



Luxembourg

Tackling child poverty and promoting social inclusion of children

A study of national policy

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*The contents of this report do not necessarily
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European Commission or the EU Member States.*

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Conclusions and recommendations

In Luxembourg, children aged between 0 and 15 and young people aged between 16 and 24 are more at risk of income poverty compared with the population as a whole. According to the *Statistics on Income and Living Conditions* (EU-SILC) survey results, the children and young people most at risk of poverty are those living in single-parent or large families.

As regards other factors which can generally influence poverty risk in children and young people, such as dropping out of school, a child or adolescent's state of health and juvenile delinquency, to our knowledge no specific studies have been carried out at national level to analyse the direct link between these factors and poverty risk in children and young people.

More general studies which have looked into these subjects have, however, mentioned the challenges facing current policies aimed at promoting social inclusion of children and adolescents. The challenges identified relate to tackling the school drop-out rate, which mostly affects boys, pupils of foreign nationality and pupils in the technical, 'preparatory' (preparation for technical education/ vocational training) and vocational streams, as well as continuing or increasing work on prevention and provision for young drug addicts and children who are victims of abuse.

Data held by the socio-economic panel Liewen zu Lëtzebuerg (PSELL) 3/2005 has also demonstrated that people who experience financial difficulties during their teens are at greater risk of experiencing financial difficulties again in adult life, as well as difficulties adapting in society and even health problems.

In order to tackle the problem of the intergenerational transmission of poverty, the Luxembourg government has essentially based its social inclusion policy on prevention of low educational achievement and developing a network of childcare centres, known as *maisons-relais*. The link with promoting good housing for children at risk of poverty is not dealt with explicitly in the 2006 National strategy report for social welfare and inclusion (*Rapport de stratégie nationale sur la protection sociale et sur l'inclusion sociale de 2006* - RSN-2006). It is dealt with more generally via the promotion of good housing for people on low incomes. In the area of health, various associations approved by the Ministry for Health are active in prevention and provision for at-risk children and teenagers, such as young drug addicts and children who are victims of abuse. Youth protection policy is currently based on placing children and young people in crisis situations in care outside the family. In view of the increasing numbers of severely disturbed children who are being picked up on, the specialists on the Ombuds-Comité fir d'Rechter vum Kand (ORK) and other specialist organisations believe it is necessary to supplement current care provision systems with a therapeutic facility or a specialised care centre in Luxembourg designed to meet the urgent needs of these children, whilst enabling them to stay in a suitable familiar routine as far as possible. Another current challenge in this area which specialists have highlighted is to develop alternatives to custodial sentences for children and young people.

The approach of the Luxembourg authorities is primarily universalist in that it is aimed at all children, not only particular groups of children at risk of poverty. The primary aim of family policy is to ensure that financial resources are transferred equitably to families, in other words Luxembourg's family policy is based on the principal of distributive justice. The emphasis of redistribution (family allowances and tax deductions) is placed on the family as a whole rather than on household income. Alongside these measures, one of the aims of the Luxembourg authorities is to improve the balance between work and family life, and therefore to increase the employment rate of people with children by increasing the number of childcare places available.

In terms of its primary aim, current Luxembourg family policy focuses more on the family than on children and their rights.

However, the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, was ratified by the Luxembourg government through the law of 20 December 1993. Children's rights have also been affirmed at national level by the Ministry for the Family and Integration, through various information and awareness-raising activities concerning children's rights.

Efforts have been made over the last few years to give children's rights greater prominence, in particular by the introduction of a child welfare bill in 2005 and by affirming the principle of every young person's right to fully develop their potential in the 'youth' bill presented to the Government on 19 January 2007. The 'youth' bill also attempts to remedy the lack of structured avenues of communication with young people and to allow young people to have a say on matters which concern them, by adapting the legal basis of policy concerning young people and by proposing, among other things, the creation of a 'youth parliament'.

In order to give children's rights and protection a firmer basis within the legal system, we feel it is important to implement ORK's recommendation that they should be written into Luxembourg's constitution. It would also be useful to follow up the recommendation by the International Committee on the Rights of the Child calling for teaching on human rights and children's rights to be included in the primary and secondary education curricula.

As regards monitoring and evaluation of the effects of policies to combat child poverty and social exclusion, the Luxembourg authorities are currently working in close collaboration with those involved at local level, through actions such as agreements with voluntary organisations and funding staff for certain institutions and studies. The coordinating minister collects and analyses the information gathered and decides what action should be taken.

In order to improve policy monitoring, we recommend that specific studies be promoted to investigate the link between low educational achievement, children's health and juvenile delinquency and between the risk of poverty and social exclusion in children and teenagers.

We also recommend that the evaluation studies currently being carried out by ORK and Cesje (*Centre d'études sur la situation des jeunes en Europe* – Centre for research into the situation of young people in Europe) on particular aspects of the situation regarding children and young people be supplemented by a systematic analysis of the policies introduced. To this end, we anticipate that these two organisations will receive support for their work when the observatory on young people is created, which is included in the 'youth' bill currently going through the legislative process.

Introduction

This is the first of three reports which are to be written in accordance with the guidelines agreed between the European Commission and the non-governmental experts' group on social inclusion, coordinated by a consortium of the research institutes ÖSB Consulting GmbH and the Centre for research on population, poverty and socio-economic policy (*Centre d'études de populations, de pauvreté et de politiques socio-économiques*)/International Network for Studies in Technology, Environment, Alternatives, Development (CEPS/Instead). The report for the first semester deals more specifically with the subject of 'Tackling child poverty and promoting social inclusion of children'. The guidelines for the structure and contents of the report are contained in the document drawn up by the consortium's coordinating cell, the Network Core Team (NCT), entitled *Network of Independent Experts on Social Inclusion (NCT 270207 — FIN) — Guidance on contents and methodological approach for the first 2007 semester report: Tackling child poverty and promoting social inclusion of children*.

Chapter 1. Overview of the child poverty situation in Luxembourg

1.1. Overall poverty risk levels

In 2005, the level of relative income poverty risk in Luxembourg was 13% as opposed to 12.3% in 2004 and 11.5% in 2003. Among the first 25 EU Member States, the estimated level was 15% in 2003, 16% in 2004 and 16% in 2005¹.

We are using the definition of relative income poverty risk as the proportion of people whose equivalised disposable adult income is below the relative income poverty risk threshold. This threshold is usually set at 60% of the national median equivalised adult disposable income. The concept of equivalised adult disposable income provides a means of comparing the income of people who belong to households of different sizes and make-up. It is obtained by dividing the disposable income of the household (in other words, the total of all income, including benefits, of all household members, received during a given tax year, after compulsory deductions and private benefits have been accounted for) by a set of coefficients known as the equivalence scale. The equivalence scale we are using here is a modified version of the OECD (Organisation for Economic Cooperation and Development) scale, according to which the first adult in the household is equivalent to 1 consumption unit, each subsequent adult (aged 14 or over) equals 0.5 of a consumption unit and children (aged 14 or under) equal 0.3 of a consumption unit.

Expressed as disposable income, this relative income poverty threshold in Luxembourg for a one-person household was 17,077 euros per year in 2005 (16,341 euros per year in 2004 and 15,420 euros per year in 2003)². For a household comprising two adults and two children aged 14 or under, the threshold was equivalent to 35,862 euros per year in 2005 (34,316 euros per year in 2004 and 32,382 euros per year in 2003)³.

¹ European Community Office of Statistics (Eurostat).

² *Statnews*, no 51/2006, Central department of statistics and economic studies (Statec), 2006, p. 1, for the 2005 value. Berger, F., *Regard sur la pauvreté monétaire et la redistribution des revenus en 2004*, Population & emploi, no 17, CEPS/Instead, 2006, p. 4, for the 2003 and 2004 values.

³ *Statnews*, no 51/2006, Statec, 2006, p. 1 for the 2005 value. Berger, F., *Regard sur la pauvreté monétaire et la redistribution des revenus en 2004*, Population & emploi, no 17, CEPS/Instead, 2006, p. 4, for the 2003 and 2004 values.

For the purpose of comparisons between European countries, the country's relative income poverty threshold needs to be expressed in terms of purchasing power parity (PPP) in order to account for price differences between the different EU Member States. In 2004, this threshold was 15.522 PPP/year in Luxembourg for a one-person household, double the estimated average threshold for all the first 25 EU Member States (7.716 PPP/year) and between 50 and 60% higher than the countries with the next highest poverty risk thresholds after Luxembourg, (Austria, Netherlands, United Kingdom, Denmark and Germany).

Luxembourg therefore has a high relative income poverty risk threshold, indicative of a high level of wealth, combined with a low relative income poverty risk compared with other European countries, which is a reflection of a more favourable economic situation, as well as a more generous welfare system.

1.2. Poverty risk for children

Preliminary observation: the statistics currently available on child poverty risk relate to the age groups 0 to 15 years and 16 to 24 years, not to the age group for minors of 0 to 17 inclusive (in accordance with the Laeken definition).

A breakdown of the relative income poverty risk by age group shows that in Luxembourg, children aged between 0 and 15 and young people aged between 16 and 24 are more affected by the risk of poverty than the population as a whole. The 0 to 15 age group had a relative income poverty risk of 20% in 2005 and 17.6% in 2004, and young people aged between 16 and 24 had a risk level of 15% in 2005 and 11.7% in 2004, whereas the level for the population as a whole was 13% in 2005 and 11.4% in 2004. By contrast, the 65 and over age group are the least affected by the risk of poverty (7% in 2005 and 6% in 2004)⁴.

The calculations show that Luxembourg stands out in comparison with other European countries, with a ratio of 3 between the poverty risk for the 0 to 15 age group and that of the 65 and over age group, whereas the European average ratio is 1.1.

1.3. Factors associated with the risk of child poverty

In this section, we present the data currently available on factors which can directly influence the risk of poverty in children. This data is based on the EU-SILC surveys for Luxembourg.

1.3.1. Gender

In terms of gender, the 2004 EU-SILC survey for Luxembourg shows very little difference in risk of poverty between girls (17.4% in 2004) and boys (17.7% in 2004) aged between 0 and 15. However, the differences are greater between young men in the 16-24 age group (13.5% in 2004) and young women in the same age group (9.8% in 2004)⁵.

⁴ Statnews, no 51/2006, Statec, 2006, p. 1, for the 2005 values.

Rapport travail et cohésion sociale, cahier économique, no 101-2006, Statec, p. 83, for the 2004 values.

⁵ *Rapport travail et cohésion sociale*, cahier économique, no 101-2006, Statec, p. 83.

1.3.2. Household composition

The children most at risk of poverty are those in single-parent families (risk of poverty 32% in 2005 and 20.8% in 2004 in Luxembourg). The next most at-risk are those in households comprising two adults with three or more dependent children (21% in 2005 and 17.5% in 2004). The poverty risk for individuals in households consisting of two adults and one or two children was 13% and 16% respectively in 2005, and 6.4% and 16.7% in 2004⁶.

1.3.3. Occupation

Being in employment greatly reduces the risk of poverty. In 2005, the risk of poverty was 9% for people in employment (8.3% in 2004) as opposed to 46% for job seekers (45.6% in 2004)⁷. However, it is not possible to determine from the survey what proportion of poor children come from households in which people are employed or are looking for work.

1.3.4. Work intensity

The more income a household receives from paid work, the less it is affected by risk of poverty, a theory which is verified using the 'work intensity' indicator. This measures the ratio of the number of months worked by people of working age in the household over the number of months which able to be worked by those people. Thus, the 2004 EU-SILC survey for Luxembourg showed that the risk of poverty in households with children in which all people of working age are in paid work was 7.4%. If one or more of those people was without paid work temporarily or for the whole year, but the overall work intensity for the household was higher than 0.5, the risk of poverty rose to 17.1% in 2004. If work intensity is zero or low, the fact of having children in the household significantly increases the risk of poverty (27.4% in 2004)⁸.

1.3.5. Housing tenure and quality

Preliminary observation: data provided by the EU-SILC survey on the housing situation is broken down by household, without distinguishing between size of household or, more importantly, number and age of children.

The 2004 and 2005 EU-SILC surveys revealed that in Luxembourg people who rent their homes are more likely to be exposed to the risk of poverty than homeowners, the levels being respectively 25% as opposed to 9.4% in 2005 and 22.8% against 7.8% in 2004. Among the first 25 EU Member States, the equivalent poverty levels were 24% in 2004 for people renting their homes and 13% for homeowners. Risk of poverty increased overall between 2004 and 2005 for both housing tenure types, both in Luxembourg and in the other EU countries.

⁶ Statnews, no 51/2006, Statec, 2006, p. 1, for the 2005 values.

Rapport travail et cohésion sociale, cahier économique, no. 101-2006, Statec, p. 88, for the 2004 values.

⁷ Statnews, no 51/2006, 2006, Statec, p. 1, for the 2005 values.

Rapport travail et cohésion sociale, cahier économique, no 101-2006, Statec, p. 90, for the 2004 values.

⁸ *Rapport travail et cohésion sociale*, cahier économique, no 101-2006, Statec, p. 91.

According to the EU-SILC survey, only 49% of low-income households (with an average standard of living of 1,300 euros/month as opposed to 3,100 euros/month for other households) owned their own home in 2004 as opposed to 75% of other households.

In addition, 52% of low-income households live in a house (as opposed to 73% of better-off households), 45% in a flat (as opposed to 26% of better-off households) and 3% in insecure housing (caravan, etc.) (as opposed to 1% of better-off households).

Housing costs are a major burden for households on low incomes, who devote 27% of their income to paying the rent if they are tenants (as opposed to 17% for other households) and 22% to loan repayments if they own the property (as opposed to 16% for better-off households)⁹.

Added to this, the financial costs associated with housing represent a heavy burden for 55% of at-risk – of-poverty households who pay rent, compared with 42% of at-risk-of-poverty households who are homeowners¹⁰.

In view of the impact of housing quality on children's socialisation and quality of education, the households' housing conditions are also a factor which influences the risk of poverty for children. The 2004 EU-SILC survey concluded that 17% of low-income households 'could be classed as facing problems of overcrowding, in the sense that the number of rooms they have is smaller than the number of people living in the accommodation (as opposed to 3% for other households). One explanation for this could be the fact that in relation to other households, a higher proportion of low-income households have at least one child' (46 as opposed to 34%).

In addition, low-income households report more problems regarding technical comforts (8 as opposed to 1% of other households), run-down accommodation (33 as opposed to 21% of other households) and isolation (31 as opposed to 24% of other households). Finally, low-income households are more likely than other households to suffer from urban nuisance (50 as opposed to 41% of other households). Low-income households are also more likely to live in urban developments in Southern Luxembourg than better-off households (39 as opposed to 30%)¹¹.

1.3.6. Access to childcare facilities

In order to assess to what extent lack of access to childcare facilities is an obstacle to the growth of women in employment in Luxembourg and hence a factor influencing the risk of child poverty, all parents (whether both parents or only one were in paid work) were asked questions in the EU-SILC survey conducted in 2003 about having to make changes to their work due to childcare problems.

The 2003 survey found that of the children whose parents both worked, 37% of the parents were obliged to or felt the need to make changes to their work because of childcare arrangements (reducing or changing their hours of work, changing job, etc.).

Among households in which only one of the parents was in paid work, this choice was motivated in slightly more than 10% of cases by the fact that the parents could not arrange suitable childcare. The

⁹ *Rapport travail et cohésion sociale*, cahier économique, no 101-2006, Statec, p. 90.

¹⁰ *Rapport travail et cohésion sociale*, cahier économique, no 101-2006, Statec, p. 134.

¹¹ de Lanchy, G., *Vivre au Luxembourg, Chroniques de l'enquête PSELL-3/2004, Les conditions de logement des ménages à bas revenus*, no 23, CEPS/Instead, 2006.

reasons for stopping work were the prohibitive cost of crèches or nurseries, the lack of crèches near to the home or the fact that the grandparents were not available¹².

The mother's marital status is a significant factor in the type of childcare used. According to the 2004 EU-SILC survey, children whose mother did not have a partner were more likely to be looked after in a local authority facility (48%) than other children (27%). 'This difference could be explained by the childcare establishments' admission criteria, which give priority to children from single-parent families. Private sector childcare was chosen by only one third of children whose mother had no partner, compared with nearly half the children whose mother was part of a couple¹³.

1.4. Other factors influencing the risk of poverty or social exclusion in children

To supplement the data on factors associated with the risk of child poverty which emerged from the EU-SILC surveys for Luxembourg, in the following sections we describe other factors which nationwide research has shown to have a potential influence on the risk of child poverty. This research has been conducted in the areas of education, health and juvenile delinquency, though none of the studies has established an explicit link with the risk of child poverty.

1.4.1. Level of educational achievement in children

Low educational achievement in children or young people dropping out of school are factors which can increase the risk of social exclusion and poverty for children and teenagers, and these factors need to be taken into account in our analysis.

According to the results of the 'workforce survey' (*enquête force de travail*, or EFT), in 2005 the average rate of young people leaving school early in Luxembourg was 13.3% (17% for boys and 9.6% for girls). In 2004, this rate was 12.7%¹⁴ (12.6% for boys and 12.7% for girls). Among the first 25 EU Member States, the mean rates were 15.2% in 2005 (17.3% for boys and 13.1% for girls) and 15.5% in 2004 (17.9% for boys and 13% for girls).

In order to determine the extent and causes of the problem of dropping out of school in Luxembourg and to find solutions for it, the Ministry for Education and Vocational Training (MENFP) conducted two studies in association with *Action locale pour jeunes*, or ALJ (Local action for young people) into the situation regarding young people who left the school system in Luxembourg with no final qualification between 15 November 2003 and 15 November 2004, and between 1 November 2004 and 30 April 2006¹⁵.

¹² Lejalle, B., *Vivre au Luxembourg: Chroniques de l'enquête PSELL-3/2003, Mode de garde des jeunes enfants entre souhait et réalité ...*, no 6, CEPS/Instead, 2005.

¹³ Boussein, A., *Vivre au Luxembourg, Chroniques de l'enquête PSELL-3/2004, Concilier vie familiale et vie professionnelle : Qui garde les jeunes enfants des parents qui travaillent?*, no 17, CEPS/Instead, 2006.

¹⁴ Young people aged between 18 and 24 whose maximum qualification level was lower secondary school and who left the school system in Luxembourg or abroad and did not re-enter it, compared with their reference year group. Data from the 'Workforce survey' (*enquête force de travail*) covers all members of the reference group living in Luxembourg, regardless of the country in which the person being interviewed went to school.

¹⁵ *Étude sur les élèves quittant prématurément nos écoles*, 2005, and *Le décrochage scolaire au Luxembourg*, MENFP, 2006. These studies analyse the situation regarding young people living in the Grand-Duchy of Luxembourg who dropped out of the Luxembourg school system during a specific reference period.

According to the results of these studies, the mean dropout rates in the Luxembourg school system were 6.1% (for the period November 2003 to November 2004) and 6.5% (for the period November 2004 to April 2006) based on the reference school-year group. The rates are 3.7% and 3.6% respectively if we only count the pupils who genuinely dropped out, in other words those who were actually contacted and did not enrol again in a school in Luxembourg.

Among the young people surveyed who had dropped out and had been contacted¹⁶, over a third resumed their studies in Luxembourg (18% during the 2003/04 school year and 20% between November 2004 and April 2006) and abroad, mainly in Belgium (19% during the 2003/04 school year and 15% between November 2004 and April 2006). Nearly one quarter (24%) of those surveyed who had dropped out and were contacted between November 2003 and November 2004 and 15% of those surveyed who had dropped out and had been contacted between November 2004 and April 2006 were in a job. 17% and 18% respectively of dropouts stated that they were involved in a pathway to work measure and 22% and 32% respectively of the young people who had left school early stated that they were not in training or work.

As regards gender differences in the dropout rate for young people, the findings of the studies carried out by MENFP confirm those of the 'Workforce survey' for 2005 but contradict its findings for 2004. According to the national study's findings, boys are more likely to drop out of school than girls. The dropout rate in the strict sense was 4.3% for boys and 3.1% for girls for the period November 2003 to November 2004 and 4% for boys and 3.2% for girls for the period November 2004 to April 2006.

Furthermore, pupils who are above compulsory schooling age (16 years and over) are more likely to drop out than younger pupils who are still of compulsory schooling age. The dropout rates in the strict sense were 2.4% for young people aged 15 and under, 3.9% for young people aged between 16 and 18 and 8.4% for pupils aged 19 and over for the period November 2003 to November 2004. For the period November 2004 to April 2006, the respective rates were 1.3% for young people aged 15 and under, 4.7% for 16 to 18 year-olds and 7.6% for pupils aged 19 and over.

Pupils of foreign nationality are also more at risk of dropping out of school than Luxembourg nationals. This was confirmed by the strict dropout rates reported in the MENFP studies, which confirmed that the dropout rate from the Luxembourg education system was lower among pupils of Luxembourg nationality (2.9% for the 2003/04 school year and 3.3% for the period November 2004 to April 2006) but higher for pupils of foreign nationality, in particular Cape Verdeans (13.6% for the 2003/04 school year; 8.8% for the period November 2004 to April 2006), Portuguese (5.9% for the 2003/04 school year; 4.4% for the period November 2004 to April 2006), Italians (5.5% for the 2003/04 school year; 5.0% for the period November 2004 to April 2006), former Yugoslavians (5.2% for the 2003/04 school year; 3.4% for the period November 2004 to April 2006) and French (5% for the 2003/04 school year; 4.1% for the period November 2004 to April 2006).

Alongside the pupils' sociodemographic profiles, what they do at school also has an impact on their risk of abandoning their education. Dropping out of school is most prevalent among pupils in the technical stream, affecting those in the year 9 practical stream especially (strict dropout rate 14.6% for the 2003/04 school year; 15.7% for November 2004 to April 2006), the 'preparatory' programme (strict dropout rate 11% for the 2003/04 school year; 10.2% for November 2004 to April 2006) and the manual skills qualification (CCM) and foundation technical and vocational stream (CITP) of the vocational programme (strict dropout rate 16.2% for the 2003/04 school year; 16.7% among those in the manual skills technical secondary education stream (CCM) and 16.2% among those in the foundation technical and vocational stream (CITP) for the period November 2004 to April 2006). The proportion of young

¹⁶ Young people who dropped out of school and could not be contacted, the majority of whom were assumed to have left the country, were not taken into account in the calculations.

people not entering training or work after dropping out of school is also highest among pupils in the year 9 practical classes (28% during the 2003/04 school year; 32% between November 2004 and April 2006) and the vocational stream preparing for the technical and vocational skills certificates (CATP), CCM and CITP (19% on average during the 2003/04 school year and 27% on average between November 2004 and April 2006).

Finally, the risk of dropping out becomes higher the more a pupil is behind his or her year group¹⁷. Whilst the strict dropout rate compared with the reference year group is very low among pupils who are not behind for their age group (1.1% for the period November 2004 to April 2006), the corresponding rate for pupils who are behind by just one year is 3.6%. Among those who are behind by two years, the rate rises to 6.4% and for those who were behind by three or four years, the likelihood of dropping out was higher than 10% for the period November 2004 to April 2006.

Whilst doing badly at school or expecting to do badly are commonly the main reasons for dropping out of school, girls tend more to cite personal, family or financial reasons as the motive for stopping their studies. Including the nationality of those who dropped out in the survey showed that losing interest in school and in studies in general were the main reasons for pupils of Luxembourg nationality, whilst the main reason quoted by pupils of Portuguese nationality was the fact of having failed to find an apprenticeship and the hope of improving their chances of success by moving to a new school. For pupils in year 9 of the 'preparatory' programme, the fact of not having found an apprenticeship post was also stated as the main reason for dropping out. Pupils in the CCM or CITP classes of the vocational programme quoted the main reason as being termination of their apprenticeship contract either by them or by their boss.

It is worthwhile noting that for young people who continued their studies abroad, problems encountered in certain branches or the atmosphere at school were quoted much more frequently than by pupils in a different situation (23.6% and 12.7% respectively as opposed to 15.7% and 5.5% respectively of pupils who entered work after dropping out of school and 12.1% and 6.8% respectively of young people who were looking for work or unemployed). Unfortunately, the study does not allow results to be broken down by nationality and therefore does not answer the question as to whether it is primarily young people of foreign nationality who do not speak Luxembourgish or German well who chose to continue their studies outside the country.

1.4.2. Health of children and teenagers

The survey of children aged 9, 14 and 18 run in 2004 by MENFP/department for educational and technological research coordination (Script) and the government department for sports, in conjunction with Karlsruhe University Sport and Sports Science Institute¹⁸ found that:

- 30% of boys and 15% of girls consume alcohol at least once a week;
- 38.3% of young people aged 18 consume alcohol at least once a week, the rate being 7.4% for 14 year-olds.

¹⁷ Starting school late, immigrating in later childhood and temporary interruption and resumption of schooling are among the reasons for being behind at school, but in most cases, it is due to having repeated one or more school years, either at primary or post-primary stage.

¹⁸ Professeur Dr K. Bös, *Santé, capacité motrice et activité motrice et sportive des enfants et des jeunes au Luxembourg, Une étude réalisée sur les tranches d'âge des élèves de 9, 14 et 18 ans*, MENFP/Script, Ministry for Health department for sports, in conjunction with Karlsruhe University Sport and Sports Science Institute, 2006, p. 145-146.

The study also found that:

- 21.7% of boys and 22.7% of girls smoke at least once a week;
- 8.2% of young people aged 14 smoke at least once a week, and for 18 year-olds, the rate rises to 36%.

The abovementioned survey was designed to assess the well-being of children and adolescents in Luxembourg in terms of general health, without relating the situation to social exclusion in the strictest sense of the word.

The data quoted in the following paragraph, which is given in absolute figures, should be interpreted in relation to the reference target group for Luxembourg.

For information, the growth in the number of young people aged between 0 and 17 inclusive in Luxembourg is shown below:

Table 1. Trend in the number of children and young people aged 17 and under

Position at 1 January	2001	2002	2003	2004	2005	2006
Total number of minors	97,812	98,934	99,633	100,487	101,166	102,063
Boys	50,132	50,674	51,026	51,551	51,921	52,447
Girls	47,680	48,260	48,607	48,936	49,245	49,616

Source: Statec

According to data from the Luxembourg Union des caisses de maladie (UCM – Union of health insurance funds), the number of children and adolescents aged 18 and under admitted to hospital for problems associated with mental health and behavioural and psychiatric disorders, whilst equivalent to only 0.46% of all minors in 2005, rose from 286 in the year 2000 (195 admitted to hospital in Luxembourg; 91 admitted to hospital abroad) to 467 in 2005 (391 admitted to hospital in Luxembourg; 76 abroad), which represents a 63% increase¹⁹. The numbers admitted to hospitals outside Luxembourg have been decreasing since 2003, the year the juvenile psychiatric department was opened at Luxembourg's Kirchberg hospital.

Between 1 July 2005 and 30 June 2006, 206 children and adolescents were admitted to the country's psychiatric units (107 being admitted to Kirchberg hospital). Of these minors, 38 were admitted under orders of the youth justice judge, 13 were drug addicts needing to undergo rehabilitation and 29 young people were transferred abroad for care²⁰.

In addition, the number of pregnancies among girls under 18 rose from 36 to 41 between 2000 and 2005. If pregnancies among girls aged 18 are included, the number rose from 70 to 87 between 2000 and 2005.

Furthermore, according to statistics held by ORK, the number of teenage girls undergoing terminations is rising: the number has risen from eight officially surveyed abortions in 2000 to 30 in 2005. During the first 10 months of 2006, 27 girls had an abortion (three of whom were under 16)²¹.

In 2005, the Luxembourg association for the prevention of child abuse (Alupse) dealt with 266 children from 125 families. Symptoms of sexual and/or physical abuse were observed in 166 children. Out of 99

¹⁹ *Rapport 2006 au Gouvernement et à la Chambre des députés*, ORK, 2006, p. 34.

²⁰ *Rapport 2006 au Gouvernement et à la Chambre des députés*, ORK, 2006, p. 36.

²¹ *Rapport 2006 au Gouvernement et à la Chambre des députés*, ORK, 2006, p. 44-46.

children from the 79 families who first consulted the Alupse-Dialogue service in 2005, the reasons for requesting therapeutic intervention were sexual abuse (44%), family conflict (31%), neglect (9%), physical abuse (7%) and mental abuse (6%). In 3% of cases, intervention was requested via a court order. During the first seven months of 2006, no fewer than 90 family situations of physical abuse and suspected sexual abuse were dealt with by the association²².

In addition, shelters for girls, women and women with children in crisis situations needing social or educational support took in 512 children and 462 women in 2006. Compared with the year 2000, the number of children had risen by 40% (from 365 children to 512) and the number of women had risen by 28% (from 362 to 462). In 2006, the main reasons for approaching one of these shelters were domestic violence in 56% of cases and housing problems in 20% of cases. Housing was a problem mainly for women with several children who were in receipt of the guaranteed minimum income (RMG) or were on a low income²³.

As regards drug problems, the database of the national information network on drugs and substance abuse (*réseau national d'information sur les stupéfiants et les toxicomanies* - RELIS)²⁴ surveyed 783 individuals who were on the records of various care facilities or had been in trouble with the law for alleged offences under the Illegal Drugs Act during that year. At 31 December 2005, the mean age of the 783 individuals surveyed in 2005 was 29 years and 10 months. 4.6% of the problem users surveyed were minors. By extrapolation to the prevalence data on problem use of high-risk drugs obtained in 2000, the absolute figure at national level can be estimated at somewhere between 100 and 150. A longitudinal analysis of the data shows that the proportion of people in the 15 to 19 age group has seen an increase since 1994 and the data for the 20 to 34 age group shows a general downward trend. Since 1995, we have also seen a downward trend in the average age of first use of low-risk drugs and illegally acquired high-risk drugs. In 2005, the mean age of first use of illegal drugs among those surveyed was 15 years and 2 months (15 and 8 months for men and 14 years for women).

²² *Rapport d'activité 2005*, Ministère de la santé, 2006, p. 157.

²³ *Rapport d'activité 2006*, Ministère de l'égalité des chances, 2007, p. 65-66.

²⁴ *L'État du phénomène de la drogue au Grand-Duché de Luxembourg*, RELIS, édition 2006, CRP santé/CES.

1.4.3. Juvenile delinquency

At present, the statistics published by the Luxembourg Statistics Office or other bodies (police, Justice Ministry) are fragmented, therefore it is difficult to obtain a clear picture of the extent of Luxembourg's juvenile delinquency problem.

The following table gives information on one aspect of juvenile delinquency, notably the number of young people aged under 19 who were charged for drug-related crimes recorded by the police during the years 1999–2005.

Table 2. Trend in the number of people charged with drug-related offences by age group between 1999 and 2005

	1999	2000	2001	2002	2003	2004	2005
0-14 years	27	21	11	15	41	24	9
15-19 years	415	413	399	647	602	334	436
<i>Total 0-19 years</i>	<i>442</i>	<i>434</i>	<i>410</i>	<i>662</i>	<i>643</i>	<i>358</i>	<i>445</i>
Grand total	1,939	1,758	1,776	2,218	2,271	1,811	2,034
% 0-19 years out of the grand total	22.80%	24.69%	23.09%	29.85%	28.31%	19.77%	21.88%

Source: CID, drugs division

This table shows that after an increase in the number and proportion of juvenile delinquents during the years 2002 and 2003 and a decrease in 2004, the situation in 2005 was comparable to that in 1999. In 2005, young offenders under 19 years old represented almost 22% of all people committing drugs-related offences.

Table 3. Distribution of the number of people charged with drugs-related offences by gender, nationality and minor age status between 1999 and 2005

	1999			2001			2003			2005		
	Men	Women	Both	Men	Women	Both	Men	Women	Both	Men	Women	Both
Luxembourg nationals												
Minors	61	21	82	89	19	108	109	46	155	56	27	83
Total	704	144	848	688	119	807	703	154	857	537	145	682
Foreign nationals												
Minors	63	9	72	1	54	55	135	15	150	67	3	70
Total	860	89	949	790	88	878	1 081	125	1 206	1 186	92	1 278

Source: CID, drugs division²⁵.

²⁵ The difference between the overall data in this table and the previous one is due to the fact that for some of the people charged, the gender was not known at the time of recording.

The distribution of young people charged with offences by gender and nationality reveals that:

- people of foreign nationality are more often involved in crime than those of Luxembourg nationality. In addition, the number of people of foreign nationality charged with offences rose sharply between 1999 and 2005 (+ 35%), while the number of people of Luxembourg nationality charged during the same period fell (- 20%);
- overall, men are involved in crime more often than women;
- by contrast, the proportion of under-age delinquents and the proportion of female under-age delinquents is higher among offenders of Luxembourg nationality than among those of foreign nationality.

The youth court judge is able to order certain young people who have been detained by police to be placed in care or in a State-run 'socio-educational centre'.

In 2006, young people placed in this way represented 7.03% of all minors placed within socio-educational facilities under the responsibility of the Ministry for the Family and Integration.

The rate of minors placed within the system is in the region of 0.8%.

Table 4. Trend in the number of children in care placements from 2001 to 2006

Type of placement at 31 December	2001	2002	2003	2004	2005	2006	Rate (2006)
Registered children's homes (Centres d'accueil)	305	309	318	321	320	344	37.23%
Registered crisis shelters for women and children (Foyers d'accueil et de dépannage)	47	47	36	39	38	38	4.11%
State-run children's homes	60	64	60	60	60	69	7.47%
State-run socio-educational centres	64	73	79	68	82	65	7.03%
Placement abroad	78	83	103	114	123	149	16.13%
Foster families	227	224	227	233	249	259	28.03%
Total	781	800	823	835	872	924	100.00%

Source: Ministry for the Family and Integration

To our knowledge, no specific studies have been carried out to analyse the link between low educational achievement and the risk of poverty for children, or between children's state of health and juvenile delinquency and children's and teenagers' risk of poverty or social exclusion.

Furthermore, the data currently available on the situation regarding children with a disability and children of foreign nationality does not allow us to establish a link with the risk of poverty or social exclusion for these children.

1.5. Intergenerational transmission of poverty

An analysis of PSELL 3/2005 data, which was conducted for the purpose of the SILC survey, validated the theory of intergenerational transmission of poverty. It showed that the fact of having experienced financial problems during one's teenage years increases the chance of experiencing financial difficulties again as an adult, even leading to problems with integrating into society, not to mention health problems. This was demonstrated by the answers to the question put to people aged between 25 and

66 living in Luxembourg as to whether they had lived in a household experiencing financial problems while they were between the ages of 12 and 16.

The findings of this analysis revealed the following²⁶:

- those people who had experienced a situation of financial difficulty most often as adolescents (9% of people who experienced such a situation most of the time and 12% who experienced it often) had been living with more siblings. And those who had not been living with both parents had also experienced more financial difficulty. These results confirm others we now have concerning the significantly higher risk of poverty among large families and single-parent families;
- the lack of a post-primary level educational qualification is encountered more often among people who experienced financial problems most of the time during their teenage years (69% in this category compared with 25% of people who have never experienced financial problems);
- people who had experienced financial difficulties more often during their teenage years entered the job market at an earlier age (17.5 years old on average for those who experienced such problems most of the time compared with 20 years old on average for those who had never any experienced any);
- data on employment status confirms the picture of inequalities in employment prospects; it is mainly the percentage of unemployed people which differs according to the frequency of financial problems during a person's teenage years, across all the generations. The level is 9% among people who experienced financial problems most of the time, whilst it is only 3% in each of the other categories, namely those who experienced financial problems 'often' , 'occasionally', 'rarely' or 'never';
- the average risk of poverty is 11% for people aged between 25 and 66. It rises to 29% among those who were in a problematic financial situation most of the time while they were growing up, 18% for those who were in that situation often, 12% when the situation was occasional, 15% when it was rare and only 7% when that situation never arose;
- among those who have experienced financial difficulties most often in the past, 13% consider that they only have enough resources to get by with difficulty or with great difficulty. The percentage is three times lower (4%) among people who never experienced financial problems when they were growing up;
- only 15% of adults who experienced financial problems when they were young consider their health to be good, while 18% of these people consider their health to be bad or very bad. These figures are 39% and 4% respectively among people who never experienced this type of financial difficulty.

The analysis therefore shows that frequent financial problems during a person's teenage years appear to be linked with difficulties accessing a high level of training and therefore employment prospects during the adult years. This increases risk of poverty, as well as leading in many cases to poorer health. In other words, poverty does indeed tend to repeat itself from one generation to the next, which is why it is so important to develop appropriate social policies for tackling child poverty.

²⁶ Reinstadler, A., *Vivre au Luxembourg, Chroniques de l'enquête PSELL-3/2005, Le risque de pauvreté se transmet-il entre génération?*, no 31, CEPS/Instead, 2007.

Chapter 2. Evaluation of national policies for tackling child poverty and social exclusion

2.1. Political background

2.1.1. Level of political priority given to child poverty — policy targets for reducing child poverty and social exclusion.

The Luxembourg government aims to combat the intergenerational transmission of poverty by raising skills levels from an early age, improving educational achievement and providing alternatives for young people who leave school early. The target announced in the 2006 National Strategy Report (RSN) is the Lisbon target, which aims to reduce the rate of young people leaving school early to 10% by the year 2010 (in 2004, the rate of people leaving school with no qualification in Luxembourg was 12.7% according to Eurostat comparative statistics).

The Luxembourg authorities also aim to tackle child poverty by developing the *maisons-relais* childcare centres, in order to encourage parents to participate in the employment market. The target stated in RSN-2006 was to increase the number of childcare places from 8,000 in 2005 to 30,000 in 2013.

In addition, the authorities are aiming to strengthen current family policy based on the distributive justice principle, which provides both services in kind and financial benefits (direct benefits in the form of family allowances and indirect benefits via tax reductions for large families).

However, in terms of access to housing, the link with tackling child poverty and social exclusion is not stated explicitly in RSN-2006. The report's fourth objective relating to promoting access to housing tackles among other things the question of social exclusion related to housing for people on low incomes by announcing the medium-/long-term goal of creating 10,800 housing units, 3,600 of which would be for social renting. However, it does not mention which groups are being targeted and does not demonstrate explicitly to what extent the political programme would target large families or would contribute to reducing or avoiding child poverty.

Relationship between the universalist approach which aims to promote the well-being of all children and the goal-oriented approach which aims to combat poverty and social exclusion in specific high-risk groups of children

The approach of the Luxembourg authorities is universalist in that it is designed for all children, not for specific groups of children at risk of poverty. This is also shown by the description of political goals pursued by the Luxembourg government in the area of combating child poverty and social exclusion in the context of the 2006 National Strategy Report.

Family policy in Luxembourg is, in fact, based on the distributive justice principle. The emphasis of redistribution (family allowances and other benefits) is on the family as a whole, not on the household's income. The Luxembourg authorities also aim to increase the number of childcare places available with a view to improving the balance between work and family life and hence promote the well-being of all children.

Consideration for the rights of the child and balance between focusing on the family and focusing on children, with their own rights

The International Convention on the Rights of the Child, adopted by the UN General Assembly on 20 November 1989, was ratified by the Luxembourg government in the law of 20 December 1993. However, the Luxembourg Constitution still does not contain any specific reference to adhering to this convention. ORK, which was formed under the law of 25 July 2002 as an independent body whose mission would be to oversee protection and promotion of the rights and interests of children and adolescents under 18, has since recommended to the Luxembourg Parliament that protection of children be rooted in the Luxembourg Constitution, as has been done in Belgium.

Children's rights have been affirmed at national level by the Ministry for the Family and Integration by means of various information and educational activities focused on children's rights, such as the inauguration in 2005 of a 'children's rights trail' in a village in Northern Luxembourg and the organisation of various public events for children.

Nonetheless, according to the assessment in the 2nd periodic evaluation report on the Grand Duchy of Luxembourg drawn up by the International Committee on the Rights of the Child in July 2004, teaching on human rights and children's rights has not yet been included in the primary and secondary school curricula, and the subject is not dealt with across the board. Moreover, school councils or joint councils do not operate in a satisfactory way.

Inclusion of the principle of every young person's right to fully develop their potential in the 'youth bill' put before the Government on 19 January 2007 is a step in the right direction, but will not be enough to ensure that children's rights are implemented in practice.

Furthermore, until now there has been no legal framework for the aspect of child welfare. In order to remedy this situation the Ministry for the Family and Integration drew up a draft child welfare bill in 2005. The aims of this draft bill, to be put before the government shortly, are as follows:

- to create a legal framework for child welfare and protection;
- to create a national office for children;
- to reorganise placement in institutions;
- to review the State's financial contribution to services provided to children and young people in crisis situations and their families;
- to put more money into prevention;
- to extend the services provided by the *institut d'enseignement socio-éducatif* ('socio-educational training institute');
- to promote children's participation;
- to make violence in the family a criminal offence;
- to collect reliable data.

This draft bill is currently undergoing intense (and sometimes heated) debate, as it touches on some of the elements set forth in the bill presented on 9 June 2004 by the Justice Minister relating to changes to the youth protection law.

2.1.2. Extent and effectiveness of institutional mechanisms in mainstreaming the issues of child poverty and children's well-being within national policy and of the coordination of policy development concerning children at and between the various levels of government.

Pursuant to article 35 of the Guaranteed Minimum Income law, a joint ministerial committee for social action has proposed various measures to the government designed to step up the fight against poverty and social exclusion.

Policies concerning children are coordinated in part at national level within the framework of this joint ministerial committee.

At local level, coordination of policy and implementation of government goals and priorities by local authorities and government organisations are regulated by the legal framework established by the Minister for the family and integration. At this level, there is regular communication between government representatives, local organisations and non-governmental organisations (NGOs). Whenever work is begun on legislation, parliamentary commissions from the Luxembourg Parliament are commissioned to carry out investigations pertaining to the legislation. The standing committee which deals with the subject of minors is the Commission for the family, equal opportunities and youth.

2.2. Analysis of the main national policies

The policy measures described below are the explicit and implicit responses to the problems described in the first part of this report.

2.2.1. Policies designed to guarantee an adequate income for children and their families

- **Measures to promote access to employment**

The measures set out in RSN-2006 under the first target of reinstating full employment concern both young people looking for work and adults, including those who are parents, and have been devised according to a four-pronged approach: keeping people in work, bringing all categories of people at risk of exclusion into the employment market, encouraging young people to be more active and bringing and/or keeping older people in work²⁷. To our knowledge, there are no specific measures for parents with children at risk of poverty, apart from local authority childcare centres, which give priority to children of single-parent families.

- **Social security and tax benefit provisions**

In Luxembourg, the national family benefits fund (Caisse nationale des prestations familiales - CNPF) pays out the family allowance proper, which takes account of each child's place in the family and goes up as the children get older, as well as special supplementary benefits for disabled children, back-to-school payments for children aged 6 and over, childbirth and maternity benefits, education allowances and parental leave payments.

²⁷ Bill no 5611 on keeping all people in work, with special focus on young people, became the law of 22 December 2006.

Alongside the progressive raising of the basic family allowance payment, there has been a comparable reduction in the maximum tax credit for those with dependent children. These two measures taken together were designed to increase the disposable income only of those families whose incomes were below the tax threshold or who did not benefit from the maximum tax credits for people with dependent children. The disposable income of other families has remained practically unchanged.

The Luxembourg social security system also guarantees a minimum income (RMG). The RMG is made up of two separate benefits (an integration allowance aimed at helping people into work and a supplementary benefit) both of which can be received by some people under certain conditions, up to a set resources threshold determined according to the composition of the household, regardless of the reasons why the family initially fell into difficulty.

However, if we consider the risk-of-poverty rate for large families, it is worth asking whether current provisions are adequate to remove or reduce the risk of poverty or social exclusion for children belonging to large families.

- **Subsidised services**

Alongside these financial provisions, the Ministry for the Family and Integration supports a large number of activities and training, consultation and mediation initiatives for children and families. Among these are holiday camps for children and teenagers aged between 4 and 17, the holiday centres which run holiday camps, sports and cultural activities, seminars or holidays, under the supervision of various psychology or social services, and other holiday services (one of the main ones being training for leisure service staff, etc.).

2.2.2. Policies designed to guarantee access to essential services

- **Education**

The provisions set out in RSN-2006 regarding prevention of low educational achievement and raising pupils' skills levels in Luxembourg are organised along four lines:

- A prevention-focused approach. The main initiatives to highlight in this area are:
 - the reform of the learning modules for German, French and maths in the technical secondary education 'preparatory' programme;
 - the introduction of more differentiated criteria for moving up to the next year, as well as follow-up and guidance and catch-up systems;
 - introduction of the 'lower cycle' pilot project for technical secondary education (EST) from September 2003, which was designed to revamp the curricula, improve pupil follow-up and introduce a more differentiated assessment method (especially in languages), as well as more effective guidance in year 9. In 2005/06, there were 81 classes in pilot project establishments, with 1,559 pupils and in 2006/07 there were 87 classes with 1,681 pupils²⁸;

²⁸ *Rapport d'activité 2006*, MENFP, 2007, p. 17.

- providing activities eight hours a day for pupils in all post-primary education sections under the 'Neie Lycée' pilot project launched in 2005, with the emphasis on interdisciplinary learning and training assessments. During the 2006/07 school year, there are 137 pupils across seven second year classes and 118 pupils across six first year classes. 23 pupils could not be enrolled in the first year, due to a shortage of places²⁹;
 - defining skills bases at the various primary and secondary education stages;
 - drawing up a new 'profile of language teaching policy in Luxembourg' based on the common European reference framework on languages.
- Early identification of and intervention for at-risk pupils. The following provisions have been made with a view to bringing young people back into training:
- the introduction of 'halfway' classes to enable pupils with behavioural problems to stay within the school environment and prepare them to return to their usual classes;
 - the introduction of stricter supervision, more appropriate courses and a wider range of future opportunities in the 'preparatory' regime;
 - strengthening teaching models designed to develop preparatory classes for going on to training leading to a qualification;
 - joint work between schools and the MENFP 'local action for young people' (ALJ) service to gather data on pupils who leave school early.

In addition to these measures, provision was made for school mediation in primary and secondary educational establishments in the law of 13 July 2006 on reorganisation of the School psychology and guidance centre (Centre de psychologie et d'orientation scolaires - CPOS) and the Josy Barthel technical high school was involved in the juvenile psychiatry project at Kirchberg hospital (there are plans for a similar project between the neuro-psychiatry centre and Ettelbrück technical high school)³⁰;

- Provision for young people at risk via implementation of the career-oriented voluntary work project run under the auspices of the Ministry for the Family and Integration. The purpose of this project is to provide a secure path for young people under 18 who have left school early or finished their compulsory education without a qualification and who are not in work or training and to motivate them to resume some sort of education or training or to look for a job;

²⁹ *Rapport d'activité 2006*, MENFP, 2007, p. 9.

³⁰ *Rapport d'activité 2006*, MENFP, 2007, p. 62.

- Measures to bring people back into the system and upgrade their qualifications. These include:
 - o the introduction of vocational courses for people returning to education in several of the technical high schools and the national centre for continuing vocational education (Centre national de formation professionnelle continue - CNFPC);
 - o revising foundation level vocational training in the form of an apprenticeship contract leading to a recognised qualification (the CITP) which covers several different trades or groups of trades;
 - o the introduction of a bill (presented before the Luxembourg Parliament on 29 June 2006) providing among other things for a redefinition of the aims and structure of careers guidance and basic vocational training (COIP) courses, and the creation of a training grant for minors and a training allowance for young adults under 25, as well as a training bonus for young people who achieve the targets set by their COIP courses and who have been in employment or apprenticeship contracts for at least 6 months. This bill was passed and became the law of 16 March 2007 on:
 1. the structure of vocational training courses at the national continuing vocational training centre (CNFPC);
 2. the creation of a training grant, a training bonus and a training allowance.

An enforcement regulation was also passed, the grand-ducal regulation of 29 March 2007 on conditions governing payment of the training grant for minors and the training bonus.

- **Childcare**³¹

- *Maisons-relais* childcare centres: the concept of *maisons-relais* childcare centres was created and introduced by the grand-ducal regulation of 20 July 2005 on accreditation of *maisons-relais* childcare centres. *Maisons-relais* are daycare centres which provide various services for school-age children outside school hours. Before the abovementioned grand-ducal regulation came into force, these services were governed by grand-ducal regulation of 20 December 2001 implementing articles 1 and 2 of the law of 8 September 1998 regulating the relationship between the State and organisations working in the welfare, family work and therapeutic fields with regard to government accreditation of non-residential childcare facility managers.

³¹ *Rapport d'activité 2006*, Ministère de la famille et de l'intégration, p. 184-186.

Under the terms of the regulation, *maisons-relais* should operate for at least 200 days and 500 hours per calendar year. In addition, the Ministry for the Family and Integration aims to encourage longer opening hours from 6.00 am to 8.00 pm for up to six days a week (Monday to Saturday inclusive) by participating in the running costs of the *maisons-relais* via service agreements. The special agreement for *maisons-relais* (which came into force on 1 January 2006) also provides for various services, some of which are mandatory, such as:

- providing meals for users, including the main midday meal and light meals and snacks;
- supervising users and running events and activities of a socio-educational nature;
- helping users with homework.

Other services may be provided at the discretion of the organisation running the centre, without the need for specific accreditation. Additional activities include:

- individual socio-educational support;
- looking after users who are ill, either at the centre's premises or at users' homes;
- social and leisure events of a socio-educational, informative or cultural nature for users and their families;
- parent training sessions;
- socio-educational, intergenerational and transcultural social activities and events in the local community in which the centre or its units are located.

In 2006, 92 *maisons-relais* had an accreditation agreement with the Ministry for the Family and Integration (eight of the 92 centres began in 2006). There are 10,247 places in the 92 accredited *maisons-relais*, spread across 188 local units or branches;

- Childminders registered by the Ministry for the Family and Integration³². Under the terms of the law of 8 September 1998 regulating the relationship between the State and organisations working in the welfare, family work and therapeutic fields, childminders (*Daageselteren*) who look after between four and seven children during the day and/or at night must be accredited. The abovementioned law was supplemented by the grand-ducal regulation of 29 March 2001 whose purpose was to set out the conditions and formalities required to obtain accreditation. A bill to regulate the occupation of childminder was put before parliament (parliamentary document 5517) on 17 November 2005. It stipulates that even childminders looking after fewer than four children must be registered, sets the maximum number of children per childminder as five, and makes training for childminders and affiliation with social services, as well as having professional third party liability insurance, a requirement. The legislation aims to provide better protection for users via these conditions. The bill is currently going through the legislative process: an opinion was delivered by the Council of State in October 2006 and on 30

³² *Rapport d'activité 2006*, Ministère de la famille et de l'intégration, p. 187.

October 2006 an opinion was given by the Chamber of private employees (Chambre des employés privés - CEP.L) which had taken on the task of giving advice on the bill in question, as it considered it to fall within its area of expertise.

The first 18 childminders were registered in 2003. In 2006, there were 73 childminders, spread across 31 different local authority areas. Between 2003 and 2006, the number of children looked after in this type of childcare facility rose from 90 to 347 (+ 285%);

- 'Educational care' by private individuals, organised by the family placement services³³. The remit attributed by the government to the family placement services is to:
 - o arrange care and education, via private individuals, for minors who need to be cared for outside the family;
 - o recruit, select, prepare and provide help and advice for potential hosts for these children;
 - o meet with the child's parents or legal guardians who are looking for care for their child, to look at this project with them and examine its implications;
 - o decide on the terms and conditions governing the work between the parties concerned;
 - o make provision for educational and psychosocial training supervision of the private individuals and oversee the smooth running of the care arrangement, with particular regard to the well-being of the children who are being cared for.

At 31 December 2005, 588 children were being looked after in 286 host families. Between 1995 and 2005, the number of children being looked after rose by 94% (from 303 to 588) and the number of host families rose by 52% (from 188 to 286).

▪ Housing

The Luxembourg government outlined the main lines of its policy for combating housing-related exclusion of people who are on low incomes and/or socially disadvantaged in its 2006 national strategy report (RSN). These consist essentially of two main priorities:

- A 'housing pact' with local authorities. The 'housing pact' comes within the framework of the measures recommended in the government statement presented to parliament on 2 May 2006. In signing this pact, the State and the local authorities have made a commitment to join forces to increase housing provision and to reduce the cost of property and accommodation through the implementation of various measures. The aim of the national action programme for housing is primarily to increase the amount of housing available, which should result in better price control. The country's various local authority administrations are participating in this action. In addition, within the framework of the eighth housing estate construction programme which aims to build some 10,800 housing units (a fourfold increase on the existing provisions), one third (approximately 3,600) of these will be for social renting intended for people whose income is too low to cope with renting in the private sector. There has been no indication that special priority will be given to families with children at risk of poverty or social exclusion;

³³ *Rapport d'activité 2006*, Ministère de la famille et de l'intégration, p. 188.

- A proactive property control policy (this policy has created seven different mechanisms which can be used, the seventh of which concerns low-income households). For children and teenagers in a crisis situation (drug addicts, victims of domestic violence, young offenders leaving compulsory care placements, etc.), various organisations accredited by the Ministry for the Family and Integration or the Ministry for Health (see below) provide access to housing facilities and socio-educational help and advice.

In order to remedy the lack of data on the numbers of people exposed to exclusion due to their housing situation, and given that quantification and in-depth knowledge of the problem are essential prerequisites for formulating appropriate policies to combat the problem, the Ministry for the Family and Integration requested an exhaustive survey of users of day centres, night shelters, care centres and staffed accommodation. This study was carried out in February 2006 by CEPS/Instead, in conjunction with the organisations working in the field of provision for people at risk of housing-related exclusion³⁴. According to the authors, this study provides evidence which can be used for a pragmatic approach to exclusion associated with housing, whilst representing a snapshot taken at one moment in time which only gives a brief sketch of the reality and extent of the problem.

For the purpose of the study, 568 people (261 women and 307 men) in 41 institutions were interviewed during the survey. The group varied from people who had spent the previous night on the street (30 people) to people who were in insecure housing which they owned (88 people).

According to the study's findings, 65% of people who are suffering from housing-related exclusion are living alone, in the sense that they are not living with a partner or with their children. One person in 10 was living with a partner but had no children, 16% were living alone with their children and 9% were living with a partner and children. This distribution varied significantly depending on the type of accommodation. People in night shelters, mixed-sex care centres and institutions were mainly single. Women-only care centres and staffed accommodation had a very high percentage of women on their own with children (70%). Users of mixed-sex staffed accommodation were more varied. The majority of couples with children were in this type of accommodation. The distribution of people who had slept the previous night in their own home is fairly similar to that of the whole survey group. Finally, people who had slept with family or friends were more often couples with no children.

The survey also showed that of the women experiencing housing-related exclusion who had children, 66% of them were living with their children (primarily in staffed accommodation), while among men who had children, barely 20% were living with them. Among those people not living with their children, people staying in night shelters (mainly men) and institutions had the least amount of contact with their children.

For children whose parents are in prison especially, ORK has recommended that the necessary resources should be allocated urgently, and a special area should be arranged for children visiting the prison³⁵.

³⁴ *L'exclusion liée au logement des personnes prises en charge par les centres de jour, les foyers de nuit, les centres d'accueil et les logements encadrés, Dénombrement et caractéristiques*, CEPS/Instead, 2007.

³⁵ *Rapport 2006 au Gouvernement et à la Chambre des députés*, ORK, 2006, p. 64.

▪ **Health³⁶**

Like its family policy, the Luxembourg government's approach to health policy is universalist in that it addresses all children regardless of their household's income. Alongside these general health measures, specific prevention and treatment measures were introduced to respond to the specific needs of at-risk children and adolescents when their numbers reached a critical mass necessitating and justifying state intervention.

Preventive medicine is practised in primary schools either directly by the local authorities or by the Luxembourg mental health league (*Ligue luxembourgeoise d'hygiène mentale*). The school health division organises medical supervision of children at school in the general secondary education (ESG) and technical secondary education (EST) streams³⁷. In its 2006 report, ORK emphasised the important role of the school health teams in promoting children's health and asked that the current projects in this area be carried out as quickly as possible.

As regards prevention of unwanted pregnancies and sexually transmitted diseases, the school psychology services organise information sessions in collaboration with the family planning organisation. These events are aimed at pupils in the EST stream. In its 2006 report, ORK recognised the importance of this initiative and recommended that sex education be improved and be included in all school curricula. ORK has requested the Ministry for Health to introduce free gynaecology consultations and oral contraceptives for minors.

Various organisations approved by the Ministry for Health are active in the area of preventing substance abuse and provision for under-age drug addicts:

- the charity Jugend an Dogenhëllef offers consultation sessions, supervision of patients entering a methadone substitution programme, supervised accommodation, 'parenting' advice for pregnant women and for parents with drug addiction problems and their children, a relapse prevention programme, and needle distribution and collection;
- the charity Stëmm vun der Strooss with branches in Luxembourg city and Esch-sur-Alzette provides therapeutic workshops, social areas, primary medical examinations for people living on the street, benefits advice, a housing agency service for people on low incomes and a laundry service and showers;
- the mission of the centre for the prevention of substance abuse (Centre de prévention des toxicomanies) is to develop, publicise and promote ideas and strategies for a healthy and positive lifestyle, primarily through prevention of behaviour which is likely to lead to all the different types of drug abuse and dependency. A four-year plan for 2005-09 for primary prevention of drug dependency has been drawn up in collaboration with the Ministry for Health. The aims of the plan are to extend programmes already in operation (training activities, prevention at school and documentation) and to set up new projects (prevention at home and at work, primary prevention consultancy, media campaigns and assessment);

³⁶ *Rapport d'activité 2005*, Ministère de la santé, 2006, et *Rapport 2006 au Gouvernement et à la Chambre des députés*, ORK, 2006.

³⁷ Working parties are currently in the process of drawing up a bill to amend the school medicine law of 2 December 1987 and the grand-ducal regulation of 21 December 1990.

- The Foyer Rosport neuropsychiatric hospital works with drug addicts after they have undergone treatment at the Manternach treatment centre;
- the charity Médecins sans frontières offers help of a psychosocial nature in all situations involving under-age use of psychoactive substances and this extends to the people around the young person in their family and various institutions, works closely with all the bodies and institutions which are in contact with the young substance-users and provides one-off training courses and educational activities on request. A new project called 'Choice' has been running since January 2006, which consists of training and communication sessions around the subject of drug abuse and the risks of drugs for young people and their parents or educators. The purpose of this initiative is to develop a more critical and, above all, a more responsible attitude in young drug addicts. This additional new provision was developed in close collaboration with the law enforcement authorities and youth protection courts;
- Since July 2005, the 'Tox-In' institute run by the Comité national de défense sociale (CNDS) has been providing two day centres with accommodation and a drug-use room for addicts.

Alupse, which was formed in 1984, and became a registered charity on 5 July 2002, is one of the main organisations providing preventive measures against child abuse. In addition to its preventive work, the Alupse-dialogue service, created in 1995, provides therapeutic counselling for children and adolescents aged between 0 and 16 who have been victims of physical, psychological or sexual abuse or neglect, and supports parents and other responsible adults in creating favourable living conditions which will meet the needs of children and their families in terms of both prevention and therapy.

In view of the increasing number of children and adolescents aged 18 and under who are admitted to the country's psychiatric units for several weeks or even months, and in view of the fact that these children's schooling needs are not met in the same way that they are met at the Luxembourg hospital paediatric unit, ORK recommended in its 2006 report to MENFP that it should work closely with the Ministry for Health to ensure that the schooling needs of children hospitalised under the supervision of the psychiatric services are dealt with appropriately.

2.2.3. Policies promoting care and protection of children at risk³⁸

In this area, the Ministry for the Family and Integration has put in place a series of care and accommodation facilities for children and young adults in a crisis situation, the main provisions being:

- private children's homes for children and young adults. This type of day and/or night care and accommodation facility covers the classic children's homes (centres d'accueil classiques - CAC), care and crisis centres (foyers d'accueil et de dépannage - FADEP) and specialist children's homes (centres d'accueil spécialisés - CAS). At 31 December 2006, these different organisations had 382 children and young adults in their care (358 at 31 December 2005);

³⁸ *Rapport d'activité 2006*, Ministère de la famille et de l'intégration, 2007, p. 198-229.

- 'open setting' (semi-independent) social services. These services provide children and young adults leaving a CAC, FADEP or CAS with:
 - assistance ranging from simple financial support to providing housing with socio-educational supervision ('open setting' housing facilities);
 - practical training within the framework of specific preparation for work programmes (the *centre d'insertion socio-professionnelle* centre for pathways into employment and independent living);
 - psychological and educational advice and help for children and young adults and those around them through services aimed at training them for living in society, consultation, family mediation, financial help and guidance and coordinated activities.

At 31 December 2006, 96 children and young people in crisis situations were being looked after by these services;

- Fostering services managed by the Luxembourg Red Cross, the association *Fir ons Kanneret* and the association *Entente des gestionnaires des centres d'accueil* are responsible for helping to place children or young people in crisis outside their families with private foster families. At 31 December 2006, 259 children were being looked after in 172 foster families (249 children in 166 families at 31 December 2005).

To tackle the shortage of care places for young people in crisis, the Ministry for the Family and Integration has made plans to create some 120 extra places in 2007 and 2008 for the different age groups between 0 and 16, and roughly one third of these places will be in care facilities with a therapeutic role. For all the care facilities, special emphasis will be placed on working with the children's families in order to support, restore or initiate the parent/child relationship;

- State-run children's homes, introduced by the law of 18 April 2004, take in children and adolescents whose families are temporarily unable to take care of their education. They offer children and their families help and advice and care which is suited to their individual circumstances.

At 31 December 2006, 69 minors were being looked after in state-run children's homes (60 at 31 December 2005).

Because of the high numbers of young people looked after in state-run children's homes who have no family or cannot return to their family, it has been necessary to create facilities to meet these young people's needs. In November 2005, the *Jugendgrupp* was set up, a care facility for nine young people aged between 12 and 18 and four to five young people in a semi-independent arrangement, and in December 2006, the *Jugendpensioun* was set up, a care facility for five young people aged 18 and over. There are plans to extend the existing provision of independent housing for young adults whose social and/or financial situation does not allow them to live completely independently.

The increased number of cases of severely disturbed children has made it necessary to set up facilities with accommodation to take in children who are in mental distress who are unable to settle down in the usual care centre environment or are unable to stay there. Some of these children are currently placed by the youth justice judge in the State-run 'Centre socio-éducatif' or in institutions outside Luxembourg. At 31 December 2006, 149 children and young people were in institutions outside Luxembourg (123 children at 31 December 2005). As regards state-

run children's homes, it will be necessary to create a facility within Luxembourg (either a therapeutic facility or a specialist care centre) to address these urgent needs and to allow the children to stay as long as possible in a suitable regular routine;

- The state-run 'Centre socio-éducatif' takes in boys and girls placed in its care by order of the courts for an indefinite period, which is usually until they turn eighteen.

The centre's units provide a socio-educational environment, therapeutic assistance, socio-educational training and protection and supervision for the children in their care. The state-run 'Centre socio-éducatif' also has two external supervised housing facilities which can accommodate young adults and provide guidance for them in making their way in society after leaving prison.

At 31 December 2006, 65 minors were in placements in State-run Centre socio-éducatif units (82 minors were in placements at 31 December 2005).

Certain NGOs and political parties have registered their opposition to the detention of children and young people. The Green Party in particular advocates educational and socialisation methods other than those based on the punishment principle. It has proposed alternative measures such as placing the young people in decentralised units where they can be given socio-therapeutic help and guidance and more systematically reintegrated into society, the abolition of closed secure units, the creation of a crisis intervention centre, the creation of a psychiatric treatment facility specifically for young people and more generally speaking, a debate around the policy of care placements³⁹. The bill to reform the Youth Protection Act attempts to respond to the challenge posed by the detention of minors and specifies that placement of minors in the penitentiary centre would be restricted to those cases in which a minor is a threat to public order or safety. Overall, the proposals contained in this bill do not satisfy the NGOs and political parties campaigning against the social exclusion of minors;

- In the context of the national strategy to tackle poverty and social exclusion, the Ministry for Equal Opportunities provides support for voluntary sector organisations running services for girls, women and women with children registered with the Ministry for the Family and Integration, especially in the areas of:
 - organising training modules on the topic of domestic violence designed for social work and education professionals and future police men and women training at the grand-ducal police training school;
 - developing high quality resources for working with children who have been the victims of or have witnessed domestic violence;
 - organising awareness-raising campaigns around violence towards women and children;
 - organising training on human trafficking;
 - producing prostitution 'maps' for Luxembourg.

³⁹ *Halte à la violence institutionnelle: mineur-e-s en prison : quelles alternatives?*, Déi Gréng, 2000.

2.2.4. Policies promoting the participation of children and young people in local activities and cultural, recreational and sports activities

At national level, the 'upper youth council' (*Conseil supérieur de la jeunesse*), formed under article 22 of the law of 27 February 1984 introducing the national youth service (*Service national de la jeunesse - SNJ*), provides for young people and youth organisations to take part in the process of drawing up youth policies. Its role is to submit proposals to the government on policy matters concerning young people and to give an opinion on any matters and projects about which the government deems it helpful to seek its advice. It is made up of representatives of youth organisations and movements and representatives of the various ministries involved in matters concerning young people.

At local level, the Ministry for the Family and Integration has introduced the 'local youth plan' (*plan communal jeunesse*), a working tool designed to allow local authorities to implement a policy on youth which has been systematically worked out and to involve young people as much as possible in the decision-making processes involved in local policy regarding young people.

To date, four out of the 116 local authorities have introduced a local youth plan. Discussion is under way with local authorities in the Leader+ regions in the north and east of the country to look into development models for policy on young people in rural areas⁴⁰.

Youth organisations and movements accredited by the Ministry for the Family and Integration and coordinated by the national youth service play an important role in implementing these local youth plans by getting young people involved and encouraging them to participate in local cultural, recreational and sports activities.

The *maisons de jeunes* youth centres play an active part in working with young people at risk of social exclusion, in particular through their training for young people out of work. In addition, the youth centres support awareness-raising activities for young people, primarily by taking up the themes of national and European campaigns at a local level⁴¹.

However, although information and training for young people does exist, there is no structured system for communication with young people. To fill this gap, the 'youth bill' aims to provide a legal basis for structured dialogue with young people at national and local level. To facilitate this, the *Conseil supérieur de la jeunesse* will become a body responsible for dialogue with all areas of local communities concerning young people. There are plans to create a youth parliament which would provide an opportunity for young people to express their opinion directly on matters which affect them. This parliament, which would sit at least once a year in full session, would be made up of young delegates from youth organisations and organisations working on behalf of young people, and young people who could be called on to take part in certain work on an individual basis. Implementation of local youth plans presupposes active participation among young people themselves.

⁴⁰ *Rapport d'activité 2006*, Ministère de la famille et de l'intégration, 2007, p. 247-248.

⁴¹ *Rapport d'activité 2006*, Ministère de la famille et de l'intégration, 2007, p. 248.

Chapter 3. Evaluation of monitoring of national policies to tackle child poverty and social exclusion and to promote children's well-being

3.1. Monitoring the situation regarding child poverty and social exclusion

The Ministry for the Family and Integration is responsible for monitoring the situation regarding poverty and social exclusion of minors, primarily via the following:

- studies carried out by CEPS/Instead in conjunction with Statec on the basis of EU-SILC surveys;
- progress reports every five years on implementation of the United Nations Convention on the Rights of the Child;
- reports from *maisons-relais* childcare centre managers and government-approved fostering organisations registered with the Ministry for the Family and Integration on quantitative and qualitative developments in the area of childcare.

In carrying out this work, the Ministry for the Family and Integration works closely with the people involved at local level, which includes agreements with voluntary organisations and funding personnel for certain institutions and studies. It gathers the information collected centrally and analyses it before deciding on what action should be taken.

At present, children and adolescents are involved in monitoring via the voluntary organisations under agreements with the Ministry for the Family and Integration. In order to obtain a more detailed picture of young people's lives, the Ministry for the Family and Integration has made plans in the 'youth bill' to create an observatory for young people whose role would be to prepare, coordinate and initiate surveys, opinions, analyses, studies and reports of the various aspects of the situation regarding young people in Luxembourg. Consequently, it will be asked to provide material for the national report on the situation regarding young people in Luxembourg which the joint ministerial committee is required to present to parliament every five years.

In addition to this, MENFP is responsible in particular for monitoring the measures introduced in the area of prevention of low educational achievement and assessing their impact in practice. For this purpose, it uses the Ministry's statistics and analysis service which works in conjunction with 'local action for young people' (ALJ), a socio-educational service set up by the Ministry to provide guidance and advice for young people making the transition from school to working life. The approach, which consists of looking at the young people's socio-economic circumstances, is a means of determining the impact of educational reforms aimed at social inclusion.

In addition, measures relating to vocational training and pathways into work are also monitored within Luxembourg's three-pronged system (State, sponsoring bodies and unions). Measures in schools are monitored by consultative bodies comprising members of the teaching body, pupils and parents.

Measures aimed at promoting children's health are monitored by the Ministry for Health, primarily through its school medicine section (for pupils in general and technical secondary education - ESG and EST) and through various organisations working in the areas of prevention and assistance (such as Alupse) and substance abuse (such as the charities Jugend an Dogenhëllef and Stëmm vun der Strooss, the Centre for the prevention of substance abuse, the neuropsychiatric hospital - Foyer Rosport, Médecins sans frontières, *solidarité jeunes* and the CNDS-run institution Tox-In) under agreements with the Ministry for Health.

3.2. Evaluating the effects of policies to combat child poverty and social exclusion

At present, the effects of policies to combat child poverty and social exclusion are evaluated by:

- ORK⁴², formed under the law of 25 July 2002 as an independent body whose mission is to safeguard and promote the rights and interests of children and young people under 18. To commemorate the anniversary of the adoption of the Convention on the Rights of the Child by the UN general assembly, ORK submits a report on 20 November each year, in which it presents the situation regarding children and adolescents in Luxembourg and makes recommendations. Having looked at problems regarding new-born babies in 2005, the main theme dealt with in ORK's 2006 report was promoting children's health. Other subjects which have been dealt with are: teenage mothers, children and the media, child abuse, children torn between their mother and father, unaccompanied child refugees, as well as individual case studies.

Despite the level of personal commitment by ORK's workers, the institution's current structure is currently stretched to its limits in terms of human and financial resources;

- Cesije⁴³, formed in 1995. Cesije's activities are fourfold: research, evaluation, documentation and consultancy. The evaluation projects carried out to date by Cesije have been concerned mostly with the development of the Mediation Centre as an institution, training for the Luxembourg National Guides' and Scouts' Federation and explaining the concept of supervised accommodation provided by the Wunnéngshellef social housing agency. Alongside this work, Cesije has carried out several different studies, notably into voluntary work by young people, the local youth plan in Luxembourg city, diversity among young people, access to well-being and language policy;

The evaluation carried out by these two organisations currently focuses on particular aspects of the situation regarding children and young people, and does not systematically evaluate policies which are being implemented. It would be very useful if their activities were supplemented by those of a future 'observatory on young people', for which plans have been made in the 'youth bill' currently going through the legislative process.

For the purpose of monitoring and evaluating the effects of certain policies to combat poverty and social exclusion in general, and among children in particular, the coordinating Ministry, the Ministry for the Family and Integration, gathers the opinions of those people involved on the ground. However, according to the members of the Luxembourg branch of the European Anti Poverty Network (EAPN, Luxembourg's anti-poverty and social exclusion network), the meetings between the coordinating Ministry and local stakeholders are limited to exchanging information and do not go as far as involving these stakeholders in drawing up, monitoring and evaluating national action plans for welfare and social inclusion. Moreover, as regards the methods for evaluating these action plans, EAPN proposes that methods such as 'poverty proofing' should be used, which would establish a framework for participation by the people directly concerned and the NGOs working in the area of welfare. At present, the coordinating Ministry is aware of these demands, but has not yet made a decision as to how they should be approached.

⁴² <http://www.ork.lu>

⁴³ <http://www.cesije.lu>

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