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## I. General information about the Grand Duchy of Luxembourg

### A. Demographic, economic, social and cultural characteristics

#### 1. Demographic information

1. Located in the heart of Western Europe, between Belgium, France and Germany, the Grand Duchy of Luxembourg has been an independent State since the Treaty of London of 19 April 1839. Since the end of the Second World War, Luxembourg has relied on international cooperation as the best way to maintain its sovereignty and promote its development. Thus, over the years, it has become a member – often a founding member – of many international organizations and institutions. Luxembourg has also played a leading role in the process of European integration.

2. The surface area of Luxembourg is 2,586 km<sup>2</sup>. The national territory is divided for administrative purposes into 100 communes spread across 12 cantons.

3. As at 1 January 2023, the total population of the Grand Duchy is estimated at about 660,809 inhabitants, of whom 313,407, or 47.43 per cent of the country's population, are foreign nationals. Since the 1980s, Luxembourg has experienced significant demographic growth, mainly as a result of immigration.

Table 1  
Number of inhabitants and population growth rate

Year	2019	2020	2020	2021	2023
Average population	620 001	630 419	640 064	653 103	660 809
<b>Total growth rate (percentage)</b>	<b>2.0</b>	<b>1.7</b>	<b>1.5</b>	<b>2.0</b>	<b>1.2</b>

Table 2  
Population by nationality

Year	2019	2020	2021	2022	2023
Population as at 1 January	613 894	626 108	634 730	645 397	660 809
Nationals of Luxembourg	322 430	329 643	335 304	341 230	347 402
Foreign nationals	291 464	296 465	299 426	304 167	313 407
Foreigners as a percentage of the total population	47.43	47.35	47.17	47.13	47.43
Citizens of the European Union	259 943	261 124	261 675	263 128	267 344
European citizens as a percentage of the total number of foreigners	89.12	88.08	87.40	86.51	85.30

4. With regard to international migration flows, there was positive net migration of 9,376 persons (25,335 arrivals and 15,959 departures) in 2021. For the first time since 2013, the Portuguese accounted for the largest portion of incoming migrants in 2021: 3,885 persons, or 15.3 per cent of all arrivals. They were followed by French persons (3,590, or 14.2 per cent), Italians (1,909, or 7.5 per cent) and Luxembourgers (1,577, or 6.2 per cent). As regards the other two countries that share a border with Luxembourg, the share of Belgians in net migration in 2021 was 4.2 per cent, while Germans made up 3.6 per cent. In 2021, European citizens continued to predominate, accounting for 68.2 per cent of all immigrants.

Figure 1  
Proportion of different nationalities in the total population as at 1 January 2024

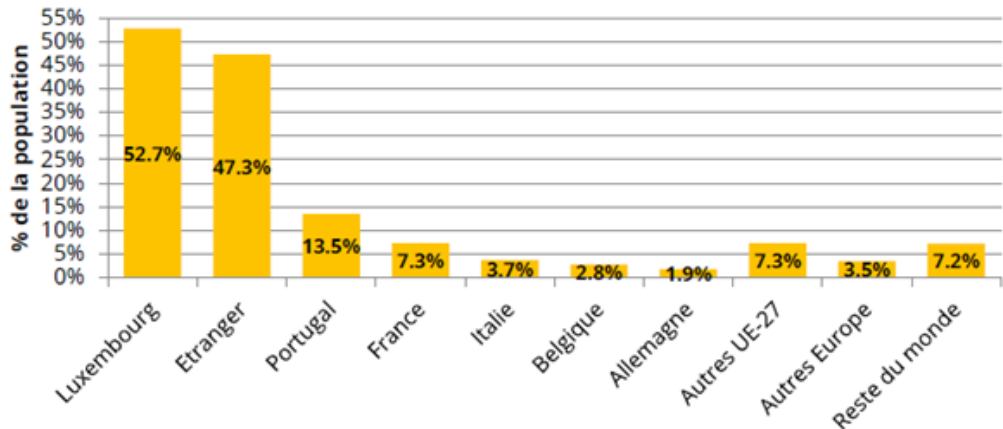
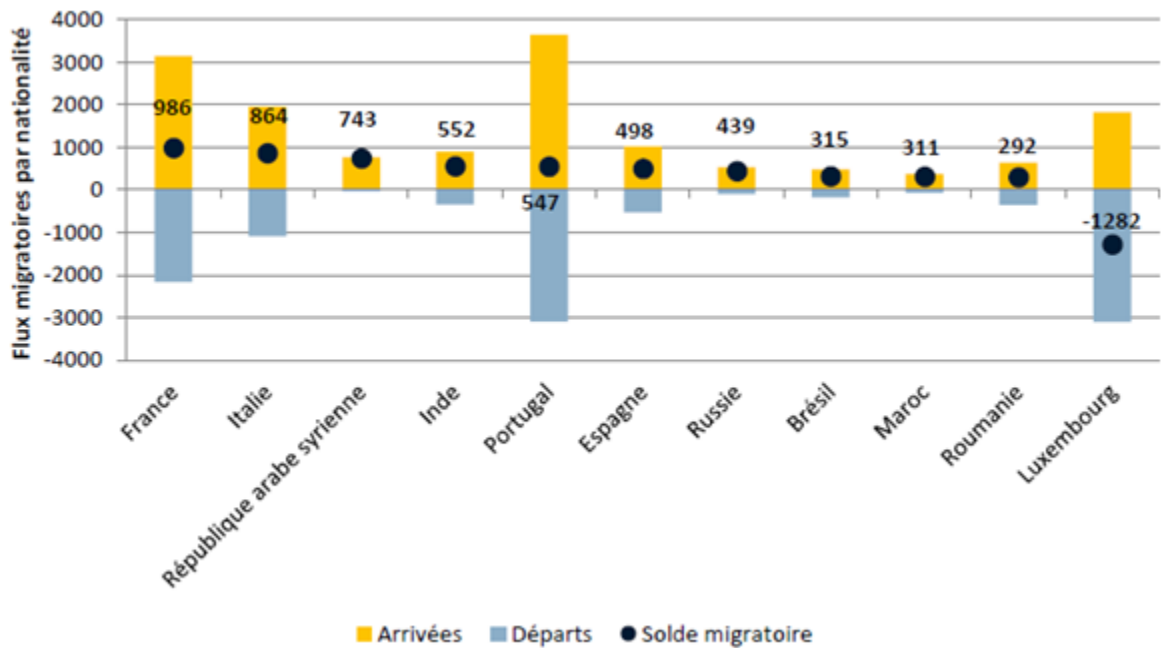


Figure 2  
Net migration by the 10 main nationalities concerned in 2023



5. In 2023, the average population density was 256 persons per km<sup>2</sup>. However, this figure masks strong regional disparities, with densities ranging from 38 inhabitants per km<sup>2</sup> in the rural canton of Clervaux to 2,580 inhabitants per km<sup>2</sup> in the canton of Luxembourg.

Table 3  
Percentage of the population living in rural and urban areas

Year	2013	2014	2015	2016	2017	2018	2020	2022	2023
Population living in urban areas	89.6	89.9	90.2	90.5	90.7	91.0	91.4	91.9	92.0
Population living in rural areas	10.4	10.1	9.8	9.5	9.3	9.0	8.6	8.1	8.0

Source: Statista.

Table 4  
**Population distribution by level of urbanization 2013–2017**

<i>Year</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Urban areas	14.6	14.5	13.0	15.7	15.5
Intermediate areas	38.0	36.6	38.5	36.4	38.7
Rural areas	47.4	48.9	48.5	47.9	45.9

*Source:* Eurostat.

6. From a structural perspective (the density and extent to which an area is built up) and a functional perspective (proportion of commuters working in an urban area), the Grand Duchy of Luxembourg has three major urban areas, namely, the City of Luxembourg; a southern urban area, in the former mining basin, comprising the towns of Esch-sur-Alzette, Differdange and Dudelange; and a northern urban area, “Nordstad”, comprising the towns and communes of Bettendorf, Diekirch, Erpeldange-sur-Sûre, Ettelbruck, Schieren and Colmar-Berg. The City of Luxembourg is clearly asserting itself as the country’s dominant urban area, while the other two urban areas represent medium-sized development centres that are shaping their respective regions.

7. The urban centre referred to as the City of Luxembourg comprises the City of Luxembourg and the eight suburban communes (Hesperange, Walferdange, Strassen, Bertrange, Steinsel, Lorentzweiler, Niederanven and Sandweiler), all of which are densely built up in a continuous fashion from the capital. The communes that form the first “ring” around the City of Luxembourg are characterized by high proportions of commuters (over 40 per cent). These peri-urban spaces, which extend from the City of Luxembourg in a more sprawling manner, are less densely built up and have lower populations and fewer jobs.

8. The southern part of Luxembourg is highly urbanized and much more heavily populated than the rural areas in the centre and north of the country. The cantons of Luxembourg and Esch are the most densely populated, with 198,476 and 186,468 inhabitants, respectively. They alone account for about 60 per cent of the national population. The other cantons have fewer inhabitants, ranging from 8 per cent of the total population living in Capellen to 0.86 per cent in Vianden.

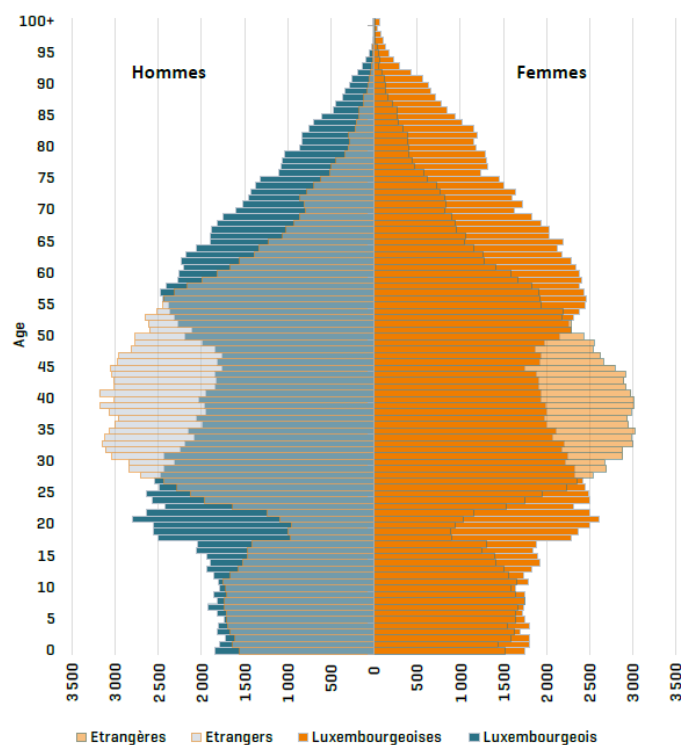
Table 5  
**Population by canton as at 1 January 2022**

<i>Canton</i>	<i>Absolute number</i>	<i>Percentage</i>
Canton of Luxembourg	198 476	30.75
Canton of Esch	186 468	28.89
Canton of Capellen	51 691	8.01
Canton of Diekirch	34 309	5.32
Canton of Mersch	34 721	5.38
Canton of Grevenmacher	31 748	4.92
Canton of Remich	23 717	3.67
Canton of Echternach	19 716	3.05
Canton of Redange	20 371	3.16
Canton of Clervaux	20 016	3.10
Canton of Wiltz	18 648	2.89
Canton of Vianden	5 516	0.85
Grand Duchy of Luxembourg	645 397	100.00

9. The latest statistics on the religious composition of the population of Luxembourg date from the 1970 population census. Since 1979, the law has prohibited the inclusion of any question concerning religion in population censuses.

10. The proportions of women and men in the total population of Luxembourg are more or less equal. The life expectancy of women at birth is higher than that of men (84.8 years for women compared to 80.3 years for men in 2021).

Figure 3

**Population pyramid as at 1 January 2022**

Source : STATEC-CTIE

Table 6

**Population by age and sex as at 1 January 2018–2021**

Year	2018		2019		2020		2021	
Sex	Men	Women	Men	Women	Men	Women	Men	Women
0–4 years	16 494	15 763	16 661	15 931	16 773	16 209	16 900	16 355
5–9 years	16 861	15 923	17 075	16 280	17 450	16 544	17 641	16 618
10–14 years	16 570	15 511	16 801	15 859	17 038	16 063	17 291	16 590
15–19 years	16 999	16 114	17 097	16 109	17 235	16 096	17 179	15 892
20–24 years	19 403	18 433	19 462	18 576	19 738	18 802	19 975	18 739
25–29 years	22 830	21 894	23 710	22 415	24 484	23 089	24 373	23 227
30–34 years	23 245	23 027	24 051	23 812	24 906	24 527	25 947	25 103
35–39 years	23 677	23 442	24 240	23 871	24 766	24 385	24 798	24 587
40–44 years	23 010	22 245	23 352	22 825	23 781	23 277	24 400	23 790
45–49 years	23 782	22 420	23 741	22 442	23 625	22 509	23 728	22 533
50–54 years	24 102	21 988	24 458	22 237	24 495	22 505	24 324	22 633
55–59 years	20 514	19 220	21 271	19 859	22 037	20 512	22 789	21 070
60–64 years	16 280	16 050	16 923	16 508	17 485	16 990	18 034	17 477
65–69 years	13 035	13 112	13 274	13 438	13 597	13 913	13 904	14 266
70–74 years	9 855	10 373	10 273	10 801	10 796	11 264	11 176	11 828
75–79 years	7 113	8 964	7 310	8 950	7 422	8 870	7 593	8 844

<i>Year</i>	<i>2018</i>		<i>2019</i>		<i>2020</i>		<i>2021</i>	
<i>Sex</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
80–84 years	4 967	7 035	5 031	7 239	5 248	7 520	5 290	7 492
85–89 years	2 924	5 093	2 951	5 118	2 920	5 086	2 853	5 009
90 years and over	919	2 818	1 039	2 904	1 168	3 083	1 261	3 221

11. In 2022, 6,495 births were registered nationwide. This represents a decrease of 2.9 per cent compared with 2021 (6,690 births). The birth rate rose in 2021 compared with 2020 but fell in 2022.

12. From a statistical point of view, the number of children per woman was 1.31 in 2022 and the average age at birth of first child was 31.1 years in 2022. The sex ratio at birth is fairly balanced. While births out of wedlock were rare in the 1990s, the proportion of such births reached 41.9 per cent in 2021. This reflects the fact that births out of wedlock have increasingly become planned births to women who are generally unmarried and in consensual or civil unions.

Table 7

**Birth rate***(Per 1,000 people)*

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Birth rate	10	10.2	10.4	9.9

Table 8

**Life expectancy at birth**

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Men	80.0	80.1	80.3	80.5	81.0
Women	84.5	84.6	84.8	84.8	85.0

13. The total fertility rate, that is, the average number of children per woman, is 1.31 (1.45 for foreign nationals and 1.19 for Luxembourg nationals). In 2000, the total fertility rate was 1.78 (1.90 for foreign nationals and 1.70 for Luxembourg nationals). At present, the fertility rate is relatively low in Luxembourg for two reasons: women are increasingly having children later than they did in previous generations and they are also having relatively few children.

Table 9

**Fertility rates by age group**

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Live births per 1,000 women aged					
15–19 years	4.0	4.0	2.9	2.8	3.1
20–24 years	23.5	23.4	22.9	21.6	20.3
25–29 years	59.2	61.6	57.8	58.4	54.5
30–34 years	96.7	100.2	105.3	98.7	93.4
35–39 years	66.8	65.5	70.2	63.4	62.1
40–44 years	16.7	17.9	17.3	16.9	16.1
Average rate (15–44 years)	48.0	49.3	50.3	47.7	45.5

14. There were 4,449 deaths of Luxembourg residents in the country in 2022. This represents a decrease of 0.9 per cent compared with 2021. The number of deaths rose to 4,609 in 2020, following the onset of the coronavirus disease (COVID-19) pandemic, then fell in 2021 and 2022 (2,289 in 2021). Luxembourg nationals account for 77.1% of deaths, while

foreign nationals account for a much smaller proportion (22.9 per cent). The absolute number of deaths in the foreign population is very low, owing to its very young age structure. Between 2021 and 2022, the number of deaths among foreign nationals fell from 1,092 to 1,019. Meanwhile, deaths of Luxembourg nationals rose by 0.96 per cent, from 3,397 in 2021 to 3,430 in 2022.

Table 10  
**Mortality rate**  
(Per 1,000 people)

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Mortality rate	6.9	7.3	7.0	6.8

Table 11  
**Infant mortality rate**  
(Per 1,000 live births)

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Infant mortality	4.7	4.5	3.1	3.5	4.3

*Source:* National Institute of Statistics and Economic Research.

Table 12  
**Maternal mortality ratio**  
(Per 100,000 live births)

<i>Year</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Infant mortality	6	7	7	6	6

*Source:* World Bank.

15. Cardiovascular diseases are the most frequent cause of death in Luxembourg, accounting for one third of deaths. The next most common causes are cancer and diseases of the respiratory system. However, among persons under 50 years old, the main causes of death are external causes such as transport accidents and suicide. Deaths related to mental and behavioural disorders rose from 233 cases in 2016 to 279 cases in 2022.

Table 13  
**Deaths by cause of death, 1998–2022**

<i>Cause of death</i>	<i>1998</i>	<i>2000</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Diseases of the circulatory system	1 562	1 442	1 264	1 276	1 193	1 137	1 086	1 046	1 104
Tumours	1 008	991	1 121	1 160	1 130	1 139	1 055	1 098	1 099
Diseases of the respiratory system	314	288	298	314	388	387	324	299	303
External causes of mortality	255	293	267	220	270	266	256	238	262
Mental and behavioural disorders	73	92	233	228	286	256	278	298	279
Diseases of the digestive system	184	204	196	194	193	190	218	193	193
Diseases of the nervous system	120	109	171	184	180	206	218	178	179
Symptoms, signs and abnormal clinical and laboratory findings not classified elsewhere	114	111	124	141	113	176	162	178	124
Endocrine, nutritional and metabolic diseases	50	63	107	147	102	132	123	123	140
Diseases of the genitourinary system	47	36	62	91	94	83	92	99	90
Certain infectious and parasitic diseases	42	36	63	106	68	67	83	77	118



<i>Cause of death</i>	<i>1998</i>	<i>2000</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Diseases of the blood and blood-forming organs and certain immune system disorders	12	8	24	29	33	23	17	19	28
Diseases of the musculoskeletal system and connective tissue	14	9	17	18	31	22	25	23	24
Certain conditions originating in the perinatal period	15	10	14	11	12	17	12	11	9
Birth defects and chromosomal abnormalities	4	2	13	9	11	7	9	13	8
Diseases of the skin and subcutaneous tissue	7	14	3	7	4	11	6	7	10
Pregnancy, childbirth and the puerperium	1	1	-	2	-	-	-	-	-

*Source:* Department of Health.

Table 14  
**Population by age and dependency ratio**  
(Percentage)

<i>Year</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Working age population (15–64 years)	69.1	69.3	69.5	69.5
Children (0–14 years)	16.7	16.5	16.2	16.1
Older persons (65 years and over)	14.2	14.2	14.2	14.3
Dependency ratio	30.9	30.7	30.5	30.4

## 2. Social data

16. On 1 February 2023, there were 240,000 private households registered in Luxembourg. With 580,000 people living in private households in 2023, the size of the average household in Luxembourg was 2.42 people. A total of 16.6 per cent of residents were considered to live in non-family households (96,000 people) and 83.4 per cent (484,000 people) in so-called family households.

17. In 2022, the largest household expenditure in Luxembourg – 36.2 per cent – was under the item “housing, water, electricity, gas and other fuels”. A large proportion of household spending was also made on transport (purchase, use and maintenance of vehicles, public transportation, etc.), accounting for 13.6 per cent of average spending. This was followed by spending on other goods and services (9.6 per cent) and food (9.5 per cent). The share of the latter expenditure varied greatly depending on households’ financial means.

Table 15  
**Average annual expenditure per household**

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
<b>Total</b>	<b>€64 347</b>	<b>€64 645</b>	<b>€66 090</b>	<b>€66 103</b>	<b>€72 178</b>
Food and non-alcoholic beverages	€5 289 8.2%	€5 615 8.7%	€6 451 9.8%	€5 976 9.0%	€6 869 9.5%
Alcoholic beverages, tobacco and narcotics	€813 1.3%	€846 1.3%	€994 1.5%	€821 1.2%	€886 1.2%
Clothing and footwear	€3 093 4.8%	€2 986 4.6%	€2 968 4.5%	€2 856 4.3%	€3 206 4.4%

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Housing, water, electricity, gas and other fuels	€23 156 36.0%	€22 682 35.1%	€22 515 34.1%	€23 268 35.2%	€26 140 36.2%
Furnishings, household equipment and home maintenance	€3 971 6.2%	€3 982 6.2%	€4 192 6.3%	€4 300 6.5%	€4 275 5.9%
Health	€1 720 2.7%	€1 642 2.5%	€1 596 2.4%	€1 778 2.7%	€2 015 2.8%
Transportation	€8 449 13.2%	€8 845 13.7%	€10 548 16.0%	€10 974 16.6%	€9 806 13.6%
Communications	€1 676 2.6%	€1 616 2.5%	€1 719 2.6%	€1 682 2.5%	€1 949 2.7%
Recreation and culture	€3 986 6.2%	€4 398 6.8%	€3 774 5.7%	€3 565 5.4%	€4 089 5.7%
Education services	€502 0.8%	€458 0.7%	€259 0.4%	€284 0.4%	€403 0.6%
Hotels, cafes and restaurants	€5 468 8.5%	€5 363 8.3%	€4 771 7.2%	€3 846 5.8%	€5 626 7.8%
Other goods and services	€5 418 8.5%	€5 626 8.7%	€6 298 9.5%	€6 748 10.2%	€6 908 9.6%

*Source:* National Institute of Statistics and Economic Research.

18. For the year 2022, the at-risk-of-poverty threshold was €2,247 per month.

19. In 2022, 106,980 people were living below the monetary poverty line, which was €2,419 per month for a single adult. By comparison, on 1 January 2022, the minimum pension for a single adult was €1,985 and the social inclusion income for the first adult in a household was €1,583. The at-risk-of-poverty rate, in other words the proportion of people with a monthly income below €2,247, was 17.4 per cent.

**Table 16**  
**Poverty risk indicators**

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
At-risk-of-poverty threshold (60 per cent of national median income)	€1 723 per month	€1 818 per month	€1 892 per month	€2 124 per month	€2 247 per month
At-risk-of-poverty rate	16.7%	17.5%	17.4%	18.1%	17.4%
At-risk-of-poverty rate by gender					
Men	15.4%	17.2%	17.0%		
Women	18.0%	17.9%	23.1%		
At-risk-of-poverty rate for children	22.6%	24.8%	24.8%	28.6%	22.4%
Poverty rate for persons 65 and older	9.9%	9.3%	7.3%	9.1%	12.2%
Working poor	11.6%	12.0%	13.7%	13.7%	13.2%
Single-parent families	44.9%	46.0%	46.2%	42.9%	29.3%

20. Income inequality in Luxembourg is very sensitive to changes in high incomes. The wealthiest 10 per cent have an average income that is 8.2 times higher than that of the poorest 10 per cent.

21. In 2022, the Gini coefficient in Luxembourg was 0.296, remaining stable compared to the previous year. The contribution of social transfers (family benefits, housing and education grants, minimum social benefits) to inequality is negative, demonstrating the redistributive impact of such transfers. The Gini coefficient before and after social transfers is 0.296 if all social transfers, including pensions, are taken into account. If social transfers except for retirement pensions are excluded, the coefficient increases to 0.336.

Table 17

**Indicator of income inequality**

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Gini coefficient	0.3	0.3	0.3	0.2	0.29

22. In Luxembourg, schooling is compulsory from 4 to 16 years of age and includes a minimum number of years of primary and secondary education.

23. Primary education consists of four cycles: cycle 1 for children aged 4 and 5 (the first year of early education from the age of 3 is free, but enrolment is optional), cycle 2 for children aged 6 and 7, cycle 3 for children aged 8 and 9 and cycle 4 for children aged 10 and 11.

24. Secondary education consists of two tracks: standard secondary education, which lasts seven years, culminates in a secondary school diploma and prepares students primarily for university; and general secondary education, which comprises various training programmes lasting six to eight years depending on the specialty chosen, including vocational training.

Table 18

**Net enrolment rate**

(Percentage)

<i>Year</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>
Primary education	96.69	97.55	98.52	98.41	98.35
Lower secondary education	95.70	96.12	96.13	95.58	96.06
Upper secondary education	84.44	83.92	84.88	85.13	85.34

*Source:* United Nations Educational, Scientific and Cultural Organization (UNESCO).

25. In primary schools, teaching is provided mainly by teachers who have passed a competitive examination linked to their posts. A three-year university degree in education or an advanced teacher training degree recognized by the Ministry of National Education, Children and Youth is a prerequisite for taking the competitive examination for cycle 1 teaching posts. A higher education degree of at least three years recognized by the Ministry is a prerequisite for taking the competitive examination for teaching posts in cycles 2 to 4.

26. In standard secondary and general secondary schools, teaching is provided mainly by teachers who have successfully completed their teacher placement. This placement is possible only once a candidate has successfully passed a competitive recruitment process in his or her respective speciality. A four-year higher education degree recognized by the Ministry of National Education, Children and Youth is required to register for the competitive examination.

Table 19

**Number of students per teacher**

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Primary education	9.0	9.0	10.0	9.0	8.0

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Lower secondary education	10.7	//*	//*	10.1	9.5
Upper secondary education	8.6	9.2	4.7*	9.1	8.5

\* different definition (see metadata on the Eurostat website).

Source: UNESCO.

27. Schools in Luxembourg have adopted specific measures and provide special classes at each level of education to support and educate foreign students.

28. In addition, children with disabilities or special educational needs are either integrated into mainstream schools or enrolled in an establishment or service of the system for students with special educational needs.

29. The multilingual tradition of Luxembourg is an essential feature of its education system. Luxembourg is a trilingual country: Luxembourgish is the national language, French is the legislative language and Luxembourgish, French and German are the administrative and judicial languages. Language teaching therefore occupies a central place in the education system and the teaching provided is plurilingual, involving all three of the country's languages. While German is the main language of instruction in primary school and in the lower classes of secondary school, most subjects are taught in French in the upper classes of secondary school. Public schools also offer international classes, including in French and English.

30. One of the main causes of school dropout is failure or anticipated failure at school. This leads some students to leave school to seek out different types of training which they hope will give them a better chance of success. Inadequate guidance at school is also often cited as a reason for dropping out. Among those students who dropped out, some indicated that they had not liked the training that they were receiving, that they had not succeeded in obtaining the desired training (the training was not provided at their school or they failed to be admitted to it) or that there had been a lack of available apprenticeships.

31. Personal reasons, such as those related to family or health, also cause a number of students to drop out of school.

Table 20  
**Dropout rates in public education**

<i>School year</i>	<i>2018/19</i>	<i>2019/20</i>	<i>2020/21</i>	<i>2021/22</i>	<i>2022/23</i>
Number of dropouts	1 655	1 473	1 746	1 767	1 716
Dropout rate	7.80%	7.00%	8.20%	8.10%	7.60%

Source: Ministry of National Education, Children and Youth.

Table 21  
**School dropouts by sex, 2022/23**

<i>Sex</i>	<i>Dropouts</i>	<i>Percentage of dropouts by sex</i>
Female	635	37
Male	1 081	63
<b>Total</b>	<b>1 716</b>	<b>100</b>

Source: Ministry of National Education, Children and Youth.

Table 22  
**Student experiences after dropping out, 2022/23**

<i>Activity after dropping out</i>	<i>Total</i>
In search of employment	217

<i>Activity after dropping out</i>	<i>Total</i>
In search of training/school/apprenticeship	117
Continuation of studies at another secondary school	112
“I am considering my options so I can make a choice”	62
Ill health	61
Move abroad and continuation of studies	51
Study abroad while keeping residence in Luxembourg	49
Waiting to join the army/police	48
No plans	38
Pregnant, caring for a child	6
“I do not want to answer”	3
“I am moving to another part of the country and will continue my studies at another secondary school”	1
Other	179
<b>Total</b>	<b>860</b>

*Source:* Ministry of National Education, Children and Youth.

### 3. Economic data

32. The unemployment rate, which had previously been relatively low, rose steadily from 2002 onwards, before falling as of 2014 then rising again in 2020 (COVID-19). The unemployment rate is below the European average and was 5.2 per cent in 2023.

Table 23

#### Unemployment rate

(Percentage)

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Unemployment rate	5.4	6.4	5.8	4.8	5.2

33. The highest rate of employment, 87.8 per cent in 2023, is among persons aged 25 to 49, with a peak around the age of 36. From the age of 50 onwards, the rate begins to fall, slowly at first, then more steeply; by the age of 57, less than half of people are still working and, by the age of 61, only a quarter are.

34. In 2023, for the 55 to 64 age bracket, Luxembourg had one of the lowest employment rates in the European Union, at 46.3 per cent, compared with the European average of 63.9 per cent.

Table 24

#### Employment rate of persons aged 20 to 64 years

(Percentage)

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Age					
15–64 years	67.9	67.2	69.4	70.1	70.3
Women	63.7	63.9	66.0	67.1	66.8
Men	72.1	70.4	72.6	73.0	73.6
15–24 years	28.7	24.9	29.4	27.6	29.0
Women	26.2	24.3	28.9	28.5	25.8
Men	31.2	25.2	29.8	26.6	32.0

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
25–49 years	85.7	84.4	86.0	87.8	87.8
Women	82.0	80.4	82.8	85.8	84.6
Men	89.3	88.3	89.2	89.8	91.0
50–64 years	56.4	58.4	59.8	59.7	59.1
Women	49.3	54.4	54.1	51.8	54.4
Men	63.0	62.2	65.2	67.0	63.5
Level of education					
International Standard					
Classification of Education					
(ISCED) 0–2	44.2	44.0	46.5	47.1	48.6
Women	39.0	39.9	43.2	42.8	42.3
Men	49.3	47.9	49.5	50.9	54.2
ISCED 3–4	66.6	66.7	66.9	65.8	66.1
Women	62.8	63.6	63.1	61.0	61.6
Men	70.0	69.6	70.4	70.2	70.4
ISCED 5–8	84.7	83.2	84.1	85.0	84.4
Women	80.5	79.8	79.8	82.5	82.2
Men	89.0	86.6	88.5	87.6	86.7
Country of birth					
Luxembourg	62.9	62.5	64.8	64.8	64.4
Women	59.2	61.3	62.7	62.4	61.3
Men	66.3	63.6	66.9	67.1	67.3
Abroad	72.0	71.0	72.8	74.2	74.9
Women	67.3	66.0	68.3	70.8	71.0
Men	76.7	75.8	77.1	77.5	78.8

35. The Luxembourg employment market is characterized by an international and multicultural work environment, an exceptionally high proportion of foreign and multilingual workers and a predominance of the tertiary sector. The transformation from an industrial economy largely dominated by the steel industry to a service economy, dominated by financial services, took place within ten years from the mid-1970s. In the 1980s, the drive to diversify services led to the creation and development of businesses in insurance and reinsurance, transport, trade, tourism, telecommunications, e-commerce, the audiovisual sector and corporate services.

Table 25

**Breakdown of domestic employment by sector, first quarter 2024**

<i>Industry</i>	<i>Construction</i>	<i>Trade, transport, hospitality</i>	<i>Information and communication</i>	<i>Finance and insurance</i>	<i>Specialized Government and activities and support services</i>	<i>other public services</i>	<i>Other activities</i>
38 308	49 412	107 223	21 314	55 367	83 520	107 469	23 120
7.9%	10.2%	22.1%	4.4%	11.4%	17.2%	22.1%	4.7%

36. In Luxembourg, there are two types of employee representation: compulsory and voluntary. Membership in one of the five trade associations is required, and employees also have the option of seeking membership in one of the trade unions. The unionization rate of employees in Luxembourg is around 28 per cent (2019).

Table 26  
**Unionization rate**  
(Percentage)

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Unionization rate	35.9	34.8	35.2	35.5	35.6

*Source:* Organisation for Economic Co-operation and Development (OECD).

37. In 2023, the economic expansion of Luxembourg was driven mainly by non-financial services, especially in the areas of business services, health and social work, and trade. The construction sector was also remarkably buoyant. The growth of the gross domestic product (GDP) in 2023 was also due to a significant increase in private household consumption expenditure.

38. Indeed, in 2023, household consumption grew by 3.8 per cent, compared to 3.5 per cent in 2022, and well above the 2.7 per cent average of the past 20 years. This increase is due in part to the rise in disposable household income, which has continued to grow steadily after an already substantial rise in 2022.

39. A stable labour market with a steady unemployment rate of 4.9 per cent, a high level of consumer confidence and persistently low interest rates have also led households to save less.

40. Together, these factors helped to maintain the country's robust economic momentum in 2023.

Table 27  
**Gross domestic product at market prices**

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Current prices, billions of euros	62.5	65.8	63.4	69.1	72.4

*Source:* Eurostat.

Table 28  
**Annual growth rate of real gross domestic product**

<i>Year</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>	<i>2024</i>
Gross domestic product (in volume)	-0.8	5.1	1.5	1.6	2.4

41. In 2021, real GDP rose sharply by 5.1 per cent following the post-pandemic economic recovery. The high level of per capita GDP is largely attributable to the fact that cross-border workers account for a substantial share of total employment and contribute to national GDP but are not considered part of the resident population. It is therefore better, for the purposes of comparison, to use gross national income (GNI) per capita, which excludes income transferred into or out of the country. Luxembourg nonetheless remains one of the countries with the highest GNI per capita, according to OECD figures.

Table 29  
**Gross national income**  
(Current United States dollars)

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
GNI	50 751 283 867	47 877 349 992	51 783 516 552	58 630 447 829	54 993 885 553

*Source:* World Bank.

Table 30

**Gross national income per capita**

(United States dollars)

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
GNI per capita	83 157	82 962	85 703	94 344	98 326

*Source:* OECD.

42. In December 2023, the national consumer price index fell by 0.5 per cent compared with the previous month. This downward movement was caused by a significant 4.9 per cent drop in the price of petroleum products, while prices for goods and services excluding petroleum products rose slightly, by 0.2 per cent, compared with November.

43. Between February and March 2023, the annual inflation rate in Luxembourg rose by 0.5 percentage points while eurozone inflation rose slightly, by 0.1 percentage points. With an inflation rate of 3.1 per cent in March 2023, Luxembourg is one of the 10 European countries where price increases are felt most, according to Eurostat figures. The euro area annual inflation rate was directly impacted by increases in the prices of energy, services, food, alcohol, tobacco and non-energy industrial goods.

Table 31

**Consumer price index**

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Consumer price index	1.7	0.8	2.5	6.3	3.7

44. For several years now, Luxembourg has endeavoured to meet the target of allocating 1 per cent of its gross national income to official development assistance. This target is reaffirmed in the new coalition agreement for 2023–2028.

Table 32

**International assistance provided, as a percentage of gross national income**

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
International assistance as a percentage of GNI	1.04	1.03	0.99	1.00	0.99

*Source:* OECD.

45. In 2018, the Government set itself the goal of keeping the public debt below 30 per cent of GDP. That year, Luxembourg had a budgetary surplus of 2.4 per cent of GDP and a public debt of 21.4 per cent of GDP. The Government continues to pursue its goal of respecting the 30 per cent limit, posting a budget deficit of 0.4 per cent of GDP and a public debt of 25.6 per cent of GDP in 2023.

Table 33

**Public debt**

(Millions of euros)

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
General government gross debt	13 961	15 876	17 731	19 176	20 359

*Source:* National Institute of Statistics and Economic Research.



## B. Constitutional, political and legal structure of the State

### 1. Political system and institutions

46. The Grand Duchy of Luxembourg is a representative democracy in the form of a constitutional monarchy, whose Crown is hereditary in the Nassau family. Luxembourg has been a sovereign and independent State since the Treaty of London of 19 April 1839.

47. The Grand Duke is the Head of State. He embodies the country's independence and the continuity of a State that has been strongly marked by the vicissitudes of history. Sovereign power resides in the nation. The exercise of sovereign powers is entrusted to the Grand Duke. He has no powers other than those expressly conferred upon him by the Constitution and by law. His role thus strictly adheres to the maxim that "the sovereign reigns but does not rule".

48. The Constitution of Luxembourg dates from 17 October 1868. It has undergone several revisions since then. It is a "rigid" written Constitution which, because of its fundamental nature, is more stable than ordinary law. The current Constitution is composed of 132 articles, divided into 12 chapters. It describes the foundations of the State, the guarantee of citizens' rights and freedoms and the organization of the public authorities. In 2023, the Constitution was revised, a step considered necessary to "modernize" it, given that it was originally drafted in 1868, and to respond to the needs of a modern democracy.

#### *Constitutional review process of 2023*

The Grand Duchy of Luxembourg adopted the revised Constitution on 1 July 2023, marking an important step in the evolution of its constitutional framework. This revision, which came after more than 14 years of parliamentary debate, aims to modernize the country's fundamental law to respond to the realities of the twenty-first century.

One of the main innovations is the official recognition of Luxembourg identity. The text now establishes Luxemburgish as one of the country's official languages, alongside German and French. In addition, the national flag, anthem and coat of arms of the Grand Duchy are now enshrined in the Constitution, reinforcing the symbols of the State.

The revised Constitution also extends the catalogue of fundamental rights and freedoms and introduces a new category of constitutional objectives. These new constitutional objectives include ensuring the protection of biodiversity, promoting the protection of cultural heritage and protecting the welfare of animals as sentient non-human living beings. The text also enshrines the right to found a family and the protection of personal data.

Another major change is the strengthened role of the legislature. From now on, Luxembourg citizens will be able to propose legislation, provided their proposal is supported by at least 12,500 voters. In addition, deputies have a more extensive right of inquiry and the right to request information and documents from the Government.

The revised Constitution places a strong emphasis on the independence of the judiciary. It provides for the creation of the National Council for the Judiciary, which is responsible for ensuring the smooth running of the justice system while respecting its independence. Disciplinary procedures applicable to judges and prosecutors are also regulated in the text.

Lastly, the revised Constitution redefines the role of the Grand Duke, who remains Head of State but whose powers and functions have been clarified. In conclusion, the revised Constitution of 2023 marks an important stage in the country's evolution. It strengthens national identity, expands citizens' rights and freedoms, increases the powers of the parliament and consolidates the independence of the judiciary. This fundamental text reflects the determination of Luxembourg to adapt to the challenges of the twenty-first century while preserving its traditions and values.

49. The organization of the State is based on the principle that different functions must be divided among different authorities. As in many other parliamentary democracies, in Luxembourg the separation of powers is flexible. Indeed, there are many relationships between the executive and legislative branches, although the judiciary remains totally independent. Legislative power is exercised jointly by the Chamber of Deputies, the Government and the Council of State. The Grand Duke and the Government form the constitutional body that holds executive power. The courts and tribunals are entrusted by the Constitution with the exercise of judicial power. They are independent in the performance of their duties.

50. Under the Constitution, executive power is vested in the Grand Duke. To exercise it, he issues the regulations required to implement legislation. In practice, however, this task is carried out by the Government, and this was further strengthened in the 2023 constitutional revision. The Constitution also gives the Head of State complete freedom to choose government ministers. However, democratic principle requires that members of the Government must enjoy not only the confidence of the Head of State, but also that of a parliamentary majority. Consequently, the Grand Duke respects the results of parliamentary elections by appointing a prospective prime minister who then seeks to form a Government that will gain the support of most deputies. As the body holding executive power, the Government is responsible for the general administration of public affairs. Each member of the Government is appointed by the Grand Duke to take charge of at least one ministry. The Government also has the right to introduce legislative proposals. The Government Council discusses bills that will be submitted to the Chamber of Deputies. Decisions are taken by a majority vote. The Government administers the State budget, which is put to an annual vote of the Chamber of Deputies.

51. The Chamber of Deputies is the parliament of the Grand Duchy of Luxembourg. It is composed of 60 deputies elected by direct universal suffrage for a five-year term, using a system of proportional representation. The most recent parliamentary elections were held on 8 October 2023. The next elections will be held in 2028. The Grand Duchy has a unicameral parliamentary system. The Chamber of Deputies, the Government and the Council of State are all involved in the legislative process. The main function of the Chamber of Deputies is to vote on government bills and private member's bills. Deputies have the right to introduce legislation, in the form of private member's bills, although this right is exercised somewhat sparingly. In addition, the Constitution reserves certain powers for the Chamber of Deputies in financial matters and confers on it a right to oversee the acts of the Government. The consent of the Chamber is necessary for an international treaty to take effect within the territory of the Grand Duchy. The Chamber sits in the capital and its meetings are public.

52. The Council of State is an independent institution which, under the Constitution, is called upon to exert the moderating influence of a second chamber in the unicameral system of Luxembourg. It is composed of 21 councillors who are formally appointed and dismissed by the Grand Duke at the recommendation of the Government, the Chamber of Deputies or the Council of State itself. For members of the Council of State other than the heir of the Grand Duke, the term of office comes to an end after a continuous or discontinuous period of 12 years, or when the person concerned reaches the age of 72 or accepts a post incompatible with the office of councillor. The Council acts as an advisory body in the legislative process. It is required to give its opinion on all bills put forward by the Government or the Chamber of Deputies. In preparing such opinions, it is required to examine the conformity of the draft legislation with the Constitution, international conventions and general principles of law.

## **2. Electoral system**

53. In Luxembourg, the universal right to vote and stand as a candidate in elections was introduced on 26 October 1919. Voting is a compulsory civic act and a refusal to vote may be punished by a fine. Parliamentary elections are held every five years and communal elections every six years. Six Luxembourg representatives are elected to the European Parliament, by direct universal suffrage, every five years.

54. Because voting is compulsory in Luxembourg, voter turnout for the different types of elections is high. At the last European elections in 2024, the turnout in Luxembourg was one

of the highest in the European Union, at 82.29 per cent. For the 2023 parliamentary elections, the national turnout was 87.20 per cent.

Table 34

**Voter turnout for the 2023 parliamentary elections, by constituency**

(Percentage)

<i>Constituency</i>	<i>South</i>	<i>Centre</i>	<i>North</i>	<i>East</i>
Turnout	95.24	89.71	94.46	93.69

55. To qualify as a voter in parliamentary elections, a person must be a citizen of Luxembourg; be over 18 years of age on voting day; enjoy their civil and political rights; and be domiciled in the Grand Duchy. Luxembourg nationals who are domiciled abroad are allowed to cast a postal ballot in parliamentary elections. Other European Union nationals who reside in the Grand Duchy may take part in both European and communal elections. Communal elections are also open to non-European Union foreign nationals. The law on communal elections allows all foreign nationals to run for local office, including the offices of mayor and alderman. Candidates must have resided in Luxembourg for at least five years – of which the last year of residence must be uninterrupted – and must have been living in the commune for at least six months.

56. Elections for the Chamber of Deputies are held by direct universal suffrage to appoint the 60 deputies who will make up the national parliament under the unicameral system. For parliamentary elections, the Grand Duchy is divided into four constituencies. Deputies are elected by the list system. In each constituency, the political groups must draw up lists of candidates, whose number may not exceed the total number of deputies to be elected in that constituency. The seats are distributed according to the rules of proportional representation and in conformity with the principle of the smallest electoral quotient. Parliamentary elections are held by law every five years and most recently took place on 8 October 2023.

57. Political parties or political groups are defined in the Act of 21 December 2007 on political party funding. Under the Act, political parties or groups are associations of natural persons that may or may not be recognized as having legal personality and that participate, in accordance with the fundamental principles of democracy, in the expression of universal suffrage and the popular will in the manner set out in their statutes or programme. In the interest of creating a better balance between men and women in decision-making processes, in December 2016 the Act was amended to stipulate that the funding allocated to political parties could be reduced by specific amounts if their lists failed to meet certain thresholds for the inclusion of candidates of the underrepresented sex.

58. Currently, around 15 political parties are active in Luxembourg. The current coalition Government is made up of two parties. Since the 2023 parliamentary elections, seven parties have been represented in the Chamber of Deputies. Here is a list of political parties, in alphabetical order: Alternativ Demokratesch Reformpartei, Chrëschtlech-Sozial Vollekspartei, déi Gréng, déi Lénk, déi Liberal, déi Konservativ, Demokratesch Partei, Fräi Sozial Alternativ, Fräi Wieler, Fokus, Kommunistesch Partei Lëtzebuerg, Lëtzebuerger Sozialistesche Aarbechterpartei, Partei fir Integral Demokratie, Piratepartei, Sozialliberal Partei Lëtzebuerg and Volt Luxembourg.

59. The distribution of seats in the Chamber of Deputies after each of the last five parliamentary elections was as follows:

Table 35

**Distribution of seats in the Chamber of Deputies following parliamentary elections, 1999–2018**

<i>Year</i>	<i>2004</i>	<i>2009</i>	<i>2013</i>	<i>2018</i>	<i>2023</i>
Chrëschtlech-Sozial Vollekspartei	24	26	23	21	21
Demokratesch Partei	10	9	13	12	14
Lëtzebuerger Sozialistesche Aarbechterpartei	14	13	13	10	11

Year	2004	2009	2013	2018	2023
Déi Gréng	7	7	6	9	4
Alternativ Demokratesch Reformpartei	5	4	3	4	5
Déi Lénk	-	1	2	2	2
Piraterpartei	-	-	-	2	3
All parties	60	60	60	60	60

60. For the communal elections of 11 June 2023, the number of voters registered on the electoral rolls of the 100 communes of Luxembourg was as follows:

Table 36

**Voters registered for the 2023 communal elections**

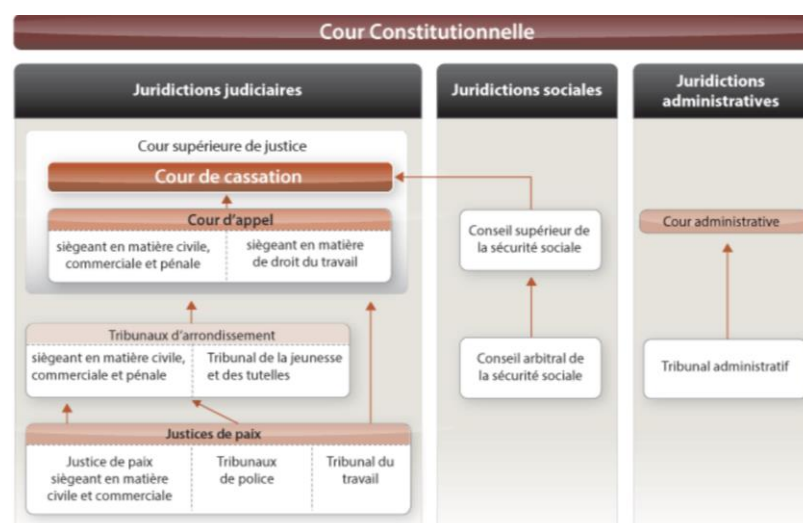
Luxembourg nationals	233 795
Foreign nationals	50 084
<b>Total number of registered voters</b>	<b>283 879</b>

61. Of the 60 deputies elected to the Chamber of Deputies in the 2023 parliamentary elections, 20 were women (33.33 per cent). In order to move towards parity in national politics, a quota applies to party lists for parliamentary and European elections. A law adopted in late 2016 established a minimum 40 per cent quota for each gender and introduced financial penalties for parties that fail to meet the quota. The further a party deviates from the 40 per cent threshold, the greater the financial penalty.

### 3. Administration of justice

Figure 4

**The judicial system**



#### (a) Judicial institutions

62. In Luxembourg, the judiciary is organized into two branches, the ordinary and the administrative courts. This organizational structure reflects different types of disputes. The ordinary courts consist of three magistrates' courts, two district courts, the Court of Appeal and the Court of Cassation. These courts essentially hear disputes under civil, commercial, criminal and labour law. The administrative branch consists of the Administrative Tribunal and the Administrative Court, which settle disputes of an administrative or fiscal nature. The Constitutional Court is composed of judges from the ordinary courts and the administrative courts. It examines the compliance of laws with the Constitution, which is the supreme law of the land.

(i) *Constitutional Court*

63. The Constitutional Court adjudicates on the constitutionality of laws, except those regarding the adoption of treaties. When a litigant raises a question relating to the constitutionality of a law before an ordinary or administrative court, that court must bring it before the Constitutional Court, unless it deems that: (a) a decision on the matter is not necessary for it to hand down judgment; (b) the claim is unfounded; or (c) the Constitutional Court has already ruled on a case with the same subject matter.

64. The Constitutional Court is composed of the President of the High Court of Justice, the President of the Administrative Court, two associate judges of the Court of Cassation and five judges appointed by the Grand Duke on the joint recommendation of the High Court of Justice and the Administrative Court. It sits in a five-member panel.

(ii) *Ordinary courts*

## High Court of Justice

65. At the apex of the ordinary court system is the High Court of Justice, which is composed of the Court of Cassation, the Court of Appeal and the Chief Public Prosecutor's Office.

66. The Court of Cassation, which consists of one division with five judges, mainly hears applications for the annulment or judicial review of decisions handed down by the various divisions of the Court of Appeal and last-instance judgments. Representation by a lawyer is compulsory.

67. The Court of Appeal consists of 10 divisions, each with three judges. It hears civil, commercial and criminal matters, as well as cases tried by the labour courts in the country's two judicial districts. Representation by a lawyer is compulsory in all cases, except in criminal cases and urgent applications. The criminal division of the Court of Appeal hears appeals against the judgments of the criminal divisions of the district courts. It has three judges.

## District courts

68. The country is divided into two judicial districts, Luxembourg and Diekirch, each of which has a district court. Each court has territorial jurisdiction in the district in which it is located. The two district courts are divided into divisions to which cases are assigned according to subject matter; each district court has a prosecution team composed of a public prosecutor and a number of substitute prosecutors. Investigating judges at each district court are responsible for conducting pretrial judicial inquiries into serious offences and, where appropriate, lesser offences.

69. In the district courts, there are a number of family court judges, with jurisdiction over family-related matters such as divorce, spousal support, parental authority and matrimonial property regimes, and a youth and guardianship division, which has sole jurisdiction over youth protection matters and matters relating to legal administration, guardianship and other protective measures for incapacitated adults.

70. In civil and commercial matters, the district court is the court of general jurisdiction; it hears all cases other than those falling expressly within the jurisdiction of another court by reason of the nature of the case or the amount of the claim.

71. It has jurisdiction *ratione valoris* in claims in excess of €15,000 and claims for which the amount cannot be determined.

72. District courts have exclusive jurisdiction to hear cases which, due to their nature, are specifically assigned to them by law. They alone can consider applications for authority to enforce judgments handed down by foreign courts and legal instruments authenticated by foreign public officers. They also exercise non-contentious jurisdiction, for example, in regard to adoption, guardianship and emancipation of minors.

73. District courts hear appeals against first-instance decisions issued by the magistrates' courts located in their judicial district.

74. Proceedings before the district courts are as a rule initiated by a writ of summons, which is served on the opposing party by a bailiff.

75. The presidents of the district courts, or the judges replacing them, hear urgent applications for interim measures in both civil and commercial matters.

76. District courts exercise criminal jurisdiction through their criminal divisions. They are competent to try all lesser offences, as well as serious offences, where the case is referred to them by the judges' council chamber or the council chamber of the Court of Appeal. Defendants must appear in person, except where the offence is punishable only by a fine, in which case they have the right to be represented by a lawyer.

77. As a rule, parties are required to have legal representation before the district courts, although the law provides for certain exceptions, such as in commercial and criminal cases, urgent applications and most cases brought before the family court judge, when parties may argue their own cases.

#### Magistrates' courts

78. There is a magistrates' court in the City of Luxembourg, one in Esch-sur-Alzette and another in Diekirch.

79. In civil and commercial matters, these courts hear all cases for which they have been given jurisdiction under the new Code of Civil Procedure or other legal provisions; they have final jurisdiction in cases concerning disputed amounts of up to €2,000 and jurisdiction subject to appeal in cases concerning amounts of up to €15,000, with the exception of cases involving rental leases and the attachment of earnings, pensions and annuities, for which they always have jurisdiction, whatever the amount.

80. As a rule, actions are brought before the magistrates' court by the issue of a summons served by a bailiff. Some cases are initiated by filing an application with the court office. Parties appear before the magistrates' court in person and may be assisted or represented by a lawyer, a spouse or partner, a relative by blood or marriage to the third degree of kinship, or a person working exclusively in the service of the party or in his or her business.

81. In criminal matters, magistrates' courts function as police courts. In this capacity, they hear cases involving minor offences punishable by fines of €25 to €250, as well as offences referred to them by the judges' council chamber.

82. They also try minor offences that carry a more severe penalty than is usually within the jurisdiction of the police court, in cases where jurisdiction is given to them by statute. Judgments handed down by police courts are always open to appeal. The time limit for lodging an appeal is 40 days from the date the judgment is delivered or, in the event of a judgment by default, from the date it is served on the person or at the person's address. Appeals are heard by the district courts.

83. Each magistrates' court includes a labour tribunal with jurisdiction over disputes relating to employment or apprenticeship contracts, supplementary pension plans and insolvency insurance. Appeals against its judgments are heard by the Court of Appeal.

#### Social Insurance Arbitration Board and Social Insurance Appeals Board

84. All social security disputes concerning affiliation or liability, contributions, fines and benefits, except those covered by article 317 or relating to articles 147 and 148 of the Social Insurance Code, are settled by the Social Insurance Arbitration Board or, on appeal, by the Social Insurance Appeals Board. Final decisions handed down by the Arbitration Board and judgments of the Appeals Board can be appealed to the Court of Cassation on grounds of infringement of the law or breach of essential procedural requirements.

#### (iii) *Administrative courts*

##### Administrative Court

85. In its capacity as a trial and appeals court, the Administrative Court, which sits in the City of Luxembourg, hears appeals against the decisions of other administrative courts

regarding appeals for correction over which they have statutory authority. The Administrative Court also rules on appeals brought on grounds of incompetence, abuse or misuse of authority; legal or procedural violations for the purpose of protecting personal interests; and appeals against administrative acts of a regulatory nature, irrespective of the issuing authority.

86. All lawyers who have right of audience in the courts of the Grand Duchy also have right of audience in the Administrative Court; nevertheless, only “lawyers included in list I” of the bar association registers that are drawn up each year are entitled to perform preparatory and procedural measures (legal representation).

87. The State is represented before the Administrative Court by a representative of the Government or by a lawyer registered with the Court.

#### Administrative Tribunal

88. The Administrative Tribunal, which also sits in the City of Luxembourg, rules on cases of incompetence, abuse or misuse of authority; legal or procedural violations for the purpose of protecting personal interests; appeals against all administrative decisions for which no other remedy is stipulated by the law or regulations; and appeals against administrative acts of a regulatory nature, irrespective of the issuing authority. In theory, it also hears disputes regarding direct taxes and communal taxes.

89. Decisions of the Administrative Tribunal can be appealed to the Administrative Court.

90. In its capacity as a trial court, the Administrative Tribunal hears appeals against decisions of the Direct Taxation Service, in situations where the relevant laws provide for such appeals.

#### (b) Indicators on crime and the administration of justice

91. The Grand-Ducal Police Force is a national police service with nationwide jurisdiction. Since 2019, its ranks have swelled significantly, which has made it possible to increase the presence of the police, day and night, throughout the country.

Table 37

#### Grand-Ducal police officer numbers, 2019–2023

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Number of police officers	1 966	2 038	2 223	2 367	2 423
Number of police officers per 100,000 inhabitants	320	325	345	366	367
Civilian personnel	394	504	592	662	688
<b>Total</b>	<b>2 360</b>	<b>2 542</b>	<b>2 815</b>	<b>3 029</b>	<b>3 111</b>

92. Luxembourg currently has three prisons with a combined capacity of 1,110 places. Luxembourg Prison, in Schrassig, is a closed prison with men’s and women’s sections and a capacity of 597 beds. The second prison, in Givenich, is a semi-open prison with a capacity of 113 beds. It was designed to allow persons approaching the end of their sentence or serving a short sentence to prepare for their release during a relatively short stay, generally not exceeding two years. Prisoners there are required to work (agricultural work, horticulture, carpentry, handicrafts), either inside one of the many prison workshops or, if they have an employment contract, outside the prison.

93. Uerschterhaff, a new facility opened in 2022, is a closed prison with a capacity of 400 beds.

Table 38  
**Prison population, 2016–2020**

<i>Year</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Population at year end	724	684	628	608	548
Men	688	647	599	579	520
Women	36	37	29	29	28
Prisoners serving life sentences	13	10	8	8	8
Men	12	9	7	7	7
Women	1	1	1	1	1
Prisoners convicted of serious offences	113	112	122	112	110
Men	106	107	117	109	104
Women	7	5	5	3	6
Prisoners convicted of lesser offences	243	248	198	196	187
Men	231	231	184	184	180
Women	12	17	14	12	7
Other categories	355	314	328	292	243
Men	339	300	315	279	229
Women	16	14	13	13	14

*Source:* National Institute of Statistics and Economic Research.

94. In 2023, the number of offences against persons (11,025) accounted for 18.17 per cent of all offences (60,676).

95. As shown in the table below, the number of murders is relatively low, although the number of attempted murders is much higher.

Table 39  
**Murders**

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Murders	4	2	3	9	4

96. In 2011, article 375 of the Criminal Code, concerning rape, was amended to make lack of consent a constituent element of that offence. Thus, victims of rape no longer have to prove that they did not consent.

Table 40  
**Complaints of rape and indecent assault, 2019–2023**

<i>Year</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Complaints of rape	116	104	110	131	146
Complaints of indecent assault	144	144	161	157	159

*Source:* Grand-Ducal Police Force.

#### 4. Media and civil society

##### (a) The media in Luxembourg

97. Luxembourg can lay claim to a rich and pluralistic media landscape. Alongside a national press whose main daily newspapers readily acknowledge their political orientation, foreign titles, audiovisual media and new media are abundant.



98. The use of the country's three official languages – Luxemburgish, German and French – is one of the most striking features of the Luxembourg press. In the print media, at least before the emergence of exclusively French-language media outlets in the early 2000s, it was common to find articles in German and French side by side on the same page. All Luxembourg media outlets also have an online presence and some are found exclusively online, since they do not exist in non-digital formats.

99. The media landscape in Luxembourg does not, however, feature family-owned media groups or media controlled by industrial capital. Four media groups dominate the market: RTL Group in the audiovisual segment, and Mediahuis Luxembourg, Editpress Luxembourg and Maison Moderne in the print segment.

(i) *Print media*

100. More than two thirds of people read one or more newspapers, with 57 per cent doing so every day. Many households subscribe to at least one daily newspaper. Three quarters of the population regularly read magazines.

101. The Government pursues a pro-media policy, in particular by providing financial subsidies for the print media.

102. One distinctive feature of the written press is its partisanship. All the main publications are considered to be close to a political current.

(ii) *Radio*

103. Like the print media, the radio landscape of Luxembourg is multilingual. However, Luxemburgish is much more prevalent here than in the other media.

104. For a long time, the audiovisual landscape was characterized by the monopoly held by RTL. Unlike in neighbouring countries, this monopoly was not public but private. The RTL monopoly, which was supported by exclusive licences, lasted until 1991, when the legislature opened the radio-frequency spectrum to competition. After the liberalization of the airwaves, a second national radio station, Radio 100.7 – the only public radio station in Luxembourg – was created in 1993.

105. Today, RTL Radio Lëtzebuerg, which broadcasts general-interest programmes in Luxemburgish 24 hours a day, is the most popular radio station in the Grand Duchy.

(iii) *Television*

106. Television is an important medium in a country where 95 per cent of households have cable access and only one household in a hundred does not have a television set. The multilingual nature of the population inevitably also influences its television consumption. Thanks to cable television, since the 1970s the people of Luxembourg have been able to choose between more than 10 public television channels, including those of neighbouring countries.

Figure 5  
Daily and weekly media consumption

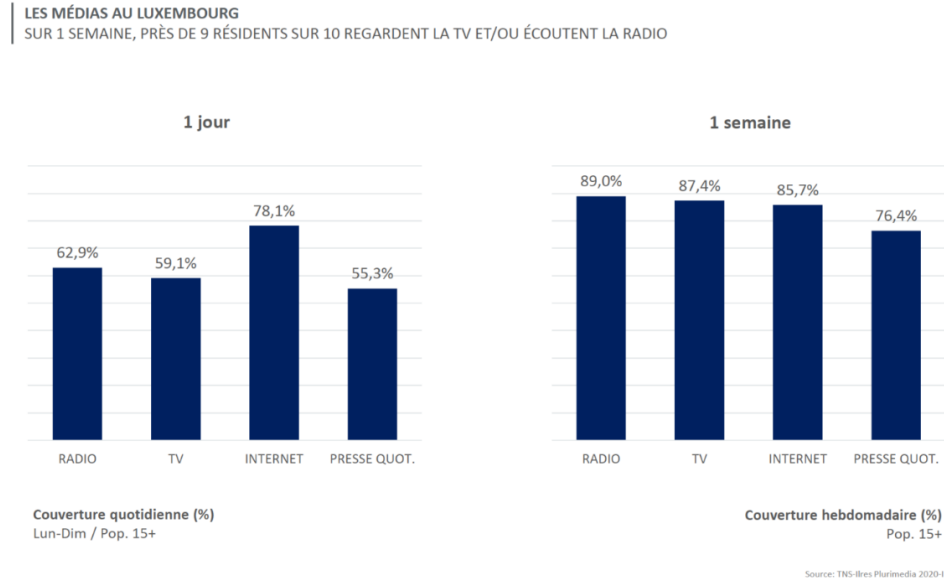
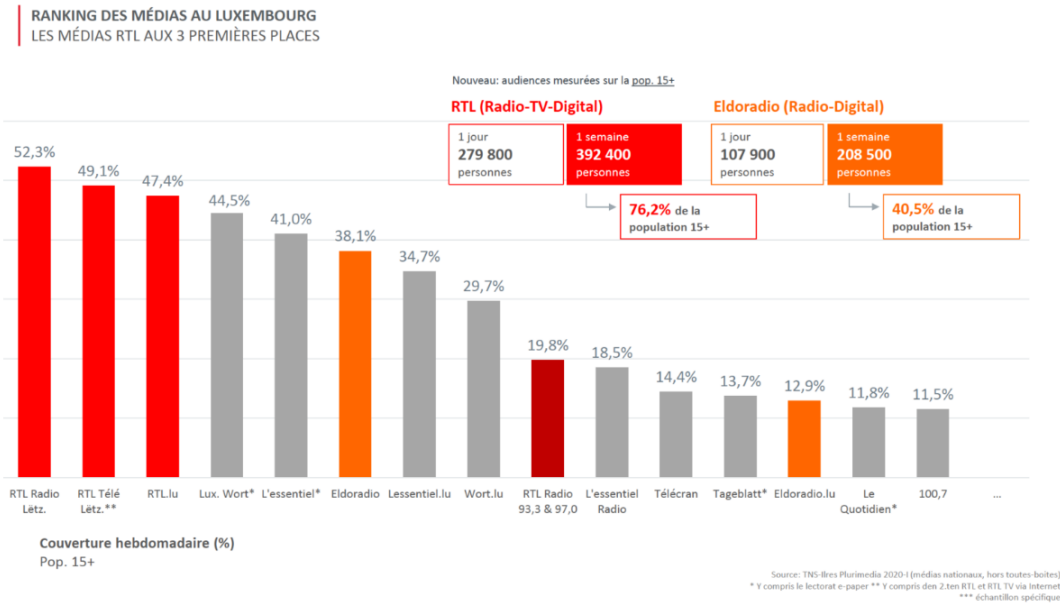


Figure 6  
Ranking of media outlets in Luxembourg



(b) Civil society

107. Non-profit associations and foundations established under the amended Act of 21 April 1928 on non-profit associations and foundations, and whose purpose includes development cooperation, are granted the status of non-governmental development organizations, pursuant to article 7 of the Act of 9 May 2012 amending the amended Act of 6 January 1996 on development cooperation. This status is granted by a minister on the basis of a request from the organization justifying its capabilities, competences and experience in the area of development cooperation and, more particularly, in implementing programmes and projects for the benefit of people living in developing countries. Status is granted for a period of one year and may be renewed. The Ministry of Foreign Affairs has granted this status to about 100 non-governmental organizations.

## 5. Cultural life

108. Cultural life in Luxembourg is characterized by the surprising quality and diversity of what is on offer, its multicultural nature and openness to the world, its multilingualism in every area of activity, its rich tangible and intangible cultural heritage (a number of sites feature on the UNESCO heritage lists, its multitude of first-rate cultural facilities, and its festivals and traditions. The result is a cultural landscape of astounding literary, artistic, architectural and musical diversity that serves as a backdrop to everyday life and is also reflected in the rapid and continuing development of the Luxembourg cultural scene. Accordingly, cultural policy is based on a broad definition of the concept of culture and is focused on safeguarding the democratic values of the country's multicultural society.

109. Situated as it is at the heart of Europe, and host to nationals of more than 170 nationalities, Luxembourg has established itself as a cultural crossroads. Openness, dynamism, creativity and modernity are distinctive features of culture in Luxembourg, and its multicultural environment offers many opportunities for culture to flourish – and in several languages at that.

110. While the history and geography of Luxembourg have left the country open to the influence of many European cultures, in particular those of France and Germany, since the Middle Ages, the local cultural scene has nevertheless managed to preserve its special features and identity – a “personal touch” that weaves together past and present. Great importance is also attached to the Luxemburgish language and literature. Nevertheless, performances such as plays are generally staged in their original version, and films are usually shown in their original language in cinemas.

111. Luxembourg culture gained considerable international recognition on the three occasions that one of the country's cities was designated European Capital of Culture under the flagship scheme of the European Union. The City of Luxembourg was first awarded the title in 1995 before receiving it again, together with the Greater Region, in 2007. The title was then awarded to the city of Esch-sur-Alzette in 2022. Cross-border cooperation with the neighbouring regions of Saarland, Rhineland-Palatinate, Grand Est and Wallonia (the French Community and the German-speaking Community of Belgium) as part of the Greater Region is also a key factor contributing to the openness of the cultural scene, with a high level of mobility among artists and cultural professionals. Furthermore, Luxembourg is regularly represented at major international cultural events, such as the Venice Biennale, the Frankfurt Book Fair and the Rencontres d'Arles photography festival, and actively participates in the efforts of multilateral organizations to raise awareness of the fact that culture is an essential public good and a fundamental element of democracy.

112. Luxembourg also attaches importance to cultural development within the country: while the capital plays a prominent role in cultural life, there is also significant regional cultural provision, which reflects the priority given to ensuring that all individuals have access to culture and are able to participate both actively and passively in cultural life.

113. Culture is an integral part of everyday life, enjoyed by consumers and participants alike. The Luxembourg cultural scene, like artistic and creative talent in general and talented youngsters in particular, enjoys strong public support and encouragement and certainly deserves wider recognition beyond the country's borders.

## II. General framework for the protection and promotion of human rights

### A. Acceptance of international human rights norms

#### 1. Status of treaty ratification by Luxembourg

<i>Treaty</i>		<i>Date of signature</i>	<i>Date of ratification</i>
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	CAT	22 Feb. 1985	29 Sept. 1987
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	CAT-OP	13 Jan. 2005	19 May 2010
International Covenant on Civil and Political Rights	CCPR	26 Nov. 1974	18 Aug. 1983
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty	CCPR-OP2-DP	13 Feb. 1990	12 Feb. 1992
International Convention for the Protection of All Persons from Enforced Disappearance	CED	6 Feb. 2007	1 Apr. 2022
Convention on the Elimination of All Forms of Discrimination against Women	CEDAW	17 July 1980	2 Feb. 1989
International Convention on the Elimination of All Forms of Racial Discrimination	CERD	12 Dec. 1967	1 May 1978
International Covenant on Economic, Social and Cultural Rights	CESCR	26 Nov. 1974	18 Aug. 1983
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	CMW	-	-
Convention on the Rights of the Child	CRC	21 Mar. 1990	7 Mar. 1994
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	CRC-OP-AC	8 Sept. 2000	4 Aug. 2004
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	CRC-OP-SC	8 Sept. 2000	2 Sept. 2011
Convention on the Rights of Persons with Disabilities	CRPD	30 Mar. 2007	26 Sept. 2011
International Convention for the Protection of All Persons from Enforced Disappearance	CED	6 Feb. 2007	1 Apr. 2022

#### 2. Acceptance of individual complaints procedures by Luxembourg

<i>Treaty</i>		<i>Acceptance of individual complaints procedure</i>	<i>Date of acceptance</i>
Individual complaints procedure under the Convention against Torture	CAT, art. 22	Yes	29 Sept. 1987
Optional Protocol to the International Covenant on Civil and Political Rights	CCPR-OP1	Yes	18 Aug. 1983

<i>Treaty</i>		<i>Acceptance of individual complaints procedure</i>	<i>Date of acceptance</i>
Individual complaints procedure under the International Convention for the Protection of All Persons from Enforced Disappearance	CED, art. 31	-	-
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	CEDAW-OP	Yes	1 July 2003
Individual complaints procedure under the International Convention on the Elimination of All Forms of Racial Discrimination	CERD, art. 14	Yes	22 July 1996
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	CESCR-OP	Yes	3 Feb. 2015
Individual complaints procedure under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	CMW, art. 77	-	-
Optional Protocol to the Convention on the Rights of the Child on a communications procedure	CRC-OP-IC	Yes	12 Feb. 2016
Optional Protocol to the Convention on the Rights of Persons with Disabilities	CRPD-OP	Yes	26 Sept. 2011

### 3. Acceptance of inquiry procedures by Luxembourg

<i>Treaty</i>		<i>Acceptance of inquiry procedure</i>	<i>Date of acceptance</i>
Inquiry procedure under the Convention against Torture	CAT, art. 20	Yes	29 Sept. 1987
Inquiry procedure under the International Convention for the Protection of All Persons from Enforced Disappearance	CED, art. 33	-	-
Inquiry procedure under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	CEDAW-OP, arts. 8 and 9	Yes	1 July 2003
Inquiry procedure under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	CESCR-OP, art. 11	-	-
Inquiry procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure	CRC-OP-IC, art. 13	Yes	12 Feb. 2016
Inquiry procedure under the Optional Protocol to the Convention on the Rights of Persons with Disabilities	CRPD-OP, arts. 6 and 7	Yes	26 Sept. 2011

## **B. Legal framework for the protection of human rights**

114. Any dispute that originates in a human rights violation listed in national legislation or in one of the international covenants or conventions to which Luxembourg is a party may be brought before the national courts. The subject of the dispute determines the competent court. The formal context guaranteeing respect for human rights and fundamental freedoms, that is, the working of the judicial system of Luxembourg, has already been discussed in the section on national courts and tribunals. We shall therefore not deal with it again here.

### **1. Main constitutional guarantees of human rights and fundamental freedoms**

115. The Constitution of Luxembourg, which is a “rigid” written Constitution, guarantees the rights of citizens. The relatively large number of articles in the Constitution devoted to the rights and freedoms of citizens of Luxembourg highlights the importance attached, in the organization of the State, to the free development of individuals and their protection vis-à-vis those in authority. This is especially significant as in Luxembourg the Constitution prevails over any other national rule of law. In the event of conflict, therefore, the Constitution overrides any incompatible national rule.

116. The Constitution guarantees a number of rights and fundamental freedoms to all citizens and, in principle, to all aliens residing on the territory of the Grand Duchy. The list of those rights and freedoms was revised and consolidated as part of the most recent constitutional review process, with the amendments entering into force in July 2023. The rights and freedoms listed include:

- Equality before the law
- Individual freedom
- Inviolability of property
- Inviolability of communications
- Right to submit petitions signed by one or more persons to the public authorities
- Freedom of peaceful assembly
- Freedom of association
- Trade union rights
- Right to asylum
- Protection of the human and natural environment
- Access to culture and cultural development

117. Furthermore, all citizens are entitled to forbid anyone access to their residence. No residence may be searched except in the cases established by law and according to the procedures prescribed by it. Freedom of opinion and freedom of the press are guaranteed, except for abuses such as encouragement to commit crimes or offences and attacks upon the honour and reputation of others.

118. The Constitution guarantees freedom of religion and worship, as well as the freedom to express one’s religious opinions. It also guarantees freedom of conscience by stating that no one may be compelled to take part in any way in the acts and ceremonies of a religion, or to observe its days of rest.

119. The Constitution guarantees all persons the right to education. Responsibility for organizing the education system and ensuring access thereto lies with the State. Basic primary and secondary education is provided free of charge.

120. Finally, in addition to protecting paid work and trade union freedoms, the Constitution generally safeguards all occupations, trade, industry, independent professions and agricultural work. It also compels the legislature to organize social security and ensure the protection of health and workers’ rights.

121. Since the Constitution may be revised only by a very strict procedure (two successive votes by a two-thirds majority), the guarantees it confers in the field of human rights are sufficiently protected.

## **2. Scope of treaties, covenants and protocols**

122. International instruments are self-executing and do not require implementing regulations, unless their terms expressly state the contrary. Consequently, they directly confer rights and obligations on the subjects of national sovereignty and may, without any other action, be implemented by the country's administrative courts and courts of law. Disregard of them by a domestic court opens the way for appeals, including those in cassation.

123. With respect to the relationship between international law and national law, it is a generally established principle that international law has priority over national law; in other words, international treaties take precedence over laws and all other provisions of national law. However, prior to the conclusion of international treaties, every effort is made to ascertain whether their substance is in conformity with existing domestic law. If that is not the case, national legislation is adopted prior to ratification of the treaty. The provisions of the Constitution ensure that the internal implementation of treaties is equated with the implementation of laws. Implementation measures are based on the provisions of the treaty. The treaty prevails over national law, even a subsequent law, because the treaty derives from a higher source than the will of an internal body. Specifically, therefore, the covenants of concern to us form part of the positive law of Luxembourg with effect from the time of their ratification.

## **3. Judicial penalties**

124. In Luxembourg, no one may be prosecuted save in the cases provided for by law and according to the procedure prescribed by law. No one may be arrested or detained other than in the cases provided for by law and in the manner prescribed by it. Apart from in cases of flagrante delicto, arrests must be based on a reasoned court order, which must be served on the person concerned. All persons must be informed without delay of the legal remedies available to help them regain their freedom. The law determines in advance which court will be competent to hear civil or criminal cases, either by reason of the residence of the parties or by reason of the acts to be tried. No one may be taken against their will from the court which the law has thus assigned to them. No penalty may be handed down or applied except in accordance with the law.

## **C. Framework within which human rights and children's rights are promoted at the national level**

### **1. National human rights institutions**

#### **(a) Office of the Ombudsman**

125. The Office of the Ombudsman was set up on 1 May 2004 pursuant to the Ombudsman Act of 22 August 2003.

126. The Office of the Ombudsman is an independent body that does not receive instructions from any authority. It is not answerable to either the administrative authorities or the Government.

127. The Office of the Ombudsman was established as part of an administrative reform aimed at bringing the authorities closer to the people and improving relations between citizens and the authorities.

128. The Ombudsman is appointed for a non-renewable eight-year term by a simple majority of the Chamber of Deputies. He or she must be a Luxembourg national, enjoy civil and political rights, be able to produce the appropriate character references, hold a university degree and be proficient in the country's three languages.

129. The Ombudsman receives complaints from natural and legal persons, on matters affecting them, in relation to the functioning of the State and communal authorities.

130. The Ombudsman balances the different viewpoints, questions the authorities concerned, consults the necessary documents and meets with the officials responsible. If appropriate, he or she may make recommendations to the authorities concerned with a view to reaching an amicable solution to the dispute.

131. This free service is aimed at strengthening citizens' confidence in democracy and institutions. Citizens may submit their claims to the Ombudsman directly or indirectly, through a member of the Chamber of Deputies. The Ombudsman serves as the citizens' representative.

132. The Office of the Ombudsman is also designated as the national preventive mechanism in accordance with article 3 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In this capacity, it is responsible for the external monitoring and assessment of places of deprivation of liberty in the national territory.

**(b) Ombudsman fir Kanner a Jugendlecher**

133. A Luxembourg committee on the rights of the child known as the Ombuds-Comité fir d'Rechter vum Kand was established by the Act of 25 July 2002. The Ombuds-Comité was an independent and neutral committee responsible for implementing and promoting the Convention on the Rights of the Child, which was ratified by Luxembourg in 1993. Under legislation passed on 1 April 2020, the Ombuds-Comité was replaced with the Ombudsman fir Kanner a Jugendlecher, which is an independent institution represented by a single individual.

134. The duties of the Ombudsman fir Kanner a Jugendlecher are to:

- Advise natural and legal persons on the implementation of children's rights
- Examine the mechanisms established to protect and promote children's rights, with a view to, where appropriate, submitting recommendations to the competent authorities on any adjustments that he or she deems necessary to enhance the protection of those rights in the long term
- Formulate opinions on all government bills, private member's bills and draft Grand-Ducal regulations that have an impact on respect for children's rights
- Formulate opinions, at the request of the Government or the Chamber of Deputies, on any matter relating to children's rights
- Raise awareness of children's rights among children and the general public
- Submit to the Chamber of Deputies an annual report on the situation of children's rights in Luxembourg and on the activities of the Ombudsman fir Kanner a Jugendlecher
- Receive and examine complaints of violations of children's rights and make recommendations to remedy the situation
- Report cases involving violations of children's rights to the competent authorities and make recommendations to remedy the situation

135. The Ombudsman fir Kanner a Jugendlecher is appointed for an eight-year term and is answerable to the Chamber of Deputies, which is required to seek his or her opinion on all bills and Grand-Ducal regulations affecting children. The Ombudsman has his or her own secretariat, enjoys budgetary autonomy and is able to consult a committee of experts. The Ombudsman, like the French Defender of Rights, is able to take up cases on his or her own initiative.

136. The fact that the Ombudsman fir Kanner a Jugendlecher is appointed for a single, non-renewable term, is answerable to the Chamber of Deputies (whereas the Ombuds-Comité was appointed by the Grand Duke), is provided with his or her own secretariat and, above all, has to be consulted by the Chamber on matters relating to children reflects the intention of



the Government to give children's interests the attention they deserve and create an institution with the powers and resources necessary to ensure that children's voices are heard and that their best interests remain the primary consideration in all legislative and administrative actions, in accordance with article 3 of the Convention on the Rights of the Child.

**(c) Centre for Equal Treatment**

137. The Centre for Equal Treatment was set up under the Act of 28 November 2006. It operates independently with the aim of promoting, analysing and monitoring equal treatment for all persons without discrimination on grounds of race, ethnic origin, sex, religion or opinion, disability or age.

138. In fulfilling its mandate, the Centre performs a number of functions, including:

- Publishing reports, issuing opinions and recommendations and undertaking studies on all matters related to discrimination
- Producing and providing any information and documentation relating to its mandate
- Providing assistance to persons who consider themselves to be victims of discrimination by providing them with advice and guidance designed to inform them about their individual rights, legislation, jurisprudence and available remedies
- Conducting or commissioning independent investigations and studies into unjustified restrictions and obstacles hampering enjoyment of the right to freedom of movement, and discrimination on grounds of nationality faced by workers from States members of the European Union and their families, in line with Regulation (EU) No. 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union

139. The Centre is composed of a collegiate body of five members, including the Chair. The Chair and the other members each serve a five-year term. They are appointed by the Head of State at the recommendation of the Chamber of Deputies on the basis of their expertise in the promotion of equal treatment. The Centre submits a comprehensive annual report on its activities to the Government and the Chamber of Deputies.

**(d) Advisory Commission on Human Rights**

140. The Act of 21 November 2008 on the establishment of an advisory commission on human rights in the Grand Duchy of Luxembourg conferred legal status on the Advisory Commission, which has the same formal rank as the Office of the Ombudsman, the Ombudsman fir Kanner a Jugendlecher and the Centre for Equal Treatment.

141. The Act also sets out the duties of the Advisory Commission, establishing that:

- The Government must seek the opinion of the Advisory Commission on all human rights projects.
- The Advisory Commission may, on its own initiative, examine any issues it deems appropriate.
- The Government must transmit the opinions of the Advisory Commission on draft legislation to the Chamber of Deputies and the Council of State. This gives the opinions the status of a parliamentary document. The parliamentary committee examining a bill takes into account, in its deliberations, the proposals made by the Advisory Commission with regard to the bill.

142. Against this backdrop, the Government intends to strengthen the neutrality and independence of the Advisory Commission by directly attaching it to the Chamber of Deputies. The corresponding bill will be introduced before the end of 2024.

**2. Dissemination of human rights instruments**

143. The Government regularly informs the public of the submission of periodic reports, mainly through press releases issued to all the media.

### 3. Raising human rights awareness among public officials and other professionals

144. Article 10 of the Civil Service Code on the duties of civil servants provides that civil servants “must behave with dignity and civility both in their dealings with their superiors, colleagues and subordinates and in their dealings with the users of their services, whom they are to treat with understanding and thoughtfulness and without any discrimination”. Before taking office, civil servants must also take an oath stating that they will perform their duties with integrity, precision and impartiality.

145. Each ministry designates a focal point responsible for receiving and circulating within the ministry any requests and communications transmitted by the National Liaison Officer on behalf of the European Union Agency for Fundamental Rights, which is responsible for promoting and protecting fundamental rights within the European Union through research, data collection and the provision of expert advice and assistance to European Union institutions and member States.

146. The National Liaison Officer is the Agency’s direct point of contact and is responsible for facilitating communication and cooperation with the Agency, disseminating information on its work, reports and activities, promoting the implementation of fundamental rights norms at the national level and providing information on the fundamental rights situation in Luxembourg.

147. The Charter Focal Point appointed to the Commission on the topic of the Charter of Fundamental Rights of the European Union operates through this same channel of communication with the various ministries.

148. The role of the Charter Focal Point is specifically linked to the Charter of Fundamental Rights and includes dealing with questions and requests for information relating to the application of the Charter, raising awareness among national authorities of their obligations under the Charter, advising on its interpretation and application and facilitating access to Charter-related information for the public, stakeholders and national institutions.

149. The aim of this recently introduced way of working is to contribute to the targeted and effective dissemination of documents designed to raise awareness among civil servants of the need to respect human rights and fundamental freedoms in the performance of their duties.

150. The National Teacher Training Institute makes ongoing efforts to provide training to help teachers to interact with children from a diverse range of backgrounds. This includes support for language learning and awareness-raising on issues such as the traumas or challenges faced by certain groups of newly arrived students. The training is offered both in the form of in-service courses and during initial training. In addition, at specific events, the School Integration and Welcoming Service carries out awareness-raising among school staff, including on the importance of intercultural communication.

151. The basic training for trainee police officers in categories B1, C1 and C2 was reformed in 2018. The module entitled “Police and Society” is still taught. Its main focus is the study of relations between the police and the public both at the legal and regulatory level, with regard to human rights and individual freedoms, and in terms of ethics and intercultural sensitivity. Currently, the module includes the following components:

- Human rights (14 hours)
- Constitutional principles, fundamental rights and civil liberties (12 hours)
- Professional standards for the police and efforts to combat extremism (14 hours)
- Prevention of corruption and promotion of integrity (10 hours)
- Disciplinary status of police officers (10 hours)
- Communication (6 hours)
- Domestic violence (14 hours)
- Victimology (10 hours)

- International police cooperation (14 hours)
- Philosophy of proactive policing (6 hours)

152. Article 10 (3) of the Act of 18 July 2018<sup>1</sup> on the Inspectorate General of the Police states that the Inspectorate must participate in the training provided to police officers in the areas of police ethics and human rights.

153. It should be noted that non-governmental associations active in the fields of immigration and other cultures, such as the Association de soutien aux travailleurs immigrés (Support Association for Migrant Workers) (ASTI) and the Comité de liaison des associations d'étrangers (Liaison Committee for Foreigners' Associations) (CLAE), regularly give lectures about their work and deliver training on intercultural sensitivity for police officers. These sessions can be delivered as part of basic or in-service training.

#### **4. Promotion of human rights awareness through educational programmes and Government-sponsored public information**

154. In 2016, a new course, entitled "Life and Society", was added to the school curriculum. Among its key objectives is the promotion of tolerance based on understanding. This includes understanding the plurality of lifestyles, world views, cultures and religions, as well as the values and beliefs they convey. The aim is to overcome ignorance, which can increase the likelihood of adherence to radical or dogmatic opinions about other cultures or groups of people. The Universal Declaration of Human Rights is an integral part of the "Life and Society" course.

#### **5. Promotion of children's rights**

155. Article 15 of the amended Youth Act of 4 July 2008 provides for various instruments to promote children's rights:

- (1) The Minister must submit a national report to the Chamber of Deputies on the situation of children and young people in the Grand Duchy every five years.
- (2) The Minister must develop an action plan for youth policy and define a children's rights strategy. These determine the direction of policy for children and young people. In 2022, Luxembourg launched its first National Action Plan on Children's Rights for the period 2022–2026 called "Together for the Rights of the Child". The National Action Plan was developed in response to a recommendation by the Committee on the Rights of the Child. The 64 actions it envisages, divided into 8 areas, were selected on the basis of the priorities identified by the Committee in relation to Luxembourg and set forth in the concluding observations. The plan represents the Government's strong commitment to children, while the strategy will ensure coherent and transparent implementation of children's rights policy at the national level, thus helping to anchor children's rights in the various areas of a child's life in a sustainable way.

#### **6. Development cooperation**

156. Luxembourg has been engaged for several years in robust, proactive action in the area of development cooperation, in particular by maintaining the rate of official development assistance at 1 per cent of gross national income since 2010 and by adhering to the principle of additionality.<sup>2</sup>

157. For 2023, the budget allocated to official development assistance was €539 million, some 82 per cent of which was managed by the Ministry of Foreign Affairs. The development cooperation funds, through which some 68 per cent of official development assistance is channelled, finance bilateral and multilateral cooperation activities, initiatives led by non-governmental development organizations and the deployment of volunteers, associate

<sup>1</sup> Act of 18 July 2018 on the Inspectorate General of the Police:  
<https://legilux.public.lu/eli/etat/leg/loi/2018/07/18/a623/jo>.

<sup>2</sup> Luxembourg applies the additionality principle to funds allocated to international climate financing and the hosting of refugees in Luxembourg by not including them in its official development assistance.

experts, young experts, cooperation officers, trainees and fellows in the service of development cooperation. The ratio of bilateral cooperation to multilateral cooperation within official development assistance has been around 70 per cent to 30 per cent for several years.

158. Donations are the main source of funding for the country's official development assistance. However, public aid often serves as a catalyst for mobilizing other funds, including from the private sector.

159. In order to maximize the impact of its cooperation programme, Luxembourg continues to pursue a policy of targeted intervention in a limited number of partner countries. These include Cabo Verde, Senegal and the Lao People's Democratic Republic. In addition, Luxembourg supports projects in "project countries", including Costa Rica, El Salvador, Kosovo, Benin, Rwanda, Burkina Faso, Mali, the Niger, Mongolia, the occupied Palestinian territories and Viet Nam.

160. The Government continues to implement its general development cooperation strategy entitled "The Road to 2030". The main objective is to contribute to the reduction and eventual eradication of extreme poverty by providing support for sustainable economic, social and environmental development. To achieve this objective, Luxembourg continues to promote a multi-stakeholder approach to the implementation of the 2030 Agenda for Sustainable Development and the achievement of the related Sustainable Development Goals. Gender equality, environmental sustainability and human rights are the three cross-cutting priorities. A nexus approach is applied to the issues of gender and environment and climate. The approach is defined in two issue-specific, cross-cutting strategies. The humanitarian action strategy serves as a guide for inclusive, sustainable, principled and needs-based humanitarian action, with people affected by crises at the heart of all interventions.

161. In order to contribute effectively to the collective commitment to "leave no one behind" and to work towards the achievement of the Sustainable Development Goals, official development assistance will be focused on four thematic priorities: improving access to high-quality basic social services, enhancing the socioeconomic integration of women and young people, promoting inclusive and sustainable growth and strengthening inclusive governance.

#### **D. Reporting process at the national level**

162. In June 2015, the Government in council decided to establish an interministerial human rights committee with responsibility for the ongoing coordination of its work of monitoring the implementation of international human rights law in Luxembourg, including by submitting regular reports to the treaty bodies of the United Nations system. The Interministerial Committee holds working sessions every six to eight weeks, bringing together representatives of all ministries and administrative authorities concerned with human rights. Each session is followed by a consultation meeting with civil society and national human rights institutions. The Interministerial Committee also monitors the implementation of the recommendations made under the universal periodic review of the Human Rights Council. Its work is coordinated by the Ministry of Foreign Affairs and its meetings are chaired by the Ambassador-at-Large for Human Rights.

### **III. Information on non-discrimination and equality**

163. The principles of equality and non-discrimination have been part of the legal framework of Luxembourg since 2006 and the transposition into national law of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The Equal Treatment Act applies to both the private and public sectors.

164. The Constitution of 17 October 1868, an extensively revised version of which came into force on 1 July 2023, establishes in its article 15 (2) that: "No one may be discriminated against on the grounds of his or her personal situation or circumstances." With this article,

the legislature intended to enshrine the principle of non-discrimination in the Constitution. This article means equal treatment for all persons without discrimination on the grounds of race, ethnic origin, sex, sexual orientation, religion, belief, disability or age, and was drafted on the basis of European Union anti-discrimination directives and Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) of 4 November 2000.

165. Discrimination has been an offence under Luxembourg criminal law since 1997, with the introduction of a chapter entitled “Racism, revisionism and other forms of discrimination” (arts. 454–457), which was later amended in 2006 and 2007. Discrimination is considered to have occurred between individuals, legal persons or groups or communities of people when it was committed on the grounds enumerated in article 454 of the Criminal Code. These include origin, skin colour, sex, sexual orientation, sex reassignment, gender identity, family situation, age, health, disability, morals, political or philosophical opinions, trade union activities, and membership or non-membership, actual or assumed, of a particular ethnic group, nation, race or religion.

166. Punishable discrimination includes:

- Refusing to provide goods or to allow enjoyment of and/or access to goods
- Refusing to provide a service and/or to allow access to a service
- Making the provision of goods or services and/or access to goods or services subject to a condition based on one of the elements listed in article 454 or otherwise discriminating on the basis of one of those elements when providing goods or services
- Stating in an advertisement an intention to refuse to provide goods or services or to discriminate on the basis of one of the elements listed in article 454 when providing goods or services
- Hindering the normal exercise of an economic activity
- Refusing to hire, sanction or dismiss a person
- Making access to employment, any type of vocational training, working conditions, and membership of and involvement in a workers’ or employers’ organization subject to any of the elements listed in article 454 of the Criminal Code

167. In 2023, the Criminal Code was amended to include a general aggravating circumstance applicable to serious, lesser and certain petty offences committed on the various discriminatory grounds enumerated in article 454 of the Criminal Code, mentioned above.

168. Discrimination has been prohibited under Luxembourg labour law since 2006, with the introduction of Chapter 1, on the principle of non-discrimination (art. L.251-1), under Title V, on equal treatment in employment and occupation, of the Labour Code. In 2006, Luxembourg also amended its legislation concerning the civil service to transpose Council Directive 2000/43/EC of 29 June 2000. Under labour law, any direct or indirect discrimination on the grounds of actual or assumed membership or non-membership of a race or ethnic group is prohibited. The Labour Code was further amended in 2023 to introduce protection against psychological harassment in the workplace.

169. In 2023, Luxembourg made a decisive shift with the adoption of the Act of 23 August 2023 on harmonious intercultural life. The Act signalled a major change by replacing the “integration” approach, in place since 2008, with a broader concept representative of the diversity of Luxembourg society – harmonious intercultural life. It takes an inclusive approach, focusing on individual needs rather than on distinctions of status. Thus, whether they are refugees, new arrivals, long-term foreign residents, cross-border workers or Luxembourg citizens, everyone can now participate equally in all the programmes, activities and projects set up as part of the harmonious living ethos. In addition, the fight against racism and all forms of discrimination is a key, cross-cutting element of the Act. Some of the provisions deal with anti-discrimination as follows:

- The concept of harmonious intercultural life is underpinned by mutual respect, tolerance, solidarity, social cohesion and the fight against racism and all forms of discrimination (art. 1).

- The harmonious intercultural life programme includes advanced modules designed to raise awareness of racism and all forms of discrimination (art. 5).
- The role of the High Council for Harmonious Intercultural Life consists in the promotion of harmonious intercultural life, including the fight against racism and all forms of discrimination (art. 7).
- The role of the Communal Commission for Harmonious Intercultural Life encompasses respect for the values of harmonious intercultural life, in particular by raising awareness and implementing measures to combat racism and all forms of discrimination at the communal level (art. 9).

170. Furthermore, a national action plan for harmonious intercultural life is currently being drawn up by the Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees. It will provide a framework for programmes and tools to promote social cohesion between Luxembourg nationals and non-nationals and will reflect the country's social, cultural and economic realities.

171. As part of the Citizen Pact and the harmonious intercultural life programme, a catalogue of thematic modules is offered to every adult living or working in Luxembourg to facilitate access to information and encourage active participation in society. This involves, for example, informing people, particularly non-Luxembourg residents, third-country nationals and applicants for and beneficiaries of international protection, of their rights and duties under immigration and residency laws. They receive support and advice on administrative procedures, the use of local languages, learning about the country, its geography, history, traditions and political system, intercultural awareness, the fight against racism and discrimination and civic participation. The aim is to actively contribute to combating the risks of social exclusion.

172. A national action plan against racism and racial discrimination is also being drawn up by the Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees, in close collaboration with the other relevant ministries and a host of civil society actors and organizations. The national action plan is based on the 2022 study by the Luxembourg Institute of Socioeconomic Research and the Centre for Intercultural and Social Studies and Training called "Racism and Ethnic and Racial Discrimination in Luxembourg",<sup>3</sup> which identified education, housing and employment as the three main areas for action.

173. The Luxembourg Charter for Diversity, launched in 2012 by the association Inspiring More Sustainability, is designed to encourage public and private companies, as well as associations, in Luxembourg to promote diversity. Signatories, whether businesses, public institutions or non-profit organizations, commit to implementing initiatives that go beyond legal and regulatory requirements in the field of non-discrimination.

174. In addition to its direct anti-discrimination efforts, the Government is implementing an equal opportunities policy through its integration programmes. In order to place the integration of applicants for international protection at the heart of its reception policy, the Government has developed the Supported Integration Programme. This Programme lays the groundwork for the integration of persons who are applying for or who have been granted international protection, beginning in the first weeks after they arrive in Luxembourg. The Programme is based on the principle that there are two prerequisites for well-planned integration: learning the country's national and administrative language and understanding how everyday life works in Luxembourg. In order to promote the social and professional integration of all persons seeking international protection, it is imperative that all adults in that category are able to attend information and training sessions, irrespective of their age and level of education. The Programme will be replaced by the new harmonious intercultural life programme mentioned above.

175. Lastly, staff from the National Reception Office have taken a large number of training courses on preventing all forms of discrimination, including courses on cultural, sexual and gender diversity, violence and diversity management. This effort continued in 2023 with

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<sup>3</sup> Available at: <https://mfsva.gouvernement.lu/dam-assets/publications/rapport-etude-analyse/racisme/Rapport-d-etude-Enquete-Racisme.pdf>.

awareness-raising sessions on sexual and gender-based violence, domestic violence and trafficking in persons.

176. These initiatives testify to the ongoing commitment of the National Reception Office to raising awareness among its staff of the various aspects of discrimination and violence, thus ensuring appropriate, inclusive assistance for those concerned.

177. With regard to equality between women and men, in the legal sphere the 2006 constitutional amendments anchored equality between women and men in the Constitution. There have also been legal reforms concerning parity in lists for European and national elections (Act of 15 December 2016<sup>4</sup>), domestic violence (2003,<sup>5</sup> 2013<sup>6</sup> and 2018<sup>7</sup>) and violence against women in general (ratification of the Istanbul Convention in 2018,<sup>8</sup> criminalizing all forms of violence against girls and women<sup>9</sup>), and equal treatment in access to and supply of goods and services (2012). In addition, the Labour Code has been amended to guarantee equal pay, combat sexual harassment and encourage companies to promote equality between women and men in the workplace, including through participation in the Positive Actions Programme.<sup>10</sup>

178. In addition, the National Reception Office pays particular attention to combating gender-based violence in its accommodation facilities, in keeping with article 10 (3) of the Act of 18 December 2015 on the reception of applicants for international protection. This article explicitly states that: “Particular attention shall be paid to the prevention of gender-based violence and acts of aggression, including sexual violence and harassment within accommodation facilities.” The Office ensures that all such incidents are handled with the utmost rigour. In collaboration with the competent authorities, it ensures that each reported case is thoroughly investigated to guarantee that the alleged perpetrators are prosecuted and victims receive appropriate reparation. The Office also keeps a close eye on legislative developments in this area and complies strictly with national directives.

179. The new National Action Plan for Gender Equality was launched in 2020 and evaluated in 2023. The second National Action Plan on Women, Peace and Security, covering the period 2024–2029, is currently being drawn up. Its main objective is to promote full, equal and inclusive participation at all levels of responsibility for peace and security and in efforts to prevent, manage and resolve conflicts.

180. Article 26 bis of the amended Act of 27 July 1991<sup>11</sup> on electronic media provides that “audiovisual and sound media services shall not feature any incitement to hatred based on race, sex, opinion, religion or nationality”. Article 27 bis (1) (d) of the same Act stipulates that commercial communications must not feature “any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation”.

181. In 1991, Luxembourg introduced binding legislation to combat sexist discrimination in the media and advertising. Article 26 bis of the amended Act of 27 July 1991 on electronic media provides that “audiovisual and sound media services shall not feature any incitement to hatred based on race, sex, opinion, religion or nationality”. Article 27 bis of the same Act states that commercial communications may not offend human dignity or feature any

<sup>4</sup> Act of 15 December 2016: <http://data.legilux.public.lu/eli/etat/leg/loi/2016/12/15/n2/jo>.

<sup>5</sup> Act of 8 September 2003 on domestic violence:  
<http://data.legilux.public.lu/eli/etat/leg/loi/2003/09/08/n1/jo>.

<sup>6</sup> Act of 30 July 2013 amending the Act of 8 September 2003:  
<http://data.legilux.public.lu/eli/etat/leg/loi/2013/07/30/n1/jo>.

<sup>7</sup> 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:  
<http://data.legilux.public.lu/eli/etat/leg/loi/2018/07/20/a631/jo>.

<sup>8</sup> Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence: <https://rm.coe.int/090000168008482e>.

<sup>9</sup> While the Convention is focused on all forms of violence against women, it explicitly recognizes that domestic and other violence also affects male victims. The Convention therefore encourages States to apply its provisions to male victims as well. As its legislation is generally gender-neutral, Luxembourg applies the Convention to both sexes.

<sup>10</sup> Positive actions programme: <https://actionspositives.lu/>.

<sup>11</sup> Act of 27 July 1991: <http://data.legilux.public.lu/eli/etat/leg/loi/1991/07/27/n1/jo>.

discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation.

182. In addition to the amended Act of 8 June 2004 on freedom of expression in the media, the Press Council has drawn up a code of conduct that applies to all actors in the Luxembourg press and to all media. Article 5 of the code of conduct specifies that the press must avoid and must oppose any discrimination on grounds of sex, race, nationality, language, religion, ideology, ethnic origin, culture, class or belief, while ensuring respect for fundamental human rights. Thus, the press has undertaken to indicate a person's racial, religious, national or ethnic origins only when this information is essential for understanding the facts or when there is a direct link with the information.

183. In 2013, Luxembourg created the Luxembourg Independent Media Authority, a public institution responsible for monitoring the proper application of current regulations in the area of audiovisual media. Listening to radio and television audiences is one of the priorities of the Luxembourg Independent Media Authority. Thus, any natural or legal person who considers himself or herself aggrieved by the content of a service may lodge a complaint with the Authority insofar as the content undermines the protection of minors or human dignity or contains pornographic elements. In the interest of transparency, the Authority publishes all decisions taken by its Board of Directors on its website.

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