

## TO WHOM IT MAY CONCERN

As the Luxemburgish association defending freedom of instruction (ALLI ASBL), we are witnesses of the violation of human rights in many respects. We will give a few examples we know of as of today: Thursday 19.01.2017

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Source of Universal Declaration of Human Rights:  
<http://www.un.org/en/universal-declaration-human-rights/>

### Violation of Article 1.

All human beings are **born free and equal in dignity and rights**.  
Children are human beings entitled to all human rights.

### Violation of Article 2.

**Everyone** is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or **other status**. ....

A family reported that a 13-year-old boy was forced to have his testicles examined during a school medical control although he clearly said he did not give his consent. How come he had absolutely no power nor any recourse when his consent was ignored?

A family reported that when their 7-year-old child found the courage to say to the school inspector "I really can't go to school anymore", that inspector replied "you have to go and you will go because I decide". Isn't this kind of attitude **oppressive**?

### Violation of Article 3.

**Everyone has the right to life, liberty and security of person.**

A family reported that a child had been bullied at school for many years and seriously considered committing suicide. The child wanted to learn at home but this was not authorized.

How is it possible that a child feeling so bad in a school is not granted the fundamental right as an individual of being allowed not to take part in an environment where it does not feel safe?

### Violation of Article 5.

**No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.**

A family reported that a teenager had been seriously mistreated in a college. He tried to resist but was even more mistreated.

How is it possible that a child not respected in the sense of the human rights declaration by a schoolteacher is not granted the fundamental right as an individual to be able not to take part in such a toxic environment?

### **Violation of Article 9.**

**No one shall be subjected to arbitrary arrest, detention or exile.**

Families reported to us having been told by some authorities that their child would be taken away from them if their child did not go to school.

Does this mean that they expect parents not to respect human and children's rights by using violence or manipulation to force the child to go to school or are they giving them no choice but to find exile in another country?

A family reported that they were told by authorities that even if the child was not mentally ill, he would be sent to a psychiatric hospital in case he would not go back to school. Isn't this arbitrary and in the best interest of the child?

A doctor in Luxembourg warned a family, whose child felt systematic punishments he was given at school were humiliating and unfair and considered learning at home instead, that some authorities placed a young boy in a social home for young people because he did not go to school.

Most families give their consent to decisions they do not approve, find unfair or do not denounce mistreatments just by fear. **Freedom from fear is not guaranteed!** How come some authorities use fear to intimidate parents while these parents try to protect their child?

A few years ago we also met a family persecuted in Germany because of school non-attendance that could not be solved satisfactorily and who tried to find exile in Luxembourg (homeschooling is prohibited in Germany due to a 1938 law still in force and the teenager was thrown out of many schools). The Luxembourgish authorities alerted by the German ones placed the young boy in a social home for a few month. Knowing the family personally and the conditions where they lived, we can attest that this individual did not need to be protected from anything.

### **Violation of Article 12.**

**No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.**

How come these young people in the stories we mentioned earlier could be so quickly deprived from their family without their consent?

### **Violation of Article 18.**

**Everyone has the right to freedom of thought, conscience...**

### **Violation of Article 11.**

**(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense...**

In 2010 a 16-year-old Dutch student decided that school was a waste of time and stayed home. The student was sentenced to juvenile prison to force him to attend school.

Is it a crime to think freely and being conscientious of what one needs and then act accordingly?

Eventually this young person found a non-coercive school (so called democratic schools) and found a job very quickly after that.

A coercive system by definition creates an authority and a group of powerless people. Is it a crime of not willing to attend a coercive education system that by definition is not respecting the universal declaration of human rights?

#### **Violation of Article 26.**

**(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.**

Most of the time, families contact our association because they consider in freedom of thought and conscience that the traditional school system is not compliant with article 26(2) of the human rights.

How come these individuals need to struggle so much for this right to be respected?

How come children are forcefully medicated just to comply with some normative empirically contestable system not really suited to their needs and without their consent?

How can an education system based on a non-democratic authority be compliant with article 26(2) of the human rights?

#### **Violation of Article 29.**

**...(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.**

Do pupils and students harm the rights and freedom of others by staying at home rather than going to school?

#### **Violation of Article 7.**

**All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.**

Any adult can stop a working contract, sue a harassing hierarchical superior in case of degrading treatments, and protect himself in many legal ways.

Children have no power but fully depend on caring and empathic adults (if they are lucky enough to get to know some and get their support).

Isn't it obvious that children are discriminated, as the protection of their rights is far less or even non-existent compared to adults?

#### **Violation of Article 8.**

**Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.**

How is it possible that these young people could not be protected or defend themselves regarding such acts as described above or mistreating behavior violating their fundamental rights?

Are children human beings or just objects to be treated like slaves and women in the old days?

#### **Violation of Article 26.**

**(3) Parents have a prior right to choose the kind of education that shall be given to their children.**

In such a context who can help free children if not adults?

If article 26 (3) is not respected, when parents refuse discrimination against young people, the so called « children » will never be free human beings and they will learn that domination and discrimination is the right way and they will perpetuate this vicious circle.

We are open to discuss all this issues to find or propose solutions for more respect of human rights, please do not hesitate to contact us at [alli@mylife.lu](mailto:alli@mylife.lu)

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