



Äntwert vun der Madamm Sam TANSON, Ministerin fir d'Justiz, op d'parlementaresch Fro n°8059 vum 5. Juni 2023 vum honorablen Deputéierten Här Marc GOERGEN

Fro 1

Laut Informatiounen vum Parquet général huet d'Personalsituatioun beim Parquet Lëtzebuerg sech zénter 2017 folgendermoossen entwéckelt :

- Démissiounen : 3
- Wiesselen : 9
- Pensiounen : 4
- Stierffäll : 1
- Neiastellungen : 21

D'CAE, CDD an OTI sinn hei net abegraff. Präzis Zuelen zu de Mouvementer an dése Kategorien zenter 2017 leien nüt vir. Laut Informatiounen vum Parquet général huet de Personalbestand beim Parquet Lëtzebuerg sech zénter 2017 folgendermoossen entwéckelt :

18. September 2017	6. Juni 2023
Fonctionnaire A2 : 0 Fonctionnaire B1 : 25 Employé B1 : 7 (+/-1) * Employé C1 : 7 (+/-1)* Employé D : 6 CAE : 3	Fonctionnaire A2 : 3 Fonctionnaire B1 : 32 (dovun 5 Stagiairen) Employé B1 : 6 Employé C1 : 6 Employé D : 4 CAE : 3 CDD : 2
*Bei enger Persoun, déi net méi um Parquet Lëtzebuerg schafft, ass net méi gewosst, ob si 2017 an der Karriär B1 oder C1 war.	
Total personnel opérationnel : 48 (dovun 9 Persounen mat enger Tâche vun entweder 50% oder 75%)	Total personnel opérationnel : 56 (Dovun 13 Persounen mat enger Tâche téschent 50% an 80%)

Dobäi kommen nach d'Magistraten.

D'Zuel vun de Magistraten ass zénter 2017 vu 35 op 39 geklommen.

Laut Informatiounen vum Parquet général huet d'Personalsituatioun beim Parquet Dikrech sech zénter 2017 folgendermoossen entwéckelt :

- Demissiounen/Departen : 3
- Pensiounen/Invaliditéit : 4
- Wiesselen : 2

D'CAE, CDD an OTI sinn hei net abegraff. Präzis Zuelen zu de Mouvementer an dëse Kategorien zenter 2017 leien eis net vir.

Laut Informatiounen vum Parquet général huet de Personalbestand beim Parquet Dikrech sech zenter 2017 folgendermoossen entwéckelt :

1. Oktober 2017	6. Juni 2023
Fonctionnaire B1 : 6 Employé B1 : 2 Employé C1 oder D1 : 2	Fonctionnaire A2 : 1 Fonctionnaire B1 : 9 (dovun 1 Stagiaire) Employé B1 : 1 Employé C1 : 2
Total personnel opérationnel : 10	Total personnel opérationnel : 13 (Dovun 1 Persoun mat enger Tâche vu 50%)

Dobäi kommen nach d'Magistraten.

D'Zuel vun de Magistraten ass zénter 2017 vu 6 op 8 geklommen.

Fro 2

	2017	2018	2019	2020	2021	2022
Parquet Lëtzebuerg	54 539	53 669	50 684	54 583	50 929	57 610
Parquet Dikrech	10 189	10 995	8 958	9 333	9 419	9 576

Fir detailléiert Informatiounen iwwert d'Unzuel vun den Affären gëtt op d'Rapports d'activité vum Justizministère verwisen. Dës sinn op der Internetsäit vum Ministère ze fannen: <https://mj.gouvernement.lu/fr/publications.html>

Fro 3

	2017	2018	2019	2020	2021	2022
Parquet Lëtzebuerg		Keng präzis Zuelen disponibel	Keng präzis Zuelen disponibel	Keng präzis Zuelen disponibel	Keng präzis Zuelen disponibel	20 319
Parquet Dikrech	3 648	5 526	3 599	3 822	3 715	4 639

Fir detailléiert Informatiounen gëtt op d'Rapports d'activité vum Justizministère verwisen. Dës sinn op der Internetsäit vum Ministère ze fannen: <https://mj.gouvernement.lu/fr/publications.html>

Fro 4

Hei drënnner d'Zuelen vun de Jugementer an den Ordonnances pénales (am Kader vum Exercice vun der Action publique duerch de Parquet) :

	2017	2018	2019	2020	2021	2022
Jugements rendus par les chambres criminelle et correctionnelles (Luxembourg)	3 222	3 031	2 864	2 661	2 607	2 627
Jugements rendus par les chambres criminelle et correctionnelle (Diekirch)	608	633	614	440	638	525
Jugements en matière de police	963	978	1 079	1 057	1 145	1 126
a) Luxembourg	459	475	562	520	571	567
b) Esch-sur-Alzette	274	236	245	281	352	328
c) Diekirch	230	267	272	256	222	231
Ordonnances pénales en matière correctionnelle (Luxembourg)	891	867	807	1 090	1 514	1 141
Ordonnances pénales en matière correctionnelle (Diekirch)	124	210	166	267	271	210
Ordonnances pénales en matière de police	8 785	7 129	5 828	6 641	6 038	6 461
a) Luxembourg	5 040	4 728	2 660	3 771	3 299	3 367
b) Esch-sur-Alzette	2 197	1 399	2 365	2 040	1 967	2 452

c) Diekirch	1 548	1 002	803	830	772	642
Jugements, ordonnances et mesures du tribunal de la jeunesse (Luxembourg)	1 075	1 164	1 014	941	1 053	938
Jugements, ordonnances et mesures du tribunal de la jeunesse (Diekirch)	230	314	251	246	294	243
Total	15 898	14 326	12 623	13 343	13 560	13 271

Fir detailléiert Informatiounen gëtt op d'Rapports d'activité vum Justizministère verwisen. Dès sinn op der Internetsäit vum Ministère ze fannen: <https://mj.gouvernement.lu/fr/publications.html>

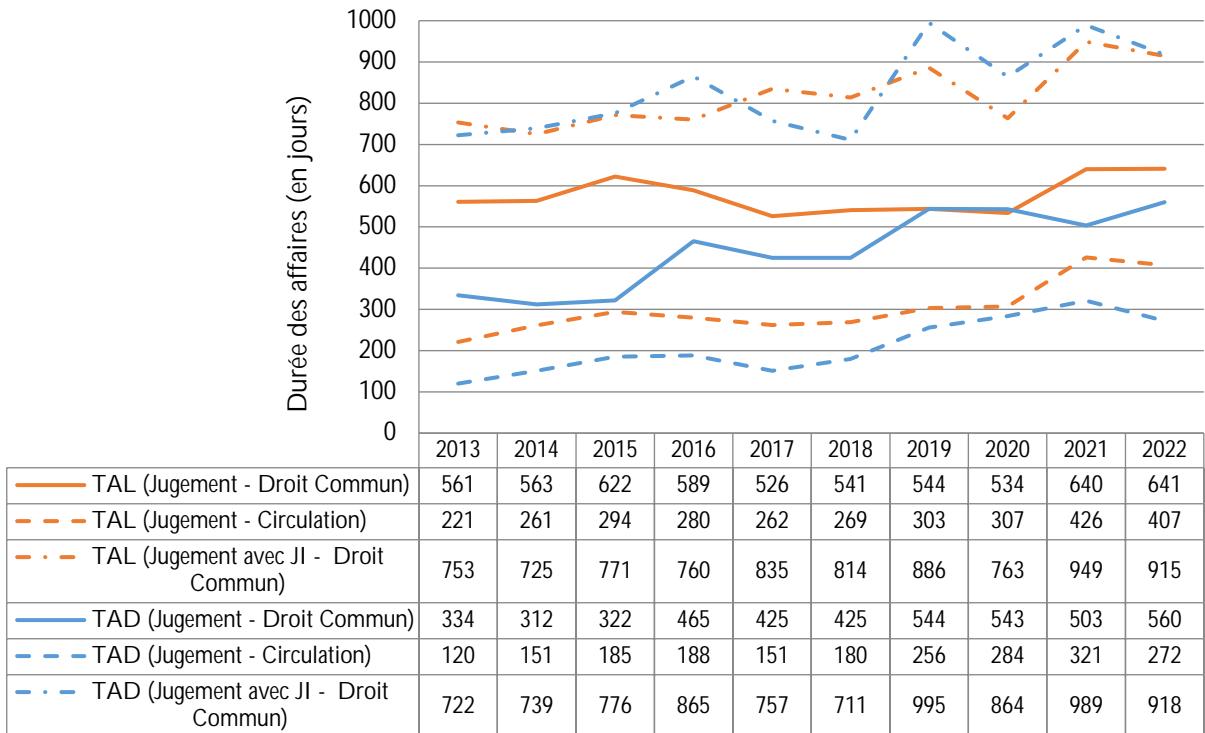
## Fro 5

Hei drënner Statistiken vum Parquet général, déi d'Evolutioun sät 2013 weisen.

Dès Statistiken betreffen nëmmen ofgeschlossen Affären. Pro Joer gëtt d'Durée moyenne ugewisen vun den Affären, déi dat Joer ofgeschloss goufen.

D'Durée moyenne générale vun all den Affären déi am Joer 2022 mat engem Jugement ofgeschloss goufen läit bei 619 Deeg. Bei den Affären, an deenen en Untersuchungsriichter intervenéiert ass, läit d'Durée moyenne am Joer 2022 iwwert dëser Moyenne générale, bei 915 (Lëtzebuerg), respektiv 918 (Dikrech) Deeg. Bei den Affären, an deenen keen Untersuchungsriichter intervenéiert ass, läit d'Durée moyenne an deene meeschte Fäll énnert der Moyenne générale.

*Durée moyenne des affaires par domaine, depuis la prise en charge au parquet jusqu'à la décision aux TA, terminées par jugement avec ou sans intervention du juge d'instruction au cours de l'année civile :*



Fro 6

D'Commission européenne pour l'efficacité de la justice (CEPEJ) vum Conseil de l'Europe, mécht regelméisseg eng Analys vu verschiddenen Aspekter vun den europäeschen Justizsystemer a stellt fir all analyséiert Land eng Fiche op.

Déi lëtzebuergesch Fiche vun 2020 hänkt als Annex un.

Lëtzebuerg, den 6 Juli 2023.

D'Justizministesch

(s.) Sam Tanson



Population  
634 730

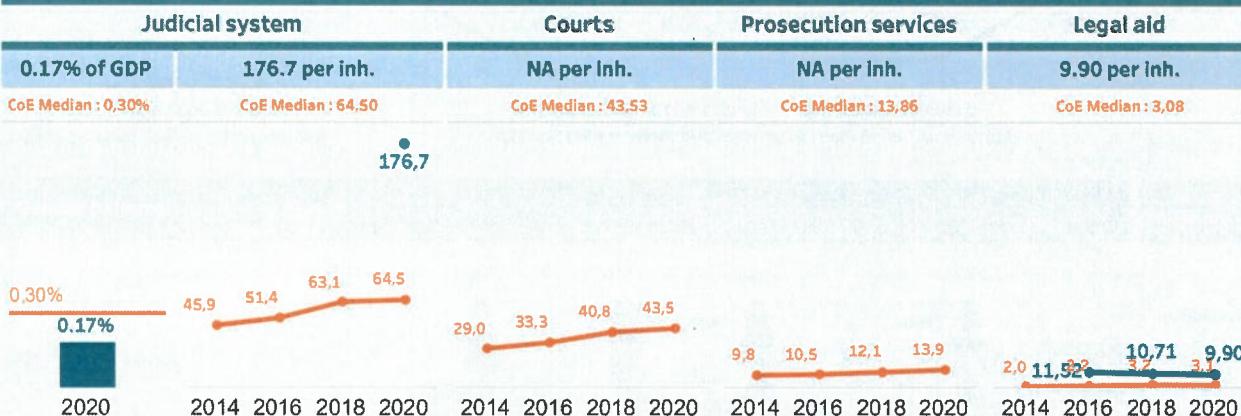


GDP per capita  
101 056 €  
CoE Median 20 301 €

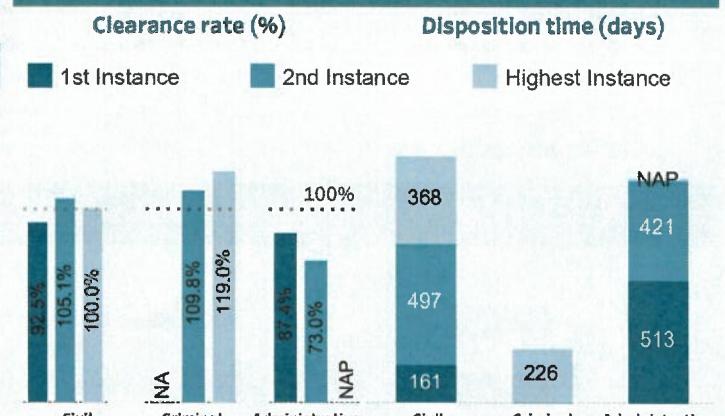


Avg gross annual salary  
63 015 €  
CoE Median 20 612 €

### Implemented judicial system budget



### Efficiency



**Budget:** Luxembourg spent 112 177 477€ on the implemented judicial system budget: 176.7€ per inhab. (significantly above the CoE median) and 0.17% of the GDP (below the CoE median). The budget of public prosecution services cannot be isolated from the one allocated to courts. The legal aid budget constitutes 5,6% of the judicial system budget and represents 9,90 € per inhab. Both values are above the respective CoE medians.

### Access to justice

Luxembourg is amongst the few countries where no court fee or other tax is requested in connection with court proceeding. As already mentioned, the legal aid budget is relatively high. Besides, Luxembourg is among the States that provide the highest amount of legal aid per case. In terms of number of cases per 100 000 inhabitants granted with legal aid, Luxembourg is on the level of the CoE median.

### Training of judges and prosecutors

Luxembourg has a specific training agreement with the French, Belgian and German training institutions. Judges and prosecutors, once nominated, can attend specific training programs offered by the above-mentioned foreign institutions, but also national and private sector organized training programs, as well as seminars offered by the European Law Academy.

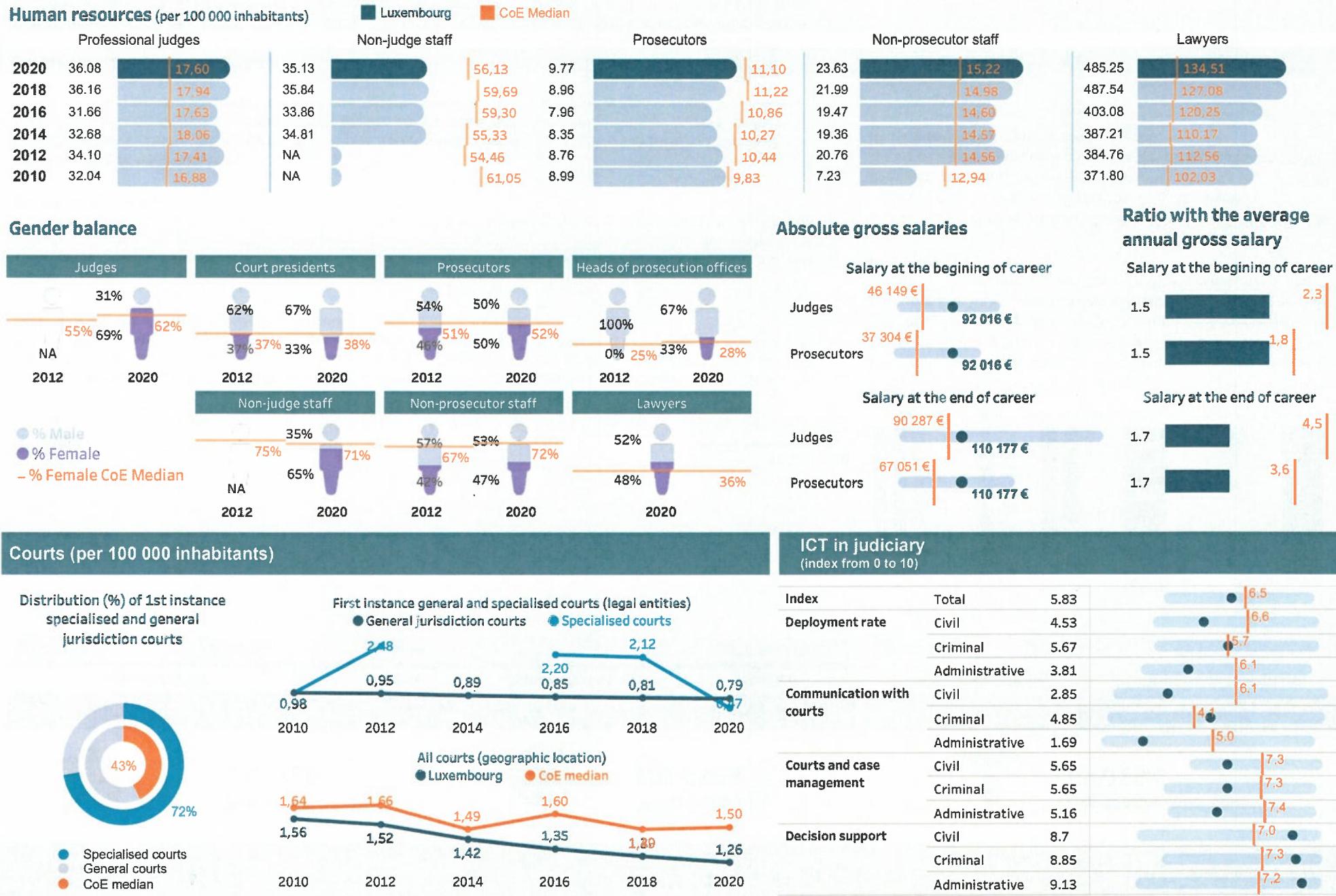
### Gender balance

While women judges (69%) and prosecutors (50%) are well represented, women court presidents (33%) and heads of prosecution services (33%) are still underrepresented. The Gender Equality Delegate for judges and prosecutors, and a second one for other judicial staff, exist and ensure equal treatment between staff in terms of access to employment, training and professional promotion, and conditions of employment.

**Efficiency:** It is not possible to calculate the DT for criminal cases, except at the Supreme court (in Luxembourg: Cour de cassation). The DT indicator is below the respective CoE median only in 1st instance civil litigious cases. In 2020, administrative courts could not reach the 100% Clearance Rate threshold in both 1st, or 2nd instance. First instance administrative courts proved to be the slowest in 2020.

The COVID-19 influenced in a different way courts' efficiency. The incoming and resolved cases decreased for 1st instance administrative, and 2nd instance criminal and civil cases. In 2020, the DT of the Supreme court (Cour de cassation) decreased while it increased for first and second instance.

# LUXEMBOURG



## CEPEJ efficiency indicators

Clearance Rate (CR) = (Resolved cases / Incoming cases) \* 100

CR > 100%, court/judicial system is able to resolve more cases than it received => backlog is decreasing

CR < 100%, court/judicial system is able to resolve fewer cases than it received => backlog is increasing

Disposition Time (DT) = (Pending cases / Resolved cases) \* 365

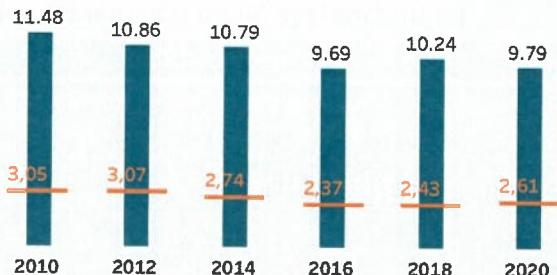
The Disposition Time (DT) is the theoretical time for a pending case to be resolved, taken into consideration the current pace of work

Instance  
 Highest Instance  
 2nd Instance  
 1st Instance

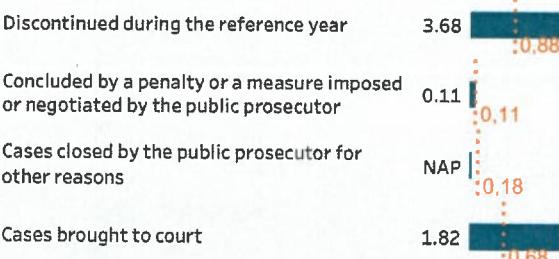
			Clearance Rate		Disposition Time (in days)		Evolution of Disposition Time						
			2010	2012	2014	2016	2018	2020					
Civil	Highest Instance	100.0%	<div style="width: 100.0%;"><div style="width: 100%;">100%</div></div>	<div style="width: 103.0%;"><div style="width: 103.0%;">103.0%</div></div>	368	<div style="width: 172px;"><div style="width: 172px;">172</div></div>	<td>NA</td> <td>NA</td> <td>NA</td> <td>276</td> <td>408</td> <td>368</td>	NA	NA	NA	276	408	368
	2nd Instance	105.1%	<div style="width: 105.1%;"><div style="width: 104.2%;">104.2%</div></div>	<div style="width: 104.2%;"><div style="width: 104.2%;">104.2%</div></div>	497	<div style="width: 177px;"><div style="width: 177px;">177</div></div>	<td>472</td> <td>511</td> <td>722</td> <td>553</td> <td>467</td> <td>497</td>	472	511	722	553	467	497
	1st Instance	92.5%	<div style="width: 92.5%;"><div style="width: 98.1%;">98.1%</div></div>	<div style="width: 98.1%;"><div style="width: 98.1%;">98.1%</div></div>	161	<div style="width: 237px;"><div style="width: 237px;">237</div></div>	<td>200</td> <td>73</td> <td>103</td> <td>91</td> <td>123</td> <td>161</td>	200	73	103	91	123	161
Criminal	Highest Instance	119.0%	<div style="width: 119.0%;"><div style="width: 101.0%;">101.0%</div></div>	<div style="width: 101.0%;"><div style="width: 101.0%;">101.0%</div></div>	226	<div style="width: 120px;"><div style="width: 120px;">120</div></div>	<td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>414</td> <td>226</td>	NA	NA	NA	NA	414	226
	2nd Instance	109.8%	<div style="width: 109.8%;"><div style="width: 94.4%;">94.4%</div></div>	<div style="width: 94.4%;"><div style="width: 94.4%;">94.4%</div></div>	NA	<div style="width: 121px;"><div style="width: 121px;">121</div></div>	<td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td>	NA	NA	NA	NA	NA	NA
	1st Instance	NA	<div style="width: 0%;"><div style="width: 94.7%;">94.7%</div></div>	<div style="width: 94.7%;"><div style="width: 94.7%;">94.7%</div></div>	NA	<div style="width: 149px;"><div style="width: 149px;">149</div></div>	<td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td>	NA	NA	NA	NA	NA	NA
Administrative	Highest Instance	NAP	<div style="width: 0%;"><div style="width: 101.2%;">101.2%</div></div>	<div style="width: 101.2%;"><div style="width: 101.2%;">101.2%</div></div>	NAP	<div style="width: 249px;"><div style="width: 249px;">249</div></div>	<td>NAP</td> <td>NAP</td> <td>NAP</td> <td>NAP</td> <td>NAP</td> <td>NAP</td>	NAP	NAP	NAP	NAP	NAP	NAP
	2nd Instance	73.0%	<div style="width: 73.0%;"><div style="width: 100.9%;">100.9%</div></div>	<div style="width: 100.9%;"><div style="width: 100.9%;">100.9%</div></div>	421	<div style="width: 253px;"><div style="width: 253px;">253</div></div>	<td>NA</td> <td>290</td> <td>175</td> <td>228</td> <td>222</td> <td>421</td>	NA	290	175	228	222	421
	1st Instance	87.4%	<div style="width: 87.4%;"><div style="width: 97.5%;">97.5%</div></div>	<div style="width: 97.5%;"><div style="width: 97.5%;">97.5%</div></div>	513	<div style="width: 358px;"><div style="width: 358px;">358</div></div>	<td>172</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>513</td>	172	NA	NA	NA	NA	513

## Public prosecution services

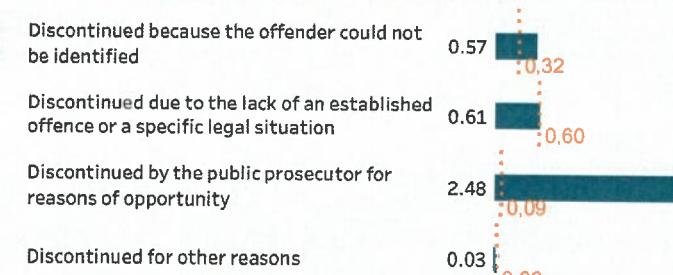
Total number of criminal cases of 1st instance per 100 inhabitants



Distribution of processed cases per 100 inhabitants



Distribution of discontinued cases per 100 inhabitants



Note: There are different methodologies on calculating number of cases in prosecution statistics by event or by perpetrator. CEPEJ collects data per case (event) but some countries present it by perpetrator.

## Judiciary related websites

### 1. Legal texts

<http://legilux.public.lu/>

### 2. Case-law of the higher court/s

<https://justice.public.lu/fr/urisprudence.html>

### 3. Information about the judicial system

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