Legal Systems in Luxembourg: Overview

by Laure-Hélène Gaicio-Fievez and Magedeline Mounir, *BSP*

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A Q&A guide to the legal system in Luxembourg.

The Q&A gives a high level overview of the key legal concepts including the constitution, system of governance and the general legislative process; the main sources of law; the court structure and hierarchy; the judiciary and its appointment; the general rules of civil and criminal litigation, including reporting restrictions, evidentiary requirements, the roles of the judge and counsel, burdens of proof and penalties.

Constitution

Form

1. What form does your constitution take?

The Luxembourg Constitution is a written constitution. It was inspired by the Belgian Constitution of 1831 and the French Constitution of the III Republic.

The current Constitution dates from 17 October 1868 and, since then, it has been revised multiple times to adapt it to the demands of modern democracy. It comprises 121 Articles, divided into 13 chapters. It describes the foundations of the state, it guarantees the rights and liberties of citizens and it organises the separation of powers.

General Constitutional Features

2. What system of governance is provided for?

System

The Grand Duchy is a secular state organised as a representative democracy in the form of a constitutional monarchy.

Head of State

The Constitution confers executive power on the Grand Duke, currently Henri Albert Gabriel Félix Marie Guillaume, who is the Head of State. He represents the state in its external relations, and he is responsible for the implementation of laws by adopting regulations as required. However, in practice, this task is performed by the government.

Structure

The Parliament. The Grand Duchy has a unicameral parliamentary system, represented by the Chamber of Deputies (*Chambre des Députés*), which is made up of 60 members elected for a five-year term. The parliamentary elections system is based on a mixed one-person-one vote suffrage and a system of proportional representation. The main function of the Chamber is to vote on government and parliament bills.

The Government. The Government is formally appointed by the Grand Duke based on a proposal made by the leader of the winning party of the parliamentary elections, to enjoy not only the trust of the Grand Duke, but also that of the parliamentary majority. As a body of the executive power, the government has overall power to manage public affairs.

The Council of State. The Constitution entrusts the Council of State with the task of being a consultative organ in the legislative procedure as an independent institution. The Council of State issues an opinion on all government and parliament bills and draft regulations and gives its opinion on any other questions referred to it by the Grand Duke or by law.

Until 1996, the Council of State also acted as the administrative court.

3. Does the constitution provide for a separation of powers?

The organisation of the Luxembourg State envisaged by the Constitution is based on the principle of separation of powers among different organs:

- Legislative power is vested in the unicameral Parliament (*Chambre des Députés*), and on the joint action of Government and the Council of State.

- Executive power is formally exercised by the Grand Duke and in practice by the Government.

According to the Constitution, the courts and tribunals are responsible for exercising the judicial power, which is carried out independently.

4. What is the general legislative process?

Proposal and Drafting

In the legislative system of the Grand Duchy of Luxembourg, either Parliament or Government may propose a bill. The right of initiative of the government is called "government initiative" and is exercised by the presentation of "bills of law", while the initiative of the Chamber of Deputies is called "parliamentary initiative" and is exercised by the presentation of "propositions of law".

Scrutiny

After they have been proposed, bills or propositions of law (as applicable) are subject to the different opinions of concerned agencies (professional bodies such as the Employees' Chamber or the Chamber of Commerce), but especially to the opinion of the Council of State. After receiving notice of the Council of State, the proposition or bill is then returned to Parliament.

Parliament must then hold a vote on the complete text of the bill or proposition and a second time within three months of the first vote, unless the Parliament and the Council of State both decide to waive the second vote.

Enactment

The law, finally adopted by Parliament, only enters into force after it has been granted royal assent, enacted by the Grand Duke, and published in the compendium of legislation called the "Memorial".

5. Is there a doctrine by which the judiciary can review legislative and executive actions?

The constitutionality of regulations and laws is structured using different control systems.

In short, there are two types of legality checks for regulations:

- By way of action for annulment of the regulation, where the administrative court has jurisdiction and in case of success, the annulment applies *erga omnes* (towards everyone) *(voie d'action*).
- By way of exception allowing for non-application by the courts in the context of a pre-existing ordinary dispute. The effect is limited to the disputed, hence *inter partes* (between the parties) (*voie d'exception*).

With regard to constitutional conformity of laws, the general principle is that where there is any doubt about the interpretation of a law, it must first be interpreted in accordance with the Constitution. However, this system entails some uncertainties and the Constitutional Court was established to resolve much matters Therefore, when a question relating to the constitutionality of a law arises before a court of the judicial or administrative order, the matter must be referred to the Constitutional Court by way of preliminary ruling, if the issue is deemed vital to the solution of the dispute.

6. Are certain emergency powers reserved for the executive?

In accordance with Article 32, paragraph 4 of the Constitution, in the case of an international crisis and/or if urgency arises, the Grand Duke can act in relation to any matter concerning the regulations, likewise in derogation of any existing legal provision. These regulations will remain valid for a period of up to three months.

Moreover, in the process of drafting regulations, the Council of State is required to provide its advice, unless the Grand Duke (that is, the government) considers it sufficiently urgent so as to continue the process without its advice. The Administrative Court is responsible for verifying the existence of the urgency.

7. Are human rights constitutionally protected?

The Constitution protects the fundamental human rights in Chapter II Public Freedoms and Fundamental Rights, such as the general guarantee of equality before the law (*Article 10 bis*).

Other such constitutionally protected rights are the natural rights of human being and of the family, the equality regardless of gender, the right to privacy, the right to work, to join trade unions, and to strike. Furthermore, the Constitution guarantees the right to social security, health care, the right to safe work environment, the right to a reasonable standard of living, the right to establish a business and to find an occupation (*Article 11*).

Individual freedom is guaranteed in Article 12 and the domicile is inviolable under Article 15. Article 16 protects property and limits cases of expropriation.

Articles 19 and 20 guarantee the freedom of religion, expression and opinion and, freedom of association and assembly.

Article 27 provides for the right of petition and Article 28 determines the right to privacy.

The guarantee of access to justice is set out in Article 13.

The Constitution also provides the right to free education.

Amendment

8. By what means can the constitution be amended?

Under Article 114 of the Constitution, any revision of the Constitution must be adopted in the same terms by the Chamber of Deputies in two successive votes, separated by an interval of at least three months. No revision will be adopted if it has not obtained at least two-thirds of the votes of the members of the Chamber, and vote by proxy is not permitted.

The procedure requires that the text adopted by the Chamber of Deputies in the first reading is submitted for referendum, which substitutes for the second vote of the Chamber and, if there is a demand in the two months following the first vote, either by more than a quarter of the members of the Chamber, or by 25,000 electors inscribed in the electoral lists for legislative elections. The revision can only be adopted if it receives the majority of the valid suffrage expressed. The law governs the modalities of organisation of the referendum.

Legal System

Form

9. What form does your legal system take?

The Luxembourg legal system is based on civil law, which is largely inspired by its neighbouring countries such as France (for Civil Code and New Code of Civil Procedure) and Belgium (Commercial Code and Criminal Code).

Main Sources of Law

10. What are the main domestic sources of law?

The hierarchy of legal sources in Luxembourg is as follows (from highest to lowest):

- The Luxembourg Constitution of 17 October 1868.
- The Laws approved by the Parliament.
- The Grand Duke's regulations (*Les règlements grand-ducaux*).
- The ministerial regulations and the regulation issued by specialised administration.
- Communal regulations.

In addition, in the framework of the Belgo-Luxembourg Economic Union (*Union économique belgo-luxembourgeoise*) (UEBL), Luxembourg is obliged to incorporate into national legislation various Belgian customs and excise provisions.

There are also "non-legal sources" which may be taken in consideration (for example, administrative circulars, parliamentary documents and preparatory work).

Furthermore, among the sources of unwritten law are legal customs and general principles of law.

11. To what extent do international sources of law apply?

In accordance with Article 37 of the Constitution, the Grand Duke has the power to enter into treaties. However, for treaties to be applicable in domestic legislation, they must be approved by law, ratified and published according to the formalities required (publication in the Memorial).

With regard to European legislation, regulations which are directly applicable are incorporated into domestic legislation, while regulations which require the intervention of a legal provision are transposed by the legislator. EU directives, in principle, are not directly applicable.

It should be noted that a particular law, enabling the Grand Duke to amend the existing legislation to transpose a directive, was adopted in 1971. However, there are certain areas that are reserved to law under the Constitution.

Nevertheless, Luxembourg recognises the supremacy of international treaties and European regulations over domestic laws, even over the Constitution.

In relation to the applicability of the treaties by courts and tribunals: these can be applied directly, even if they have not been approved or transposed into domestic legislation by law. However, the treaty itself must contain the conditions of its application and the treaty's provisions must be sufficiently precise and complete to be applied by a court.

Court Structure and Hierarchy

12. What is the general court structure and hierarchy?

There are three main jurisdictional orders (constitutional, administrative and judicial):

- The Constitutional Court is the highest. Its function is to examine the constitutionality of laws.
- The administrative order consists of the *tribunal administratif* and the *Cour administrative* (for appealed *tribunal administratif* decisions).
- The judiciary is composed of a civil, criminal, commercial, social and labour branch, which is divided into three instances:
    - first instance courts: these are the *Juge de Paix, Tribunal d'arrondissement, Tribunal du travail* and *Conseil arbitral de la sécurité sociale, Tribunal des tutelles et de la jeunesse*;
    - Court of Appeals: these are the *Tribunal d'arrondissement, Cour d'Appel* and *Conseil supérieur de la sécurité sociale*; and
    - Supreme Court: *Cour de Cassation*.

The Appeal Court (*Cour d'appel*) and the Court of Cassation (*Cour de Cassation*) act as the Superior Court of Justice (*Cour supérieure de justice*).

See also *Question 14*

13. To what extent are lower courts bound by the decisions of higher courts?

Decisions rendered by the courts are not binding on other courts. Nevertheless, they play an important role in the decisions of each court as guidelines, especially for the lower courts that will follow cases decided by the higher courts. There are no general rules in this regard.

Court of Appeals can approve the decision handed down by the lower court and refer to it. It can also approve the decision itself but amend the factual or legal basis of the decision.

14. Are there specialist courts for certain legal areas?

The ordinary court for civil and commercial matters is the District Court (*tribunal d'arrondissement*).

Unlike in some other jurisdictions, there are no specialised courts for commercial matters. However, commercial matters are dealt with by specialised chambers of the District Court.

The specialised courts are the:

- Administrative Court and tribunals, which are competent to hear disputes between administrative bodies and citizens.
- Lower Courts *(Justice de paix),* which have jurisdiction over small claims in civil and commercial matters, and over certain matters assigned by law, while the Police Court (*Tribunal de police*) has jurisdiction over small criminal matters. Labour Court (*Tribunal du travail)*, which has jurisdiction over labour and employment law matters. The Labour Court is composed of a professional judge and two assessors, including an employee and an employer's representatives.
- Social Security Arbitral Council (*Conseil arbitral de la sécurité sociale*), which has jurisdiction over social security matters. Its competence is attributed by law and its jurisdiction extends throughout the country. Appeals can be lodged with the Higher Scoial Security Council *(Conseil supérieur de la sécurité sociale*).
- Military tribunals which have jurisdiction over offences committed by members of the Luxembourg armed forces as well as certain offences against the state’s external security or violations of the Geneva Convention.

With regard to matters concerning minors, in civil and criminal matters (but not exclusively in these matters) there are the:

- Juvenile and Guardianship Court (*Tribunal des tutelles et de la jeunesse*), and its second instance court, the Juvenile and Guardianship Appeal Court (*Chambre d'appel de la jeunesse et de la protection de la jeunesse*).
- Family Court (*Juges aux affaires familiales*), which has jurisdiction in family law.

15. Are other quasi-legal authorities commonly used?

Luxembourg has set up a number of quasi-legal authorities, including:

- ***Commission des loyers.*** This commission governs disputes concerning issues with rent. It is considered as a conciliation body, so must be consulted before bringing an action to court.
- **Ombudsman or public mediator.** This person's mission is to receive complaints by physical or legal persons, about a case concerning them, which relates to the functioning of government or municipal services. The ombudsman/mediator is an independent body which cannot receive instructions from any authority and does not answer to any administration, nor the government. Designated for a non-renewable term of eight years, his/her nomination is accepted by a simple majority in the Chamber of Deputies.

16. Does the constitution provide for an independent judiciary?

The courts are totally independent from other branches of power in Luxembourg. This independence is guaranteed by the Constitution and the laws governing and organising the structure of the judiciary.

The Constitution guarantees the political independence of adjudicating judges, and their appointment is permanent. An adjudicating judge can be deprived of their position or suspended only by a court judgment. Article 91 of the Constitution states that judges of Luxembourg's judiciary are irremovable. An adjudicating judge can only be transferred by appointing them to a new position and only with their consent. However, in the event of disability or misconduct, adjudicating judges can be suspended, dismissed or transferred, in accordance with the conditions laid down by the law.

To ensure the independence of the judiciary, a judge cannot be a:

- member of the government.
- member of parliament.
- mayor, alderman or city councillor.
- a lawyer, notary or bailiff.
- Hold any public or private salaried position, military or ecclesiastical office.

Judges are impartial and are bound by professional secrecy.

17. How are members of the judiciary typically appointed?

Appointment

Article 90 of the Constitution provides that the Lower Court and District Court judges are directly appointed by the Grand Duke. The councillors of the court and Presidents and Vice Presidents of the District Courts are appointed by the Grand Duke on the advice of the Supreme Court of Justice.

After the first appointment, career advancement and any new assignment must be made by the judicial order.

Qualifications

There are two ways to become a judge in Luxembourg:

- **Recruitment by public contest examination.** Future judges (junior judges) (*attachés de justice*), are recruited by way of public contest. To be admitted to the examination, a candidate must meet the following criteria:
    - be a Luxembourg citizen;
    - enjoy full civil rights and political rights and present the necessary guarantee of good repute;
    - hold a master's degree from a Luxembourg law school or a foreign law degree equivalent to a master's degree accepted and recognised by the competent ministry;
    - have an appropriate knowledge of the Luxembourgish, French and German languages;
    - have completed the judicial or notarial traineeship for at least 12 months;
    - meet the requisite conditions of physical and mental aptitude, which are verified by a medical examination and a psychological examination.

    The public contest is organised and assessed by a commission made up of professional judges. The tests involve drafting a judgment or ruling in a number of areas. Successful candidates are ranked by the commission according to their final scores. Candidates are then recruited following the order of their ranking.
- **Recruitment based on file.** This recruitment procedure is subsidiary and organised only if the contest examination fails to deliver the number of junior

judges set each year by the Ministry of Justice. To be eligible, a candidate must meet certain criteria required for admission to the competitive examination as set out above, as well as having:

- completed the judicial traineeship;
- practised as a lawyer for a total of at least five years.

The commission evaluates candidates by an individual interview, and considers certain criteria such as the academic results of the Luxembourg first bar exams (*Cours complémentaires en droit luxembourgeois*), the judicial traineeship final examination, professional experience, any additional qualifications and any publications.

A judge is assigned once there is a vacancy. Career advancement is staggered according to years of experience and individual professionalism. There are some age limits for sitting as a magistrate in different jurisdictions (for example, candidates must be at least 27 years of age to sit in the Lower Courts).

Litigation (Civil and Criminal)

18. Do the courts use an adversarial, non-adversarial or other system?

The Luxembourg judicial civil procedure is an adversarial system, where parties are free to initiate and terminate proceedings before judgement is reached.

The parties are free to determine the scope of the proceedings with their respective claims and defences and have the burden to allege and demonstrate the facts that support their claims. They are free to present their defence. The judge can can direct the parties in the proceedings with regard to their conduct and the collection of evidence, if needed but usually plays a passive role and rules on the dispute by applying the relevant rules of law.

In criminal proceedings, the system is a highly inquisitorial system, in which the judge is endowed with important powers intended to enable them to carry out their own investigations for the prosecution and for the defence. The parties are therefore not directly obliged to conduct the investigation in support of their claims.

19. Who is responsible for gathering evidence?

For civil cases, parties who have the burden of proof in the trial are responsible for gathering evidence to substantiate their claims. However, the judge can order the filing of certain documents or can request technical expertise.

By contrast, in the criminal judicial system, the burden of proof lies with the Public Prosecutor (with the help of the Judicial Police). Once the investigation phase has begun, the investigating judge is responsible for gathering evidence.

20. Is evidence independently examined before a trial?

Civil proceedings are commenced by the parties, so it is not possible to examine evidence before the trial. The parties exchange evidence substantiating their claims before the interlocutory hearing, but only once the legal action has been initiated, allowing the parties to prepare their defence. At the interlocutory hearing, the judge will assess the case and (depending on whether it is an oral or written procedure) set a hearing for pleadings or a timetable for the lodging of briefs.

Conversely, in criminal proceedings, evidence is collected before the trial, either to prosecute or in defence of the suspect. Therefore, during the preliminary investigation phase, the Public Prosecutor must take (with the support of the Judicial Police) all the necessary measures to safeguard evidence, such as:

- Listening to witnesses.
- Requesting expert opinions and reports.
- Carrying out searches and/or seizures of all the objects that may be useful for re-establishing facts, or which have been used to commit the offence or are the result of it.

Once the Public Prosecutor is seised of a complaint, it must consider whether to carry out public action, by means of an indictment addressed to the investigating judge (*principe de l'opportunité des poursuites*).

21. Are trials/hearings open to the public?

Civil Law

Civil hearings are heard in public, unless the court has decided otherwise (Article 88, Constitution).

In addition, no television cameras or photographers are allowed during court hearings. There are however some areas where the trial is held in camera (that is, in private), such as for divorce proceedings or where minors are involved.

Criminal Law

Criminal proceedings are public (Article 190, Code of Criminal Procedure).

If the court finds that the publicity is damaging to the public order or to morals, it can order by judgment rendered in open court that the proceedings are to be held in private.

Every judgment must be delivered in a public hearing.

22. Are reporting restrictions typically imposed in relation to a trial?

Civil Law

Pre-trial. There is no pre-trial in civil matters.

During trial. On the basis of the principle laid down in the European Convention of Human Rights, the judgment must be pronounced publicly but the press and public can be excluded from all or any part of the trial in the following cases:

- In the interest of morals, public order or national security in a democratic society.
- Where the interests of juveniles or the protection of the parties' private life so require.
- Where, to the extent strictly necessary in the opinion of the court in special circumstances, publicity would prejudice the interests of justice.

Therefore, the trial is public, with some exceptions (for example, in divorce cases). However, the judge can order a restriction, if they consider that the publicity is damaging to public order or morality.

Post-trial. The judgement must be communicated to the parties. However, although in principle, access to the judgments is public, it can be provided anonymously.

Criminal Law

Pre-trial. The investigation phase of criminal proceedings must be secret: this represents a form of obligation of professional confidentiality. The Public Prosecutor can make certain information public if necessary for the investigation, while at the same time complying with the presumption of innocence, the rights of defence, privacy and dignity. However, journalists or persons outside of the administration of justice are not covered by this obligation and are therefore free to circulate information about the case.

During trial. The press is authorised to attend the trial but not to record the proceedings. If necessary, the court can restrict access, which is the rule when the trial is held in camera, where only the parties, their representatives, the judge and the Public Prosecutor can attend.

Post-trial. The judgment is given to the parties, and as mentioned above, (*see Civil Law*) must be disclosed in anonymous form.

23. What is the main function of the trial and who are the main parties to it?

The trial is a method for resolving private civil disputes between individuals or organisations, while in criminal matters the purpose is to identify the perpetrator of an action considered to be harmful to society and establish the penalty.

In civil proceedings, the parties (that is, the claimant and the defendant) are responsible for the procedure, under the court's supervision. A distinction is made between written and oral proceedings.

In proceedings where no written submissions are required (that is, proceedings before the lower courts and the District Court sitting in commercial matters), the preliminary phase is mainly the responsibility of the parties, who will refer the case to the Court when they consider that the case is ready to be pleaded.

In written proceedings (civil matters before the District Court) the trial is conducted under the supervision of a judge (*juge de la mise en état*) who is in charge of the management of the case. The judge at the preliminary hearing assesses the case and sets a time schedule for the filing of briefs. Once the judge considers that each party

has expressed and substantiated its position on all the issues, the preliminary phase is closed and a hearing for pleadings set. During the hearing, the judge summarises the case and the parties can orally plead the case, although no additional arguments will be taken into consideration by the District Court if they were not presented in the written submissions. The court will then hand down its decision in a judgement.

There is no cross-examination of witnesses during the trial. If a party requests to hear a witness in court, the question is indicated in the request filed to the judge, and the latter will decide whether or not to accept the witness. If accepted, the court will ask the questions.

In criminal cases, a person accused of a crime is generally charged in a formal accusation (called an indictment) by the investigating judge on the initiative of the Public Prosecutor or the victim. During the trial, the parties (defendant, victim, witness, public prosecutor and so on) may be heard and the facts of the accusation must be proved for a decision to be reached.

24. What is the main role of the judge and counsel in a trial?

Role of Judiciary

The Constitution and other legal provisions guarantee the impartiality of judges, both from other public powers and from citizens.

In a civil trial, the judiciary's role is to:

- Guide the trial according to court procedure.
- Guarantee the rights of the parties (for example, the right to a fair trial).
- Examine the evidence filed by from the parties, and if necessary, order further evidence to be provided.
- Take a decision by issuing a judgment.

The intervention of the judges is subordinated to the action of the parties.

In criminal proceedings, the investigating judge is responsible for:

- Gathering the evidence.
- Assessing the evidence and proving the innocence or guilt of the accused person.

To ensure impartiality, the Code of Criminal Procedure expressly provides that the investigating judge cannot take part in the trial and in the final judgment. The judge will hear the witnesses, and will separately question the accused, assess the evidence and establish the guilt by judgment.

Role of Legal Counsel

Lawyers have a duty to:

- Assist the party at the trial.
- Represent and defend them before the court.
- Draw up, sign, file and receive the documents for a proper conduct of the proceedings.

A lawyer cannot, in principle, refuse a case, unless they lack the professional ability to deal with it. Lawyers must respect the principle of the profession, including independence, professionalism, honour, loyalty and confidentiality.

25. To what extent are juries used?

Civil Law

The jury trial for civil cases was abolished in 1814. All trials are conducted by qualified judges.

Criminal Law

In 1989, the Criminal Court with a jury (*Cour d'Assises*) was abolished, so there is no longer any court with a popular jury and all trials are conducted by qualified judges.

26. What restrictions exist as to the evidence that can be heard by the court?

Civil Proceedings

In civil trials, written evidence is preferred over the hearing of witnesses. Indeed, a written statement countersigned by the witness is often used. For some types of civil proceedings, the law limits the hearing of witnesses (for example, children cannot be heard as witnesses in divorce cases). A general principle in Article 1341 of the Civil Code provides that witness evidence cannot be admitted if the contractual obligation that is to be proven exceeds EUR2,500.

Criminal Proceedings

In criminal proceedings, any person connected with the investigation, other than the suspect, can be heard as a witness. The victim can be heard as a witness if they do not join a civil action in the criminal proceedings.

Each witness must be heard separately by the judge. The witness can only be examined on facts to which they have personally and directly witnessed. Hearsay evidence is prohibited).

Witnesses can be heard by the court until their testimony becomes self-incriminating, in which case the hearing must be suspended and referred to the Public Prosecutor's Office.

The defendant is questioned by the judge and the defendant's testimony can be compared with witnesses, if necessary.

27. Which party has the burden of proof in a trial and at what standard is this burden met?

Civil Law

In principle, the burden of proof in civil matters is on the party who alleges a fact or a right unless otherwise provided for by the law or legal presumptions laid down by law or provided for by case law. In commercial matters, the proof can be brought by any means.

Criminal Law

The Public Prosecutor carries out all acts necessary for the investigation and prosecution of offences, either against or in defence of the suspect.

Criminal proceedings are governed by the presumption that a person is innocent until proven guilty. Therefore, the standard to be met by the prosecution is "beyond any reasonable doubt".

28. What verdicts can the court give?

Civil Law

In civil matters, the court can render the following decisions:

- Provisional court order, which is neither a definitive nor a substantive decision.
- Interlocutory decision, which is a substantive decision, but is not final.
- Final decision, that is, the judgment that terminates the proceedings.

Criminal Law

The interlocutory judge can issue orders, which may relate either to procedure itself (such as the appointment of an expert), or a rule on a specific application (such as a judicial interim release order). Otherwise, the interlocutory judge must render an order to dismiss the proceedings or a referral order.

At the end of the trial, the court must give a final judgment of conviction or acquittal.

The Code of Criminal Procedure provides also for other specific outcomes, such as the procedure on agreement (*jugement sur accord*), where the prosecutor agrees with the defendant on the sentence in exchange of an admission of guilt for the alleged facts.

29. What range of penalties/relief can the court order upon a verdict?

Civil Law

The judge can order a wide range of relief in civil matters, including:

- Damages, which can cover only the effective damage suffered by a party. Punitive damages do not exist.

- Contractual relief, which includes annulment, nullity declaration, dissolution, resolution or termination of the contract, forced execution, formal demand, debt remission, refunds and so on.
- Seizure.
- Expropriation.

If the court considers it necessary, it can establish penalties that must be paid when the order/judgment is not executed within the given deadline (*contrainte*).

Criminal Law

Pursuant to the Criminal Code, the available penalties for felonies for natural persons include:

- Life imprisonment or a period of imprisonment.
- Fine and special confiscation.
- Disqualification, even temporary, of titles, grades, functions and from public offices.
- Prohibition from certain professional or social activities.
- Prohibition of certain civil and political rights.
- Closing of businesses and establishments.
- Publication, at the convicted person's expense, of the decision or an extract of the decision of conviction on a local, national or international, newspaper.

There are also penalties for misdemeanours and violations/infractions committed under other Luxembourg laws (except for the penalty of life imprisonment). For natural persons, these penalties include:

- Special confiscation.
- Prohibition from driving vehicles, in cases of infringements of traffic regulations.

For legal entities, the penalties for crimes and offences include:

- Fines.
- Special confiscation.
- Exclusion from participation in procurement.
- Dissolution of the entity.

Contributor Profiles

Laure-Hélène Gaicio-Fievez, Partner

BSP
T 352 260251
E *lhgaicio@bsp.lu*
W *www.bsp.lu*

Areas of practice. Arbitration, general commercial litigation, real estate and construction.

Recent transactions/cases.

- Advises on a wide range of domestic and international arbitration proceedings.
- Advises on complex real estate, commercial, corporate and financial disputes. Extensive experience in all forms of international and domestic dispute resolution including litigation and arbitration, as well as enforcing and obtaining freezing injunctions in international arbitration, enforcements of ICSID awards, and in the recovery of assets.
- Member of the International Fraud Group, a global group of specialist fraud lawyers focused on securing injunctions, asset recovery and trust busting remedies in key offshore jurisdictions.
- Experienced in real estate and commercial contracts, drafting and negotiating complex agreements.

Professional associations/memberships. Luxembourg Bar, 2011; Luxembourg Arbitration Association (LAA); International Fraud Group (IFG); International Bar Association (IBA).

Languages. English, French.

Magedeline Mounir, Senior Associate

BSP
T +3 52 2602 51

E *mmounir@bsp.lu*
W *www.bsp.lu*

Recent transactions/cases

Advises clients in respect of complex litigation and has additional expertise in business restructurings and insolvency.

Areas of practice. Insolvency & Restructuring, Litigation.

Languages. English, French.

Professional associations/memberships. Paris Bar 2014, Luxembourg Bar, 2021; International Bar Association (IBA).

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