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Universal Periodic Review

## Report of the Working Group on the Universal Periodic Review\*

### Luxembourg

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifteenth session from 21 January to 1 February 2013. The review of Luxembourg was held at the 8th meeting, on 24 January. The delegation of Luxembourg was headed by Nicolas Schmit, Minister of Labour, Employment and Immigration. At its 13th meeting, held on 29 January 2013, the Working Group adopted the report on Luxembourg.

2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Luxembourg: Japan, Peru and Romania.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Luxembourg:

(a) A national report submitted/written presentation given in accordance with paragraph 15 (a) (A/HRC/WG.6/15/LUX/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/15/LUX/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/LUX/3).

4. A list of questions prepared in advance by the Czech Republic, Slovenia, and the United Kingdom of Great Britain and North Ireland was transmitted to Luxembourg through the troika. These questions are available on the extranet of the universal periodic review (UPR).

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation recalled that Luxembourg had always attached particular importance to the universal periodic review mechanism, which helped to strengthen the promotion and protection of human rights worldwide. Luxembourg especially welcomed the fact that the universal periodic review allowed an open and critical exchange of views on the human rights situation in each country. The country had spared no effort in the implementation and follow-up of the recommendations made during the first cycle.<sup>1</sup>

6. As a staunch defender of multilateralism with the United Nations at its core, Luxembourg wished to contribute fully to the mutual strengthening of the three main pillars of the Organization: peace and security, development and human rights.

7. Luxembourg had had a non-permanent seat on the Security Council since 1 January 2013. In that capacity, it was committed to contributing actively over the next two years to the work of the Security Council, carrying out the main task entrusted to it by the Member States under the United Nations Charter: to maintain international peace and security. In that regard, Luxembourg remained convinced that there could be neither development

<sup>1</sup> See A/HRC/10/72.

without security nor security without development, and that respect for human rights and the upholding of the rule of law were essential.

8. For its international commitment to be credible, Luxembourg was aware that its actions at the national level must demonstrate the same commitment to promoting and protecting human rights and the rule of law.

9. It was in that spirit that Luxembourg had prepared for its universal periodic review. The national report was the result of widespread consultation with both the relevant authorities and civil society. To that end, in May 2012 Luxembourg had organized two consultation meetings on the second cycle of the universal periodic review. The first meeting had been aimed at non-governmental organizations (NGOs) and civil society, while the second had addressed independent institutions with competence in the area of human rights. The Government had paid particular attention to their views in its report. The Ministry of Foreign Affairs was available to continue that dialogue. The Ministry encouraged the participants to submit their comments on the implementation of the recommendations made during the current universal periodic review.

10. Luxembourg planned to submit a midterm report during the current cycle. The comments received from civil society and independent institutions would be useful in the preparation of that report.

11. The national report of Luxembourg described in detail the progress made on the basis of the recommendations issued in 2008. Luxembourg noted the quality of the questions submitted in advance by a number of Member States and thanked them for their commitment to the work of the Human Rights Council.

12. In response to the question on avoiding the risk of sexual exploitation of refugee children or unaccompanied applicants for international protection, the delegation pointed out that their protection was ensured through the appointment of guardians. As a general rule, in the absence of a member of the minor's extended family in Luxembourg who could act as guardian, a juvenile judge appointed one from the social and educational professionals at two NGOs that worked with asylum cases.

13. With regard to measures taken to protect the bond between mothers in prison and their children born before or during their incarceration, the delegation indicated that the judge could decide that the child should be kept in prison with the mother up to a specific age, established on a case-by-case basis, beyond which the child's normal psychological development would be compromised. The Ministry of Family Affairs had care institutions for children of all ages where judges could place the children of incarcerated mothers. The caregivers at those institutions could accompany children on visits to prison. The courts used all possible means to avoid imprisoning women who were pregnant or had young children.

14. In response to another question, the delegation said that the age requirement of 25 was a general condition in order to receive the minimum guaranteed income and did not apply to refugees in particular. Under the law, an exception was made for persons under the age of 25 who were bringing up a child for whom they received family allowances.

15. Luxembourg had submitted its outstanding reports to the Committee on the Elimination of Racial Discrimination in December 2012. As for the other three outstanding reports, it had undertaken to submit them to the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee against Torture as soon as possible. The work on the report to the Committee on Economic, Social and Cultural Rights would also serve to give a new impetus to ratification of the Optional Protocol to the Covenant on Economic, Social and Cultural Rights, which would be concluded as soon as possible.

16. With regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, there were significant legal obstacles related to the remit of the European Union in the area of migrant workers. The Council of the European Union was competent to issue rules governing immigration and the protection of the rights of persons from third countries, including conditions for residence.

17. With regard to the third Optional Protocol to the Convention on the Rights of the Child, the relevant legislative procedure could start in 2013 and the vote in the parliament and depositing of the instruments could take place in late 2013 or early 2014.

18. As for the protection of the human rights of asylum seekers and non-refoulement, Luxembourg had ratified the 1951 Convention relating to the Status of Refugees and applied the principle of non-refoulement established in article 33. In addition, the country's law on the right to asylum and other forms of protection in fact provided that applicants for international protection were obliged to remain in the country. The law provided for exceptions so that, in compliance with international obligations, applicants could be sent or extradited to another member State of the European Union, a third country or an international criminal court or tribunal.

19. With regard to bills concerning the amendment of the legal age for marriage, the abolition of the waiting period for remarriage in the event of divorce or widowhood and same-sex marriage, the Council of State had just issued its opinions and the texts were being discussed in the Legal Affairs Commission of the Chamber of Deputies.

20. The national report focused on the difficulties mentioned and criticism expressed by international expert bodies and civil society.

21. With regard to freedom of religion or belief, a report by a group of experts on the development of relations between the State and cultural or philosophical communities had been published on 4 October 2012. Interested parties had been invited to submit their contributions to stimulate a major public debate in the coming weeks. The parties concerned included regulated and unregulated cultural communities as well as lay, secularist, humanist, agnostic and philosophical associations.

22. In the past, issues had been raised regarding the conditions in which foreigners could be detained at closed facilities when they were subject to removal orders or decisions denying them entry to the country. Various measures had been taken to remedy that situation. Firstly, the main aim was clearly to encourage voluntary return before anyone was placed in detention. A detention centre had become operational in September 2011. Since it had opened, only 444 persons had been placed there, whereas 2,078 persons had returned voluntarily to their countries of origin in 2011 and 2012. On average, the 444 persons held at the centre since September 2011 had been detained for 28 days, but the legislation governing the detention centre stipulated that families with children could not be kept at the centre for more than 72 hours. Only 17 persons — 3.9 per cent — had been detained at the centre for 4 months or more.

23. House arrest had been introduced as an alternative to detention in 2011.

24. Another issue was the situation of undocumented residents who were employed in Luxembourg. In that regard, an exceptional, one-off measure had been taken to regularize their situation. Undocumented citizens of third countries residing in Luxembourg could in certain circumstances obtain residence permits as employed workers. The measure in question had been adopted along with changes to the law governing the free movement of persons and immigration.

25. With regard to cooperation with the United Nations, Luxembourg was currently doing everything possible to ratify the legal instruments it had signed. Accordingly, since the previous review it had ratified the Convention on the Rights of Persons with Disabilities

and its Optional Protocol, as well as the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Ratification procedures were also under way for the International Convention for the Protection of All Persons from Enforced Disappearance.

26. In addition, the Minister for Foreign Affairs had deposited the instruments of ratification of the amendments made to the Rome Statute of the International Criminal Court by the Review Conference of the Rome Statute, held in Kampala. Luxembourg had demonstrated its strong commitment to fighting impunity by becoming the fourth State to ratify all of the amendments made to the Rome Statute by the Review Conference. All of those provisions had already been incorporated into domestic criminal law. Luxembourg hoped that its ratification of those amendments would encourage other States parties to rapidly follow suit.

27. Some 44 per cent of the country's total population of approximately 525,000 were foreigners, and some 160,000 frontier workers crossed the border every day. Nationals of more than 170 countries lived in Luxembourg. Luxembourg recognized that such diversity was a challenge, but it was also a vital source of cultural enrichment. Over the last few decades, Luxembourg had become a State in which people from all over the world lived together. Manifestations of intolerance or racism were rare.

28. A significant step aimed at facilitating integration into the national community was the introduction of dual nationality in 2008. Dual nationality allowed persons who had decided to settle permanently in Luxembourg to acquire the country's citizenship and to demonstrate their attachment to it and willingness to integrate, while at the same time maintaining a link with their country and culture of origin by keeping their original nationality.

29. Efforts to promote equality between men and women and to combat gender discrimination were bearing fruit: the participation rate of women in political office and in the labour market was constantly increasing, while the wage gap between men and women was decreasing.

30. Furthermore, Luxembourg was resolutely pursuing its international commitment to human rights and the link between human rights and development cooperation by allocating 1 per cent of its gross national income to official development assistance, despite the financial constraints it currently faced. That effort contributed to the effective enjoyment of human rights in developing countries, particularly in the area of economic, social and cultural rights.

31. Like all other United Nations Member States, Luxembourg was not above criticism, and its international commitment to the promotion and protection of human rights did not obviate the need for it to make the same efforts at home that it expected of others.

## **B. Interactive dialogue and responses by the State under review**

32. During the interactive dialogue, 61 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

33. Turkey noted the significant advances that Luxembourg had made through the introduction of the new Law on Nationality. Government initiatives to discuss religious pluralism and secularization were also commendable. It considered that the same right granted to European Union nationals who had resided in Luxembourg for at least five years to participate in regional elections should be extended to all foreign nationals. It made recommendations.

34. The United Kingdom of Great Britain and Northern Ireland encouraged Luxembourg to continue exploring measures to incorporate non-national residents into its national parliamentary process, including by considering the feasibility of enabling non-Luxembourg nationals to vote. The United Kingdom was encouraged by the ongoing review of legislation relating to domestic violence and measures to combat social exclusion among the poorest in society. It made recommendations.

35. The United States of America expressed concern that both Schressig prison and the State Socio-Educational Centre for Juveniles at Dreibern operated continuously at or near full capacity. It commended Luxembourg for its campaign to promote gender equality, noticing, however, that, although there was de jure equal pay, reports indicated that women were paid less than men for the same work. It made recommendations.

36. Uruguay highlighted the ongoing progress of Luxembourg in the fields of gender equality, equal distribution of family responsibilities and trafficking in persons. It noted certain legal loopholes in the country's domestic legal system in respect of the sexual exploitation of minors, especially the absence of a clear definition of child pornography and child prostitution. It made recommendations.

37. Viet Nam noted the significant progress that Luxembourg had made in recent years in respect of the enjoyment of fundamental rights and freedoms, and cooperation with other countries and international human rights mechanisms. Its follow-up to and implementation of recommendations were also commendable. It supported the consideration by Luxembourg of the interdependence among development, security and human rights. Viet Nam made a recommendation.

38. Tunisia encouraged Luxembourg to continue to promote the participation of foreign nationals in public life. It congratulated Luxembourg on its commitment to a substantial rise in public development aid over the past decade. It encouraged Luxembourg to identify ways to ensure the cooperation and responsiveness of financial institutions concerning requests for the recovery of illicit funds from other States. It made recommendations.

39. Argentina congratulated Luxembourg for the amendments to the Act on Freedom of Expression in the Media. It also commended the country on the enactment of the Act on Assistance, Protection and Security for Victims of Human Trafficking, which provided for, inter alia, the establishment of a mechanism to monitor the fight against trafficking in persons. It made recommendations.

40. Australia commended Luxembourg for its commitment to promoting and protecting human rights and looked forward to working with Luxembourg in its role as Chair of the Security Council Working Group on Children and Armed Conflict. It acknowledged that Luxembourg was a destination country for victims of human trafficking, particularly women and children, and commended the efforts by Luxembourg to combat the crime. It made a recommendation.

41. Bangladesh appreciated the various actions to promote and protect human rights and commended the country for action taken to sensitize children to peace and different aspects of poverty. It was concerned at the decrease of developmental assistance and noted that the Office of the United Nations High Commissioner for Refugees (UNHCR) had expressed concerns about the family-reunification procedure. It made recommendations.

42. Belarus stated that the various reservations of Luxembourg to certain international agreements limited their implementation in national legislation. No special-procedures visits to the country had been organized. It noted the problems related to the deportation of asylum seekers and an increase in the demand for child pornography and prostitution, as well as in domestic violence and discrimination in the labour market. It made recommendations.

43. Bhutan commended the numerous activities carried out to protect and promote human rights, including the rights of the child and of persons with disabilities, and to enhance gender equality and combat human trafficking. It also applauded efforts to fulfil its human rights commitments and welcomed the approval of a national action plan for persons with disabilities. It made a recommendation.

44. Brazil said it would be grateful for further information on the human rights dimension of new legislation regulating the hospitalization of persons with mental health problems as well as on the expansion of child psychiatric care in recent years, as detailed in the report. It requested information on the experience regarding the integration of migrants on the social, economic and linguistic levels. It made a recommendation.

45. Cambodia recognized efforts to prevent and eliminate all forms of violence against women. It appreciated also the commitments made to various United Nations human rights mechanisms and the dialogue and cooperation maintained with OHCHR and other international institutions. It made recommendations.

46. Canada noted that progress had been made in the training of police officers and asked for further information on the training on human rights for other public officials. It commended Luxembourg for the ratification of the Protocol to the United Nations Convention against Transnational Organized Crime and also the amendments to the Penal Code and the Penal Procedure Code. It made recommendations.

47. Cape Verde commended the advanced approach of Luxembourg towards human rights, demonstrated through careful planning of and follow-up to policies in that area. It highlighted, for example, the integration of foreign nationals. It requested information on the preliminary results of the work of the committee responsible for monitoring the fight against trafficking in persons. It made recommendations.

48. Chad commended the equality between men and women in Luxembourg society, also set out in the Constitution, the guarantee of freedom of expression and the strengthening through domestic law of the Palermo Protocols and of the Council of Europe Convention on Action against Trafficking in Human Beings. It made a recommendation.

49. Chile stated that the achievements of Luxembourg with regard to the promotion and protection of human rights were evident. It highlighted the country's ratification of the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol as well as the strengthening of the Penal Code through specific measures to combat racism and xenophobia. It made recommendations.

50. China commended the conscientious efforts made in relation to promoting gender equality and fighting racial discrimination through the increase in investment in education and public health. It noted that Luxembourg had also provided subsidies for low-income groups. It made a recommendation.

51. Congo commended the efforts by Luxembourg in areas such as participation in political life, rights regarding voting and nationality, freedom of conscience and religion, and the promotion of gender equality throughout society. It also noted efforts to strengthen the legislative framework to combat trafficking in persons and the numerous measures taken concerning the rights of children and persons with disabilities.

52. Costa Rica highlighted the establishment of a national human rights commission in accordance with the Paris Principles, training in human rights and non-discrimination provided to law enforcement authorities and State officials, and the incorporation of peace education in primary teaching programmes. It made recommendations.

53. Cuba noted with satisfaction the progress achieved in the fields of gender equality, which was reflected in the current political framework. It also acknowledged progress made



regarding the rights of the child. It thanked Luxembourg for the detailed information provided on measures being taken to guarantee the rights of foreign nationals in an irregular situation. It made recommendations.

54. Cyprus commended the concrete measures to implement its international human rights obligations. It welcomed in particular the recent ratification of CRPD and its Optional Protocol. It commended the determination of Luxembourg to continue its efforts to combat human trafficking and noted the adoption of the Council of Europe Convention on Action against Trafficking in Human Beings, *inter alia*. It made a recommendation.

55. The Czech Republic commended the plan to open the Security Unit for minors at the State Socio-Educational Centre at Dreibern in the current year, so the minors would no longer be held in a prison for adults. In that connection, it asked for further information on the capacity of the Security Unit and its security measures. It made recommendations.

56. Ecuador was concerned at the reduced numbers of refugees accepted by Luxembourg, particularly persons in need of international protection, and at the reduced rate of asylum applications accepted. It expressed concern also at the high rate of unemployment among asylum seekers and holders of a “tolerance certificate” (*attestation de tolerance*). It made recommendations.

57. Egypt congratulated Luxembourg for its efforts in the fields of gender equality, protection of the rights of the child, freedom of speech and of the press, and freedom of religion made by incorporating religious representatives in public decision-making processes. It highlighted the significant steps taken to encourage political participation of citizens and foreign nationals and to combat online discrimination. It made recommendations.

58. Estonia appreciated the accession of Luxembourg to nearly all the main human rights instruments and its full cooperation with the special procedures of the Council and main treaty bodies. It welcomed the country’s ratification of CRPD and its Optional Protocol, commended it as an international aid donor, and noted its efforts and support in Internet freedom issues.

59. Guatemala welcomed the ratification by Luxembourg of CRPD and its Optional Protocol and an action plan to give effect to the Convention. It commended the legislative draft on the fight against sexual abuse and the sexual exploitation of children, as well as a new policy in respect of gender equality. It made recommendations.

60. Germany appreciated the accession of Luxembourg to and its ratification of a number of human rights instruments, including CRPD, and its establishment of a national human rights commission. Germany asked whether persons held in police custody had a statutory right to private communication with a lawyer and under which circumstances the police or security bodies could refuse this. It also wished to know what policy considerations had caused a reduction in the allowance available to asylum seekers.

61. France congratulated Luxembourg on ratifying the Optional Protocol to the Convention against Torture and the Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution and child pornography. It asked what concrete measures Luxembourg planned to guarantee decent living conditions for asylum seekers. It made recommendations.

62. With regard to the right of foreigners to vote, the delegation highlighted that nationals of the European Union and third countries had the same right to vote and stand in elections at the local level.

63. With regard to children’s rights, Luxembourg shared the concerns expressed by a number of delegations, particularly with regard to combating sexual abuse, child

prostitution and child pornography. Luxembourg called for cooperation in fighting against international crime rings. At the domestic level, the delegation recalled that Luxembourg had ratified the main international instruments and that its legislation provided for harsh penalties for such offences.

64. With regard to implementation measures to combat trafficking in persons, the delegation referred to the three relevant acts adopted in 2009 and 2012. The Criminal Code provided for extremely harsh penalties in that area.

65. Luxembourg would maintain its efforts in the area of official development assistance, despite budgetary constraints. The delegation also called on the international community to strengthen its efforts to increase official development assistance to 0.7 or 1 per cent of gross domestic income, recalling that such a step was required to achieve the Millennium Development Goals.

66. In response to the questions on the acceptance rate for asylum applications, the delegation explained that over the past 18 months the country had received an exceptionally large number of applications from citizens of European countries not considered to be at risk. Leaving aside that influx, the acceptance rate for asylum applications was generally above the European average.

67. As for refugee resettlement programmes, the delegation recalled the country's previous experience in that area and also reported that it intended to carry out new projects in 2013 in cooperation with the Office of the United Nations High Commissioner for Refugees and other European countries.

68. Admittedly, there had been delays in the submission of some reports to the treaty bodies. Luxembourg undertook to take the steps required to submit its reports on time in the future.

69. In response to a question on the possibility of visits by Special Rapporteurs to Luxembourg, the delegation recalled that all the thematic Special Rapporteurs had a standing invitation and that any who wished to visit Luxembourg would be welcome.

70. In response to questions on discrimination against women in the labour market, the delegation recalled that the domestic law prohibited any difference in pay between men and women. Enforcement of that measure was a priority for the country's authorities.

71. With regard to the rights of persons with disabilities and their access to the labour market, the delegation pointed out that companies and government bodies were subject to a 5 per cent quota. Unfortunately, that target had not yet been met, but a series of initiatives would be taken in 2013 in order to achieve it.

72. In response to a question on access to a lawyer in the event of arrest, the delegation explained that all persons who were arrested had the right to the assistance of a lawyer. The bar association ran a 24-hour on-call service for that purpose.

73. With regard to financial assistance provided to asylum seekers, the delegation explained that asylum seekers were fully provided for by the State. They received accommodation and had access to health services, and the children were integrated into the national school system. The financial assistance provided directly to refugees had recently been brought in line with the amounts provided by neighbouring countries.

74. In the area of marriage, the relevant legislation was currently being amended in order to ensure perfect equality between men and women, notably by abolishing the waiting period for remarriage following divorce or widowhood. The Government was also considering the possibility of allowing same-sex marriage.

75. On the issue of statelessness, Luxembourg planned to bring its legislation in line with the 1961 Convention on the Reduction of Statelessness.
76. With regard to family reunification, Luxembourg referred to the application of the rules of the European Union in that area. Those rules would soon be extended to apply to asylum seekers. The European directive on the issue stipulated that a decision must be handed down within nine months of an application for reunification, which was true in the vast majority of cases in Luxembourg. The rare exceptions were attributable to the time needed to provide evidence of family ties in certain cases.
77. The Holy See congratulated Luxembourg for its resolute promotion and enforcement of respect for the human rights of its citizens and foreign nationals residing in the country, which had had a significant outcome, including international recognition. It made recommendations.
78. Hungary welcomed the efforts of Luxembourg in implementing the regulations of CRPD, including the adoption of an action plan. It requested further information on the phasing of the de-institutionalization of persons with disabilities. It noted that some members of the large number of migrants arriving in Luxembourg came from communities in which female genital mutilation (FGM) continued to be practised, and this seriously infringed women's right to integrity. It made recommendations.
79. Indonesia considered that the noteworthy efforts by Luxembourg to promote and protect human rights should be complemented by, *inter alia*, strengthening its legal framework. Indonesia also noted the efforts of the Government of Luxembourg to promote respect for cultural diversity, considering that conservation of identity should not be in conflict therewith. It made recommendations.
80. The Islamic Republic of Iran wished to draw the attention of the Working Group to reports by treaty bodies, special procedures and the Office of the High Commissioner that have raised concerns about human right violations in Luxembourg, in particular racist and xenophobic acts, increasing child prostitution and pornography. It made recommendations.
81. Italy asked how Luxembourg intended to react to concerns on the family-reunification procedure, what measures it envisaged to enhance compliance with international instruments and standards on stateless persons, and what obstacles still remained to transmitting its national reports to the Committee on the Elimination of Racial Discrimination.
82. Jordan appreciated the efforts of Luxembourg to strengthen its legislation, including its amendments of the Act on Freedom of Expression in the Media, the Act on Assistance for Children and Families and three new laws complementing its legislative instruments to combat human trafficking. It commended Luxembourg for bringing its legislation into line with the provisions of the Rome Statute. It made recommendations.
83. Kuwait commended the efforts deployed by Luxembourg in education, the rights of women and children and the social integration of foreigners. It asked about measures taken to combat discrimination against Muslim migrants and their integration. It made recommendations.
84. The Lao People's Democratic Republic wished to encourage Luxembourg to continue cooperating with the United Nations and other international organizations and stakeholders to overcome the constraints and challenges in ensuring fulfilment of all its citizens' rights.
85. Libya welcomed the progress made by Luxembourg in gender equality and its policy framework. It also welcomed the adoption by Luxembourg of additional laws for combating human trafficking, and the establishment of an independent commission on the

rights of the child. It welcomed efforts to combat rape and the exploitation of children, all forms of racial discrimination and the financing of terrorism, and to promote cultural tolerance and coexistence. It made recommendations.

86. Malaysia noted that Luxembourg had ratified CRC and its Optional Protocol and, on this issue, had adopted a national plan of action, involving civil society in its development. It also noted the strengthening of the criminal code of Luxembourg to combat racism and xenophobia as well as its efforts to fight all forms of discrimination through its educational framework. However, issues of concern persisted, including employment inequalities. It made recommendations.

87. Mexico noted the commitment of Luxembourg to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the third Optional Protocol of CRC. It acknowledged the efforts made by Luxembourg following its first review to combat and eliminate trafficking in persons. It also welcomed measures carried out to strengthen the Penal Code, thereby broadening protection of minors and stepping up the fight against racism and xenophobia. It made recommendations.

88. Montenegro noted with satisfaction measures implemented in Luxembourg through educational reform for differentiated teaching and introduction of skills-based education. It welcomed the drafting of an action plan for persons with disabilities. It made recommendations.

89. Morocco welcomed the efforts by Luxembourg to integrate foreign nationals through establishment of a multi-annual integration and anti-discrimination action plan. It commended the progress in fighting human trafficking, reflected by its adoption of three new laws in this area, along with training programmes for security agents and judicial authorities. It made recommendations.

90. Nepal noted the efforts by Luxembourg to promote gender equality and discrimination under the Government's policy framework for 2009–2014, thereby involving both sexes in all spheres of public and private life. It appreciated the enactment by Luxembourg of a new law on child and family assistance. It made recommendations.

91. The Netherlands thanked Luxembourg for its clear presentation of some commendable achievements in human rights. Examples include amendment of its Law on Freedom of Speech in the Media, efforts in favour of gender equality and measures to combat domestic violence. However, while homosexuality was generally accepted in Luxembourg, same-sex couples could not yet legally be married. It made a recommendation.

92. Nicaragua highlighted measures taken to promote equal rights for women and men, and women's legal equality provided for in Luxembourg law. It acknowledged the commitment of Luxembourg to the promotion and protection of human rights at the international level through its support of various development programmes. It encouraged Luxembourg to continue participating in such programmes. It made a recommendation.

93. Norway noted with satisfaction the increasing level of female participation in politics and employment and the narrowing wage gap. Luxembourg could consider strengthening the Centre for Equal Treatment to combat discrimination. Norway welcomed the measures taken by Luxembourg to guarantee educational quality and child care. It noted that foreigners under expulsion orders were routinely placed in detention. It made recommendations.

94. The State of Palestine welcomed the political changes by Luxembourg in the area of gender equality and the fight against sexual discrimination, including in the media and communication, the labour market and other spheres of society. It also welcomed the

adoption by Luxembourg of the law on the right to asylum and complementary protection. It made recommendations.

95. The Philippines noted that Luxembourg had signed or ratified all of the core international human rights instruments. However, despite the fact that nearly half its population was foreign, it had yet to accede to conventions on migrant workers, specifically the International Convention on the Rights of All Migrant Workers and Members of Their Families (ICRMW) and International Labour Organization (ILO) Convention No. 189 (2011) concerning decent work for domestic workers. It made recommendations.

96. Poland noted with appreciation various initiatives promoting human rights at all levels of its education system and, in particular, action aimed at gender equality and combating sexual discrimination. It noted the recent rise in the number of asylum seekers, resulting in pressure on existing reception facilities. It made recommendations.

97. Portugal commended measures now being taken to reduce the school drop-out rate and the exclusion of children and students of foreign origin. It also commended Luxembourg for enabling foreign-language children to maintain their mother tongue, while learning Luxemburgish, French and German. It made a recommendation.

98. Romania welcomed the ratification by Luxembourg of various treaties. It also expressed its appreciation for the conventions ratified and the measures adopted by the Government in the fight against human trafficking, and its national action plan for integration and anti-discrimination.

99. Rwanda congratulated Luxembourg for its substantial efforts and progress in different areas of human rights, including gender equality, for which a policy framework had been set forth in the 2009–2014 Government programme. It commended Luxembourg for ratifying CRPD and its Optional Protocol as well as its adoption of new laws to complement the legislative instruments against human trafficking. It made a recommendation.

100. Senegal noted with satisfaction the legal establishment of a national human rights commission and the implementation of measures to prevent all forms of violence to women. Documentation submitted for the present cycle indicated an improvement to migrant detention conditions, while various non-governmental sources had expressed concern in relation to this issue of administrative detention. It made a recommendation.

101. Slovakia commended Luxembourg for its pledge to accede to the 1961 Convention on the Reduction of Statelessness and its initiatives to combat violence against women. Its national action plan for persons with disabilities and recent legislation condemning acts of domestic violence were noteworthy. It made recommendations.

102. Slovenia welcomed measures to combat gender stereotypes and to increase de facto equality in the workplace. It further welcomed the ratification by Luxembourg of CRPD and its Optional Protocol, inter alia. It commended its efforts to ensure human rights education in schools and teacher training. It made recommendations.

103. Spain thanked Luxembourg for its participation in the universal periodic review and for its presentation. It congratulated Luxembourg on its ratification of CRPD and its Optional Protocol and for all action taken to promote and protect human rights since its first review. It also welcomed the recent ratification by Luxembourg of the amendments to the Rome Statute. It made recommendations.

104. Sri Lanka acknowledged the positive results of the measures taken by Luxembourg to combat gender discrimination, reduce the wage gap and facilitate women's taking up decision-making positions. It noted the steps taken to ensure access to schooling for all children, including those older than three years of age, regardless of their parents' status. It

also noted the efforts of Luxembourg to combat human trafficking, money laundering and financing of terrorism. It made recommendations.

105. Thailand particularly appreciated the efforts of Luxembourg to promote gender equality, democracy, the rights of persons with disabilities and the rights of children. Thailand commended the effort made by Luxembourg to upgrade the process of consideration and reception of migrants and asylum seekers, while it observed a recent rise in the number of asylum applications. It made recommendations.

106. Togo welcomed Luxembourg's ratification of several human rights instruments, the establishment of a national human rights commission in line with the Paris Principles, and its drawing up of a national action plan for persons with disabilities. Togo noted with satisfaction the activities of Luxembourg in support of populations in developing countries, based on human rights promotion and gender consideration. It made recommendations.

107. Algeria noted the Luxembourg authorities' dialogue with religious, especially Muslim, representatives, and encouraged it to pursue this matter. Efforts since 2009 in strengthening the legal framework for fighting against human trafficking were also considered praiseworthy. It invited Luxembourg to review favourably the ratification of ICRMW. It made recommendations.

108. Burundi welcomed the measures taken by Luxembourg with a view to integrating foreigners into social life and its efforts in fighting against all forms of discrimination. It noted with satisfaction the country's extensive work in promoting gender equality since the first cycle of the universal periodic review and welcomed the fact that Luxembourg has established a tailored legal framework for dealing with situations of distress involving children and their families. It made recommendations.

109. In response to a question on female genital mutilation, the delegation recalled that domestic legislation provided for harsh penalties for the perpetrators of the practice, ranging from 5 to 7 years' imprisonment.

110. With regard to relations with religious communities, the delegation pointed out that domestic law provided for freedom of worship and belief. The authorities had initiated a dialogue with the Muslim community, and negotiations likely to result in an accommodation with that community were currently under way.

111. In response to the questions on the integration of resident non-nationals, the delegation stated that the issue was one of the country's main priorities. A series of reforms was under way to address the particular difficulties that arose as a result of the country's multilingualism (Luxemburgish, French and German). In addition, all children had access to the national school system, regardless of their parents' status. The delegation emphasized that in Luxembourg the right to education was not only a right but also an obligation, and that the right was guaranteed without any discrimination.

112. On the issue of the detention of children and minors, the delegation recalled that such detention was authorized only for periods of less than 72 hours. Beyond that limit the children were placed in specialized facilities.

113. With regard to racism and xenophobia, the delegation deplored the fact that there were certain manifestations of that phenomenon and stressed the importance of awareness-raising in schools and information campaigns in the media. In terms of repression, anyone who made or distributed xenophobic or racially motivated speeches or articles, including on the Internet, was subject to prosecution in court. If convicted, they faced up to 2 years' imprisonment.

114. A major reform had been undertaken with regard to the treatment of psychiatric illnesses. Confinement of persons with psychiatric illnesses was now the exception and was applied only to those who presented a danger to others.

115. In conclusion, the delegation thanked the participants for the opportunity to express itself on the importance Luxembourg attached to human rights and to report on the ways and means employed in continuing its commitment in the area of human rights for the benefit of all persons in the country.

## **II. Conclusions and/or recommendations\*\***

**116. The recommendations formulated during the interactive dialogue/listed below have been examined by Luxembourg and enjoy the support of Luxembourg:**

**116.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay);**

**116.2 Bring up to date the submission of the periodic reports to the treaty bodies (Chad);**

**116.3 Take steps to ensure that reports to treaty bodies, including the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights, and the Human Rights Committee, are submitted in a timely fashion (United Kingdom of Great Britain and Northern Ireland);**

**116.4 Transmit its overdue reports to the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination (CERD) and the Committee against Torture in order to share experience and progress in these domains (Czech Republic);**

**116.5 Organize a visit to the country by the Special Rapporteur on the sale of children, child prostitution and child pornography; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and the Special Rapporteur on the human rights of migrants (Belarus);**

**116.6 Continue the revision of legislation on domestic violence which is currently debated in Parliament (Cuba);**

**116.7 Explicitly punish, by legal provisions, persons practising female genital mutilation (FGM), as well as parents or holders of parental authority, who consented to the practice of FGM (Hungary);**

**116.8 Continue to further enhance its dialogue with civil society and stakeholders to implement policies and measures for the promotion of the rights of women, children and persons with disabilities, who are socially vulnerable (Bhutan);**

**116.9 Continue its policies on improving the rights of the child (Jordan);**

**116.10 Continue improving the human rights for women (Jordan);**

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\*\* Conclusions and recommendations have not been edited.

- 116.11 Continue to strengthen the capacity for action in the fight against human trafficking, and in combating discrimination and promoting integration (Romania);
- 116.12 Continue consultation with numerous stakeholders in its follow-up to the UPR report (Cambodia);
- 116.13 Consider submitting an interim report on the implementation of UPR recommendations (Slovenia);
- 116.14 Continue efforts regarding the fight against racism, racial discrimination, xenophobia and associated intolerance (Algeria);
- 116.15 Continue its efforts aimed at combating all forms of discrimination and intolerance, in particular, racism and xenophobia (Turkey);
- 116.16 Raise the minimum legal age for marriage for women to correspond to the minimum legal age for men (Czech Republic);
- 116.17 Abolish the period during which a widow or divorced woman must wait before she can remarry (Czech Republic);
- 116.18 Actively support the promotion and implementation of the universal human right to safe drinking water and sanitation pursuant to the recommendations made by the Council in its various resolutions on the subject (Spain);
- 116.19 Provide girls who are minors with a mandatory psycho-social consultation before any termination of pregnancy (France);
- 116.20 Continue its efforts in ensuring that education system will benefit all groups in the society regardless their backgrounds (Indonesia);
- 116.21 Further strengthen measures to grant foreign children and children of asylum-seekers equal access to the same standards of services in the field of education (Montenegro);
117. The following recommendations enjoy the support of Luxembourg, which considers that they are already implemented or in the process of implementation:
- 117.1 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Brazil);
- 117.2 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);
- 117.3 Recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims and other States parties for violations of the provisions of the Convention, in accordance with articles 31 and 32 (Uruguay);
- 117.4 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, and at the same time, make declarations stipulated in articles 31 and 32 of this instrument (France);
- 117.5 Strengthen efforts aimed at ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);
- 117.6 Accelerate, if possible, the process of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, scheduled, in principle, for 2014 (Spain);



- 117.7 Accelerate the process of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Tunisia);
- 117.8 Ratify the Optional Protocol to the Convention on the Rights of the Child (CRC) on a communications procedure (Thailand);
- 117.9 Ratify the Optional Protocol to CRC on a communications procedure and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);
- 117.10 Consider signing and/or ratifying the Rome Statute of the International Criminal Court (Ecuador);
- 117.11 Take necessary measures to hand in its national reports to CERD on time (Iran (Islamic Republic of));
- 117.12 Review its legislation in order to enact a law that criminalizes child pornography and child prostitution, in accordance with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Uruguay);
- 117.13 Address gaps in the legislation on the sexual exploitation of children (Norway);
- 117.14 Address the gaps in the legislation on sexual exploitation of children, including the lack of a clear definition of “child pornography” and “child prostitution” in Luxemburgish legislation (Canada);
- 117.15 Take the necessary measures to adapt its asylum system to the new requirements of international protection (Mexico);
- 117.16 Take the necessary measures to ensure that all persons born in Luxembourg obtain a nationality if otherwise they would become stateless, and regardless of the immigration status of their parents (Mexico);
- 117.17 Update the 1996 Action Plan to combat sexual exploitation of children and ensure its effective implementation, including monitoring and evaluation (Hungary);
- 117.18 Further promote education and training in the area of human rights (Nepal);
- 117.19 Bring the Official Development Assistance (ODA) up to the internationally committed 0.7 per cent of the Gross Domestic Product (GDP) (Bangladesh);
- 117.20 Maintain its ODA contributions up to the internationally-agreed level of 0.7 per cent (Egypt);
118. The following recommendations will be examined by Luxembourg, which will provide responses in due time, but no later than the twenty-third session of the Human Rights Council in June 2013:
- 118.1 Step up efforts to consider acceding to ILO Convention 189 (2011) concerning decent work for domestic workers (Philippines);
- 118.2 Consider reviewing its declaration regarding article 20 (2) of the International Covenant on Civil and Political Rights (Egypt);
- 118.3 Withdraw all its reservations to the Convention on the Rights of the Child (Slovakia);

- 118.4 Include “gender reassignment” as a ground for protection in domestic anti-discrimination legislation (United Kingdom of Great Britain and Northern Ireland);
- 118.5 Establish a formal procedure to improve compliance with the State obligation to protect stateless persons, in line with the Convention relating to the Status of Stateless Persons of 1954 (Guatemala);
- 118.6 Endeavour to enshrine in its legislation the good current practice of not placing unaccompanied minors in detention (State of Palestine);
- 118.7 Heed the recommendation of its Consultative Commission for Human Rights to introduce compulsory human rights training for civil servants and public employees (Slovenia);
- 118.8 Set up a programme of action for sexual education for all, starting from the level of elementary schooling (Slovenia);
- 118.9 Take into account and integrate in its National Action Plan for the Equality between Men and Women, the recommendations arising on this issue during this second UPR (Nicaragua);
- 118.10 Continue its positive engagement in promoting equality between women and men by speeding up its voluntary programmes designed to increase the number of women on decision-making bodies (Rwanda);
- 118.11 Strengthen measures aimed at combating discrimination against women and children, in particular those belonging to vulnerable groups and minorities (Algeria);
- 118.12 Ensure that existing statutes prohibiting gender discrimination are properly implemented and enforced, and augment, through effective implementation and enforcement, efforts to decrease the existing wage gap between women and men (United States of America);
- 118.13 Address persistent inequalities between women and men in the labour market (Burundi);
- 118.14 Continue efforts to bridge inequalities in employment on account of nationality (Sri Lanka);
- 118.15 Carry out information campaigns to prevent racist and xenophobic acts (Costa Rica);
- 118.16 Accelerate its fight against racism (Bangladesh);
- 118.17 Step up its efforts to fight against certain forms and manifestations of racism and xenophobia, urge high-ranking State officials to take clear position against these scourges, and take necessary measures to accelerate implementation of the law on the reception and the integration of foreigners (Tunisia);
- 118.18 Strengthen its appropriate and long-term measures against all forms of discrimination, intolerance and trafficking in persons, especially those targeting vulnerable groups (Vietnam);
- 118.19 Continue its efforts to ensure that all religious communities are treated without any discrimination (Morocco);
- 118.20 Continue efforts to combat discrimination through strengthening of national mechanisms (Nepal);

- 118.21 Strengthen measures to combat all forms of discrimination and other related forms of intolerance (Cuba);
- 118.22 Take legal measures in order to combat racist, xenophobic and Islamophobic acts and their manifestations (Iran (Islamic Republic of));
- 118.23 Take additional measures to counter all forms of racial discrimination and xenophobia (Kuwait);
- 118.24 Continue its efforts aimed at combating discrimination and intolerance (Malaysia);
- 118.25 Conduct information campaigns so as to familiarize the public and minority groups on the law and legislation relating to racial discrimination (Malaysia);
- 118.26 Continue efforts to prevent and eliminate all forms of violence against women (Senegal);
- 118.27 Continue efforts aimed at ending the exploitation of children through child prostitution and trafficking, and strengthen measures to fight violence against women and domestic violence (Libya);
- 118.28 Continue with its efforts undertaken to fight against trafficking of persons (Argentina);
- 118.29 Continue its efforts to end sexual abuse and sexual exploitation of children, in particular of unaccompanied asylum-seeking children (Sri Lanka);
- 118.30 Take effective measures to combat sexual exploitation of children and an increase of child prostitution (Belarus);
- 118.31 Strengthen its preventative anti-trafficking measures and continue to provide support services to victims, particularly for women and children (Australia);
- 118.32 Intensify its efforts to combat human trafficking and sexual exploitation, in particular women and children, in a comprehensive manner (Cambodia);
- 118.33 Further strengthen its national policies to combat sexual exploitation and trafficking in human beings (Cyprus);
- 118.34 Implement the regulations of the Act of 8 May 2009 on assistance to and the protection and security of victims of human trafficking (Canada);
- 118.35 Intensify strategies aimed at combating trafficking in women, especially those aimed at the sex trade (Holy See);
- 118.36 Take effective measures to implement the National Plan of Action (NPA) adopted in 1996, to combat and prevent Child Prostitution, Child Pornography and also trafficking of children for commercial sexual exploitation (Iran (Islamic Republic of));
- 118.37 Increase available prison facilities to reduce overcrowding and ensure adequate capacity to enforce prison sentences (United States of America);
- 118.38 Continue its efforts aimed at reducing overpopulation in prisons and at combating unhealthy conditions in detention, and in this regard, provide necessary financial resources to the penitentiary service (Morocco);

- 118.39 Take measures to reduce the detention time for foreigners under expulsion order as much as possible (Norway);
- 118.40 Continue its efforts to improve conditions for detention of minors, in particular, set up, as quickly as possible, the security unit of the socio-educational centre of Dreiborn (France);
- 118.41 Put in place alternative solutions to the detention of migrants (Togo);
- 118.42 Prohibit in all circumstances the detention of migrants who are still minors (Togo);
- 118.43 Vigorously prosecute and pursue jail sentences for convicted trafficking offenders and support prosecution efforts by finalizing the March 2009 protection law (United States of America);
- 118.44 Ensure that family reunification takes place without undue delay (Bangladesh);
- 118.45 Intensify strategies aimed at social and family integration of minors detained in the disciplinary section for minors of the Penitentiary Centre (Holy See);
- 118.46 Adopt and comprehensively implement the draft law on the marriage among same-sex persons (Netherlands);
- 118.47 Complete the ongoing discussions on the conclusion of an agreement with the Muslim community in Luxembourg, as has been done with the other religions (Kuwait);
- 118.48 Intensify the dialogue with religious minorities with a view to fostering a better understanding of peaceful coexistence and religious tolerance (Libya);
- 118.49 Take further measures to redress inequality in job opportunities and social welfare (China);
- 118.50 Strengthen measures aimed at improving equal opportunities in the employment area, especially for foreigners (Libya);
- 118.51 Consider instituting programmes to further facilitate migrants' access to basic social services and just conditions of work (Philippines);
- 118.52 Increase its efforts to combat racism, intolerance and discrimination through awareness-raising, information, education and follow-up campaigns addressed to the whole society, and adopt effective measures to combat unemployment among migrants, refugees and asylum seekers (Ecuador);
- 118.53 Ensure that foreign nationals residing in Luxembourg fully enjoy social benefits like other citizens of Luxembourg do (Burundi);
- 118.54 Consider adopting a structural resettlement programme for asylum seekers (Poland);
- 118.55 Intensify strategies aimed at respecting life from conception to its natural death (Holy See);
- 118.56 Consider the development of a system of reception centres where asylum seekers with serious medical conditions and disabilities can benefit from the presence of dedicated expert staff (Poland);

- 118.57 Take better consideration of the wishes of the child in pursuit of his/her education after the basic school cycle (Cape Verde);
- 118.58 Further develop the multi-lingual approach by which foreign-language children are enabled to keep in touch with their mother tongue while learning Luxemburgish, French and German (Portugal);
- 118.59 Implement the national action plan for persons with disabilities (Iran (Islamic Republic of));
- 118.60 Strengthen its National Plan on Disability, so that people with disabilities have progressively access to a wider array of services, which would provide them with greater independence (Costa Rica);
- 118.61 Put in place policies on accessibility for persons with disabilities with a view to allow them to be more active members of the society, including in the labour market (Canada);
- 118.62 Revise the 2009 Primary School Reform Bills, so that mainstream schools can better accommodate the needs of pupils with a disability (Slovakia);
- 118.63 Ensure that all victims of trafficking, regardless of their immigration status, have access to care, rehabilitation and assistance programmes (Mexico);
- 118.64 Promote measures aimed at protection and support of the institute of family (Belarus);
- 118.65 Ensure the protection of refugees, migrants and their families in full compliance with international standards (Belarus);
- 118.66 Take the necessary measures to ensure that asylum seekers have the necessary support in the temporary accommodation centres for foreigners and incorporate in the legislation the current good practice of having an open regime for unaccompanied minors and persons in situation of vulnerability, as recommended by OHCHR (Spain);
- 118.67 Take the necessary measures to eliminate all forms of discrimination against the immigrant population and step up its efforts to reduce the level of school failure among this population, especially through the creation of two educational tracks, one in French and other Romance languages and one in Germanic languages (Spain);
- 118.68 Continue to strengthen the institutional structures and support measures in order to attend to the needs of groups of persons in vulnerable conditions (Chile);
- 118.69 Continue with its fight against discrimination suffered by minorities (Argentina);
- 118.70 Consider allocating adequate resources and staff to meet the challenge posed by the increasing number of asylum applications as part of its efforts to improve the process of consideration and reception of migrants and asylum seekers (Thailand);
- 118.71 Take necessary steps to provide basic rights for migrants and asylum seekers (Iran (Islamic republic of));
- 118.72 Take all necessary steps to accelerate the enforcement of the law regarding the acceptance and integration of foreigners (Montenegro);

- 118.73 **Continue to take all necessary measures to preserve an overall positive image of refugees and asylum-seekers (State of Palestine);**
- 118.74 **Take the measures necessary to accelerate the application of the law on the reception and integration of foreigners (Togo);**
- 118.75 **Consider the possibility of increasing the rate of accepted asylum applications, reducing the administrative and regulatory obstacles that prevent the acceptance of a higher number of asylum applications; and also consider increasing the acceptance of applications for solidarity resettlement of refugees recognized as entitled to this status, in particular those who arrive from the South (Ecuador);**
- 118.76 **Continue its efforts in combating money laundering and financing of terrorism (Sri Lanka);**
119. **The recommendations below were noted by Luxembourg:**
- 119.1 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Cambodia, Indonesia, Sri Lanka, Turkey);**
- 119.2 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Belarus, Cape Verde, Chile Egypt, Guatemala);**
- 119.3 **Step up efforts to consider acceding to ICRMW (Philippines);**
- 119.4 **Consider signing and/or ratifying the ICRMW (Ecuador);**
120. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

### **III. Voluntary pledges and commitments**

121. Luxembourg undertakes to submit an interim report in 2015 on the progress made in the implementation of the recommendations of the universal periodic review to the Human Rights Council.

## Annex

*[English/French only]*

### **Composition of the delegation**

The delegation of Luxembourg was headed by His Excellency, Nicolas Schmit, Ministry of Labour and Immigration and composed of the following members:

- Monsieur Jean-Marc Hoscheit, Ambassadeur, Représentant permanent du Grand-Duché de Luxembourg auprès de l'Office des Nations Unies à Genève;
  - Monsieur Claude Janizzi, Conseiller de Direction de première classe, Coordinateur des droits de l'enfant, Ministère de la famille et de l'intégration, Luxembourg;
  - Monsieur Jean-Paul Reiter, Conseiller de Direction de première classe, Ministère des affaires étrangères, Luxembourg;
  - Monsieur Vincent Sybertz, Directeur f.f., Centre de rétention, Luxembourg;
  - Monsieur Daniel Da Cruz, Représentant permanent adjoint du Grand-Duché de Luxembourg auprès de l'Office des Nations Unies à Genève;
  - Monsieur Laurent Thyès, Attaché de Gouvernement, Ministère de la justice, Luxembourg;
  - Monsieur Alex Riechert, Secrétaire de Légation, Ministère des affaires étrangères, Luxembourg;
  - Madame Louise Bonneville, Stagiaire, Mission permanente du Grand-Duché de Luxembourg auprès de l'Office des Nations Unies à Genève.
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