en/sanitary-measures/gatherings.html>.

¹²³ Webpage Government Luxembourg, and Ministry of Health, <https://www.covid19-psy.lu>.

¹²⁴ Government Luxembourg and Ministry of Health <https://www.covid19-psy.lu>.

People with visual impairments have also experienced difficulties in independent living because it was almost impossible to take public transport, as bus drivers were no longer allowed to open the front doors of the bus, but a visually impaired person has to talk to the driver to make sure they are in the right bus.¹²⁵

Due to the sanitary measures in place, residents of institutions for the disabled are confined. Activities are limited to internal activities such as helping in the household or some entertaining pastimes. There are no excursions apart from a short. In addition, those who normally spend the weekends with family members now have to stay in the foyer all the time and cannot visit the sheltered workshop of the in-house day care centre. The circumstances are difficult to explain for mentally impaired people. It sometimes increases the frustration level among the residents.¹²⁶

The ADAPTO transport service runs with sanitary measures as well, such as obligatory face masks and distance between passengers. Also, at the pick-up points when passengers access the vehicle, drivers are reminded not to touch them before asking for permission. Passengers who are vulnerable, fear contagion and wish to avoid direct contact, whereas people with autism find it difficult to cope with new situations and often cannot tolerate physical contact.¹²⁷

¹²⁵ Paperjam <https://paperjam.lu/article/vivre-avec-handicap-en-periode>.

¹²⁶ Lamberty, John (2020) Corona: Neuland für Behindertenbetreuung Luxemburger Wort 24.03.2020 <https://www.wort.lu/de/lokales/corona-neuland-fuer-behindertenbetreuung-5e79d78ada2cc1784e359bb4>.

¹²⁷ Ministry of Mobility and Public Works, Notice to operators - Concerns: Deconfinement phase, CAPABS / ADAPTO transport (Avis aux exploitants - Concerne : Phase de déconfinement, transports CAPABS / ADAPTO), <https://transports.public.lu/fr/actualites/2020/03-mars-COVID-19-transports-modifications-mesures-coronavirus.html>.

10 Access to habilitation and rehabilitation

Article 26 – Habilitation and rehabilitation

10.1 Emergency measures

Habilitation and rehabilitation services and programs, particularly in the areas of health, employment, education, and social services for persons with disabilities, have not been implemented particularly in response to the COVID-19 pandemic, except for teaching hygiene and physical distancing, and information about symptoms of the disease.¹²⁸

Healthcare facilities, both in the hospital sector and in-home care, strongly emphasise that the shortage of operational staff have grown to alarming levels, due to an unprecedented number of staff in quarantine or isolation. In order to reinforce the teams recourse had to be made to "administrative" staff with professional qualifications in the health sector to provide care and the help of (pre-)retired staff and external volunteers has been made.¹²⁹

10.2 Impact of COVID-19 and/or emergency measures adopted

The Corona pandemic may have limited the delivery of care and therapy, such as physiotherapy, speech and language therapy, by increasing sickness absence among staff, but also by reducing the number of staff on duty, but either are no statistics or data about cancelled services and treatments. Info-Handicap started to conduct a survey to gather reactions and comments from some people on how the measures have changed their daily lives. People with psychological disabilities, for example, have seen their symptoms worsen. People with autism need a well-defined routine to control their tics, but during confinement, some of them reverted to their old habits. In addition, for people with a hearing impairment, masks are a big problem. The people concerned told us that the mask was a real barrier to communication, as they could no longer lip-read or express themselves properly, so the feeling of isolation increased considerably. People with visual impairments have also experienced difficulties due to social distancing and contact avoiding.¹³⁰

On 15 May 2020, the Ministry of Family issued recommendations relating to the access of health professionals and professionals providing personal care in accommodation structures for the elderly and people with disabilities.¹³¹

¹²⁸ Klaro <https://klaro.lu/index.php/de/aktuell/150-corona-seiten>.

¹²⁹ Stéftung Hëllef Doheem <http://www.shd.lu/online/www/content/needs/3293/DEU/index.html>.

¹³⁰ Papewrjam <https://paperjam.lu/article/vivre-avec-handicap-en-periode>.

¹³¹ Government of the Grand Duchy of Luxembourg. Ministry of Family Affairs, Integration and the Greater Region (Ministère de la Famille, de l'Intégration et à la Grande Région), Recommendation concerning access for healthcare professionals and professional personal care for the person to accommodation for the elderly and for people with disabilities.

11 Access to justice

[Article 13 - Access to justice](#)

11.1 Emergency measures

No measures could be identified relating to access to justice that have an explicit disability or older age dimension. The Law of 20 June 2020 provides for some amendments to the Code of Criminal Procedure whereby the physical presence before the court can be replaced in some cases by telecommunication transmissions.¹³²

11.2 Impact of COVID-19 crisis

Data and evidence of a special concern of persons with disabilities regarding access to the justice could not be found.

¹³² Government of the Grand Duchy of Luxembourg, Ministry of Justice: *Law of 20 June 2020 on the temporary adaptation of certain procedural modalities in criminal matters (Loi du 20 juin 2020 portant adaptation temporaire de certaines modalités procédurales en matière pénale)* <https://mj.gouvernement.lu/fr/dossiers/2020/COVID-19/faq-mj.html>.

12 Access to education

[Article 24 – Education](#)

12.1 Emergency measures

During the first lockdown in spring 2020, schools and centres of competence for students with special needs had been closed from 16 March to 29 March 2020. Subsequently, periods of distance learning, hybrid forms of teaching and face-to-face teaching followed one another.

A framework for ensuring schooling in the face of the COVID-19 pandemic for academic year 2020/2021 was presented by the Ministry of Education on 4 September 2020. The framework provides a flexible and differentiated response to the COVID-19 Pandemic in Luxembourg. Beyond general measures applicable at national level, additional measures can be decided either at national level, by region or by school, depending on the local health situation.

Starting school year 2020/2021 in September 2020 the overwhelming majority of pupils attend face-to-face classes, and the closure of classes or even schools has been avoided as far as possible. The school thus continues to fulfil its public service mission, which is to guarantee the right to education for all children and young people.¹³³ From 4 to 8 January 2021 all schools switched to distance learning again for one week, and the childcare facilities closed until 10 January 2021.¹³⁴

Following a directive of the Ministry of Education from 26 November 2020 specialised schooling (special educational needs centres) provided by the Competence Centres has been resumed in strict compliance with accessibility. This would apply irrespective of the location of the Centre's class (annex of the Centre or so-called cohabitation class). For classes located in facilities other than an annex of the Centre, the respective directorates will agree on the concrete modalities applicable on site.

The Centres are required to adopt a policy for the prevention of infectious diseases.¹³⁵

12.2 Impact of the COVID-19 crisis

In Luxembourg's primary schools 16 571 pupils have been in quarantine between 15 September and 31 December 2020. In secondary schools, there were a further 17 157 pupils who were quarantined during this period. Taken together a total of a total of 33

¹³³ Situation Analysis Report on COVID-19 in Schools, 15 September to 1 November 2020 (Rapport d'analyse sur la situation de la COVID-19 dans les établissements scolaires du 15 septembre au 1er novembre 2020) <https://men.public.lu/fr/publications/sante-bien-etre/covid19/2011-rapport-covid-etablissements-scolaires.html>.

¹³⁴ Government of the Grand Duchy of Luxembourg: Communication https://gouvernement.lu/fr/actualites/toutes_actualites/articles/2020/12-decembre/23-covid-enseignement.html.

¹³⁵ Government of the Grand Duchy of Luxembourg: Ministerial recommendations and guidelines on the management of the health crisis related to COVID-19 for the attention of the Competence Centers in specialised psycho-pedagogy on 26 November 2020 (Gouvernement of Luxembourg Recommandations et lignes directrices ministérielles relatives à la gestion de la crise sanitaire liée au COVID-19 à l'attention des Centres de compétences en psycho-pédagogie spécialisée le 26 novembre 2020) <https://men.public.lu/dam-assets/fr/coronavirus/consignes-cc.pdf>.

728 students that were in quarantine.¹³⁶ Figures for pupils with special needs are not published.¹³⁷

The Ministry of Education draws attention to the fact at the first lockdown that distance education may have negative effects on certain school populations, including the most disadvantaged and vulnerable students. In order to prevent pupils from being isolated at home and not participating in distance education, a systematic procedure will be put in place at national level. This will make it possible to clearly identify this target population and support the pupils concerned with a series of measures. Accordingly, teachers have been requested to report to their principals all students who do not participate in distance education and who do not respond to their calls. Principals should use all the resources at their disposal (special needs teams, school psycho-social and support services and socio-educational services to contact the pupils in the case concerned and also their parents.

The teams have been authorised to establish direct and punctual contact with the pupils affected while respecting the health instructions of the Health Department.

These measures also applied to children with special needs as the continuity of therapy, rehabilitation or diagnosis depends on it. An e-learning support service has been also offered through a telecommunication helpline. After classes have resumed, additional resources will be allocated to schools to provide support to students who need it, during or outside school hours.¹³⁸

At present, there are no reliable figures available on the extent to which the school restrictions and measures offered have an impact on pupils with disabilities. Info-Handicap¹³⁹ aims to collect experiences and opinions about schooling under COVID-19 conditions.¹⁴⁰

The Ministry of Education's periodic press releases on the situation in schools regarding COVID-19 includes cases of infection in centres of competence. The most recent data shows that there are no increased infection figures in competence centres for pupils with special needs; on the contrary, fewer infections have been reported there. While in primary schools 69 have been detected and in secondary schools 77 infections only 1 case could be detected in a competence centre.¹⁴¹ As the total number of pupils in competence centres is not known, a percentage conversion is not possible.

¹³⁶ Tageblatt.lu, 21.01.2021 <https://www.tageblatt.lu/non-classe/ungereimtheiten-bei-quarantaenen-in-der-schule/>.

¹³⁷ Government of the Grand Duchy of Luxembourg: COVID-19 Report <https://gouvernement.lu/dam-assets/documents/actualites/2021/01-janvier/15-covid19-situation-ecoles-rapport-analyse.pdf>.

¹³⁸ Government of the Grand Duchy of Luxembourg Ministry of National Education MENFP 2020 <https://gouvernement.lu/dam-assets/documents/actualites/2020/04-avril/02-suspension-cours/dossier-de-presse.pdf>.

¹³⁹ Info-Handicap <https://info-handicap.lu/de/>.

¹⁴⁰ HANDICAP ET COVID [HTTPS://PAPERJAM.LU/ARTICLE/VIVRE-AVEC-HANDICAP-EN-PERIODE](https://paperjam.lu/article/vivre-avec-handicap-en-periode).

¹⁴¹ Government of the Grand Duchy of Luxembourg Ministry of National Education, Children and Youth (2021). Press release COVID-19: state of play in Luxembourg schools as of 17.01.2021 (Gouvernement du Grand-Duché de Luxembourg Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse 2021). Communiqué COVID-19: *état de la situation dans les écoles luxembourgeoises au 17.01.2021* <https://gouvernement.lu/dam-assets/documents/actualites/2021/01-janvier/28-covid-ecoles/210128-etat-situation-covid-ecoles.pdf>.

On 4 February 2021, the Ministry decided to switch to home-schooling again. Primary schools and competence centres closed from Monday 8 February to 24 February. For the pupils supported by the Special Educational Competence Centres, the re-education and therapy units of the various centres will ensure that therapeutic offers adapted to the specific needs of each pupil are put in place. The terms and conditions of this offer will be determined in consultation with the parents of the pupils concerned. If necessary, individual re-education and therapy sessions may be given in person. Again, parents who have no other way of organising care can apply for leave on family grounds.¹⁴²

¹⁴² Government of the Grand Duchy of Luxembourg <https://men.public.lu/fr/actualites/communiqués-conference-presse/2021/02/04-suspension.html>.

13 Working and employment

[Article 27 – Work and employment](#)

13.1 Emergency measures

Some sheltered workshops have been locked down in spring 2020, others remained open. As far as organisations in the disability sector are concerned (sheltered workshops), directors are free to decide how they intend to proceed: either to apply the general hygiene measures and recommendations, or to apply the same measures and recommendations that apply to state-approved care homes and residential facilities for the elderly. The primary objective was and is to protect the vulnerable and at-risk population.

While the number of unemployed increased with the emergence of the COVID-19 crisis in the spring of 2020, the number of participants in a measure fell sharply at the same time, due to the restrictions imposed by the COVID-19 pandemic. This also influenced measures that were previously offered particularly for jobseekers with disabilities, such as the COSP HR programme.¹⁴³

Luxembourg introduces a short-time working scheme that applies to employees who are obliged to reduce their work partially or to stop working completely when the company can no longer ensure the normal functioning of its business because of the COVID-19 pandemic. Hence employees who receive an old-age pension, an early old-age pension or a disability pension are not eligible for short-time working schemes.¹⁴⁴

13.2 Impact of the COVID-19 crisis

Persons with disabilities living in facilities that also include an affiliated workshop for persons with disabilities had to stay mostly in their residential facilities during the lockdown and could not go to their usual workplace in the sheltered workshop. Particularly sheltered workshops for persons with cognitive disabilities and mental health conditions closed.^{145 146 147}

¹⁴³ Ministère du Travail, de l'Emploi et de l'Économie sociale et solidaire Luxembourg) https://mteess.gouvernement.lu/fr/actualites.gouvernement%2Bfr%2Bactualites%2Btoutes_actualites%2Bcommuniqués%2B2020%2B06-juin%2B22-evolution-chomage-mai.html.

¹⁴⁴ Government of the Grand Duchy of Luxembourg. COVID-19 website (official information on health measures and recommendations, information for travellers, protective measures, sectorial information and thematic FAQs, etc.). (Gouvernement du Grand-Duché de Luxembourg. Site COVID-19 informations officielles sur les mesures et recommandations sanitaires, des informations pour voyageurs, des gestes de protection, informations sectorielles et des FAQ thématiques) <https://adem.public.lu/fr/support/faq/faq-chomage-partiel.html#:~:text=Pendant%20la%20période%20de%20chômage%20partiel%2C%20l'Etat%20prend%20en%20hauteur%20de%2080%25%20des%20salaires.&text=Entre%20le%2018%20mars%202020,minimum%20pour%20salariés%20non%20qualifiés>.

¹⁴⁵ Non-profit association for parents of mentally handicapped children Asbl (Association de Parents d'Enfants Mentalement Handicapés Asbl) https://www.apemh.lu/images/FR_Communique_Covid_19_27.03.2020.pdf.

¹⁴⁶ Therapeutic and Protected Workshops (Ateliers Thérapeutiques et Protégés) https://www.atp.lu/de/blog/fiche/fermeture_restaurants.

¹⁴⁷ HMC League for mentally or cerebrally handicapped people (Ligue HMC pour personnes mentalement ou cérébralement handicapées) <https://www.ligue-hmc.lu/fr/view/accueil/>.

Many persons with disabilities who worked in the mainstream labour market in the field of catering or other areas with public access could not carry out this activity during the lockdown and had to stay in their homes.¹⁴⁸

The national report of Luxembourg on Fundamental Rights Implications of the corona virus pandemic in the EU from 3 November 2020¹⁴⁹ highlights the impact of the corona crisis on older employees or job seeker. Referring back to a study published by Idea Foundation,¹⁵⁰ the threat is mentioned that enterprises will part with older workers who are perceived to be less able to cope with the transition to digital media and would use COVID-19 measures such as short-time allowances for this purpose. The challenge of digital transition may be not only rather unfavourable to seniors but also to persons with cognitive disabilities.

¹⁴⁸ Handi-CAP
https://imslux.lu/assets/publication/21/Handi_CapEmploiGuide_pratique_du_handicap_en_entreprise_FR.pdf.

¹⁴⁹ Coronavirus pandemic in the EU – Fundamental Rights Implications Country report: Luxembourg (3 November 2020)
https://fra.europa.eu/sites/default/files/fra_uploads/lt_report_on_coronavirus_pandemic_november_2020.pdf.

¹⁵⁰ Luxembourg, website of Idea Foundation, Under-activity of seniors, this dominant evil! (Sous-activité des seniors, ce mal dominant !), <https://www.fondation-idea.lu/wp-content/uploads/sites/2/2020/09/IDEA-Decryptage-N°14-activite-des-seniors-PDF.pdf>.

14 Good practices and recommendations

14.1 Examples of good practice

The Act of 22 January 2021¹⁵¹ confirms, that if a child has been put into quarantine because of being infected or in contact with COVID-19 parents are entitled to take exceptional leave for family reasons in relation with COVID-19. These days of leave are not deducted from the days provided for statutorily for ordinary leave for family reasons. This additional leave could also be demanded if a child is not attending a “maison relais” (day care centre) because of a positive case among pupils in the school or centre. In fact, in this situation it is recommended that your child does not attend a day care facility outside school hours.^{152 153}

The ADAPTO-Service: People with disabilities can use the national transport service Adapto, for example, to get to test centres or to a vaccination centre. This service is free of charge, as is all public transport in the country.¹⁵⁴ In particular, the Adapto service started driving to the national COVID-19 test centres in February 2021. For this, simply a reservation by telephone is necessary to ensure that the same vehicle is used for the outward and return journey and that the user can remain seated in the bus. It is also the only way to ensure that the vehicle is reserved for a single person, which is essential for this type of trip.¹⁵⁵

All important information related to COVID-19 pandemic is provided in all national languages as well as in English. In addition, information is provided in simple language. The centre for easy language Klaro, the official office for easy language in Luxembourg and a service of the APEMH (Association for people with disabilities),¹⁵⁶ provides pictograms and texts in easy language about COVID-19 and related questions.¹⁵⁷

Klaro made also a video in simple language about how to behave in COVID-19 times. The video is in Luxembourgish, the subtitles are in German.¹⁵⁸ Info-handicap has compiled a series of video materials by and with people with disabilities that depict and encourage their situation in the age of COVID-19.

People with disabilities are considered particularly vulnerable in terms of vaccination priority and are admitted to a privileged vaccination schedule. The prioritisation of people with disabilities for COVID-19 vaccination thus depends on the risk of infection

¹⁵¹ Governmental information portal Guchet.lu, Family-related leave related to the COVID-19 pandemic covering the period from 25 May 2020 to 15 July 2020.

¹⁵² <https://guchet.public.lu/fr/citoyens/travail-emploi/conges-jours-feries/situation-personnelle/covid-conge-quarantaine-isolement-enfant.html> see also: Law of 22 January 2021, Labour Code (Loi du 22 janvier 2021 Code du travail) <http://legilux.public.lu/eli/etat/leg/loi/2021/01/22/a45/jo>.

¹⁵³ Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications. Country Report Luxembourg https://fra.europa.eu/sites/default/files/fra_uploads/lu_report_on_coronavirus_pandemic_july_2020.pdf.

¹⁵⁴ Ministry of Mobility and Public Works, Notice to operators - Concerns: Deconfinement phase, CAPABS / ADAPTO transport (Avis aux exploitants - Concerne : Phase de déconfinement, transports CAPABS / ADAPTO), <https://transports.public.lu/fr/actualites/2020/03-mars-COVID-19-transports-modifications-mesures-coronavirus.html>.

¹⁵⁵ Info-Handicap Newsflash Newsflash No. 6/12.2.2021 <https://info-handicap.lu/de/newsflash-de/>.

¹⁵⁶ Association des Parents d'Enfants Mentalement Handicapés <https://www.apemh.lu>.

¹⁵⁷ KLARO Easy Language Office (Bureau langage facile) <https://klaro.lu/index.php/fr/actuel>.

¹⁵⁸ Link to the Klaro video <https://www.youtube.com/watch?v=hEFgpFhg1VA&feature=youtu.be>.

to be assigned in each case and on the state of health. With regard to COVID-19, adults with trisomy 21 are classified as particularly at risk. They can be vaccinated in phase 2b. Any adult with trisomy 21 who does not live in an institution and who wishes to be vaccinated against COVID-19 can contact his or her treating doctor or contact the Centre Hospitalier in Luxembourg (CHL) by e-mail or by telephone to be put on a list for this purpose.

People with severe cognitive impairments (a major neurocognitive deficit / les personnes ayant un déficit neurocognitif majeur) are referred to in the third phase of the vaccination priority.

14.2 Recommendations

A first and fundamental recommendation concerns the visible inclusion of persons with disabilities in the statistics. Although the published figures are usually broken down by age and gender, there is no statistical breakdown by disability. Therefore, it is not possible to make a statically reliable statement on discrimination against people with disabilities in Luxembourg. However, this would require that there is a national definition of disability across life situations and contexts, which is not the case.

For the cross-border forms of education, medical care and employment for people with disabilities that existed before the COVID-19 crisis may continue, better agreements need to be made between the countries of the Greater Region regarding border closures.

For people, including those with disabilities who, as commuters, have to cross borders every day, to be able to better measure the health risk they would expose themselves to, there should be some standardisation/harmonisation of the use of statistical data among the countries of the Greater Region. The same measures or at least approximately the same should be derived from the statistical data describing the COVID-19 crisis on both sides of the border. It certainly should not be the case that less restrictive measures prevail despite higher incidence and prevalence on one side of the border. This confuses people and possibly reactance emerges.¹⁵⁹

To ensure the evacuation of persons with disabilities, there should be more precise regulations in the National Standards Plan (GUIDE DES NORMES)¹⁶⁰ and it should also be monitored for compliance nationwide.

There should be further consideration of the different types of disabilities in official communications such as press conferences and hearings, and pandemic management measures such as for mobility and lockdowns (e.g. specific therapy or medication needs from abroad).

¹⁵⁹ L'Essentiel 30 janvier 2021 Les coiffeurs pris d'assaut au Luxembourg
<http://www.lessentiel.lu/fr/luxembourg/story/les-coiffeurs-pris-d-assaut-au-luxembourg-29783928>.

¹⁶⁰ Guide for Environmental Accessibility Standards (Guide des normes sur l'accessibilité de l'environnement) <https://sante.public.lu/fr/publications/g/guide-normes-accessibilite-environnement/index.html>.

14.3 Other relevant evidence

The website of Info-handicap - National Council of People with Disabilities, a non-profit civil society organisation,¹⁶¹ contains a comprehensive list of information and contact details that could be relevant for persons with disabilities during the COVID-19 pandemic.¹⁶² The Ministry of Health, in collaboration with the Luxembourg League of Mental Hygiene (*la Ligue Luxembourgeoise d'Hygiène Mentale*), created the website that focuses on mental health in times of health crisis (www.covid19-psy.lu).

¹⁶¹ Info-Handicap <https://info-handicap.lu/de/>.

¹⁶² Website of Info-handicap, COVID-19: Important information (COVID-19: Informations importantes) <https://info-handicap.lu/COVID-19/>.

Annex

The first confirmed case of the coronavirus COVID-19 in Luxembourg is dated 29 February 2020, according to the Ministry of Health (Ministère de la Santé).¹⁶³ Legal regulations were first set on 18 March 2020 and subsequently adapted to the respective corona situation in a series of legal directives.

Legal restrictions have been fixed in the acts and national regulations in regard to the COVID-19 pandemic of 18 March, 3 April, 9 April, 24 April, 28 April, 15 May, and 10 June 2020.^{164 165}

At the end of the Government Council meeting of 12 February 2021, the Prime Minister and the Minister of Health announced that the measures currently in force to combat the spread of COVID-19 will be extended until 14 March inclusive.^{166 167}

¹⁶³ <https://today.rtl.lu/news/luxembourg/a/1476925.html>.

¹⁶⁴ Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le COVID-19 <http://legilux.public.lu/eli/etat/leg/rgd/2020/03/18/a165/jo>.

¹⁶⁵ Règlement grand-ducal du 10 juin 2020 portant modification du règlement grand-ducal modifié du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le COVID-19 <http://legilux.public.lu/eli/etat/leg/rgd/2020/06/10/a483/jo>.

¹⁶⁶ Essentiel 19 février 2021 <http://www.lessentiel.lu/fr/luxembourg/story/les-mesures-anti-covid-prolongees-jusqu-au-14-mars-28439502>.

¹⁶⁷ Act of 20 February 2021 to modify the amended Act of 17 July 2020 on measures to combat the COVID-19 pandemic (Loi du 20 février 2021 portant modification de la loi modifiée du 17 juillet 2020 sur les mesures de lutte contre la pandémie COVID-19) <http://legilux.public.lu/eli/etat/leg/loi/2021/02/20/a125/jo>.

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