



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the eighth periodic report of Luxembourg*

1. The Committee considered the eighth periodic report of Luxembourg (CEDAW/C/LUX/8) at its 2126th and 2127th meetings (see CEDAW/C/SR.2126 and CEDAW/C/SR.2127), held on 7 February 2025.

A. Introduction

2. The Committee appreciates the submission by the State Party of its eighth periodic report, which was prepared in response to the list of issues prior to reporting (CEDAW/C/LUX/QPR/8), as well as its follow-up report to the previous concluding observations of the Committee (CEDAW/C/LUX/FCO/6-7). It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State Party on its distinguished delegation, which was headed by the Ambassador and Permanent Representative of Luxembourg to the United Nations Office and other international organizations in Geneva, Marc Bichler, and included representatives of the Ministry of Gender Equality and Diversity, the Ministry of Justice, the Ministry of Foreign and European Affairs, Defence, Development Cooperation and Foreign Trade, the Ministry of Education, Children and Youth, the Ministry of Home Affairs, the National Reception Office and the Permanent Mission of Luxembourg to the United Nations Office and other international organizations in Geneva, as well as a member of the Chamber of Deputies.

4. The Committee regrets the absence of civil society participation during most of the review process of this report, noting that only three organizations submitted written contributions to the dialogue and none was present in person. The Committee encourages the State Party to enhance opportunities for civil society engagement in future reporting cycles and in the implementation of the recommendations of the present concluding observations.

* Adopted by the Committee at its ninetieth session (3–21 February 2025).



B. Positive aspects

5. The Committee welcomes the progress achieved since the consideration in 2018 of the State Party's combined sixth and seventh periodic reports ([CEDAW/C/LUX/CO/6-7](#)) in undertaking legislative reforms, in particular the adoption of the following:

(a) Act of 7 November 2024, establishing a gender equality observatory and a high council for gender equality;

(b) Act of 7 August 2023, amending the Penal Code and the Code of Criminal Procedure to strengthen the means of combating the sexual abuse and sexual exploitation of minors;

(c) Act of 7 August 2023, relating to the organization of legal aid and repealing article 37-1 of the amended Act of August 10, 1991, relating to the profession of lawyer;

(d) Act of 20 July 2023 on compulsory schooling and amending: (i) the amended Act of 6 February 2009 on the organization of basic education; and (ii) the amended Act of 18 March 2013 on the processing of personal data concerning pupils;

(e) Act of 29 March 2023, amending the Labour Code with a view to establishing a system of protection against moral harassment in the workplace;

(f) Act of 28 March 2023, supplementing the Penal Code by introducing a general aggravating circumstance for crimes, offenses and contraventions committed with a motive based on one or more of the elements referred to in article 454 of the Penal Code;

(g) Act of 10 August 2018, relating to the modification of the mention of sex and first name(s) in the civil register and amending the Civil Code;

(h) Act of 20 July 2018, approving the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, signed in Istanbul on 11 May 2011, and amending: (i) the Penal Code; (ii) the Code of Criminal Procedure; (iii) the amended Act of 8 September 2003 on domestic violence; and (iv) the amended Act of 29 August 2008 on the free movement of persons and immigration;

(i) Act of 20 July 2018, reforming prison administration;

(j) Act of 27 June 2018, establishing the office of family judge and reforming divorce and parental authority.

6. The Committee welcomes the State Party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

(a) National action plan for equality between women and men, in 2020;

(b) First and second national action plans on "Women and peace and security" for the periods 2018–2023 and 2025–2030, respectively, for the implementation of Security Council resolution [1325 \(2000\)](#);

(c) National action plan for the implementation of the Convention on the Rights of Persons with Disabilities for the period 2019–2024;

(d) Third national plan for sustainable development, in 2019;

(e) First national action plan for the promotion of the rights of lesbian, gay, bisexual, transgender and intersex people, in 2018.

7. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State Party has ratified the following international human rights instruments:

(a) International Convention for the Protection of All Persons from Enforced Disappearance, on 1 April 2022;

(b) Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29) of the International Labour Organization, on 18 March 2021;

(c) Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, on 7 August 2018.

C. Sustainable Development Goals

8. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State Party to recognize women as the driving force of the sustainable development of the State Party and to adopt relevant policies and strategies to that effect.

D. Parliament

9. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Chamber of Deputies, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

10. The Committee notes with concern the lack of awareness of the Convention, the Committee's jurisprudence under the Optional Protocol and its general recommendations, within the Government and among the judiciary, civil society and the population at large. It is particularly concerned that the Convention is not invoked in the courts and by the lack of civil society involvement in the process of reporting to the Committee.

11. In line with its previous recommendations, the Committee reiterates its recommendation that the State Party adopt measures to ensure that the Convention is widely known, including by disseminating the Convention, the Optional Protocol thereto, the Committee's general recommendations and the present concluding observations promptly and widely among the judiciary, law enforcement officials, civil society and the public at large.

Constitutional and legislative framework and definition of discrimination against women

12. The Committee is deeply concerned that, although the principle of gender equality is enshrined in the Constitution of Luxembourg and despite the jurisprudence of the Constitutional Court, the Constitution, as amended in 2023, includes a distinction between women who are nationals and those who are non-nationals, in relation to equality before the law.

13. The Committee urges the State Party to amend its Constitution, with a view to ensuring equality before the law and effective protection under the law for all women in the State Party, irrespective of their citizenship status.

14. The Committee remains concerned that the legal definition of discrimination does not adequately protect women from intersecting forms of discrimination and by the increasing tendency to adopt gender-neutral legislation and the lack of sex-disaggregated data in relation to all areas of the Convention.

15. The Committee recommends that the State Party:

(a) **Adopt legislation on multiple and intersecting forms of discrimination, in line with article 1 of the Convention, and incorporate the prohibition of intersecting forms of discrimination into public policies;**

(b) **Ensure that its legislation, policies and programmes are gender-responsive, including by integrating a gender perspective, in accordance with paragraph 5 of the Committee's general recommendation No. 28 (2010) on the core obligations of States Parties under article 2 of the Convention;**

(c) **Collect data disaggregated by sex, age, disability, nationality, racial origin, religion and socioeconomic background, in order to accurately assess the situation of women and girls and formulate specific policies in those areas of the Convention where needed.**

Extraterritorial State obligations

16. The Committee notes with satisfaction the adoption of the national business and human rights pact and the first and second national action plans on business and human rights. However, it notes with concern that no independent assessment has been made of the impact of the State Party's extraterritorial corporate and financial policies on women's rights and gender equality. It is further concerned by reports that certain funds deposited in Luxembourg banks may originate in criminal and exploitative practices, in particular trafficking in and the smuggling of women.

17. The Committee reminds the State Party that, under the obligation of due diligence, it may be held responsible should it fail to take all appropriate measures to prevent, as well as to investigate, prosecute and punish perpetrators of and provide reparations for, acts or omissions by non-State actors, including actions taken by corporations operating extraterritorially. In line with its previous recommendation (CEDAW/C/LUX/CO/6-7, para. 16 (c)), the Committee recommends that the State Party undertake independent, participatory and periodic impact assessments of the extraterritorial effects of its financial secrecy and corporate tax policies and its commercial activities on women's rights and on the substantive equality of women and men in affected States, ensuring that those assessments are conducted impartially, with public disclosure of both the methodology used and the subsequent findings, and further reviewing its corporate and financial legislation, policies and practices with a view to fully realizing the enjoyment by women of their rights under the Convention, both domestically and extraterritorially. It also recommends that

the State Party facilitate women's access to effective remedies in cases of extraterritorial human rights violations by companies domiciled in the State Party.

Women's access to justice

18. The Committee welcomes the legislative measures taken to appoint judges specializing in family matters (art. 1 of the Act of 27 June 2018, establishing the office of the family judge and reforming divorce and parental authority) and provide partial legal aid for persons who are not entitled to full legal aid because of their financial situation (art. 6 of the Act of 7 August 2023 relating to the organization of legal aid and repealing article 37-1 of the amended Act of 10 August 1991, relating to the profession of lawyer). It also notes with satisfaction the ongoing work on the draft bill on juvenile justice. However, the Committee notes with concern:

- (a) The lack of clarity on procedural rights, including the right to a fair trial and the rights of the defence, in the State Party's legislation;
- (b) The lack of investigations and penalties imposed in cases of discrimination against women;
- (c) Barriers limiting access to justice for women seeking to complain about gender-based violence, discrimination or abuse, in particular foreign women and women with disabilities, such as: lack of awareness of the various remedies available; fear of reprisals and dismissal from employment; and lack of accessibility, reasonable accommodation and procedural adjustments, including support for decision-making;
- (d) The lack of competence of the Centre for Equal Treatment to file complaints on behalf of women victims of discrimination.

19. The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State Party:

- (a) Strengthen legislation to ensure procedural rights, including the right to a fair trial and the rights of the defence;
- (b) Raise awareness among the general public of legislation prohibiting discrimination against women and of the remedies available to victims, and provide capacity-building for the judiciary on the strict application of such legislation;
- (c) Address the obstacles faced by women victims of gender-based violence, discrimination or abuse in accessing justice, with a particular focus on foreign women and women with disabilities;
- (d) Increase the human, technical and financial resources allocated to the Centre for Equal Treatment and strengthen its mandate, in particular by giving it the power to initiate legal proceedings on behalf of victims of discrimination, strengthening its investigative powers and making its decisions binding;
- (e) Include in the draft bill on juvenile justice a general prohibition to impose prison sentences on pregnant or breastfeeding girls or confine them in pretrial detention, as recommended by the Consultative Commission on Human Rights.

National machinery for the advancement of women

20. The Committee welcomes the adoption of the Act of 7 November 2024, establishing a gender equality observatory and a high council for gender equality, and notes the renaming of the Ministry of Equality between Women and Men as the Ministry for Gender Equality and Diversity. However, the Committee notes with concern:

(a) The partial implementation of the second national action plan for equality between women and men, which was adopted in 2020, and the challenges still pending for its implementation;

(b) That the State Party's gender-neutral approach to equality policies may prevent it from developing effective policies to address structural gender inequalities and their impact on women's rights;

(c) That skin colour, language, gender identity and sex characteristics are not yet included in the list of grounds protected by the Equal Treatment Act, which prevents the evaluation of the effectiveness of legislation and public policy with regard to women from disadvantaged groups.

21. The Committee recommends that the State Party:

(a) **Ensure that adequate human, technical and financial resources are allocated for the effective implementation of the national action plan for equality between men and women and effectively implement, monitor and evaluate its impact, including with regard to addressing deep-rooted gender stereotypes;**

(b) **Assess the consequences of the gender-neutral approach applied in its equality legislation and policies, with regard to the evolution of the situation of women from disadvantaged groups;**

(c) **Set up the high council for gender equality and provide it with the human and financial resources required to carry out its functions.**

National human rights institution

22. The Committee remains concerned that the Consultative Commission on Human Rights lacks the human, technical and financial resources necessary to effectively carry out its mandate. It is also concerned that this institution does not have a mandate to examine individual complaints and issue binding recommendations in this regard.

23. The Committee recommends that the State Party enhance resource allocation to the Consultative Commission on Human Rights and implement the recommendations issued in 2022 by the Global Alliance of National Human Rights Institutions. It also recommends that the State Party strengthen the mandate of the Consultative Commission on Human Rights so that it can examine individual complaints and issue binding recommendations in that regard.

Temporary special measures

24. The Committee notes the mandatory minimum quota of 40 per cent for the underrepresented sex on the electoral lists of political parties for general elections and the voluntary quotas for municipal councils and the boards of directors of State-owned enterprises in the State Party. It notes with concern, however, the absence of temporary special measures other than minimum and voluntary quotas. It further notes with concern reports of persistent public rejection of temporary special measures for the advancement of women.

25. Recalling the Committee's general recommendation No. 25 (2004) on temporary special measures and in line with article 4 (1) of the Convention, the Committee reiterates its previous concluding observations ([CEDAW/C/LUX/CO/6-7](#), para. 24), and recommends that the State Party:

(a) **Continue raising awareness among politicians, public officials, the media and the general public of the non-discriminatory nature and the necessity**

of temporary special measures for achieving substantive equality between women and men in all areas where women are underrepresented or disadvantaged;

(b) **Adopt temporary special measures, such as gender-specific incentives, preferential recruitment of women, time-bound goals and parity quotas and targets in all areas where women are disadvantaged or underrepresented in both the public and private spheres.**

Gender stereotypes

26. The Committee reiterates its previous concern ([CEDAW/C/LUX/CO/6-7](#), para. 25) regarding the role that traditional and social media play in perpetuating negative and sexist stereotypes. The Committee notes that the laws of the State Party sanction discrimination, including sexist discrimination, and hate speech in the media and advertising. It notes with concern, however, that the response systems are mainly based on individual complaints, which are rare. The Committee reminds the State Party that the eradication of gender stereotypes is a State obligation, the fulfilment of which cannot be limited to the existence of a system of individual complaints, and that it cannot therefore depend on citizens' initiative. The Committee further regrets that, despite the wide range of training and capacity-building initiatives on gender equality offered to officials at various levels and in various areas of the public sector, there is no regular evaluation of the reach and impact of such training.

27. **The Committee recommends that the State Party:**

(a) **In collaboration with women from marginalized groups, develop and implement a comprehensive strategy – incorporating an intersectional approach and emphasizing gender-responsive language – to combat gender stereotypes in advertising, electronic media and social media, while promoting positive portrayals of women as active drivers of development;**

(b) **Include gender equality, from an intersectional approach, in the initial and ongoing training of all administrative staff in the public sector;**

(c) **Establish a system that allows for regular evaluation of the impact of such training and capacity-building programmes on institutional policies and practices.**

Harmful practices

28. The Committee notes with appreciation the statement dated 6 February 2023 of the Government of Luxembourg reaffirming its commitment to combat female genital mutilation. However, it remains concerned about the lack of prosecutions and convictions in cases of female genital mutilation, the lack of data on the extent of the phenomenon and reports that a significant number of women and girls are at risk of genital mutilation in Luxembourg. The Committee further notes with concern the persistence of the harmful practices referred to in its previous concluding observations.

29. **Drawing attention to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, as revised, and recalling its previous recommendations ([CEDAW/C/LUX/6-7](#), para. 28), the Committee recommends that the State Party:**

(a) **Continue to systematically collect disaggregated data on the incidence of female genital mutilation and other harmful practices in the State Party;**

(b) **Provide information to survivors of female genital mutilation on the support services available to them; adequately fund mandatory training for health professionals and social workers on the identification of women and girls**

at risk of female genital mutilation and their referral to appropriate support services; and ensure that perpetrators are prosecuted and adequately punished;

(c) Explicitly prohibit the non-consensual administration of contraceptives, medical treatments or sterilizations to women and girls with disabilities, in particular those with psychosocial disabilities;

(d) Explicitly criminalize all cases of forced sterilization, not only cases where it constitutes a war crime or a crime against humanity.

Gender-based violence against women

30. The Committee notes with appreciation the legislative measures adopted by the State Party to address gender-based violence against women and its proposed global strategy on gender-based violence, which provides for State responses to domestic violence and other forms of gender-based violence against women, such as female genital mutilation and forced marriage. It also notes with interest that a national reception centre for victims of all types of violence, including gender-based violence, is expected to be inaugurated in 2025. However, the Committee is concerned that:

(a) The statute of limitations for punishing rape is currently limited to 10 years;

(b) Psychological violence is not defined as a crime in itself but is punishable only when accompanied by another crime;

(c) Intersectionality has not been introduced in a cross-cutting manner to the overall approach to the various forms of gender-based violence, including with regard to disability;

(d) There is a lack of mandatory training for judges on gender-based violence against women and that capacity-building in the justice sector is limited to domestic violence;

(e) There are gaps in the collection of data on all types of gender-based violence and on prosecution and conviction rates;

(f) The recommendation of the Luxembourg Committee on Cooperation between Professionals Combating Violence to conduct a retrospective review of homicides or attempted homicides in contexts of gender-based violence has not been implemented.

31. **In line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and with Sustainable Development Goal target 5.2 on the elimination of all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State Party:**

(a) **Increase the statute of limitations for punishing rape;**

(b) **Criminalize psychological violence, whether or not it is accompanied by another crime;**

(c) **Incorporate an intersectional approach into all strategies to combat gender-based violence against women, to include women with disabilities and asylum-seeking and migrant women;**

(d) **Expand the scope of capacity-building for the judiciary to cover all forms of gender-based violence and make such training mandatory;**

(e) **Improve the data-collection system, to account for all types of gender-based violence, and justice system responses, including prosecution and conviction rates;**

(f) **Implement a system of retrospective reviews of homicides or attempted homicides in the context of gender-based violence, as recommended by the Luxembourg committee for cooperation between professionals combating violence.**

Trafficking and exploitation of prostitution

32. Recalling its previous concerns, ([CEDAW/C/LUX/CO/6-7](#), para. 31), the Committee notes with consternation that:

(a) The definition of trafficking in persons in the States Party's legislation does not fully align with the definition under international law, as force, fraud and coercion are listed as aggravating factors rather than constitutive elements;

(b) No evaluation has been carried out of the State Party's national action plan against trafficking in human beings, adopted in 2016, nor is there any active process to develop a new one;

(c) Sentences for perpetrators of trafficking offences are reportedly lenient, judges are often unaware of gender-sensitive interrogation methods, the assets of traffickers are rarely confiscated and victims are rarely compensated;

(d) Current procedures for the screening of asylum-seeking and migrant women and girls for trafficking indicators may lead to the penalization of victims, including through deportation, and leave many women and girls victims of trafficking unidentified;

(e) Since 2023 and for the third consecutive year, the State Party has not identified any child trafficking victims;

(f) Migrant workers, on whom not enough data is being collected, are reportedly particularly exposed to the risk of exploitation and there is a lack of victim support services, access to compensation and exit programmes for women who wish to leave prostitution.

33. **In the light of its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration and recalling its previous recommendations ([CEDAW/C/LUX/CO/6-7](#), paras. 32 and 34), the Committee recommends that the State Party:**

(a) **In line with the recommendation made by the Group of Experts on Action against Trafficking in Human Beings in 2022, amend the definition of trafficking to bring it into conformity with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and relevant international human rights standards;**

(b) **Expedite the adoption of the new national action plan against trafficking in human beings and ensure that it takes into account intersecting and gender-specific dimensions of trafficking;**

(c) **Expediently investigate and prosecute all cases of trafficking in women and girls, ensure that the sentences imposed on perpetrators are commensurate with the gravity of their crimes, confiscate the assets of traffickers and ensure adequate remedies, including compensation, for victims;**

(d) Continue strengthening capacity-building for judges, prosecutors and law enforcement professionals on the strict application of criminal law provisions on trafficking and gender-sensitive investigation and on interrogation methods and the gender-sensitive application of legislation on victim support;

(e) Strengthen efforts to prevent the criminalization and penalization of trafficking victims, including deportation, for administrative offences and violations of immigration law, issue temporary residence permits to victims, irrespective of their ability or willingness to cooperate with prosecution authorities, and apply the principle of non-punishment of victims of trafficking;

(f) Strengthen the early identification and referral of victims of trafficking to the appropriate support services, including through capacity-building and the collection and analysis of data on the trafficking risks faced by asylum-seeking and migrant women and girls;

(g) Prioritize the identification of child victims of trafficking and strengthen measures to include civil society organizations, labour inspectors, social workers and healthcare professionals in the formal identification of child victims of trafficking;

(h) Decriminalize all aspects of sex work and ensure adequate resource allocation for implementing the action plan on prostitution, in particular, for measures to reduce the demand for prostitution, review support to and develop new exit programmes for women who wish to leave prostitution, so as to ensure higher rates of success.

Equal participation in political and public life

34. The Committee welcomes the progress made since the introduction by the State Party of a 40 per cent quota and financial penalties regarding the number of women on the electoral lists of political parties for general elections. It notes with appreciation the progress made in terms of women's representation on public sector boards since the introduction of a voluntary quota of 40 per cent. However, the Committee notes with concern that parliamentary representation by women stood at a mere 30 per cent in 2023, below the 40 per cent benchmark. It is further concerned by the underrepresentation of women in municipal governments, senior foreign service positions, private sector decision-making positions and the military and police services.

35. Recalling its general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems, as well as target 5.5 of the Sustainable Development Goals, on ensuring women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life, the Committee recommends that the State Party implement specific and targeted measures to address the gender gap in the representation of women in municipal governments, senior foreign service positions and decision-making positions in the private sector, military service and police service, with a view to achieving gender parity in all areas of political and public life.

Nationality

36. The Committee notes that the State Party's law on nationality contains several provisions aimed at preventing and reducing statelessness. However, it is concerned that:

(a) The law does not protect the right of persons applying for stateless status to reside in Luxembourg during the application process and that that right is not automatically granted to them upon obtaining that status;

(b) The Office of the United Nations High Commissioner for Refugees standards on the registration of refugees, stateless persons and asylum-seekers are not fully integrated into the national law;

(c) The State Party did not provide statistical data on stateless women and girls and asylum-seeking women and girls.

37. The Committee recommends that the State Party, in line with its obligations under the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness:

(a) Guarantee the right of persons applying for stateless status to reside in Luxembourg during the application process and automatically recognize this right upon the granting of stateless status;

(b) Incorporate into national legislation the Office of the United Nations High Commissioner for Refugees standards on the registration of refugees, stateless persons and asylum seekers and compile gender-disaggregated data on stateless women and girls and asylum-seeking women and girls.

Education

38. The Committee commends the State Party for its adoption on 20 July 2023 of the Act on compulsory schooling, which extends the age of compulsory schooling from 16 to 18 years of age, starting at 4 years of age, as an important tool for addressing school dropout rates. The Committee also notes with appreciation efforts by the State Party to encourage women and girls to pursue digital studies and careers. Nevertheless, it notes with concern:

(a) The gender stereotypes surrounding the subjects of science, technology, engineering and mathematics, which often deter women and girls from enrolling in those and other traditionally male-dominated fields of study, including construction;

(b) The challenges in meeting the educational needs of girls and women with disabilities and those who are living in poverty, migrants, refugees and asylum-seekers;

(c) Reports of school-related bullying and violence and online violence, including exposure to and the distribution of sexual and pornographic material;

(d) That women in solitary confinement in prison institutions reportedly do not have access to education or libraries, despite the Act of 20 July 2018 reforming prison administration, which stipulates that solitary confinement should not interfere with prisoners' access to adapted activities, including educational programmes;

(e) Reports of excessive screen time for schoolgoing girls and the impact on their development.

39. In the light of its general recommendation No. 36 (2017) on the right of girls and women to education and recalling its previous recommendation (CEDAW/C/LUX/CO/6-7, para. 40), the Committee recommends that the State Party continue to promote the importance of girls' education at all levels, as a basis for their empowerment. It further recommends that the State Party:

(a) Adopt a gender-sensitive approach to career guidance, including on the basis of role models, in order to encourage girls to enrol in traditionally male-dominated fields of study, such as mathematics, information technology and

science, and pursue non-traditional career paths; train teachers at all levels of the educational system on ways to prevent stereotyping; and collect data disaggregated by sex, age, disability, nationality, racial origin, religion, socioeconomic background and other relevant factors on women and girls enrolled in the areas of science, technology, engineering, mathematics and construction, at the tertiary level;

(b) Strengthen measures to meet the educational needs of girls and women with disabilities, and those that are living in poverty, migrants, refugees and asylum-seekers and provide in its next periodic report information and statistical data on the education of all the above-mentioned disadvantaged groups of girls and women;

(c) Provide adequate financial, technical, human and logistical resources to effectively ensure the physical, mental and online safety of girls and women in school settings and online spaces, including for the effective implementation of Bee Secure Stopline services and protection from school-related sexual violence, exposure to and the distribution of pornographic material, bullying and online violence;

(d) Fully implement the Act of 20 July 2018 on prison reform to ensure that women in solitary confinement have full access to educational programmes;

(e) Take measures to effectively address excessive screen time for schoolgoing girls and its impact on their development;

(f) Provide continued support for the implementation of the Safe Schools Declaration and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.

Employment

40. The Committee welcomes the fact that the State Party has become the first country in the European Union to effectively eliminate the gender wage gap. It notes with appreciation the adoption of the Act of 29 March 2023 amending the Labour Code with a view to establishing a system of protection against moral harassment in the workplace. The Committee notes with concern, however, that:

(a) Progress towards closing the pay gap has not translated into progress towards closing the pension gap, with the difference between women's and men's pensions standing at 33.9 per cent in 2023;

(b) Nearly one out of every three women, or 30.9 per cent of women work part-time, compared with only 7.1 per cent of men;

(c) The Act of 12 September 2003 on persons with disabilities excludes persons with disabilities who do not meet the requirement of a 30 per cent loss of working capacity from the status of "worker with disability" and from access to related inclusion allowances;

(d) After submitting their applications, asylum-seekers must wait six months to gain access to the labour market;

(e) While chapter V of the Labour Code prohibits sexual harassment in the workplace, it is not criminalized under the Penal Code.

41. In accordance with target 8.5 of the Sustainable Development Goals, on achieving full and productive employment and decent work for all women and men, including for young people and person with disabilities, and equal pay for work of equal value, the Committee recommends that the State Party:

- (a) Continue its efforts to address the root causes of pension discrepancies between women and men and adopt targeted measures to reduce the gender pension gap, including by recognizing and computing unpaid care work performed by women towards pension entitlements and social benefits; extend the coverage of social protection, such as minimum wages, paid leave and maternity leave, to women in the informal economy and self-employed women; and introduce flexible working arrangements for both women and men;
- (b) Adopt targeted measures to prioritize women's transition from part-time to full-time work, including by providing a sufficient number of adequate and accessible childcare facilities;
- (c) Review the Act of 12 September 2003 on persons with disabilities, with a view to removing the exclusion provision;
- (d) Facilitate prompt access to the labour market for asylum-seekers by expediting application procedures and removing the six-month waiting period following the submission of an asylum request;
- (e) Adopt legislation to explicitly criminalize sexual harassment in the workplace and thereby provide for appropriate sanctions for perpetrators;
- (f) Ratify the Domestic Workers Convention, 2011 (No. 189) and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.

Health

42. The Committee takes note with interest of the approval of a bill abolishing the practices of issuing virginity certificates, performing hymenoplasties and stipulating a three-day mandatory reflection period for abortion. However, it notes with concern:

- (a) That non-emergent medical treatments continue to be carried out in the State Party to "sexually normalize" intersex people without their informed consent;
- (b) Reports that rates of tobacco use in the State Party are higher than the European average and that recent increases in use have been observed among women and girls.

43. In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child and recalling its previous recommendations ([CEDAW/C/LUX/CO/6-7](#), para. 46), the Committee recommends that the State Party:

- (a) Expedite the passage of the above-mentioned bill through the legislative process to become law;
- (b) Specifically prohibit non-consensual sex reassignment surgery on intersex persons and develop and implement a rights-based healthcare protocol for intersex children that requires their informed consent about the performance of medically irreversible sex reassignment surgery;
- (c) Expedite the finalization and implementation of the second national action plan to combat smoking and ensure that it incorporates a gender dimension, so that policies and measures emanating from the plan address the specific needs of women.

Economic empowerment of women

44. The Committee notes with appreciation the State Party's efforts to serve as a model in terms of the use of inclusive, gender-responsive policies as a strategy for economic diversification and wealth redistribution through enhanced economic and social life for women in Luxembourg, in alignment with the provisions of the Convention, and provide financial support to women who are informal caregivers, free childcare services and gender-focused bonds and tailored debt instruments issued by the Luxembourg Stock Exchange. However, the Committee notes with concern:

(a) The high poverty rate of 13.5 per cent among working women, in particular single mothers, in the State Party, despite having the highest gross domestic product per capita in the European Union;

(b) The mandatory registration requirements for self-employed persons under the pension and insurance reforms, which result in unequal access to social protection for women working in the informal economy;

(c) The limited access to housing for low-income single mothers and unemployed women, including unpaid caregivers, which hinders their productivity and well-being;

(d) Women's limited access to financial services due to inadequately tailored products that fail to meet their specific business and entrepreneurial needs;

(e) The gender digital divide and the failure of existing programmes to equip women and girls for emerging jobs, technological solutions and innovation.

45. The Committee recommends that the State Party:

(a) **Strengthen efforts to reduce poverty among women, with a particular focus on single-parent households and disadvantaged groups of women, including through the facilitation of access for unemployed women and those working in unpaid care to unemployment benefits, formal employment and professional training;**

(b) **Raise awareness among self-employed women and women working in the informal economy, including artisans, caregivers and those working in small and medium-sized enterprises on mandatory registration requirements under the pension and social insurance schemes and ensure that they have adequate access to social protection;**

(c) **Prioritize the allocation of affordable State-subsidized housing to single mothers and unemployed women, including unpaid caregivers;**

(d) **Increase investment in women-owned businesses and entrepreneurial activities, promote women's access to credit and financial services and ensure the availability of feedback mechanisms to facilitate impact assessments and strengthen reforms;**

(e) **Increase the portion of the digitization fund that is dedicated to strengthening the information technology competencies of women and girls.**

Women with disabilities

46. The Committee notes with concern that women with disabilities face intersecting forms of discrimination in the State Party, especially with regard to access to justice, education, employment and healthcare. The Committee takes note of the national action plan for the implementation of the Convention on the Rights of Persons with Disabilities 2019–2024. It is concerned, however, that this plan does not

include a gender dimension. It further notes with concern that the issue of disability is absent from the current national action plan for equality between women and men.

47. The Committee recommends that the State Party ensure that:

(a) **Women and girls with disabilities have access to justice, the labour market, inclusive education, employment and healthcare services, including sexual and reproductive healthcare services, and are able to fully exercise their right to bodily autonomy and decision-making with regard to their reproductive rights and custody and care of their children;**

(b) **The next national action plan for the implementation of the convention on the rights of persons with disabilities includes a gender dimension and that the national action plan for equality between women and men is revised to incorporate a disability dimension.**

Minority women

48. The Committee notes with concern the lack of support systems in the State Party for assisting non-resident Muslim women and girls and women and girls of African descent in finding employment and housing and gaining access to healthcare services and education.

49. The Committee recommends that the State Party implement measures to facilitate access to housing, employment, healthcare services and education for non-resident Muslim women and girls and women and girls of African descent.

Disaster risk reduction and climate change

50. The Committee notes that the State Party has contributed 8 million euros to the Fund for Responding to Loss and Damage, which was established to support developing nations that are disproportionately affected by climate change. Nevertheless, it notes with regret that the Fund remains underfunded. The Committee also notes with concern that private financial institutions under the jurisdiction of the State Party continue to make significant investments in the fossil fuel industry and other carbon-intensive sectors.

51. In accordance with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State Party:

(a) **Consider increasing its contribution to the Fund for Responding to Loss and Damage and earmark that contribution for gender-related issues;**

(b) **Develop regulatory policies to encourage private sector financial institutions to invest in renewable energies and the green economy, disincentivize them from investing in the fuel industry and other carbon-intensive sectors and promote compliance with the United Nations Framework Convention on Climate Change, the Paris Agreement and the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework;**

(c) **Establish a human rights due diligence process, to ensure that businesses identify, prevent, mitigate and account for their climate impacts.**

Marriage and family relations

52. The Committee is concerned that:

(a) The distinction between “legitimate children” and “natural children” still exists in the State Party, implying an inequality before the law and in society;

(b) There is no automatic parenthood recognition for same-sex couples, so that the non-biological parent may still need to go through an adoption process;

(c) In cases where the placement of children in a foster care institution or family is decided by a court, the law allows the judge to decide on the transfer of parental responsibility without respecting the right to appeal, the right to a lawyer and the right of the child to be heard;

(d) The practice of surrogacy is not clearly regulated, leading to uncertainty and a lack of protection for those who are involved, in particular mothers, surrogate mothers and the children born from surrogacy.

53. The Committee urges the State Party to:

(a) **Without delay, adopt legislation, with a view to eliminating any legal or administrative distinction between “legitimate children” and “natural children”;**

(b) **Put in place legislative and administrative measures to ensure the automatic recognition of parenthood for same-sex couples;**

(c) **Undertake studies on the effectiveness of joint custody agreements and on gender inequalities that may be present in judicial decisions;**

(d) **Adopt a legislative framework to regulate surrogacy, in order to protect women acting as surrogates, mothers using surrogacy and children born from surrogacy from exploitation, coercion, discrimination and trafficking.**

Data collection and analysis

54. The Committee is concerned about the lack of collection of sex-disaggregated data in many areas that are relevant to the implementation of the Convention.

55. **The Committee recommends that the State Party promote and build capacity for the use of the most appropriate technology in the collection of statistical data, including on the prevalence of gender-based violence against women, the prevalence of trafficking in women and girls, access to education and the socioeconomic status of women, that is disaggregated by age, disability, sexual orientation, socioeconomic background and other relevant factors, in order to accurately assess the situation of women and girls and allow for the design and implementation of tailored and gender-responsive legislation, policies, programmes and budgets.**

Beijing Declaration and Platform for Action

56. **The Committee calls upon the State Party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

Dissemination

57. **The Committee requests the State Party to ensure the timely dissemination of the present concluding observations, in the official languages of the State Party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the parliament and the judiciary, to enable their full implementation.**

Ratification of other treaties

58. The Committee notes that the adherence of the State Party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State Party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

Follow-up to the concluding observations

59. The Committee requests the State Party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 19 (c), 21 (b), 31 (c) and 41 (e) above.

Preparation of the next report

60. The Committee will establish and communicate the due date of the ninth periodic report of the State Party in line with a future clear and regularized schedule for reporting by States parties (General Assembly resolution 79/165, para. 6) and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State Party. The report should cover the entire period up to the time of its submission.

61. The Committee requests the State Party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.