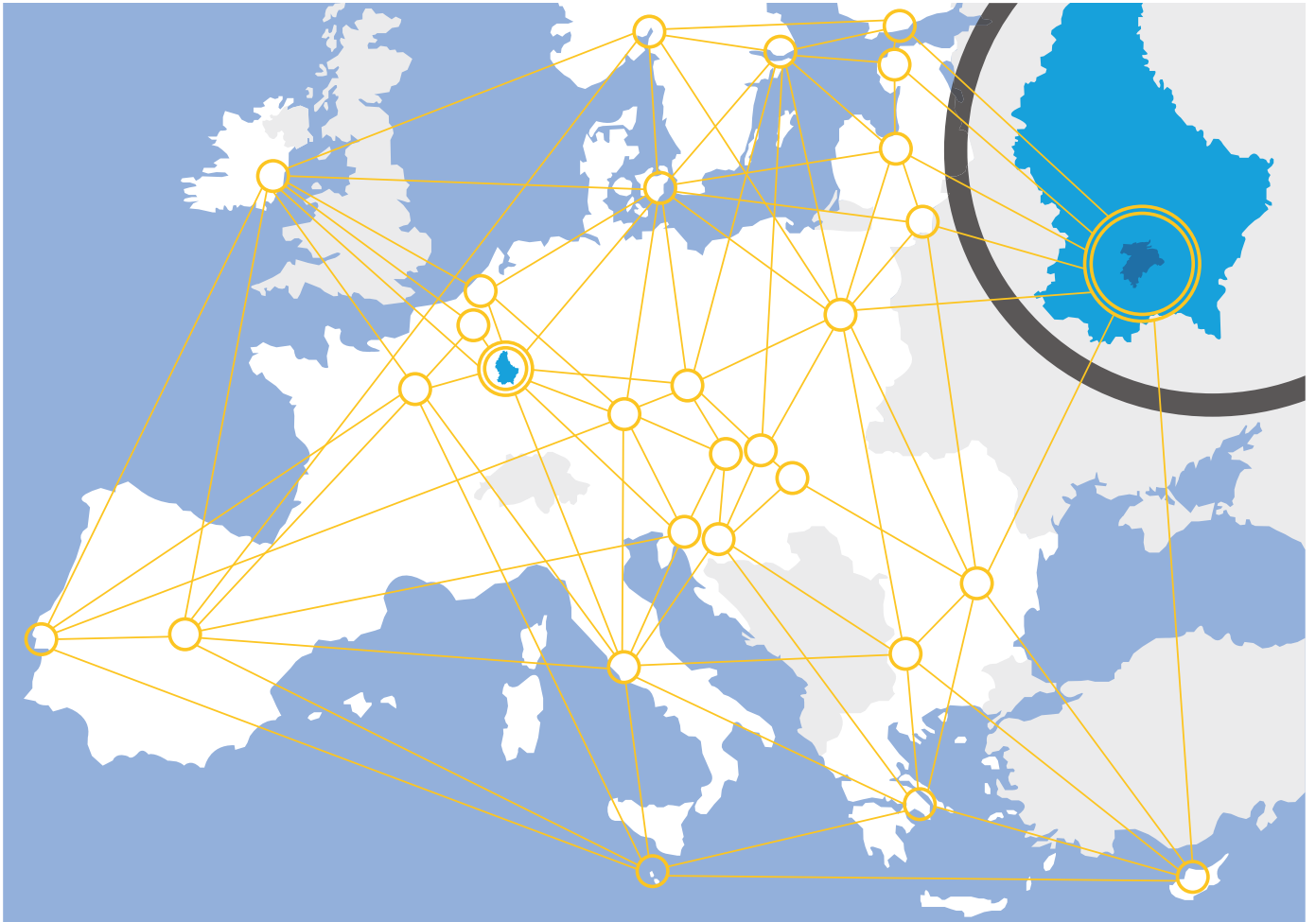


EMN

European Migration Network



LËTZEBUERG



2022 ANNUAL REPORT ON MIGRATION AND ASYLUM

SUMMARY

The Annual Report on Migration and Asylum presents the statistical trends and latest developments in migration, asylum and integration, changes in legislation or policies, and it traces significant national debates, which occurred in Luxembourg during the year 2022. Special attention will be paid to the migratory impact of the Russian invasion of Ukraine in Luxembourg.

Legislative developments

Some of the most notable changes and debates in Luxembourg in the fields of migration and asylum during the year 2022 were of legislative nature. Several of the passed laws, namely the Law of 1 April 2022, the Law of 10 May 2022, and the Law of 26 October 2022, are dealing with manifold aspects of the intake of beneficiaries of temporary protection coming from Ukraine.

The Law of 23 December 2022 extends the deadline for the recovery of the Luxembourgish nationality (as the applicants were unable to sign their recovery declaration because of Covid-19 related travel restrictions).

The Law of 22 July 2022, which amends the Electoral Law of 2003, significantly impacts the foreign population as it gives voting rights to foreigners residing in Luxembourg for less than five years.

Table 1 provides an overview over the bills that were passed in 2022 and the respective sections of the report in which these legislative developments are discussed in detail.

Table 1: Overview over passed laws in the field of migration in Luxembourg in 2022

TITLE	CONTENT	ENTRY INTO FORCE	SECTION
Law of 1 April 2022	Supporting the recruitment of educational staff to handle the large influx of Ukrainian refugee children.	1 April 2023	2.1.3.4
Law of 10 May 2022	Modifying Articles 1 and 32 of the Social Security Code to enable BTPs to join the compulsory health insurance scheme and have medical expenses paid directly by the National Health Fund	10 May 2022	2.1.3.2
Law of 8 July 2022	Creating a secondary school in Luxembourg and amending the law of 17 December 2021 concerning the state revenue and expenditure budget for the 2022 financial year.	15 September 2022	5.1.3
Law of 22 July 2022	Amending the amended electoral Law of 18 February 2003 to enable passive and active voting rights for foreigners in municipal elections	29 July 2022	6.1.2.1

Law of 26 October 2022	Rapid recruitment of health professionals for BTPs	28 October 2022	2.1.3.2
Law of 23 December 2022	Extending the duration of the mandates of members of the National Council for Foreigners (CNE) from five to seven years	1 January 2023	6.1.2.2 7.1
Law of 23 December 2022	Extension of time limit to apply for recovery of Luxembourgish nationality.	1 January 2022	7.1

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One of the most outstanding legislative developments is the completion of the revision of the Luxembourgish Constitution. This concludes a process which stretched over several decades and which entailed manifold discussions, debates, and exchanges with different national stakeholders. The new approved Constitution is a modern instrument, striving to meet the needs of today's society. Table 2 below gives an overview over how this process has been split up in four proposals for revision, which each entail one or several chapters of the Constitution. For the sake of completeness all four proposals for revision are listed. This report will, however, only take a closer look at the two proposals for revision, which bear relevance for this report.

Table 2: Overview over the Revision of the Constitution

TITLE	CONTENT	ENTRY INTO FORCE	SECTION
Proposal for revision 7575 Law of 17 January 2023	Proposed revision of Chapter VI of the Constitution Revision of Chapter VI of the Constitution	1 July 2023	-
Proposal for revision 7700 Law of 17 January 2023	Proposed revision of Chapters I, II, III, V, VII, VIII, IX, X, XI and XII Revision of Chapters I, II, III, V, VII, VIII, IX, X, XI and XII	1 July 2023	6.1.1.1
Proposal for revision 7755 Law of 17 January 2023	Proposed revision of Chapter II of the Constitution Revision of Chapter II of the Constitution	1 July 2023	4.2.1
Proposal for revision 7777 Law of 17 January 2023	Proposed revision of Chapters IV and Vbis of the Constitution Revision of Chapters IV and Vbis of the Constitution	1 July 2023	-
Constitution of the Grand Duchy of Luxembourg		1 July 2023	-

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Several Bills, such as 7982 and 8035, are concerned with issues related to Beneficiaries of Temporary Protection from Ukraine.

Bill 7954, which amends the amended Law of 29 August 2008 on the free movement of persons and immigration (“Immigration Law”) structures the removal of third-country nationals from the territory and regulates residence permits for private reasons.

Bill 8014 deals with the detention criteria relating to the risk of absconding applicants for international protection who fall within the scope of the Dublin III Regulation.

Bills 7977 and 8069 are about different aspects in the field of education: Bill 7977 intends to make education mandatory until 18 years, thus also affecting third-country nationals in Luxembourg, and Bill 8069 shall give a legal basis to the new integration and reception service and to school integration measures.

As part of the fight against racism, Bill 8032 shall complement the Penal Code by introducing aggravating circumstances for discriminatory motives

Table 3: Overview over the relevant bills in the field of migration in Luxembourg in 2022

Title	Introduced to Parliament	Content	Status as of 31 May 2022	Section
Bill 7877	2 September 2021	Abolishment of the 5-year residency clause on active and passive voting rights in municipal elections for EU- and third-country nationals	Approved, became Law of 22 July 2022	6.1.2.1
Bill 7954	19 January 2022	Amending the amended Law of 29 August 2008 on the free movement of persons and immigration to structure the removal of third-country nationals from the territory and to regulate residence permits for private reasons	Voted by Parliament on 8 March 2023,	3.7 9.2.2
Bill 7977	10 March 2022	On the right to education and making education mandatory until 18 years	Subject to assessment by parliamentary commissions	5.1.2.2
Bill 7982	23 March 2022	Modifying Articles 1 and 32 of the social security code	Approved, became Law of 10 May 2022	2.1.3.2
Bill 8012	30 May 2022	Creation of a new legal base for the National Institute of Languages Luxembourg	Approved, became Law of 8 March 2023	6.5.2.1

Bill 8014	30 May 2022	Amending the amended Law of 18 December 2015 on international protection and temporary protection.	Subject to assessment by parliamentary commissions	4.2.2 9.4.2
Bill 8032	20 June 2022	Complementing the Penal Code by introducing an aggravating circumstance for offenses based on discriminatory and racist motives (as per Article 454 of the Penal Code)	Approved; became Law of 28 March 2023	6.8.1
Bill 8035	29 June 2022	Rapid recruitment of health professionals for BTPs	Approved; became Law of 26 October 2022	2.1.3.2
Bill 8069	2 September 2022	Replacement of SECAM-CASNA with a newly created school and integration service (SIA) and systematic support for newly arrived students in public education institutions	Subject to assessment by parliamentary commissions	5.1.2.1
Bill 8106	29 November 2022	Extending the duration of the mandates of members of the CNE from five to seven years	Approved; became Law of 23 December 2022	6.1.2.2
Private member's Bill 8028	9 June 2022	On family reunification amending the amended law of 29 August 2008 on the free movement of persons and immigration	Subject to assessment by parliamentary commissions	3.5.2

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Responses to the influx of persons fleeing the war in Ukraine

The Government launched a One-Stop-Shop (*Guichet unique- enregistrement Ukraine*) in the centre of Luxembourg City to facilitate the TP-registration process.¹ Luxembourg decided to extend temporary protection until 4 March 2024.²

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LIST OF ABBREVIATIONS

ABBL	Luxembourg's Bankers Association (<i>Association des Banques et Banquiers, Luxembourg</i>)
ACAT	Action by Christians for the abolition of torture Luxembourg (<i>Action des chrétiens pour l'abolition de la torture Luxembourg</i>)
ACCU	Welcome Class (<i>Classe d'accueil</i>)
ADEM	National Employment Agency (<i>Agence pour le développement de l'emploi</i>)
AIP	Applicant for international protection
AMIF	Asylum, Migration and Integration Fund
ASTI	Association for the Support of Immigrant Workers (<i>Association de Soutien aux Travailleurs Immigrés</i>)
BIP	Beneficiary of international protection
BPVL	Passport, Visa and Legalisation Office (<i>Bureau des passeports, visas et légalisations</i>)
BTP	Beneficiary of Temporary Protection
CAE	Employment Support Contract (<i>Contrat d'appui-emploi</i>)
CAI	Welcome and Integration Contract (<i>Contrat d'accueil et d'intégration</i>)
CAP	Provisional Reception Facility (<i>Centre d'accueil provisoire</i>)
CASNA	School Service for Newly Arrived Pupils (<i>Cellule d'Accueil Scolaire pour Elèves Nouveaux Arrivants</i>)
CCCI	Municipal Advisory Committee on Integration (<i>Commission consultative communale d'intégration</i>)
CCDH	Consultative Commission on Human Rights (<i>Commission consultative des Droits de l'Homme</i>)
CCP	Vocational Capacity Certificate (<i>Certificat de Capacité Professionnelle</i>)
CCSS	Social Security Office (<i>Centre commun de la sécurité sociale</i>)
CSS	Social Security Code (<i>Code de la sécurité sociale</i>)
CEFIS	Centre for Intercultural and Social Studies and Training (<i>Centre d'Etude et de Formation Interculturelles et Sociales asbl</i>)
CIMM	Isolation Centre for migrant patients (<i>Centre d'isolement des migrants malades</i>)
CLAE	Liaison Committee of Organisations of Foreigners (<i>Comité de liaison des associations d'étrangers</i>)
CLIJA	Integration class for young adults aged 16 to 17 years (<i>Classe d'intégration de jeunes adultes</i>)
CLIJA+	Integration class for young adults aged 18 to 24 years (<i>Classe d'intégration de jeunes adultes +</i>)
CNDS	National Committee for Social Defense (<i>Comité National de défense sociale</i>)
CNE	National Council for Foreigners (<i>Conseil National pour étrangers</i>)
CNS	National Health Fund (<i>Caisse nationale de santé</i>)
CPA	Initial Reception Centre (<i>Centre de primo-accueil</i>)
CRC	UN Committee on the Rights of the Child
CUSS	Universal Health Care (<i>Couverture universelle des soins de santé</i>)
DAES	Access to Higher Education Diploma (<i>Diplôme d'accès aux études supérieures</i>)
DPA	Initial Reception Facility (<i>Dispositif de primo-accueil</i>)
CJEU	European Court of Justice
ECPAT	End Child Pornography and Trafficking of Children for Sexual Purposes
ECRIS	European Criminal Records Information System
EEA	European Economic Area
EES	Entry-Exit System
EFID	Excellence Foundation for Integration and Development
EIB	European Investment Bank
EIGT	Gaston Thorn International School (<i>École Internationale Gaston Thorn</i>)
EMN	European Migration Network
ENAD	National school for adults (<i>Ecole nationale pour adultes</i>)
ETIAS	European Travel Information and Authorisation System
EU	European Union
EUAA	European Union Agency for Asylum
FED	Women in distress (<i>Femmes en detresse</i>)
FMPO	Fondation de la Maison Porte Ouverte
FRA	European Union Agency for Fundamental Rights
Frontex	European Border and Coast Guard Agency

GRESIL	Local Integration Exchange and Support Group (<i>Groupe d'échange et de soutien en matière d'intégration au niveau local</i>)
HORECA	Hotels, Restaurants & Catering Sector
IBM	Integrated Border Management
IFEN	Institute of National Education Formation (<i>Institut de formation de l'Education nationale</i>)
IGSS	General Inspectorate of Social Security (<i>Inspection générale de la sécurité sociale</i>)
ISCO	International Standard Classification of Occupations (<i>Classification internationale type des professions - CITP</i>)
ICT	Intra-corporate transfer
IL	Linguistic Integration (<i>Intégration linguistique</i>)
IMS	Inspiring More Sustainability Network
INL	National Language Institute (<i>Institut national des langues Luxembourg</i>)
IOM	International Organisation for Migration
ITM	Inspectorate of Labour and Mines (<i>Inspection du Travail et Mines</i>)
LFR	Luxembourg Refugee Council (<i>Lëtzebuurger Flüchtlingsrot</i>)
LISER	Luxembourg Institute of Socio-Economic Research
LISKO	Luxembourg Centre for Integration and Social Cohesion (<i>Lëtzebuurger Integratiouns- a Sozalkohäsiounscenter / Lëtzebuurger Integratiouns- a Sozalkohäsiounscenter</i>)
LU EMN ARM	Annual Report on Migration and Asylum of the EMN Luxembourg
MAEE	Ministry of Foreign and European Affairs (<i>Ministère des Affaires Étrangères et Européennes</i>)
MENEJ	Ministry of Education, Children and Youth (<i>Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse</i>)
MIFA	Ministry of Family Affairs, Integration and the Greater Region (<i>Ministère de la Famille, de l'Intégration et à la Grande Région</i>)
NATO	North Atlantic Treaty Organization
NGDO	Non-Governmental Development Organisation
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Cooperation and Development
OKaJu	Ombudsman for children and youngsters (<i>Ombudsman fir Kanner a Jugendlecher</i>)
OLAI	Luxembourgish Reception and Integration Office (<i>Office luxembourgeois de l'accueil et de l'intégration, now ONA</i>)
ONA	National Reception Office (<i>Office National de l'accueil</i>)
OSCE	Organization for Security and Co-operation in Europe
ONE	National Office for Children (<i>Office National de l'enfance</i>)
OTI	Compensated temporary occupation (<i>Occupation temporaire indemnisée</i>)
PAN (Integration PAN)	Multi-Annual National Action Plan for Integration (<i>Plan d'Action National d'intégration</i>)
PCI	Communal Integration Plan (<i>Plan communal intégration</i>)
PIA	Accompanied Integration Pathway (<i>Parcours d'intégration accompagné</i>)
PRR	Plan for Recovery and Resilience
PvZ	Pact of Living Together (<i>Pakt vum Zesummeliewen</i>)
RECAMAS	Return Case Management System
REVIS	Social inclusion income (<i>Revenu d'Inclusion Sociale</i>)
RIAL	Research and information on anti-Semitism in Luxembourg (<i>Recherche et information sur l'antisémitisme au Luxembourg</i>)
RNPP	National Registry of Natural Persons (<i>Registre national des personnes physiques</i>)
RYSE	Refugee Youth Support and Empowerment
SECAM	Department for the schooling of foreign children (<i>Service de la scolarisation des enfants étrangers</i>)
SFA	Adult Education Service (<i>Service de la formation des adultes</i>)
SHTDPI	Temporary Reception Facilities for applicants for international protection (<i>Structure d'hébergement temporaire pour Demandeurs de Protection Internationale</i>)
SHUK	Semi-open return facility (<i>Structure d'hébergement d'urgence au Kirchberg</i>)
SIA	School Integration and Reception Service (<i>Service de l'Intégration et de l'Accueil scolaire</i>)
SIGI	Intermunicipal Union for IT Management (<i>Syndicat Intercommunal de Gestion informatique</i>)
SIV-PIA	Information sessions on life in Luxembourg (<i>Séances d'Information sur la Vie au Luxembourg (SIV) dans le cadre du Parcours d'Intégration Accompagné</i>)
STATEC	National Institute for Statistics and Economic Studies (<i>Institut national de la statistique et des études économiques du Grand-Duché de Luxembourg</i>)
Syvicol	Association of Luxembourgish Cities and Municipalities (<i>Syndicat des Villes et Communes Luxembourgeoises</i>)

TCN	Third-country national
TPD	Temporary Protection Directive (2001/55/EC of 20 July 2001)
UAM	Unaccompanied minor
UAM Commission	Consultative Commission on the Evaluation of the Best Interest of Unaccompanied Minors (<i>Commission consultative d'évaluation de l'intérêt supérieur des mineurs non accompagnés</i>)
UK	United Kingdom
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
VHT	Victim of human trafficking
WP	Work permit (<i>Autorisation de travail, AT</i>)

PREFACE

The opinions and interpretations expressed in this report belong exclusively to their authors. They do not necessarily reflect the positions of the Ministry of Foreign and European Affairs, nor of the Ministry of Family Affairs, Integration and the Greater Region.

The present report was written by the National Contact Point in Luxembourg within the European Migration Network (EMN_Luxembourg³), namely by Nicole Holzapfel-Martin, Adolfo Sommarribas, Ralph Petry, Zane Rozenberga, and Roxane Schwandt under the supervision of the Prof. Dr. Birte Nienaber. We are grateful for the ongoing and valuable support of Sylvain Besch of the Centre for Intercultural and Social Study and Training (CEFIS), Pietro Lombardini of the National Reception Office (ONA), Anne Koch and Christiane Martin of the Directorate of Immigration (Ministry of Foreign and European Affairs), Pascale Millim and Lisa Schuller of the Ministry of Justice, Dr. Jacques Brosius, Dr. Pierre Weiss, and Anna Kirsch of the Department of Integration (Ministry of Family Affairs, Integration and the Greater Region), and François Peltier of the National Institute for Statistics and Economic Studies (STATEC).

METHODOLOGY

The level of significance of events was determined by applying the following criteria:

- Impact of political discussions accompanying the respective legislative processes;
- Media coverage;
- Number and type of involved actors (non-governmental organisations, trade unions, political parties, deputies, parliamentary groups, media, members of government, etc.).

The sources of information used were:

Primary sources

- National and European legislation;
- Parliamentary documents (bills introduced to parliament, opinions of various stakeholders on draft laws, etc.);
- Publications by national governmental and non-governmental experts;
- Publications by non-governmental organisations active in the field of migration and asylum;
- Parliamentary debates and questions;⁴
- Relevant internet sites (ministries, non-governmental organisations, etc.);

- Database on administrative case law of administrative jurisdictions.⁵

Secondary sources

- Luxembourgish media, such as main daily and weekly newspapers of Luxembourg;
- Reference documents such as studies and activity reports from various stakeholders (ministries, public institutions etc.), which have fed discussions on asylum and migration policies in Luxembourg;
- Commentaries by non-governmental organisations;

Tertiary sources

- EMN Asylum and Migration Glossary 7.0⁶

TERMINOLOGY AND DEFINITIONS

The usage of all terms, except when they are used in the national context, is in accordance with the definitions provided by the Asylum and Migration Glossary 7.0 of the European Migration Network.⁷

When terms are used in national context, they are defined by national legislation; for instance the definition of *temporary protection*:

“The temporary protection status is a specific protection status activated at European level for persons having fled the war in Ukraine. It is available to persons who resided in Ukraine before 24 February 2022 and who arrived in Luxembourg since 24 February 2022, or shortly before.

It applies to Ukrainian nationals and their family members, but also to nationals of third countries other than Ukraine who have resided in Ukraine if they are unable to return in safe and durable conditions to their country or region of origin.”⁸

For additional information, please refer to the corresponding section in LU NCP ARM 2021 pt. 2.

1. DEMOGRAPHIC DEVELOPMENTS

AT A GLANCE

- On 1 January 2023, Luxembourg had **660 809 residents**, which equals a net change of its population of +15,412 compared to January 1, 2022.
- Luxembourg's **overall migratory balance amounts to +14,206 people** in 2022 consisting of: +12 149 third-country nationals, +3 748 foreign EU citizens and -1,691 Luxembourg nationals.
- As of January 1, 2023, the **share of foreigners** in the country was 47,4%. The foreign population consisted of 245 753 EU citizens (78,4%) and 67 654 third-country nationals (21,6%).

On 1 January 2023, Luxembourg had 660 809 residents, that is 347 402 Luxembourgers (52,6%) and 313 407 foreigners (47,4%). During the year 2022, the overall population of the Grand Duchy increased by 2,4%.⁹

1.1.1.1 Net population change

The net change of the population of Luxembourg in 2022, that is, the sum of the natural population change (difference between births and deaths) and the net migration (difference between number of immigrants and emigrants), was 15 412 people. More specifically, this corresponds to a relative growth of Luxembourg nationals of 1,8%, of third-country nationals of 16,1% and a slight decrease of citizens of the European Union (EU) of -0,1%.⁴⁰ These figures were established on the basis of data from the National Register of Natural Persons (RNPP). The migratory surplus and the natural increase of the population have been the subject of a statistical adjustment taking into account write-offs which are not reflected in births, deaths and migrations.¹⁰

1.1.1.2 In- and out migrations

In 2022, out of a total of 31 433 arrivals (25 335 in 2021), 47,5% can be attributed to EU citizens, 47,5% to third-country nationals and 5,0% to nationals Luxembourgers. The 17 227 departures from Luxembourg (15 959 in 2021), consisted of 64,8% EU citizens, 16,2% third-country nationals and 19,0% Luxembourg nationals.

Net migration was largely positive for third-country nationals (+12 149, compared to +5 360 in 2021) and EU citizens (+3 748, compared to 5 502 in 2021) but negative for Luxembourgers as already the case in 2021 (-1 691, -1 486 in 2021). When set against 2021, the migratory surplus increased by 29,6% and amounted to + 14 206 (9 376 in 2021).¹¹

1.1.1.3 Composition of population

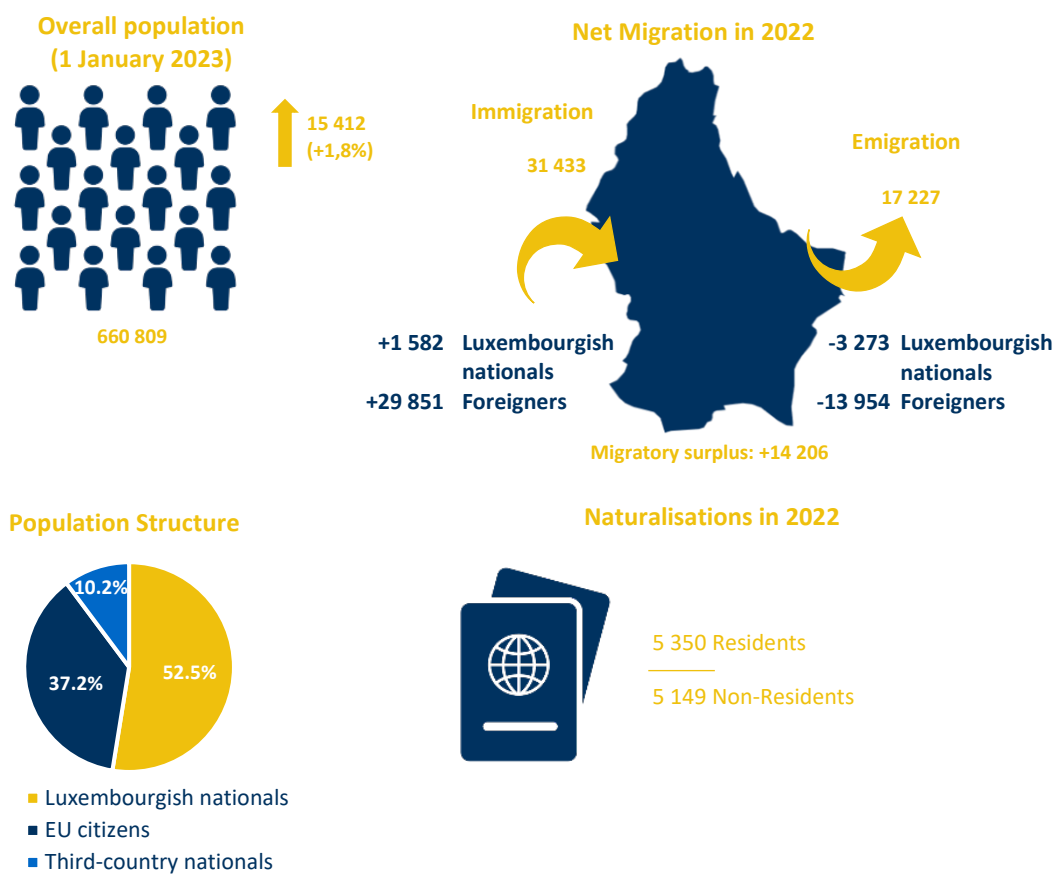
With a share of 47.4% of the total population, the proportion of foreigners in the country has remained relatively stable compared to 2021 (+0,3%). On 1 January 2023, 313 407 foreigners resided in Luxembourg, of which 245 753 were EU citizens (78,4%, compared to 80,8% in 2021) and 67 654 third-country nationals (21,6% compared to 19,2% in 2021). Third-country nationals represented 10,2% of

the total population (9,0% in 2021) and the top five foreign nationalities residing in Luxembourg were EU citizens (from Portugal, France, Italy, Belgium, and Germany).¹²

1.1.1.4 Top five third-country nationalities in Luxembourg

As of 1 January 2023, Ukrainians form the largest group of third-country nationals in Luxembourg. While they were not listed in the top five in 2021, 5 238 Ukrainians were recorded in Luxembourg on 1 January 2023. They are ahead of Indian nationals (4 657) who were only in third position in 2021 and Chinese nationals (4 295) who then occupied first place. British nationals have fallen from 2nd to 4th place (3 924 residents) and are ahead of the Syrians who are in 5th place (3 231). Brazilians dropped one position to place six with 3 050 nationals.¹³

Figure 1: Demographic developments in 2022



Source: STATEC, CTIE 2023 © EMN Luxembourg 2023

Table 4: Top five third-country nationalities in Luxembourg as of 1 January 2023

Nationality	Number as of				Number as of	% of total population as of
	1 January 2019	1 January 2020	1 January 2021	1 January 2022		
Ukrainian	912	980	1 007	1 075	5 238	0.8
Indian	2 331	2 804	3 125	3 777	4 657	0.7
Chinese	3 714	3 925	3 999	4 142	4 295	0.6
UK	(5 766)	(5 317)	4 561	4 104	3 924	0.6
Syrian	1 933	2 266	2 535	2 696	3 231	0.5

Source: STATEC, CTIE 2023 © EMN Luxembourg 2023

Table 5: Top 20 foreign nationalities residing in Luxembourg as of 1 January 2023

Nationality	Number as of 1 January 2023	% of total population
Portugese	92101	13,9
French	49104	7,4
Italian	24676	3,7
Belgian	19205	2,9
German	12678	1,9
Spanish	9068	1,4
Romanian	6625	1,0
Ukrainian	5238	0,8
Polish	5130	0,8
Indian	4657	0,7
Chinese	4295	0,6
Greek	4268	0,6
Dutch	3956	0,6
British	3924	0,6
Syrian	3231	0,5
Brazilian	3050	0,5
Montenegrin	2806	0,4
Cap-Verdean	2488	0,4
Irish	2372	0,4
Russian	2216	0,3

Source: STATEC, CTIE 2023 © EMN Luxembourg 2023

2. RESPONSES TO THE INFLUX OF PERSONS FLEEING THE WAR IN UKRAINE

AT A GLANCE

- **Luxembourg grants temporary protection to** persons who fled the war in Ukraine and who resided in Ukraine before 24 February 2022 and who arrived in Luxembourg since 24 February 2022, or shortly before. **It also extended TP to third-country nationals residing in Ukraine before 24 February 2022** who are unable to return to their country of origin in safe and sustainable conditions
- Luxembourg **launched a One-Stop-Shop** called “*Guichet unique- enregistrement Ukraine*” in the centre of Luxembourg City to facilitate the TP-registration process
- Luxembourg **extended temporary protection until 4 March 2024**

2.1 Temporary protection for persons fleeing the war in Ukraine

Distribution of information for Ukrainians

On 3 March 2022, the Ministry of Foreign and European Affairs (MAEE) communicated first information for already arrived and arriving Ukrainian refugees in Luxembourg. This included information on how to register for temporary protection in Luxembourg, the temporary protection status, initial reception facilities, COVID-19-measures, as well as information for private support initiatives.¹⁴

The MAEE created a page on its official website for Ukrainian refugees arriving in Luxembourg, available in [Ukrainian](#), [English](#), and [French](#),¹⁵ as well as a website for FAQs.¹⁶ Additional information was made also available on the Government’s information portal [guichet.lu](#).¹⁷

2.1.1 Legislative and policy developments since 4 March 2022

2.1.1.1 Implementation

Temporary protection is granted to persons who fulfil the following conditions:

- They must have resided in Ukraine before 24 February 2022
- They must have left Ukraine shortly before, on, or after 24 February 2022.

Temporary protection might not be granted if there are serious concerns that persons might have committed:

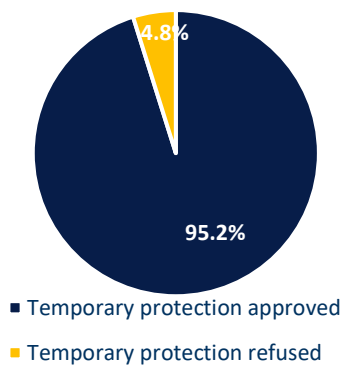
- a crime against peace, a war crime or a crime against humanity, as defined in the international instruments drawn up to make provision in respect for such crimes;

- a serious crime under ordinary law outside the Grand Duchy of Luxembourg before being admitted as beneficiaries of temporary protection;
- or if they have been convicted of acts contrary to the purposes and principles of the United Nations.¹⁸

If the above listed conditions for granting temporary protection are met, the applicant is granted a temporary protection certificate, however this certificate does not confer the right of residence. Beneficiaries of temporary protection (BTPs) may also renounce their protection at any time if they wish to return voluntarily to their country of origin or to move to another country.¹⁹

On 31 December 2022, 5 397 requests for temporary protection have been submitted to the Immigration Directorate of the MAEE. Temporary protection has been granted to 5 087 people and 259 people were refused, which translates to an approval rate of 95%²⁰ (see Figure 2).

Figure 2: Approval rate of temporary protection decisions



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Table 6 describes the evolution of requests for temporary protection in Luxembourg by month in 2022.

Table 6: Registrations for temporary protection received March to December 2022²¹

2022	Total registrations received	Total requests	Requests for Luxembourg withdrawn
March	3 963	955	9
April	1 169	1 759	34
May	625	1 177	114
June	223	452	275
July	277	227	9
August	298	184	6
September	196	202	1 094
October	182	157	1
November	160	131	n/i
December	139	153	n/i
Total	7 232	5 397	1 542

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Table 7 gives a more detailed overview on the requests for temporary protection and the outcomes of the decision process throughout 2022.

Table 7: Requests for, approvals and refusals of temporary protection according to nationality

Nationality	Temporary protection requests	of which minors	Temporary protection status granted	Temporary protection refused
Ukraine	5 039	1 715	4 915	89
Algeria	29	0	24	0
Russia	20	0	19	0
Cameroon	32	0	17	15
Syria	0	0	8	0
Iraq	10	0	7	0
Georgia	12	0	7	5
Nigeria	52	0	6	40
Morocco	26	0	6	19
Armenia	10	0	6	0
<i>Other</i>	167	13	16	91
Total	5 397	1 728	5 031	259

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Extension of eligibility-categories of people who can register for temporary protection

Council Decision 2022/382 of 4 March 2022 defines to whom Member States may extend temporary protection. Accordingly, Member States may grant temporary protection to Ukrainian and third-country nationals who fled Ukraine not long before 24 February 2022 or who found themselves in EU territory just before 24 February 2022. Third-country nationals and stateless persons need to prove

that they were legally residing in Ukraine before 24 February 2022 (based on a valid permanent residence permit), and that they are unable to return to their country of origin in safe and sustainable conditions.²²

On 4 March 2022, Luxembourg included persons whose residence permit was about to expire or who stayed in Luxembourg on a short-term permit (in principle limited to 90 days).²³ On 18 March 2022, it also extended TP to other individuals who are unable to return to their country of origin in safe and sustainable conditions – including stateless persons and nationals of third-countries other than Ukraine, who were lawfully residing in Ukraine, i.e. without requiring them to present a permanent residence permit.²⁴

Renewal of temporary protection

On 10 October 2022, the EU Commissioner for Home Affairs announced that the European Commission does not plan to take a decision to end temporary protection, but that it will be extended automatically for an additional six months and then again for another six months after that.²⁵

At the end of 2022, the Directorate of Immigration mailed a letter to each BTP with an invitation to schedule an in-person appointment via an online platform to renew their temporary protection certificate. In order to receive a new certificate, BTPs have to present themselves during their scheduled appointment at the “*Guichet unique – enregistrement Ukraine*.”

BTPs need to bring their passport and/or identity card, the confirmation of their appointment, and their temporary protection certificate. All accompanying family members must be present at the appointment. This allows the Directorate of Immigration to verify whether all family members still reside in Luxembourg and if their identity documents are still valid. If the applicant has new identity documents, the Directorate of Immigration will keep a copy. The appointment consists of a brief interview of the BTP. If there is no reason to refuse the renewal of temporary protection, a new certificate will be issued. Temporary protection is valid until 4 March 2024. The certificate is issued on security paper in A4 format and is written in French and English.²⁶

2.1.1.2 Reception of persons fleeing the war in Ukraine

In order to deal with this massive inflow, the National Reception Office (ONA – *Office national de l'accueil*) decided to create a separate accommodation network of structures for Ukrainians parallel to the reception facilities for applicants for international protection (AIPs). The initial reception of people from Ukraine took place in the Wanteraktioun (WAK) and was moved to the Kirchberg emergency accommodation structure SHUK later. In September 2022, a specific initial reception site was set up at the Tony Rollman site in Kirchberg, which helped to accommodate everyone coming from Ukraine before they continued their registration process with the Directorate of Immigration.²⁷

In March 2022, ONA received and accommodated 1 656 people who fled the war in Ukraine. As of 30 April 2022, the total number had increased to 2 219.²⁸ Altogether ONA opened around 20 structures, often temporary, to accommodate more than 3 870 people until 31 December 2022. At the end of 2022, only eleven accommodation structures with a maximum capacity of 1 881 beds were still open at an occupancy rate of 90,5%.²⁹

Further, following a decision of the Government Council in March 2022, ONA has recruited 60 agents on temporary contracts, 44 agents on CAE ([Employment Support Contract, Contrat d'appui-emploi](#)) or OTI ([Compensated temporary occupation, Occupation temporaire indemnisée](#)) contracts from ADEM (National Employment Agency, *Agence pour le développement de l'emploi*) and 21 state agents who worked temporarily at ONA for a minimum of six months to adequately respond to the massive influx of people who have fled the war in Ukraine.³⁰

Pets

Upon arrival, pet owners are requested to contact a veterinarian to register their animals. Furthermore, the Administration of Veterinary Services also visits shelters once a week to check on and treat the animals if necessary.³¹ Pets whose owners are not hosted by private individuals stay in an initial reception facility, the SHUK. There, an area for people who brought their pets with boxes for the animals is provided.³²

2.1.1.3 TP-registration process (adults and UAMs)

Registration process

The Directorate of Immigration is in charge for ensuring that the conditions for granting temporary protection are fulfilled and is responsible for issuing, renewing, or revoking certificates of TP.³³ Everyone arriving from Ukraine is asked to fill out a personal information form (available in [Ukrainian](#), [Russian](#), [French](#), [English](#)) and to e-mail it to the Directorate of Immigration in order to obtain an appointment to submit their application³⁴ As of mid-July 2022, however, it is no longer necessary to fill in these forms and obtain an appointment. Instead, temporary protection needs to be requested directly at the dedicated One-Stop-Shop on Thursdays from 08:00h until 11:30h.³⁵

After the Judicial Police Service establishes the identity of the person requesting Temporary Protection and the Directorate of Immigration determines that the applicant fulfils the criteria, they will be issued a certificate for temporary protection.³⁶ The BTP receives the certificate and an explanatory document in which the provisions related to the temporary protection are laid down.³⁷

BTPs need to declare their arrival to the municipality in which they establish their habitual residence once they have obtained their temporary protection status. Any change of residence within the municipality or the transfer of residence to another municipality must also be declared to the municipality of the new residence.³⁸

One-Stop-Shop exclusively for displaced persons from Ukraine

On 30 March 2022, in order to deal with the massive influx of applicants for temporary protection, the Luxembourgish government established a One-Stop-Shop called “*Guichet unique – enregistrement Ukraine*” in Luxembourg City.

The One-Stop-Shop allows most people fleeing the war in Ukraine to complete all administrative steps required for their application for temporary protection in the same place in several hours.

Representatives of the following stakeholders are present:

- the Directorate of Immigration to whom persons requesting temporary protection need to submit the [required form](#) and documents to initiate the registration process,
- ONA of the MAEE, which provides initial reception,
- the Luxembourg Police,
- the Ministry of Health,
- the Ministry of Education, Children and Youth (MENEJ), with consults on the available educational options for minors,
- the Luxembourg banking/telecommunication service provider POST³⁹, which offers Luxembourgish SIM cards and the possibility of opening of a bank account to which the financial support by the state for Ukrainian refugees can be directly transferred.⁴⁰

Registration of unaccompanied minors and separate children

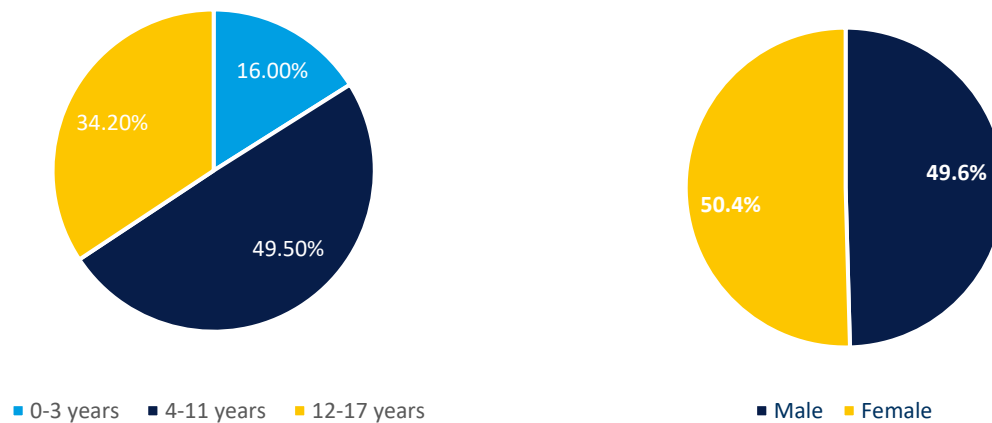
By August 2022, 11 Unaccompanied Minors (UAMs) applied for temporary protection⁴¹. UAMs are registered in the same system as adults when applying for temporary protection.⁴² Additional information is collected about the parents and the reasons on why and how the minor came to Luxembourg alone. Where relevant, information on the accompanying adult and their relationship to the child is recorded as well.⁴³ A child-friendly information document is distributed to explain temporary protection. The best interest of the child is applied by the authorities and the Family Court immediately appoints at the request of the Directorate of Immigration an ad-hoc administrator to the UAM.

Accompanied minors or “separated children” remain with their accompanying person. If it is not in the best interest of the child to stay with the accompanying person, the child is considered an UAM and consequently placed in a special facility.

The assessment regarding accompanied minors is done on a case-by-case basis. If there is doubt on the validity of the guardianship documents, the Directorate of Immigration, acting in the best interest of the child, takes into consideration the wish/opinion of the child and requests the Family Court to resolve any questions regarding the guardianship of the child.⁴⁴

Minors arriving from Ukraine are mainly between four and eleven years old and the gender distribution is fairly equal as Figure 3 shows.⁴⁵ By the end of 2022, a total of 1 728 minors applied for temporary protection.⁴⁶

Figure 3: Registrations for temporary protection of minors as of 31 August 2022 by age -group and gender



Source: OKaJu, 2022. © EMN Luxembourg 2023

2.1.2 Access to the domestic labour market

As per decision of the Government Council of 9 March 2022, beneficiaries of temporary protection have direct access to the Luxembourgish job market. The “Market Test” (*Test du Marché du travail*), which requires the Employment Agency to check whether the vacant job could also be filled by an EU citizen or a TCN legally residing on the territory, does not apply.⁴⁷

Measures for BTPs for accessing the Luxembourgish labour market

The Minister of Labour, Employment and the Social and Solidary Economy, explained how the Government shares information with BTPs on the domestic labour market.

Together with the ADEM and the Inspectorate of Labour and Mines ([Inspection du Travail et Mines](#), ITM) the MAEE, the MENEJ, and the Ministry of Labour, Employment and the Social and Solidarity Economy have provided [forms and related information](#) available in French, German, English and Ukrainian for BTPs on the procedures to be followed, as well as on their labour rights and duties. Since BTPs need to physically go to ADEM offices to complete their file, labour-related information is not to be found on the Government’s online administrative and information portal [guichet.lu](#)⁴⁸

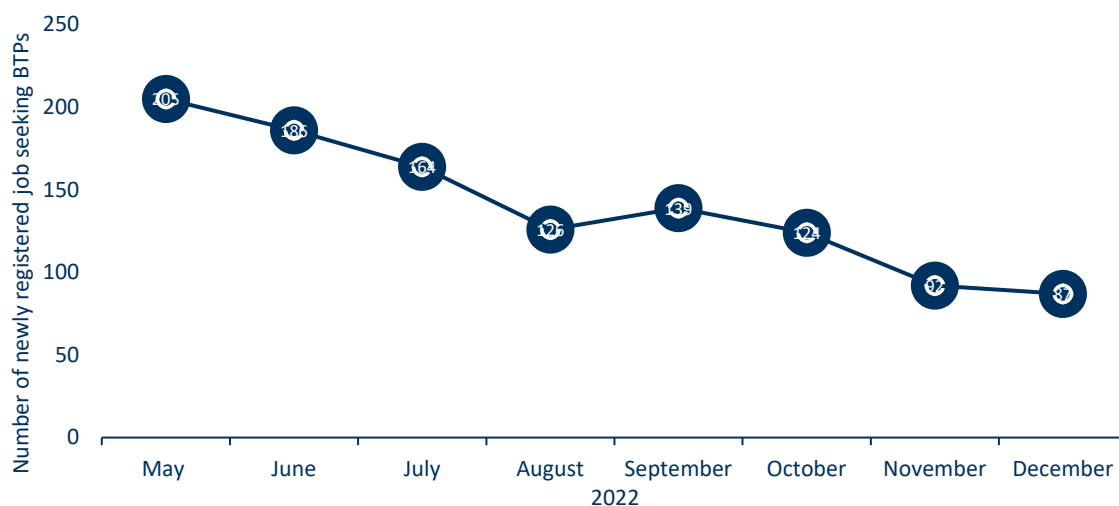
Luxembourg has implemented specific measures, such as financial incentives, for employers who employ BTPs from Ukraine.⁴⁹ Job seeking BTPs can demand professional training internships (Stage de professionalisation – SP); contracts for professional reintegration (CRE), employment initiation contracts (CIE), and Aids for the re-employment of older jobseekers (CHALD).⁵⁰

BTPs who have worked in Luxembourg and register themselves as unemployed with ADEM, have the right to unemployment benefits like any other employee if they meet the conditions of Article L. 521-1. of the Labour Code.⁵¹

Registering job seeking BTPs

As of May 2022, ADEM started to include the numbers of BTPs who registered with ADEM as job seekers in its monthly publications on key figures of the Luxembourgish job market.⁵²

Figure 4: Newly registered job seeking BTPs by month (2022)



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Go2Work project

ASTI's volunteer project Go2Work helps refugees in Luxembourg accessing the Luxembourg labour market. The first session took place in May 2022 and a second session with mainly participants from African backgrounds coming from Ukraine has begun in October.⁵³

2.1.3 Access to basic services

2.1.3.1 Housing for adults and UAMs: Accommodation network

State-run accommodation structures

Luxembourg has established new reception centres for BTPs (see above). Additionally, it has rented hotels, hostels, campsites, gymnasiums, cultural centres, schools, and other public facilities (see LU NCP ARM 2021 pt. 2, section 7.9.1).⁵⁴

A parallel accommodation system to the normal reception facilities for AIPs was established to house BTPs. At the end of 2022, it consisted of eleven accommodation structures and one initial reception facility in Kirchberg (*Centre de primo-accueil, CPA*). The latter serves as an initial reception structure for all new arrivals in Luxembourg and accommodates AIPs and BTPs. In seven of these facilities,

people are supervised on site by the Luxembourg Red Cross and in four by Caritas Luxembourg, through collaboration agreements signed with ONA. In one facility, social support is provided jointly by Caritas Luxembourg and the Luxembourg Red Cross. Exceptionally, some BTPs could also be accommodated in temporary accommodation facilities for AIPs.⁵⁵

Temporary housing offered by private individuals

A great wave of solidarity from the resident population was triggered in order to accommodate BTP in private housing.⁵⁶ Two AMIF projects (Asylum, Migration and Integration Fund) were implemented by ONA and the MIFA in collaboration with the Luxembourg Red Cross and Caritas Luxembourg to host BTPs in private accommodations and to support hosting households.

The first project, “Hosting of beneficiaries of temporary protection” (*“Accueil en famille de bénéficiaires de protection temporaire”*), meets potential host families to provide them with information on hosting BTPs and to make sure that they are aware of the day-to-day implications of their commitment.

The second project on “Independent housing for beneficiaries of temporary protection” (*“Logement indépendant pour bénéficiaires de protection temporaire”*) collects and checks private individual housing offers for BTPs, including adequacy and safety of the living conditions of the accommodation offered, e.g., including criminal records, on-site inspections, to prevent potential abuse and exploitation and matches them with the needs of BTPs who wish to be accommodated in private households.⁵⁷

Private individuals in Luxembourg who help people who are fleeing the war in Ukraine are supported mostly in organisational ways. The Government emphasises that the actions by private individuals are voluntary and do not entitle them to any financial support or any additional leave from work.⁵⁸

Furthermore, ONA does not monitor host families directly but is responsible for social monitoring and supervision of BTPs. ONA intervenes in emergencies and offers social support around the clock, including a hotline. BTPs are also informed of the possibility of moving in an ONA accommodation structure to receive the necessary information in case of problems with the host family. They can present themselves at any given moment at the primary reception site in Kirchberg, which serves as a first accommodation until they can be moved to ONA’s facilities.⁵⁹

As of 31 December 2022, 2 968 Ukrainian refugees in Luxembourg were hosted by private households coordinated by the Red Cross and Caritas.⁶⁰ There are no statistics on the number of BTPs residing in private accommodation outside of this scheme.

Housing for unaccompanied minors

Housing for unaccompanied minors is coordinated with child protection services and other relevant social services. The best housing option is determined by considering the best interest of the child.⁶¹ More specifically, ONE subsidises the non-profit entities FPMO ([Fondation de la Maison Porte ouverte](#)), [Fondation Elisabeth](#), as well as Caritas and Red Cross, which manage specific reception

centres for unaccompanied minors. The different entities ensure that supervising staff is always present in the UAM accommodation centre they manage.⁶²

Challenges

Emergency housing options (such as in reception centres, intended for 24-48 hours) often turned into longer term accommodation (sometimes weeks), which created additional difficulties.⁶³ The Ministry of Family, Integration and the Greater Region, together with Caritas Luxembourg and the Luxembourg Red Cross, in collaboration with ONA, have put in place a system allowing BTPs to safely get in touch with Luxembourg residents wishing to host them. Private households wishing to host Ukrainian refugees through this initiative must register themselves online. They will then be assessed (including a home visit by one of the partner organisations). In case the assessed accommodation meets the criteria, it is offered to ONA, which in turn connects the eligible hosts with the BTPs.⁶⁴ When in some cases the match between the private host(s) and the BTP(s) does not work, BTPs are placed with another family or in a reception facility managed by ONA or its partners.⁶⁵

2.1.3.2 Medical care

Access to mental health

First-contact psychological support, initial medical assessments as well as ethno-psychological support (in collaboration with the mental health network) are available for people suffering from mental disorders at initial-reception facilities managed by ONA or its partners.⁶⁶

Access to health care

The Minister of Foreign and European Affairs clarified that people who have not yet received their temporary protection status, already have access to health benefits. Their healthcare costs are covered by the state via a specific budget article⁶⁷ of the Ministry of Health.⁶⁸

The following urgent care facilities are available to people who have registered for temporary protection but have not yet been granted their status:

- Advanced medical post at the initial reception centre at the Tony Rollmann emergency accommodation structure, SHUK; available seven days a week from 8:30h to 17h;
- *Maison Médicale*/Medical Centre: for people living outside SHUK; available Monday to Friday from 8h to 12h and from 13h to 16:30h;
- *Ligue Médico-Sociale* (Luxembourg City; Esch-sur-Alzette; Ettelbruck): a medical and social check-up is compulsory within six weeks of arrival in Luxembourg and needs to be booked with the *Ligue Médico-Sociale*;
- “*Guichet unique – enregistrement Ukraine*”, (a One-Stop-Shop which deals exclusively with displaced persons from Ukraine), where the Health Directorate provides information on availabilities of primary medical care.⁶⁹

Law of 10 May 2022: Access to the national social security system

The Law of 10 May 2022 amending Articles 1 and 32 of the Social Security Code (CSS)⁷⁰, allows that once their temporary protection status is granted, BTPs are automatically registered with the CNS (*Caisse Nationale de Santé*, national public health insurance) and thus eligible for compulsory coverage by the National Health Fund.⁷¹

Law of 26 October 2022: Recruitment of health professionals

This law provides the legal basis for recruiting new health professionals on limited contracts to quickly meet the rapidly increased need for health care professionals due to the massive arrivals of people fleeing the war in Ukraine.⁷²

Recruitment of health professionals was simplified by reducing the requirements for prospective health professionals to only one: the right to exercise their health profession.⁷³

Medical screening

The Grand-Ducal Regulation of 11 October 2022 modifying the modified Grand-Ducal Regulation of 3 February 2009 relating to the medical check-up of foreigners was passed. This regulation terminates the obligation that all medical tests linked to tuberculosis (TBC) detection must only be made in the Centre Medico Social. Allowing that TBC testing can be done in a regular laboratory.⁷⁴

2.1.3.3 Access to social welfare and means of subsistence (public financial and non-financial support)

Public financial and non-financial support

According to article 14 (9) of amended Law of 18 December 2015 relative to the reception of applicants for international protection and temporary protection (Reception Law), BPTs have access to the material reception conditions defined in Article 2 g) of this law. BPTs receive a monthly financial allowance, which is specified in Article 13 of the Reception Law⁷⁵ as listed below.

In the case of full-board accommodation or accommodation with the provision of meals, the monthly allowance shall be fixed at:

- €28,29 for an applicant
- €28,29 for an unaccompanied minor
- €14,14 for a minor.

In case that food cannot be provided the amount of the monthly allowance shall be fixed at

- €249,05 for an applicant
- €249,05 for an unaccompanied minor

- €207,29 for a minor.

BTPs are also entitled to non-financial support. Their monthly allowance is supplemented by grants in kind or vouchers to cover the costs of accommodation, clothing medical expenses. Every BTP has the right to be accommodated in a state-run structure of ONA and to non-financial assistance from ONA if they do not have sufficient own resources and are not supported by private individuals.⁷⁶

Figure 5: Benefits for BTPs provided by ONA



Source: Reply to Parliamentary Question 6448, 2022. © EMN Luxembourg 2023

Furthermore, in addition to state help, municipalities can (and often already do) support BTPs by for example distributing cost-of-living allowances, heating cost allowances or additional kinds of social aid.⁷⁹

2.1.3.4 Access to education for minors

Education(al care) for children who fled the war in Ukraine

Children are admitted to school once their administrative procedures with the Directorate of Immigration and the Health Directorate are successfully completed. The details for enrolling minor BTPs in school are laid out by the MENEJ.⁸⁰

The Department for the schooling of foreign children (SECAM – *Service de la scolarisation des enfants étrangers*) has set up a “one-stop-shop” to consult Ukrainian parents on the schooling of their

children. After an interview with the families and their children, SECAM proposes one or several matching school options leaving the final decision to the parents.

Depending on their age and individual level of either English, German, or French, they will be placed in one of Luxembourg's:

- a. Six public international schools: language of instruction is English with either German or French classes introduced later. Reception classes are grouped by age:
 - Reception class 1: children in cycles 2 and 3 of basic education (*enseignement fondamental*, EF);
 - Reception class 2: children in cycle 4 of the EF and the three lower classes of the secondary school (*enseignement secondaire*, ES);
 - Reception class 3: children from the upper classes of the ES.
- b. Municipal schools: language of instruction is German, French, or Luxembourgish;
- c. Pre-schools in the municipality where the child resides.

Extra-curricular care and activities are provided for Ukrainian pupils in elementary schools. The Government recruited Ukrainian native speakers with different backgrounds who have experience in the educational field to support Ukrainian children in school by bridging initial language gaps.⁸¹

Law of 1 April 2022: Recruitment of additional educational staff

This law aims at supporting the recruitment of additional educational staff to handle the large influx of Ukrainian refugee children. Fixed-term education officers can be hired under the State employee scheme in public high schools and international schools until 31 December 2022 by amending Article 12(1) of the Law of 17 December 2021 on the State Budget for 2022 on the recruitment of employees who are nationals of third countries to state administrations.⁸² The recruitment of 80 intercultural mediators to provide support for Ukrainian refugee pupils has been authorised.⁸³

The increase in educational staff and cultural mediators entailed teaching staff in public international schools and primary education as well as Ukrainian intercultural mediators in the department for the education of foreign children.⁸⁴ The additional staff were only required to command one of Luxembourg's official languages and are allowed to have less than the otherwise required five years minimum of professional experience.

In the field of non-formal education, the Grand-Ducal Regulation of 20 July 2022 modifies the conditions relating to the authorisation to be granted to managers of education and childcare services. It enables derogating from the professional qualification conditions applicable to childcare personnel.⁸⁵

With the childcare service vouchers (*Chèque-Service Accueil* – CSA) issued by the MENEJ, eligible parents receive reduced rates in crèches (day-nursery), drop-in centres (*Maisons Relais*), mini-crèches, childcare centres, as well as with parental assistants (childminders).⁸⁶

Beneficiaries of Temporary Protection are eligible for these vouchers if they meet certain criteria (number of children, level of income), which also determine the value of the vouchers they will receive.⁸⁷

Ukrainian pupils in Luxembourg

Towards the end of the academic year 2021/22, new primary and secondary education classes were opened in the six international schools and in other school buildings in the region.

When the children are ready, they can join a regular international class. Depending on the age of the pupils and the learning progresses, a second language, either German or French, can be added. Ukrainian children in elementary schools follow reception courses in German or French.

Young people who have completed their high school in Ukraine can prepare for a diploma for access to post-secondary education, the Access to Higher Education Diploma (*Diplôme d'accès aux études supérieures*, DAES) in English at the National School for Adults (*École Nationale pour Adultes* – [ENAD](#)) (see also LU NCP ARM 2021 pt. II, section 6.1.3.2). 49 students were enrolled in this programme as of 14 June 2022.

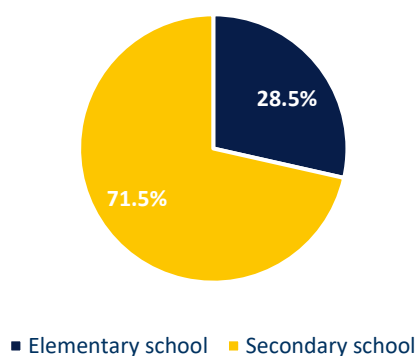
Pupils in the last year of secondary school could participate in an online entry exam for Ukrainian Universities in August or September organised by the Ukrainian Ministry of Education. The Ministry of National Education, Children and Youth took care of the logistics

The National Language Institute (*Institut national des langues Luxembourg*, INL) organised intensive courses in English and French during summer for young Ukrainians enrolled at the University of Luxembourg.

In January 2023, Luxembourg welcomed 346 Ukrainian elementary school pupils and 867 secondary school pupils (see Figure 6). Most secondary school pupils went to public international schools.⁸⁸

Due to language barriers, most Ukrainian children were registered at international schools instead of municipal schools.⁸⁹

Figure 6: Distribution of Ukrainian pupils by school levels



Source: SECAM and CASNA, 2023. © EMN Luxembourg 2023

2.1.3.5 Access to education for adults

Vocational training and upper secondary education were made accessible on the same terms for Ukrainian refugees as for Luxembourg’s citizens and residents. While higher education (e.g., universities and colleges) is open to Ukrainians, acceptance by higher education providers is not guaranteed.⁹⁰

Language courses

The Adult Education Service of the Ministry of National Education (*Service de la formation des adultes*, SFA) reorganised and increased the quantity of existing French courses for foreigners to ensure that every adult BTP had access to free language classes according to their needs.⁹¹

The National Institute of Languages (INL) offered intensive language courses for BTPs from 1 July to 16 September 2022, which supported the integration of participating Ukrainian refugees and helped them accessing the Luxembourgish labour market.⁹²

2.1.3.6 Family reunification

Beneficiaries of temporary protection may apply for family reunification with their family members who were granted temporary protection in another Member State as well as with their family members who have not yet entered the territory of a Member State.⁹³

2.2.1.9. Public debate

The different treatment of BTPs and applicants for International Protection (AIPs) has been a topic of debate in the public sphere. The OKaJu (*Ombudsman fir Kanner a Jugendlecher*, Ombudsman for children and youngsters) and the “Lëtzebuurger Flüchtlingsrot” (*Luxembourgish Refugee Council*), together with NGOs such as ASTI, have welcomed the swift response of the EU and Luxembourg

regarding the Ukrainian conflict. However, they comment that BTPs enjoy more privileges than AIPs. On the one hand, the former have the right to work in Luxembourg from their first day of arrival, live with their family or in private households, as well as bring their family and pets right away, but on the other hand, BTPs do not have residence status. They only receive a certificate of stay, which allows them to remain on Luxembourg territory, but does not confer a right of residence in accordance with the Immigration Law. AIPs need to go through a lengthy asylum process, live in reception centres, need to wait months before they can enter the job market and, are not allowed to travel to other EU-countries or return to their country of origin.⁹⁴

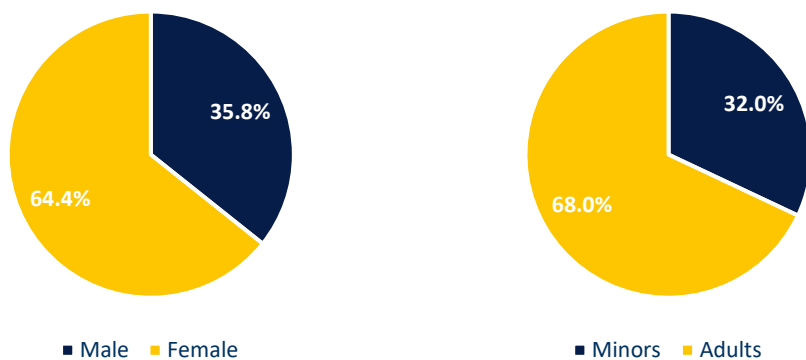
Another controversy was raised in the media⁹⁵ and by Parliamentary Question 5926⁹⁶ regarding the MAEE's decision to vacate the semi-open reception centre SHUK (*Structure d'hébergement d'urgence au Kirchberg*) for emergency accommodation for Ukrainians.⁹⁷ As a consequence, applicants for international protection housed in SHUK prior were moved to a homeless shelter, the WAK, close to the Luxembourgish airport (for further information please also refer to section 2.1.3.1). Asked about the relocation of AIPs and BIPs, the Minister replied that AIPs and BIPs are not expelled from reception structures but might have to be rehoused under certain circumstances.⁹⁸ For more information on SHUK, please refer to section 9.4.5.

2.2 Measures taken outside the legal framework of the Temporary Protection Directive

Safety measures for Ukrainian refugees

The Minister for Justice elaborated on the different safety measures for Ukrainian refugees, the majority females and often mothers with children as illustrated by Figure 7 below.⁹⁹

Figure 7: Requests for temporary protection broken down by gender and age of majority



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

In a communication from 25 March 2022, the Monitoring Committee for the Fight against Trafficking in Human Beings provided general information on human trafficking and issuing a concrete warning that Ukrainian refugees are running specific risks of becoming victims of exploitation and human trafficking. In addition, representatives of the Monitoring Committee and other stakeholders have had discussions with the administrators of several Facebook pages for people fleeing the war in Ukraine in order to raise awareness of the risk of malicious announcements and publications.¹⁰⁰ Victims of exploitation and human trafficking can contact the Fugitive Search and Victim Protection Unit of the Judicial Police.¹⁰¹ In addition, accelerated training on audio-visual support was disseminated as widely as possible, especially for new employees in charge of welcoming people fleeing the war in Ukraine.¹⁰²

The Luxembourg Bankers' Association ([ABBL](#)) has also published a general [information handout](#) in Ukrainian and English to educate about the inherent risks of exploitation in the context of trafficking, as well as the risks of other forms of exploitation in the context of trafficking.

3. LEGAL MIGRATION AND MOBILITY

AT A GLANCE

- **Bill 7954** amending the amended Law of 29 August 2008 on the free movement of persons and immigration has been introduced to Parliament. This bill proposes the introduction of several **clarifications concerning the residence permits for private reasons**.
- **Private member's bill 8028 on family reunification** has been introduced to Parliament.

3.1 Statistical trends in legal migration

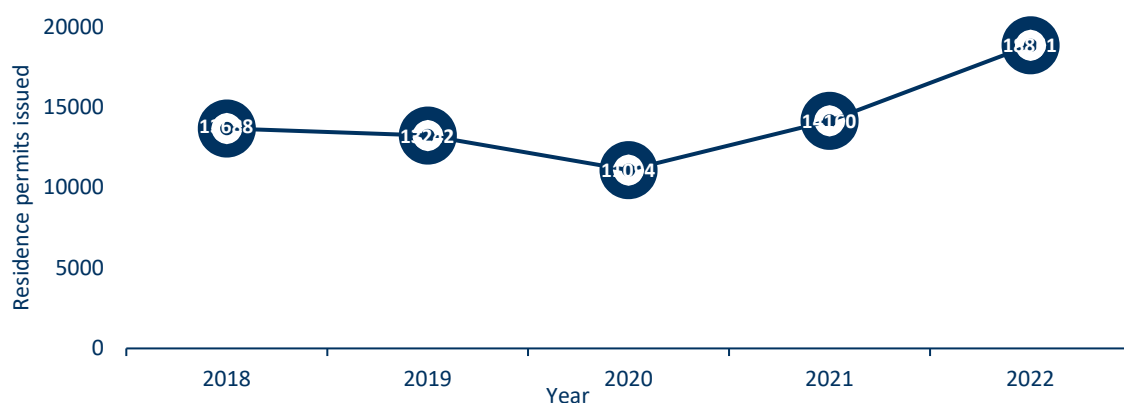
The Covid-19 pandemic continued to loosen its grip throughout 2022, allowing the numbers of residence permits issued by the Directorate of Immigration to increase and surpass the ones issued before Covid-19.

3.1.1 Issuance of residence permits

During 2022, with respect to immigration, the Directorate of Immigration of the MAEE issued a total of 18.861 residence permits (first issues and renewals).

Set against the total number of residence permits issued in 2021 (14 160), this number increased by 33,2%. Following the impact of the health crisis and the decline in issued residence permits during 2020, the trend in 2022 maintains a growing pattern.

Figure 8: Total number of residence permits with a validity of more than three months issued 2018-2022 (first issues and renewals)

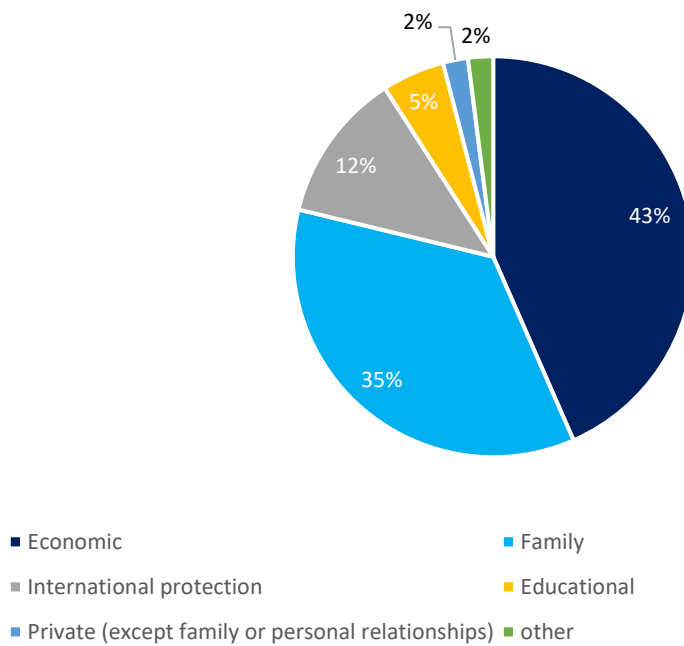


Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023.

This development is confirmed when looking at the types of residence permits (i.e. first residence permits, renewed residence permits, granting of a long-term resident residence permits. In 2022, the

total number of residence permits issued consists of 9 042 first residence permits issued (47,9%), 8 943 residence permits renewed (47,4%), and 876 (4,6%) residence permits for long-term residents. Compared to 2021, these categories experienced strong growth: for a first residence permit issued +40,3%; for a renewed residence permit +25,4%, and for a long-term resident permit +50%.¹⁰³ Figure 9 further provides an overview of the main reasons for the issuance of residence permits in 2022 (please see Table 8 below for a more detailed and comprehensive overview).

Figure 9: Main purposes for residence permits issued in 2022



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023.

Table 8 below provides a more detailed overview, which illustrates that the numbers of almost all types of residence permits have increased fairly well. In 2022, the category “family member” was the largest and represented 32,7% (2 958) of the total number of residence permits issued for the first time. This is followed by the category “salaried worker” representing 28,1% (2 538) of residence permits and the category “international protection” (including both, refugee status and subsidiary protection), with a share of 12,3% of residence permits (1 109). Together, these three groups make up 73,0% of the total amount of first-time residence permits issued in 2022.¹⁰⁴

Table 8: First residence permits issued 2019 – 2022 broken down by principal categories of residence permits

Category	2019	2020	2021	2022	Variation (%) 2021-2022
Economic purposes					
European blue card	662	448	653	914	+40,0
Intra-corporate transfer – employee/trainee	15	12	(*)	(*)	-
Intra-corporate transfer – specialist/manager	206	73	153	178	+16,3
Posted worker	14	8	33	27	-18,2
Researcher	79	73	106	125	+17,9
Salaried worker	1 546	1 205	1 461	2 538	+73,7
Self-employed	49	24	61	71	+16,4
Athlete or trainer	45	37	35	61	+74,3
Community service provider	(*)	(*)	(*)	7	-
Educational purposes					
Pupil	163	(*)	0	(*)	-
Student	419	224	358	396	+10,6
Trainee	48	29	35	64	+82,9
Volunteer	(*)	(*)	7	9	-
Family purposes					
Family member	2 094	1 486	2 145	2 958	+37,9
Private reasons – 78 (1) c (family or personal relationships)	185	101	160	178	+11,3
PRIVATE REASONS (EXCEPT FAMILY OR PERSONAL RELATIONSHIPS)					
Private reasons – 67 (4) (job search or business creation)	26	36	66	92	+39,4
Private reasons – 78 (1) a (sufficient resources)	100	61	66	38	-42,4
Private reasons – 78 (3) humanitarian grounds	28	24	36	59	+63,9
Private reasons – 78 (3) (humanitarian grounds with WP)	N/A	N/A	(*)	9	-
Private reasons – other	8	9	12	27	-
International protection					
International protection – refugee status	727	742	755	836	+10,7
International protection – subsidiary protection	38	33	128	273	+113,3
Other purposes					
Au pair	152	146	157	176	+12,1
Other ¹⁰⁵	18	19	20	6	-
TOTAL	6 622	4 790	6 447	9 042	+40,3

For reasons of data protection, figures below 6 are not listed separately. Instead, they are marked with () and included in the category “Other” for the respective year. Further, for reasons of statistical relevance, only the growth rates based on a starting value of at least 20 people are shown. Source: Ministry of Foreign and European Affairs 2020 – 2023. © EMN Luxembourg 2023*

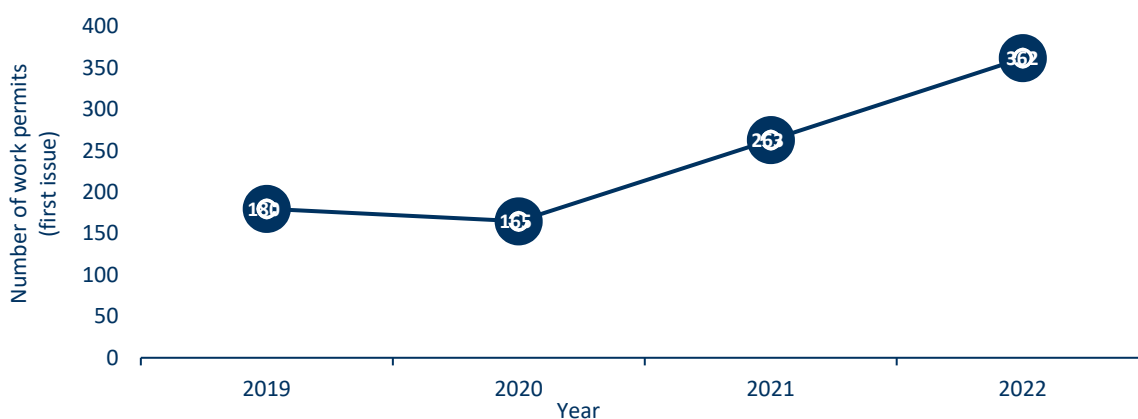
The three most common nationalities for family member residence permits were Indian (596), Russian (173) and Turkish (134). These three nationalities make up 30,5% of all the first issuances of “family member” residence permits in 2022. With regards to the first-time residence permits for salaried workers, the main three nationalities were Indian (361), Tunisian (185) and Mauritian (165), amounting to 28,0% in this category. Finally, concerning international protection, the first three nationalities remained unchanged: Syrian (496), Eritrean (360) and Afghan (134), representing 86,8%.¹⁰⁶

The Directorate of Immigration attributed the “long-term resident” permit (first issuance) to 876 individuals in 2022.¹⁰⁷ In contrast to 2021, when 584 permits were issued,¹⁰⁸ this marks a sharp increase of 50%.¹⁰⁹ In 2022, the first five nationalities to whom long-term resident permits were issued, from China (171), India (159), Montenegro (77), America (USA) (50), and Russia (33), which together made up 55,9% of the total number of long-term residence permits issued in 2022.¹¹⁰

3.1.2 Work permits issued to third-country nationals residing in another EU Member State

The number of work permits issued to third-country nationals (TCNs) residing in another EU Member State¹¹¹ (first issuance) continues to increase. In 2022, 362 permits were issued, which represents a growth of 37,6% compared to 263 permits in 2021 (see Figure 10).¹¹²

Figure 10: First issuance of work permits to third-country nationals residing in another EU Member State



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

3.1.3 Documents issued in relation to free movement of persons and family members of citizens of the EU or assimilated countries

The number of residence cards issued for family members of an EU citizen decreased by 11,1% between 2021 and 2022, from 1 663 cards issued in 2021 to 1 479 cards issued in 2022. The number

of permanent residence cards issued for family members of a citizen of the EU rose by 22,7% in comparison to 2021, that is from 1 123 cards issued in 2021 to 1 378 cards issued in 2022.¹¹³ Residence cards (including permanent) for family members were issued more often to female family members (see Table 10).

Table 9: Documents treated/issued to family members of citizens of the EU or assimilated countries without renewals (2019-2022)

CATEGORY	2019	2020	2021	2022	of which	
					male	female
Residence card for a family member of an EU citizen	1 839	1 521	1 663	1 479	628	851
Permanent residence card for a family member of an EU citizen	1 206	1 302	1 123	1 378	548	830
Total	3 045	2 823	2 786	2 857	1 176	1 681

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023.

In 2022, the Directorate of Immigration processed a total of 17 759 registration certificates (without renewals) compared to 17 136 in 2021, 14 396 in 2020, and 17 543 in 2019. This represents a continuous increase since 2020 and pre-pandemic levels have been surpassed in 2022. In contrast, the issuance of permanent registration certificates further decreased by 2,97%. In total, 4 043 permanent registration certificates were issued compared to 3 923 in the previous year in 2021 (see Table 10).¹¹⁴

Table 10: Documents treated/issued in relation to free movement of persons broken down by document type without renewals (2019 – 2022)

Category	2019	2020	2021	2022	Variation (%) 2021-2022	of which	
						male	female
Registration certificates	17 543	14 396	17 136	17 759	+3,6	9 590	8 169
Permanent residence certificates	5 769	4 100	4 043	3 923	-3,0	2 032	1 891

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

3.2 Legislative developments

3.2.1 Procedures regarding application for the residence document for British nationals

On 5 October 2022, the Government Council approved the draft Grand-Ducal Regulation amending the Grand-Ducal Regulation of 5 September 2008 implementing certain provisions relating to the administrative formalities provided for by the Law of 29 August 2008 on the free movement of persons and immigration.

This draft Grand-Ducal Regulation (GDR) aims to specify the procedures regarding the application for the residence document that British nationals and their family members (who are beneficiaries of the Withdrawal Agreement) must have in order to reside in Luxembourg.¹¹⁵

3.3 Migration for economic purposes

3.3.1 General overview

As shown in Table 11, in 2022, the number of first residence permits issued for economic reasons increased overall by almost 56,4% when compared to 2021. This relative increase is very similar when compared to the pre-pandemic year 2019 (49,7%). Following the pandemic-driven decline in 2020, there was a sharp rise across most categories of residence permits issued for economic motives.¹¹⁶

Table 11: Residence permits issued for economic purposes, 2019-2022 (first deliveries)

Category	2019	2020	2021	2022	Variation (%) 2021-2022
Economic purposes					
European Blue Card	662	448	653	914	+40,0
Intra-corporate transfer – employee/trainee	15	12	(*)	(*)	
Intra-corporate transfer – specialist/manager	206	73	153	178	+16,3
Posted worker	14	8	33	27	-18,2
Researcher	79	73	106	125	+17,9
Salaried worker	1 546	1 205	1 461	2 538	+73,7
Self-employed	49	24	61	71	+16,4
Athlete or trainer	45	37	35	61	+74,3
Other	5	9	6	9	
Total	2 621	1 889	2 508	3 923	+56,4

For reasons of data protection, figures below 5 are not listed separately. Instead, they are marked with () and included in the category “Other” for the respective year. Further, for reasons of statistical relevance, only the growth rates based on a starting value of at least 20 people are shown. Source: Ministry of Foreign and European Affairs 2020 – 2023. © EMN Luxembourg 2023*

The categories of residence permits, which have experienced the strongest growth, are in the field of sports (i.e. athlete or trainer) (+74,3%), leaving residence permits for salaried workers (+73,7%) in second place and residence permits for European Blue Cards in place three (+40%).

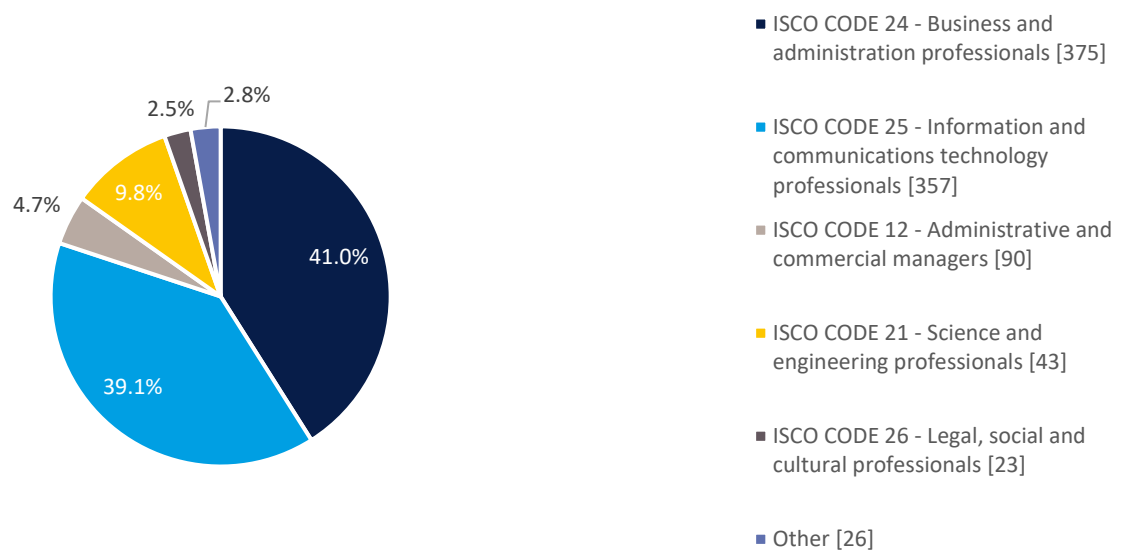
As indicated by the MAEE, the main categories of professions with regard to first issuances of residence permits for paid activities granted in 2022, are, according to the International Standard Classification of Professions (ISCO), “specialists in business administration” and “specialists in

information and communication technologies” (both, “salaried worker” residence permits and for residence permits “European Blue Card”).¹¹⁷

When breaking down the overall number of first issued Salaried Worker residence permits (2 538) in 2022 according to the categories of the International Standard Classification of Occupations (ISCO), the share of the two categories of “Business and administration professionals” (51,1%) and “Information and communications technology professionals” (15,2%) stands out, amounting to 66,3% of the first deliveries.

914 first-time European Blue Cards were issued to highly skilled third-country nationals in Luxembourg. When breaking down the overall number of issued Blue Cards, the share of the two categories of “Business and administration professionals” (41%) and “Information and communications technology professionals” (39,1%) stands out, amounting to 80,1% of the first deliveries. For a more comprehensive overview, please see Figure 11.¹¹⁸

Figure 11: Residence permits “EU Blue Card” issued in 2022 to third-country nationals (first issue only) – breakdown by main professions (according to ISCO-categories)



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

In 2022, the Directorate of Immigration issued a total of 616 authorisations to work (362 first deliveries and 254 renewals) to third-country nationals residing in another EU Member State. This mainly concerns highly qualified professionals belonging to the ISCO categories “Business and administration professionals” (148, 40,9% out of 362 first deliveries) and “Information and communications

technology professionals” (24,9%). Among the first deliveries out of the 616 beneficiaries (including both, first issuance and renewals), 241 were women and 375 men.¹¹⁹

3.3.2 Skilled workers and talent attraction

3.3.2.1 OECD Skills Strategy Framework Report

Following an initial meeting in October 2021, a study has been carried out by the Organization for Economic Cooperation and Development (OECD), the National Skills Strategy in Luxembourg. The stakeholders of the OECD Skills Strategy Framework Report, i.e. representatives of ministries and public administrations, professional federations and chambers, trade unions and training organizations as well as the Minister of National Education, Children and Youth, the Minister of Higher Education and Research, and the Minister of Labour, Employment and Social Economy and Solidarity, came together again on 25 April 2022.¹²⁰

The participants discussed, refined, and supplemented the preliminary recommendations issued by the OECD, focussing on the promotion of continuing vocational training, lifelong learning and upskilling/reskilling, talent attraction and retention of talent in accordance with the needs of the Luxembourgish labour market, and skills data governance (for more information, please refer LU NCP ARM 2021 pt. 2 (section 4.2.2.1).¹²¹

The analyses and recommendations from these two events have been published as the OECD Skills Strategy – Assessment and Recommendations report in February 2023 and shall support Luxembourg with finding a long-term strategy to fill skills gaps.¹²²

Based on the OECD’s initial assessment of the performance of Luxembourg’s skills system and discussions with the Luxembourgish National Project Team, four priority areas were identified:

- Priority 1: Providing labour-market-relevant adult learning opportunities in Luxembourg;
- Priority 2: Guiding and incentivising skills choices in Luxembourg;
- Priority 3¹²³: Attracting and retaining foreign talent to fill skills shortages in Luxembourg;
- Priority 4¹²⁴: Strengthening the governance of skills data in Luxembourg.¹²⁵

The OECD underlines that the retention of talent is just as important as its attraction, which is reflected in Opportunity 2 about the facilitation of the integration of foreign talent and their families into Luxembourg’s society and labour market. Here, the OECD suggests supporting integration of foreign skilled workers and their families into Luxembourgish society by increasing awareness of the Welcome and Integration Contract, *Contrat d’accueil et d’intégration*, CAI), available offers of language trainings (e.g. linguistic leave) and language courses. The OECD also stresses the importance of a supportive transition of former international students of the University of Luxembourg into to the domestic labour market (e.g. increased networking opportunities for students, targeted career services and

expanded options for former students from third countries to remain in Luxembourg to look for a job).¹²⁶

Talent attraction

A pilot project, [Work-in-Luxembourg.lu platform](#), has been launched. This platform directly targets talent located abroad in domestic sectors that report severe labour shortage. Jobseekers and employers can post their profiles and employers can directly contact job candidates. This initiative has been classified by the [European Labour Authority](#) (ELA) as the best communication product within the European Employment Services network ([EURES](#)).¹²⁷ The Government Council has also approved a roadmap for the elaboration of a national strategy for the attraction, development and retention of talents: “Luxembourg Talents Hub”.¹²⁸

3.3.2.2 Modification of the average gross annual salary needed to obtain a EU Blue card

On 27 December 2022, the ministerial regulation of 19 December 2022 entered into force. It modifies the average gross annual salary laid out in Article 1 of the amended Grand-Ducal Regulation of 26 September 2008 for highly qualified workers from third countries. The minimum threshold for a highly qualified worker is set at € 84 780. For jobs in professions belonging to groups 1 and 2 of the [ISCO](#)¹²⁹, for which a particular need for third-country national workers is noted by the Government, the threshold of the minimum level of remuneration is set at € 67 824.¹³⁰ The average gross annual salary of highly qualified workers increased by 27,4% from 2012 to 2022.¹³¹

3.3.2.3 Adaptation of the Grand-Ducal Regulation of 5 September 2008 relating to the composition and operation of the advisory committee for foreigners, the advisory committee for salaried workers and the advisory commission for self-employed workers

On 6 June 2022, the Grand-Ducal Regulation of 12 May 2022 amending the Grand-Ducal Regulation of 5 September 2008 relating to the composition and operation of the advisory committee for foreigners, the advisory committee for salaried workers and the advisory commission for self-employed workers entered into force. This GDR eliminates specific references to the advisory commission for foreigners, which was abolished in 2012. It also reflects the changed realities for salaried and self-employed workers with respect to residence permits such as the notification of the advisory commission for salaried workers when a TCN applied for renewal of a residence permit or work permit. In addition, the reference to the representative of the Minister in charge of integration has been deleted and the list of experts the advisory commission for self-employed workers can consult, has been extended to include the national agency for the promotion of innovation and research.¹³²

3.4 Migration for educational purposes

3.4.1 General overview

When compared to 2021, Table 12 shows an increase in student permits by 10,6% in 2022. The strongest increase with respect to the total number of first-time residence permits issued, however, can be seen for trainees: 82,9%.

Table 12: Residence permits issued for educational purposes, 2019-2022 (first deliveries)

Category	2019	2020	2021	2022	Variation (%) 2021-2022
Pupil	163	(*)	0	0	-
Student	419	224	358	396	+10,6
Trainee	48	29	35	64	+82,9
Volunteer	(*)	(*)	7	9	
Total	632	257	400	469	+17,3

For reasons of data protection, figures below 5 are not listed separately. Instead, they are marked with () and included in the category "Other" for the respective year. Further, for reasons of statistical relevance, only the growth rates based on a starting value of at least 20 people are shown. Source: Ministry of Foreign and European Affairs 2020 – 2023. © EMN Luxembourg 2023*

3.5 Migration for family reasons

3.5.1 General overview

The total number of first-time residence permits for family reasons issued in 2022 increased by 17,7% when compared to 2021, thereby rising by 12,6% above 2019-values. Of the 3 136 residence permits for family reunification of third-country nationals issued in 2022, 2 958 were issued in the 'family member' category, while 178 were issued in the category 'private life – 78 (1) c (family or personal relationships)'. Overall, this represents a steady increase of 36,1 % compared to 2021 and 37,6% to pre-pandemic levels in 2019.¹³³

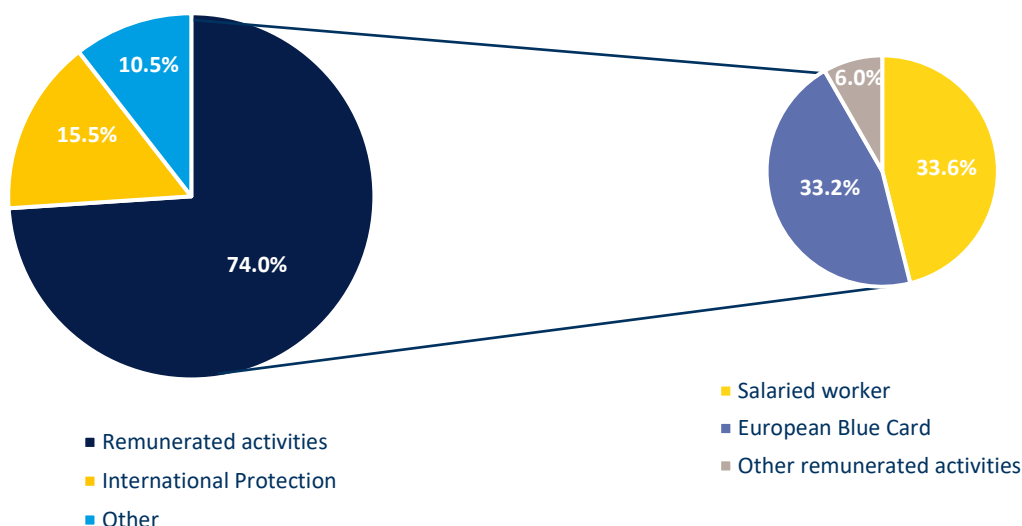
Table 13: Residence permits/cards issued for family purposes, 2019-2022 (first deliveries)

CATEGORY	2019	2020	2021	2022	VARIATION (%) 2021/2022
Residence card for a family member of an EU citizen	1 839	1 521	1 663	1 479	-11,1
Permanent residence card for a family member of an EU citizen	1 206	1 302	1 123	1 378	+22,7
Family member of a third-country national	2 094	1 486	2 145	2 958	+37,9
Private reasons – 78 (1) c (family or personal relationships)	185	101	160	178	+11,3
Total	5 324	4 410	5 091	5 993	+17,7

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

The available data on issued temporary authorisations to stay for family reunification can be broken down further to provide an overview of the sponsors' different residence permit categories (see Figure 12 and Table 13). In 2022, 3 011 temporary residence permits in the context of family reunification have been granted, which represents an increase of 15,5% to the previous year when 2606 permits have been issued. Almost three quarters of the sponsors (74%, 2 227 persons) held a residence permit linked to remunerated activities. Beneficiaries of international protection represented 15,5% of the sponsors (467 persons) for family reunification.¹³⁴

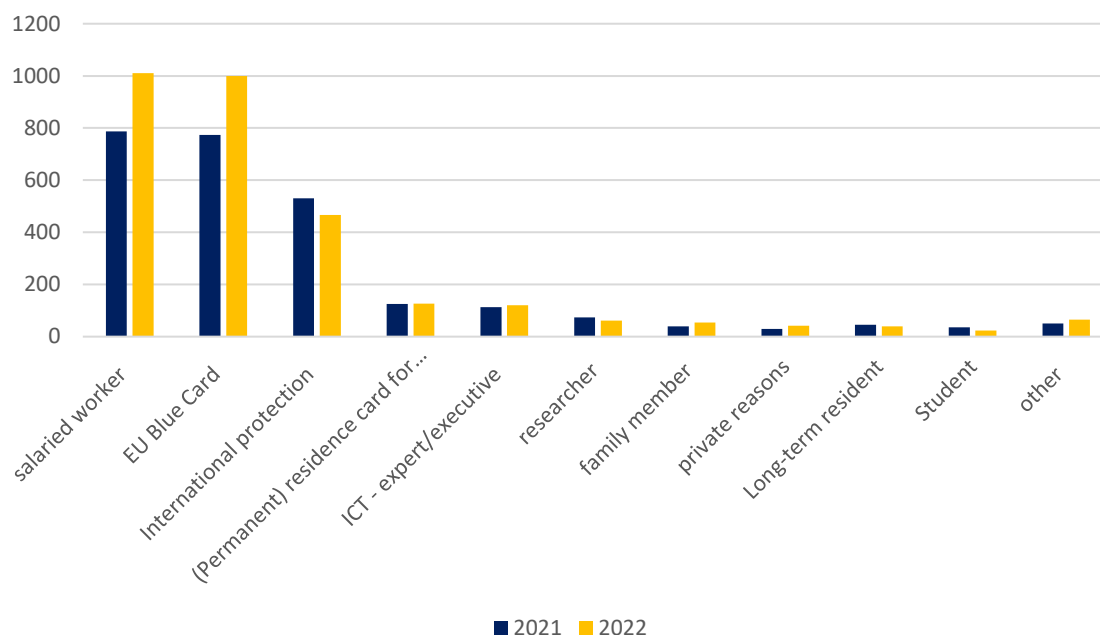
Figure 12: Temporary authorisations to stay issued for purposes of family reunification broken down by sponsors' categories of residence permit in 2022



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Figure 13 juxtaposes the developments of the years 2021 and 2022 and underlines that especially among the sponsors, the categories of salaried workers and EU Blue Card holders have grown by 28,5% and 29,2%, respectively. For the category international protection 11,9%, less temporary authorisations to stay in the context of family reunification have been issued in 2022 while the remaining categories have barely changed.¹³⁵

Figure 13: Temporary residence permits issued in 2021 and 2022 in the context of family reunification – breakdown by detailed category of the sponsor’s residence document



Source: Ministry of Foreign and European Affairs, 2022, 2023. © EMN Luxembourg 2023

3.5.2 Applications of beneficiaries of international protection for family reunification

Private Member’s Bill 8028

On 9 June 2022, the Private Member’s Bill ¹³⁶ 8028 amending the amended Law of 29 August 2008 on the free movement of persons and immigration has been submitted to Parliament.¹³⁷

This private member’s bill proposes to amend Article 70 of the amended Law of 29 August 2008¹³⁸ to enable BIPs to apply for family reunification for “their family members who are dependent on the beneficiary of international protection”, such as nephews, nieces, sisters, or brothers in their custody because the parents are deceased”.¹³⁹

The author of this proposal relies in particular on a contribution by the Ombudsman on family reunification of BIPs. The Ombudsman considers the current interpretation of Article 70 on family reunification of the Immigration Law¹⁴⁰ as “very restrictive”¹⁴¹ According to the author, the aim is to reduce/eliminate the potential risk that the best interest of the child is not sufficiently taken into account, that unjustified differences in treatment may occur, or that the right to respect for family life is violated.¹⁴²

Debate

On 30 November 2022, the Government took position,¹⁴³ considering the proposal “vague”¹⁴⁴ and voiced concerns that it would lead to “countless applications for family reunification” in case it would be approved.¹⁴⁵ The Council of State on its opinion of 24 January 2023, stated that it is up to the legislator to assess the appropriateness of creating a right to family reunification for the benefit of any dependent family member of a beneficiary of international protection.¹⁴⁶

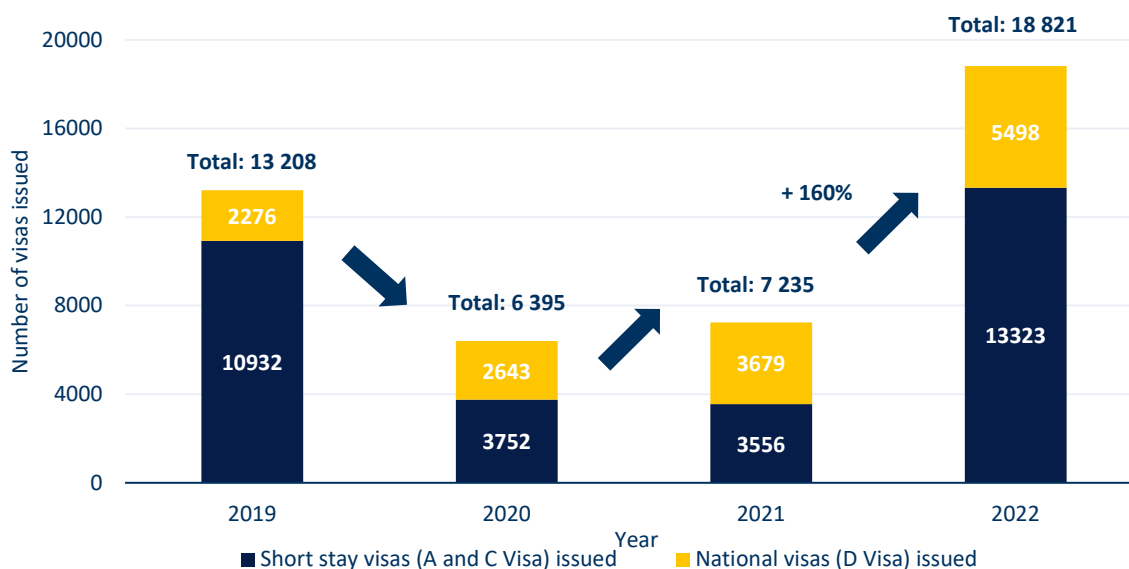
On 4 April 2022, the Ombudsman denounced a reversal of a specific administrative practice by the Minister in charge of Immigration and Asylum in matters of family reunification to the detriment applicants. More specifically, according to the Ombudsman, until 2021, the Minister would have interpreted Article 70 of the Immigration Law more broadly to grant the right of residence not only to the children of the sponsor or their spouse, but also to their nephews and nieces, siblings – on condition that the sponsor has the custody of the minor(s) s/he wants to bring to Luxembourg. This change in the policy would create problems in case the parents of the applying BIPs are deceased, and the sponsor would take custody. The Ombudsman further stated that Directive 2003/8¹⁴⁷ allows Member States a certain latitude to extend the benefit of family reunification to other minors who are not direct descendants of the applicants.

When asked in a Parliamentary question to take position on the abovementioned Ombudsman’s concerns, the Minister of Immigration and Asylum rejected the claim. He argues that the Immigration Law¹⁴⁸ offers the possibility to take this option into account in order to grant a residence permit for private reasons not only to other family members of BIPs, but more generally to TCNs who do not meet the conditions for family reunification, but whose personal or family ties, assessed in particular with regard to their intensity, their seniority and their stability, are such that the refusal to authorize their stay would cause a disproportionate infringement to the applicants’ right to family life. The related conditions of proof, including conditions on housing, health insurance, and stable income, are similar to those required for family members for family reunification.¹⁴⁹

3.6 Information on visas issued in 2022

Of the 18 821 visas issued by the authorities in 2022, 13 323 (70,8%) were short stay Schengen visas (C – stay of up to 90 days) and 5 498 (29,2%) were national visas (D). The total number of issued visas has climbed and is 160,1% higher than in 2021 and also 42,5% higher when set against pre-pandemic 2019. This increase can be attributed to a strong growth of 274,7% of issued short stay visas (A and C) (+21,9% compared to 2019). At the same time, the issuance of national visas also increased by 141,56% compared to 2021 (+49,4%) (see also Figure 14.¹⁵⁰

Figure 14: Number of visas issued in Luxembourg 2019-2022



Source: EMN 2020 – 2023; MAEE 2023. © EMN Luxembourg 2023

3.7 Additional developments

Bill 7954: Clarifications concerning residence permits for private reasons

On 19 January 2022, Bill 7954 amending the amended Law of 29 August 2008¹⁵¹ on the free movement of persons and immigration has been introduced to Parliament and has passed its first constitutional vote on 14 March 2023.¹⁵² This bill proposes several clarifications concerning the residence permits for private reasons¹⁵³ especially regarding conditions for granting them (e.g. required financial resources, relationships between partners, and exceptional motives, not covered by humanitarian considerations of extreme gravity):

- (i) Financial grounds: The bill proposes additional conditions regarding the required financial resources. The resources must come from a professional activity exercised in another EU Member State or the Schengen Area, from an old-age, invalidity or survivor's pension paid by a Luxembourg social security organisation or another EU Member State or the [Schengen Area](#).¹⁵⁴
- (ii) Relationship between partners: A residence permit based on personal or family ties in the case of a relationship between partners may only be issued to the applicant if none of the two partners are married or have registered a partnership with another person that is still ongoing.¹⁵⁵

(iii) Exceptional motives: The bill proposes to include a residence permit for illegally staying third-country nationals whose situation is exceptional and not covered by humanitarian considerations of extreme gravity. For example, individuals who, as a consequence of their extended stay in Luxembourg, have such ties with the country that there is no reasonable prospect of removal for them or that it would be a disproportionate measure in view of their personal and family situation. Under penalty of inadmissibility, this request needs to be made on Luxembourgish territory. This inadmissibility clause is not applicable to applications for residence permits from victims of domestic violence. In this case, a residence permit for private reasons shall be granted on the grounds of the victim's safety, health, family situation, or situation in the country of origin, or if it is necessary for a cooperation of the victim with the competent authorities for criminal investigation or proceedings.¹⁵⁶

4. INTERNATIONAL PROTECTION

AT A GLANCE

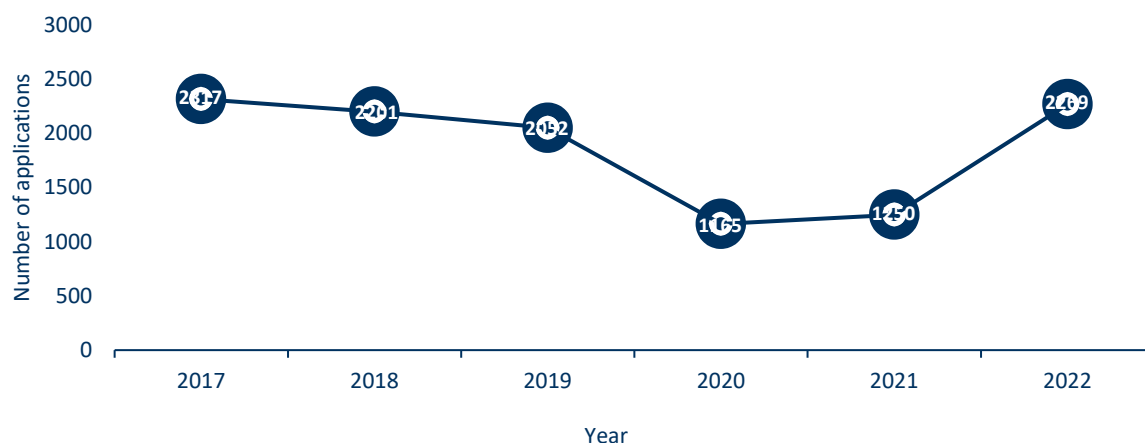
- Completed **revision of the Constitution**: Chapter II entails the right to asylum
- **Bill 8014** amending the amended Law of 18 December 2015 on international protection and temporary protection (Asylum Law) has been introduced to Parliament. The bill foresees to modify Art. 22 (2d) by **introducing objective criteria for assessing risks of absconding** in the context of the application of the Dublin III Regulation
- **Grand-Ducal Regulation of 23 January 2023** amending the amended Grand-Ducal Regulation of 21 December 2007 thereby **removing Ukraine and Croatia from the list of safe countries of origin**.

4.1 Statistical Trends in international protection

4.1.1 Applications for international protection

In 2022, the number of applications for international protection in Luxembourg amounted to 2269. This number almost doubled from 2021 (1 250) representing an increase of 81,5%. As Figure 15 illustrates, the number of applications for international protection slightly surpassed 2019-(2 052) levels in 2022.¹⁵⁷

Figure 15: Number of applications for international protection (2017-2022)



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

In 2022, the majority of applicants for international protection were adult males (see Table 14 below).

Table 14: Number of applications for international protection 2022, by gender and age of majority

Nationality	2022	of which		
		Males	Females	Minors
Syrian	1 008	719	289	346
Eritrean	355	243	112	103
Afghan	174	133	41	54
Turkish	94	64	30	31
Venezuelan	85	46	39	30
Iranian	42	25	17	9
Tunisian	32	25	7	5
Algerian	32	27	5	5
Guinea-Conakry	28	24	4	3
Ethiopian	26	18	8	5
Other	393	298	95	82
Total	2 269	1 622	647	673

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Table 15 depicts that, as in the previous year, the largest number of applicants in 2022 were Syrians (1 008), representing 44,42% of the total number of applications. The second largest number were Eritreans (355 [15,65%]), followed by Afghans (174 [7,67%]). Like in 2020 and 2021, none of the West Balkan countries appeared in the top ten nationalities of AIPs. Venezuela still figured among one of the most common countries of origin with 85 applications (3,75% of the total number of applications). Following the Taliban take over in August 2021, the number of Afghan nationals who applied for international protection continued to increase also in 2022.¹⁵⁸

Table 15: Top 10 nationalities applying for international protection in 2021 and 2022

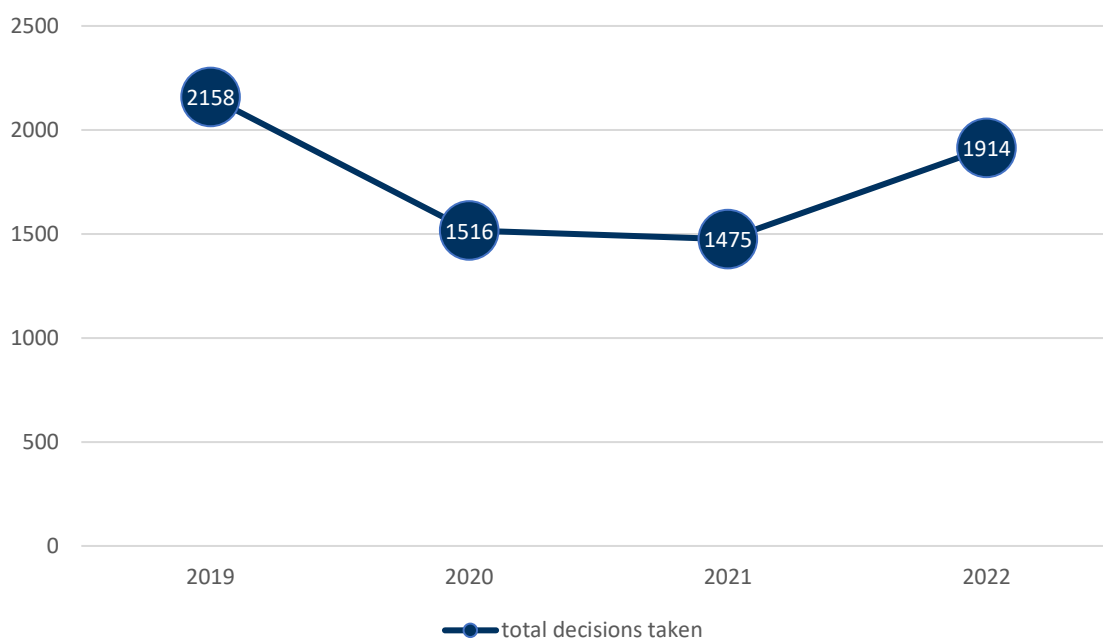
Nationality	2021	2022	Relative change 2021 to 2022
Syrian	392	1 008	+157,1%
Eritrean	255	355	+39,2%
Afghan	117	174	+48,7%
Turkish	0	94	-
Iraqi	50	0	-
Sudanese	40	0	-
Venezuelan	37	85	+129,7%
Ethiopian	32	26	-18,8%
Cameroonian	26	0	-
Algerian	26	32	+23,1%
Tunisian	0	32	-
Guinea-Conakry	0	28	-
Iranian	27	42	+55,6%
Other	249	393	+57,8%
Total	1 250	2 269	+81,4%

Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

4.1.2 Decisions on international protection applications

In 2022, the Directorate of Immigration took 1 914 decisions on international protection. Looking at the previous year 2021 as well as the pre-COVID year 2019, this represents an increase of 29,8% and a decrease of 11,3%, respectively (for an overview of the different types of decisions that were taken, see Figure 16).¹⁵⁹

Figure 16: Decisions on international protection applications (2019-2022)

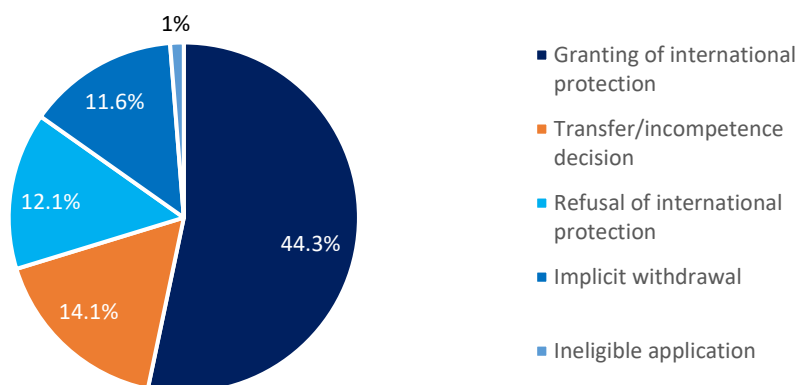


Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

When juxtaposing the years 2021 and 2022, the following numbers stand out:

- The granting of international protection¹⁶⁰ increased by 25,1%;
- Refusals of international protection¹⁶¹ decreased by 15,7%;
- Inadmissible applications remained at the same level;
- The share of implicit withdrawals increased from 21 to 222 and grew by more than 900%.
- While the absolute number of transfer/incompetence decisions increased from 222 in the previous year to 270 in 2022, the share of such decisions actually decreased from 15,1% to 14,1%. However, it remains below 2019 (626) when such decisions represented 29% of all decisions taken that year.
- In 2022, nine revocation decisions were taken compared to one decision in 2021.¹⁶²

Figure 17: Decisions on applications for international protection in 2022 broken down by category



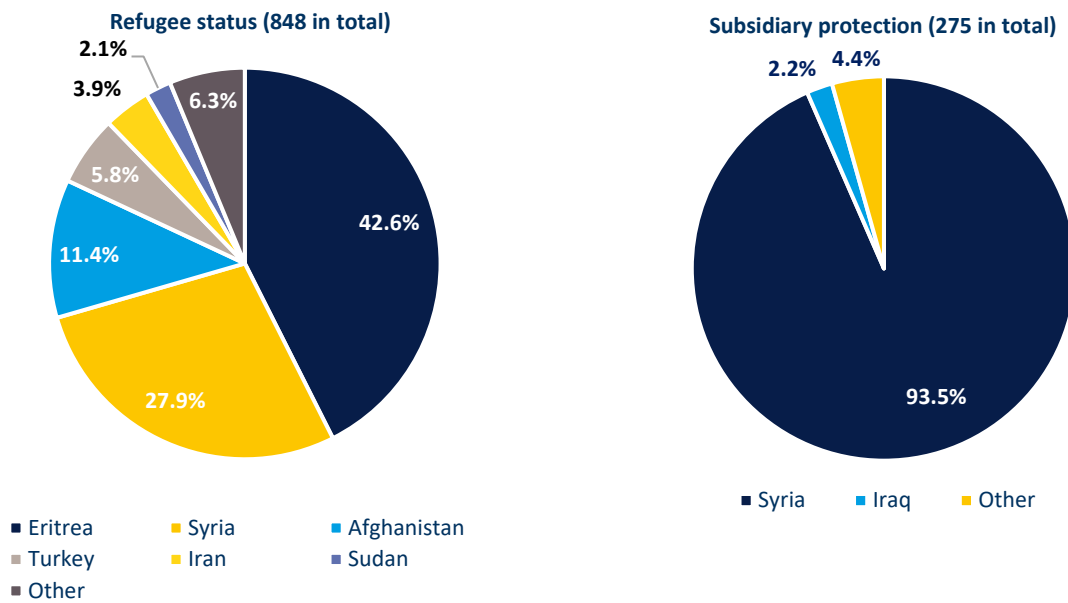
Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

In 2022, a total of 1 123 people were granted international protection in Luxembourg (including refugee status and subsidiary protection). More specifically, 848 people have received refugee status compared to 754 in 2021 (representing an increase of 12,5%). At the same time, 275 people received the status of subsidiary protection versus 144 people in 2021 (+91%).¹⁶³

In the following, the granted protection statuses are further broken down according to the main nationalities of the beneficiaries (for a graphical overview, see Figure 18 below). During 2022, 361 Eritreans were granted refugee status (42,6% of the total number of refugee statuses, against 38,2% in 2021), followed by Syrian nationals (237 or 27,9%, versus 34,2% in 2021) and Afghan nationals (97 or 11,4%, compared to 10,7% in 2021). Together, these three countries represent 82% of the total number of refugee statuses granted. They are followed by Turks (5, 8%), and Iranians (3,9). Further, 275 subsidiary protection statuses were granted in 2022, mainly to Syrians (257 [93,5%]) and Iraqis (6 [2,2%]).¹⁶⁴

In total, 231 refusals were issued in 2022, of which 150 (64,9%) were concluded under the standard procedure and 81 (35,1%) in the context of an accelerated procedure. The share of refusals under the standard procedure decreased by 23,9% in relation to 2021 (from 197 to 150), whereas the proportion of accelerated procedures increased by 5,2% from 77 to 81.¹⁶⁵

Figure 18: Decisions to grant refugee status and subsidiary protection in 2022, by main nationalities

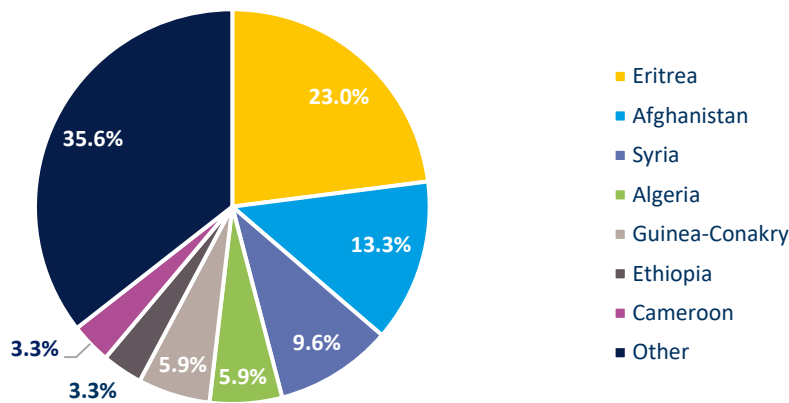


Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

4.1.3 Dublin III procedure

The amount of incompetence decisions increased in 2022 (270 decisions) compared to and 2021 (222 decisions), while 626 such decisions were taken in 2019.¹⁶⁶ 137 people were transferred to other countries in the context of the Dublin III Regulation (of which 65 AIPs and 72 persons in an irregular situation), compared to 122 in 2021 and 113 people in 2020. Overall, these numbers remain lower than before the pandemic. 67 people were transferred to Luxembourg from other Member States against 54 in 2021 and 80 in 2020. Out of these 67 people, 18 were transferred from Greece for family reasons.¹⁶⁷ The Figure 19 below provides additional details.

Figure 19: Transfers under the Dublin Regulation: Persons for whom Luxembourg was not competent to process the application for international protection



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Court rulings on applications for international protection

Applications for international protection when the parents have previously obtained refugee status in a Member State different from the Member State in which the minor was born

The First Instance Administrative Court decided on 1 March 2021 (No 45437) to stall the proceedings in a case regarding the application for international protection filed by parents who have themselves previously obtained refugee status in another Member State, of a minor born in Luxembourg. The First Instance Administrative Court referred to a preliminary ruling by the Court of Justice of the European Union (CJEU) on whether applications for international protection can be declared inadmissible when the country that granted international protection to the parents has also guaranteed that, on arrival of the child and return of the other family members, this child will receive a residence permit, allowing her/him to have the same benefits as those granted to her/his parents as beneficiaries of international protection, though without stating that s/he will be personally granted international protection.¹⁶⁸ In its request, the First Instance Administrative Court referred to case ([C-720/20](#)), which was decided upon on 1 August 2022. The Court pointed out that the list of inadmissibility grounds is exhaustive and must be interpreted narrowly. Therefore, the Court ruled that the interpretation cannot be extended to persons applying for international protection who are not themselves beneficiaries of protection. The Court further clarified that the application was not inadmissible, as the situation of such a minor is not comparable to that of an applicant for international protection who has already been granted such protection by another Member State, so that analogy is excluded. The Court concluded that

Article 20(3) of the Dublin III Regulation is to be interpreted that it cannot be applied by analogy to the situation in which a child lodges her or his application for international protection in the Member State on whose territory s/he was born and where s/he resides with her or his family members, although the latter enjoy international protection in another Member State.¹⁶⁹

Following the ruling of the CJEU in Case ([C-720/20](#)), the Luxembourgish case for preliminary ruling was dismissed. Luxembourg has adapted its practice with regard to children born in Luxembourg of persons enjoying international protection in another Member State, and their applications for international protection will henceforth be examined on the merits.¹⁷⁰

Application for international protection by a beneficiary of international protection in another Member State because of medical reasons

From 2019 to 2023, the Luxembourg Administrative Courts dealt with the case of a mother and her adult son from Iraq who applied for international protection in Greece in September 2017. In May and June 2018 both were granted subsidiary protection in Greece. The paralysed son was seriously injured on his escape from Iraq to Europe, sought medical treatment in Greece, which he was denied. Because of his medical condition, mother and son applied for international protection in Luxembourg.

In August 2019, the Minister in charge of migration and asylum declared their application inadmissible. The Minister argued that that the medical reasons for their departure from Greece cannot in any case be the basis for an application for international protection. The decision was appealed before the First instance Administrative Court which on 6 November 2019 annulled the Minister's decision on the grounds of a lack of assessment on the part of the Minister. In the appeal it was argued that the Minister did not assess whether the applicant, in case of a return to Greece, would receive the necessary medical care.¹⁷¹

The Minister reiterated his decision on 10 January 2020 and the applicants appealed the decision again. The First instance Administrative Court in its judgement of 25 March 2020 annulled the decision on the grounds that it violates Article 4 of the [Charter of Fundamental Rights of the European Union](#) and of Article 3 of the [Convention for the Protection of Human Rights and Fundamental Freedoms](#) (ECHR).¹⁷²

The Minister rejected the application of international protection on 26 January 2021 again and a new appeal was filed. The decision of the First instance Administrative Court of 15 November 2022 ([Roll 45724](#)) granted partial relief to the plaintiffs as it refused to grant international protection to the applicants but annulled the order to leave the territory. The Minister appealed this decision before the Administrative Court on 13 December 2022. On 9 March 2023, the Administrative Court confirmed the judgment of the First instance Administrative Court regarding the refusal to grant international protection and declares that the order to leave the territory is valid.¹⁷³

Nevertheless, the Administrative Court indicated that the arguments brought forward by the applicant regarding his serious health condition can be used in the return procedure to request a postponement of removal for medical reasons, which, however, has to be done outside of the international protection procedure.¹⁷⁴

4.2 Legislative developments and processes

4.2.1 Revision of the Constitution: Chapter II and the right to asylum

On 21 and 22 December 2022, Parliament passed four bills to revise the Constitution. This substantial revision has been under discussion for nearly two decades.

The objective of this constitutional reform is to give more coherence to the text of the Constitution by regrouping certain provisions and modernising it. Further, several new rights and freedoms, such as the right to asylum in addition to existing obligations stemming e.g. from international conventions such as the Geneva Convention of 1951 and the treaties of the European Union have been added.¹⁷⁵ It is the most significant change of the Constitution since 1868.¹⁷⁶ On 18 January 2023, the respective Law on the revision of Chapter II of the Constitution has been published.¹⁷⁷ The new provisions will enter into force six months after publication in the Official Journal, on 1 July 2023.¹⁷⁸

Stakeholders' opinion

Article 25 of the Constitution (Chapter II, Section “Public freedoms”) establishes the right to asylum as a public freedom guaranteed by the Constitution. Regarding the scope and definition of the right to asylum, a debate between different parties, amongst which the Government,¹⁷⁹ the District Court of Luxembourg,¹⁸⁰ and the Advisory Commission for Human Rights¹⁸¹ (*Commission Consultative des Droits d’Homme*, CCDH), raised the question of the scope of this right and whether the intention is to introduce a constitutional right to asylum distinct from the right to asylum as guaranteed by the Geneva Convention.¹⁸² The parliamentary committee specified that this is a constitutional right implemented within the framework of the legislation transposing the European directives adopted following the Treaty of Amsterdam of 1997.¹⁸³

For related information, please also refer to section 6.1.1.1.

4.2.2 Dublin Procedure: Bill 8014 on clarifications on assessing the risk of absconding

On 30 May 2022, Bill 8014 amending the amended Law of 18 December 2015, on international protection and temporary protection (Asylum Law) has been introduced to Parliament.¹⁸⁴ In line with the CJEU’s judgments C-528/15¹⁸⁵ and C-673/19, this bill aims to provide clarity on assessing risks of absconding and on return decisions affecting AIPs and BIPs and that BIPs in another EU Member State may not be subject to a return decision, implying their removal from the Schengen area.¹⁸⁶

The bill lists objective criteria for assessing risks of absconding in the context of the application of the Dublin III Regulation, namely whether applicants:

- Have previously evaded in another Member State, the decision of the State responsible for their application for international protection or the execution of a transfer decision or removal order;
- Are subject to an alert in the Schengen Information System denying entry and stay or of an alert for the purposes of return;
- Were refused international protection in the Member State responsible;
- Are again present on the territory after the effective execution of a transfer or if they have evaded the execution of a transfer;
- Have forged, falsified or made out in a name other than their own an identity or travel document or has made use of such a document;
- Have concealed elements of their identity or used multiple identities;
- Have refused the place of accommodation offered and cannot justify the place of their actual residence or have abandoned their previously accepted place of accommodation;
- Have expressed an intention not to comply with a transfer decision or if such an intention is clearly evident from their conduct;
- Without legitimate reason and although duly summoned or informed, have not submitted to a measure preparatory and necessary for the material execution of their transfer or have manifested their intention not to comply.¹⁸⁷

The legislator intends to include EU citizens among the categories of applicants for international protection. Since EU citizens cannot be subjects to return decisions, this means that no return decision can be made following an inadmissibility decision.¹⁸⁸

Stakeholders' opinions

The Council of State considers that article 1 of the bill should mention among the criteria of a presumed risk of absconding the evasion of a previous removal measure. Thus, the Council recommends modifying the article which is based on article L.751-10 of the French Code on the entry and stay of foreigners and the right to asylum by replacing transfer decisions (mentioned in the second part of article 1, point 4 of the draft law) with deportation orders. Bill 8014 should also specify that the list of enumerated situations in which the risk of absconding is presumed is exhaustive.¹⁸⁹

Please also refer to section 9.4.2.

4.2.3 Safe countries of origin

The Minister of Immigration and Asylum argued that following the Russian invasion of Ukraine, the latter can no longer be considered as a safe country of origin.¹⁹⁰ The Republic of Croatia joined the European Union on 1 July 2013 and as such needed to be removed from the list of safe countries of origin.¹⁹¹ The list of safe countries of origin had to be updated following the name change of the

“Former Yugoslav Republic of Macedonia” to “Republic of North Macedonia” back in 2019.¹⁹² A draft Grand-Ducal regulation was approved by the Government Council on 2 December 2022.

Finally, the Grand-Ducal Regulation of 11 January 2023 removed Ukraine and Croatia from the list of safe countries of origin and entered into force on 23 January 2023.¹⁹³

4.2.4 Family reunification procedure

As of 4 April 2022, a new additional step to check the existence of family relations has been added to this process. This step, which entails checks on location, has become necessary due to the increasing number of irregularities in the process of family reunification of BIPs from Eritrea. This change is a proactive measure to avoid any issues related to the process of issuing visas for family reunification when cooperating with Belgian authorities.¹⁹⁴

In cases where Luxembourg is represented by Belgium, Luxembourg has adopted Belgium’s procedures and this step is carried out by an external company. This change is covered by Article 73 (2) of the amended Immigration Law of 29 August 2008.¹⁹⁵

Similar procedures already exist since 2018 (for family reunifications of persons from Guinea and Senegal). The new process, which concerns persons from Eritrea, is still being finetuned with the Belgian authorities.¹⁹⁶

4.2.5 Additional legislative developments

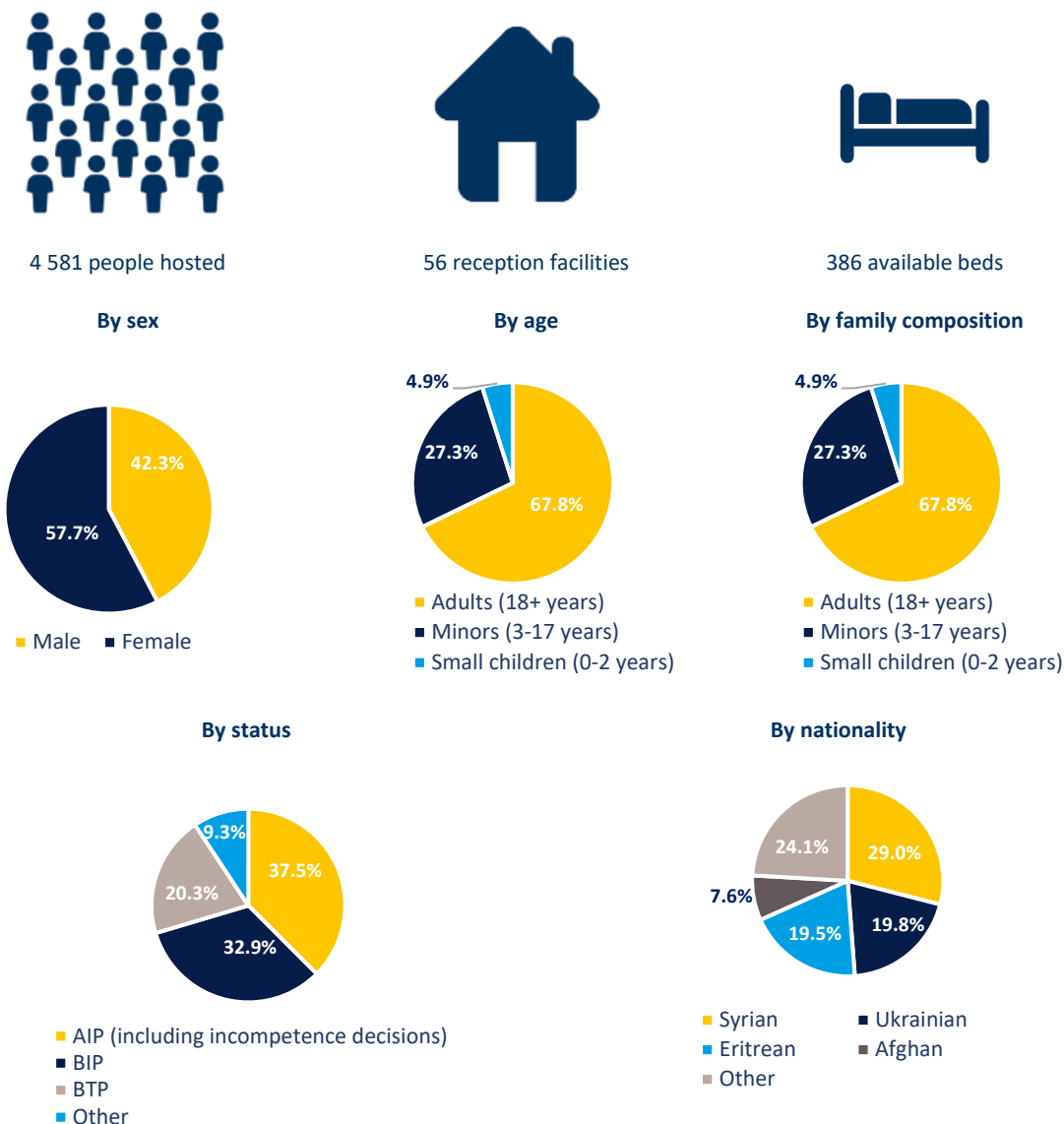
4.2.5.1 Modification of access to the labour market for applicants for international protection

Access to the labour market for AIPs is governed by the amended Law of 18 December 2015 on the reception of applicants for international protection and temporary protection. The only possibility of accessing the labour market for AIPs is to obtain a temporary occupation permit (*Autorisation d’occupation temporaire*, AOT). This permit can only be requested six months after the submission of the application for international protection.¹⁹⁷ The Minister for Immigration and Asylum and the Minister for Labour, Employment and the Social and Solidarity Economy confirm that they do not plan to abandon the six-month period. However, they announced that a draft bill is being prepared at ministerial level, which intends to abolish the required market test in the context of obtaining an AOT six months after the filing of the application for international protection.¹⁹⁸

4.3 Reception and support measures

4.3.1 Statistical trends in the reception system

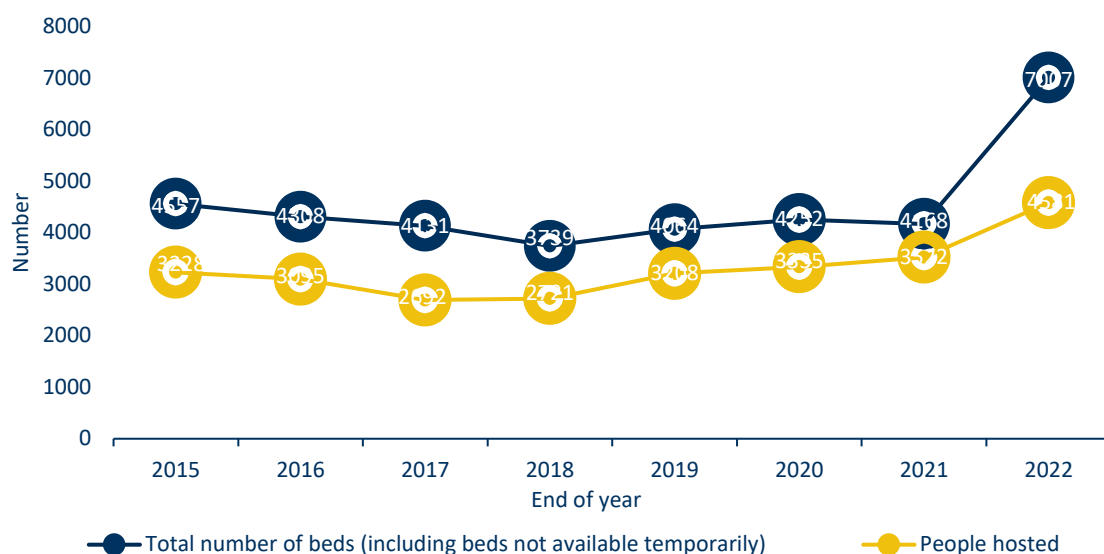
Figure 20: Demographic snapshot of the population hosted in reception facilities (end of December 2022)



Source: Ministry of Foreign and European Affairs, 2023 © EMN Luxembourg 2023

As of the end of December 2022, a total of 4 581 people were hosted by ONA in overall 56 accommodation facilities (21 directly managed by ONA, 18 by the Luxembourgish Red Cross, and 16 by Caritas Luxembourg based on collaboration agreements with ONA). The total number of beds amounted to 7 007 and an occupancy rate of 93,7% (for an overview of the evolution between 2015 and 2022, see Figure 21).¹⁹⁹

Figure 21: Evolution of number of beds and people hosted in accommodation facilities (2015-2022)



Source: Ministry of Foreign and European Affairs, 2023 © EMN Luxembourg 2023

4.3.1.1 Statistical trends

Opening of additional reception structures

In autumn several additional reception structures were opened. A new temporary accommodation structure for AIPs with a projected capacity of 197 beds, managed by Caritas, has opened in Gasperich. It hosts families and single men and women who share sanitary facilities, laundry, and dining room. Meals are prepared and delivered three times a day.²⁰⁰ Another accommodation structure, located in Frisange, was opened on 14 February 2022. The structure managed by the Red Cross, consists of two modular structures with a capacity of 29 beds each.²⁰¹

On 19 October 2022, the temporary accommodation structure for AIPs in Weilerbach, which was under renovation since 2019, has been reopened. It can accommodate up to 190 people (families, women, and single men) and is managed by the Red Cross. Occupants share sanitary facilities, laundry, activity rooms and canteens and can also cook on site. Children subject to compulsory education will be educated in specialised state reception classes (*classes spécialisées d'accueil de l'État*, CSAE) in a school located on the site.²⁰²

Capacity of the reception system

The MAEE has repeatedly communicated that the reception facilities for AIPs are operating almost at full capacity.²⁰³ The occupancy rate in temporary accommodation structures was at 94,5%.²⁰⁴ The high occupancy rate impacts the initial reception facilities (*structures de primo-accueil*) as people are still waiting to be rehoused from there to a temporary accommodation for AIPs (*structure d'hébergement*

temporaire pour DPI or SHTDPI). As a result, the Tony Rollman emergency initial reception centre was opened to all AIPs and BIPs as of 30 September 2022.²⁰⁵

Given the growing number of new arrivals and limited reception capacities with an already high net rate of occupancy, the Minister of Immigration and Asylum reiterated once again his appeal to the municipalities to make sites available for the construction or development of accommodation structures for AIPs (projets.immobiliers@ona.etat.lu). Several financial and administrative aids are available for municipalities hosting AIPs and/or BIPs.²⁰⁶ ONA already closely collaborates with the municipalities and other government services, including the Public Building Administration, in the search for new housing structures, which remained difficult, in particular because of insufficient supply of building materials on the market.²⁰⁷

BIPs can also be hosted by a private household if the household guarantees to host them for free. Once BIPs leave the reception structures to be hosted by a private household, they are not allowed to return to the former. Further, BIPs could lose their right to social inclusion income (*Revenu d'Inclusion Sociale*, REVIS) after a transitional period of one year, which could leave them dependent on their host family. This measure was taken to create conditions, which are as similar as possible to the BIPs who remain at reception facilities and pay allowances to ONA.²⁰⁸

Due to the challenges and despite the efforts mentioned above, the housing situation for BIPs in Luxembourg remained challenging in 2022. With 3 352 AIPs in reception structures counted in 2022, the pre-COVID levels of 2018 and 2019 (+/- 3 400 AIPs) have almost been reached.²⁰⁹ The reception network is regularly impacted by opening and closure of reception facilities for AIPs, notably the so-called “temporary” structures under 24/7 surveillance, in which AIPs stay until their application has been processed.

Upon obtaining international protection status, BIPs have 12 months to leave the reception structure and to find their own accommodation. However, due to the lack of affordable housing, this becomes increasingly difficult for BIPs. Therefore, they can stay longer at ONA’s reception structures and pay a certain allowance to ONA. In 2022, the average time period for which BIPs cannot leave reception structures has increased to 600 days.²¹⁰

4.3.1.2 Additional developments

Empowering projects for AIPs

The authorities continue to implement empowerment projects for AIPs such as the successful Cash for Food (CFF) project, which runs since 2020.²¹¹

On 1 January 2022, the CFF project entered its second phase with the addition of 12 structures. As of 31 December 2022, 15 state accommodation facilities participate in the CFF project. Together they reach 274 residents.²¹²

In May and June 2022, a second evaluation was launched, which was based on a much larger group of participants, but the results were very similar to those of the first study and confirmed the very positive results obtained.²¹³

Five additional accommodation facilities will be using the CFF project in 2023²¹⁴ and a detailed analysis is currently underway to determine whether it will be possible to scale up the CFF to reach approximately 500 residents is possible.²¹⁵

As of 31 December 2022, 16 accommodation structures are being served by the grocery store on wheels.²¹⁶

4.4 Vulnerabilities

4.4.1.1 Raising awareness against Female Genital Mutilation (FGM)

On occasion of the International Day of Zero Tolerance for FGM on 6 February 2022, the Luxembourgish government raised awareness on the topicality of this issue and how it fights against it.²¹⁷ The government is adopting a proactive approach to raise awareness on the impact of FGM among the people concerned, children, parents, and communities, as well as supervising staff. ONA has set up a collaboration with the [Group for the Abolition of Female Genital Mutilation Belgium \(GAMS\)](#) to offer compulsory [training](#) for all ONA agents who work in direct contact with women seeking international protection to help prevent FGM.²¹⁸

4.5 Relocation and resettlement

4.5.1 Relocations

4.5.1.1 Declaration of Solidarity

Under the French Presidency of the Council of the European Union, a so-called “Solidarity Declaration” was signed on 22 June 2022 by 18 Member States and three associated states (Belgium, Bulgaria, Cyprus, the Czech Republic, Germany, Greece, Spain, Finland, France, Croatia, Ireland, Italy, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Norway, Switzerland, and Liechtenstein) to support frontline Member States mostly affected by migratory flows, in particular the Med5-Countries (Italy, Cyprus, Greece, Malta, Spain). The Solidarity Mechanism is active from July 2022 to July 2023 and will be evaluated after six months. In this context, Luxembourg pledged the relocation of 50 persons.²¹⁹ The first completed transfer of five persons in October 2022 was from Italy.²²⁰

4.5.2 Resettlement

Under the EU resettlement and humanitarian admission programme launched for 2021 and 2022, 60 Afghan nationals have been admitted on humanitarian grounds to Luxembourg between August 2021 and October 2022.²²¹

4.5.2.1 Pledging exercise by the European Commission for 2023-24

To ensure that EU resettlement efforts will continue in the coming years,²²² the European Commission announced a new pledging exercise for 2023 and 2024 on 17 June 2022. 17 Member states and associated countries show solidarity with the Med5 countries (Italy, Spain, Malta, Cyprus, and Greece) in the context of heavy migration flows.²²³ These efforts underline the desire to guarantee access to asylum for people in need of protection, in particular by respecting the Geneva Convention on Refugees of 1951 and the Charter of Fundamental Rights.²²⁴ Luxembourg has pledged to resettle 15 persons and to admit 15 persons on humanitarian grounds.²²⁵

4.5.3 Afghans at risk

Luxembourg has been reacting on the changing situation in Afghanistan since the takeover of power by the Taliban in August 2021. Luxembourg has halted decisions on applications for international protection by Afghans until sufficient reliable information will be available (for additional information please refer to chapter 3 in LU NCP ARM pt.2 2021).²²⁶ In September 2022, the Minister for Immigration and Asylum provided an overview of the present situation of Afghan nationals present in Luxembourg.

Not all application processes of Afghan nationals for international protection in Luxembourg have been completed and 62 Afghan nationals who applied for international protection before and 119 Afghans who applied since then are still awaiting a decision.²²⁷ Due to the change of situation in Afghanistan in August 2021, each Afghan API who arrived in Luxembourg before the Taliban took power in August 2021, could have her/his application reassessed. Among the 83 Afghan AIPs who lodged an appeal against a decision refusing to grant international protection, 48 obtained international protection.²²⁸ The applications for international protection of 23 Afghan nationals have been definitively dismissed since August 2021.²²⁹

As of September 2022, eight Afghan nationals held a salaried worker-residence permit based on Article 42 of the Immigration Law.²³⁰ Since January 2021, 79 Afghans have obtained an agreement to join their families in Luxembourg since January 2021 while family reunification has been refused for 63 people²³¹ from Afghanistan.²³²

In total, since the evacuation efforts from August 2021 to September 2022, 60 Afghan nationals have arrived in Luxembourg under humanitarian admissions and Luxembourg's engagement with the European Union and the North Atlantic Treaty Organization (NATO).²³³

5. MINORS AND OTHER VULNERABLE GROUPS

AT A GLANCE

- **Bill 7977** on the right to education and compulsory education, which intends to extend the age of compulsory education to the age of 18 years and to establish common base principles applicable to all forms of education, has been introduced to Parliament
- **Bill 8069** in favour of the reception, orientation, integration and school support of newly arrived pupils, which shall **provide** the lacking **legal basis** to the new School Reception Unit for Newly Arrived Pupils (**CASNA**) and other school integration measures, has been introduced to Parliament.

5.1 Education of migrant children

By virtue of the principle of equality of opportunity, schools in Luxembourg must cater to all populations. All children, independent of their status, country of origin, etc. in Luxembourg are entitled to school integration measures.²³⁴ It shall be emphasised that education is compulsory for all children residing in Luxembourg.²³⁵

5.1.1 Statistical trends

In the school year 2021/22, the overall share of non-Luxembourgish pupils was 44,9% (45,1% in 2020/21) in fundamental (primary) education, 30,9% (28,5% in 2021) in classic secondary education, 47% (46,0% in 2020/21) in general secondary education and 45,9% (43,6% in 2020/21) in vocational courses applying the official programme provided by the MENEJ.²³⁶ The share of pupils in secondary education whose first language spoken at home is not Luxembourgish amounted to 62,5% (61,0% in 2020/21) for the school year 2021/22. When looking at previous years, a slight but steady upward trend can be recognised (60,1% in 2019/2020 and 58,4% in 2018/2019). In elementary education, this applied to 67,6% (66,8% in 2020/21) of the pupils compared to 66,8% of the pupils in 2020/21 (66,3% in 2019/20 and 65,5% in 2018/19).²³⁷

The Department for the Schooling of Foreign Children (SECAM) is in charge of organising the schooling of children who have recently arrived in the country. Its aim is to welcome and inform pupils and their parents about the various schooling options available for primary and secondary education (reception classes, specific language classes, etc.).²³⁸ Between September 2021 and September 2022, the School Service for Newly Arrived Pupils (*Cellule d'Accueil Scolaire pour Elèves Nouveaux Arrivants*; CASNA) welcomed 1 517 applicants for consultations, compared to 1 256 in the year before, which represents an increase of 20,8%. This also slightly surpasses the pre-pandemic level of the school year 2018/19 with 1 223 consultations and a growing trend starts to emerge.²³⁹

While Portuguese pupils remained by far the largest group of newly arrived pupils received by the CASNA with a share of 13,2%, their share decreased compared to 2021 (17,6%). They remain the largest group not only amongst EU-pupils: Luxembourgers who returned to Luxembourg (5,6%),

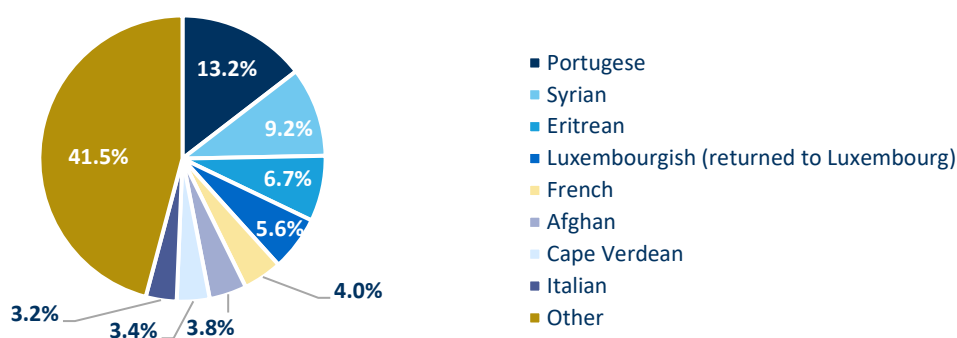
French (4%), and Italians (3,16%), but also among pupils from third countries: Syrians (9,2%), and Eritreans (6,7%). With regards to third-country nationals, the share of Syrians slightly increased from 7,6% to 9,16% while the share of Eritreans slightly decreased in contrast to the previous year (7,3% to 6,72%) whilst the share of Afghans and Cap Verdeans remained fairly stable. 214 out of the 1 517 candidates were aged 18 to 24 years,²⁴⁰ amongst which 171 were AIPs enrolled in the Accompanied Integration Pathway (PIA) (for an overview of the most frequent nationalities of newly arrived pupils received by CASNA, see Table 16 and Figure 22).²⁴¹

Table 16: Most frequent nationalities of newly arrived pupils received by the CASNA (2017/18-2021/22)

NATIONALITIES	2017/18	2018/19	2019/20	2020/21	2021/22
Third-country nationals					
Syrian	8,2%	5,7%	6,2%	7,6%	9,2%
Eritrean	10,0%	9,3%	6,2%	7,3%	6,7%
Afghan	2,5%	4,5%	6,2%	3,7%	3,8%
Cape Verdean	1,8%	2,9%	3,3%	3,2%	3,4%
EU and Luxembourgish nationals					
Portuguese	19,0%	17,9%	14,6%	17,6%	13,2%
Luxembourgish (returned to Luxembourg)	8,1%	7,6%	10,3%	8,8%	5,6%
French	6,4%	6,0%	7,0%	6,2%	4%
Italian	5,9%	5,1%	5,8%	4,1%	3,2%

Source: Ministry of Education, Children and Youth, 2021 - 2023. © EMN Luxembourg 2023

Figure 22: Most frequent nationalities of newly arrived pupils received by CASNA (2021/22)



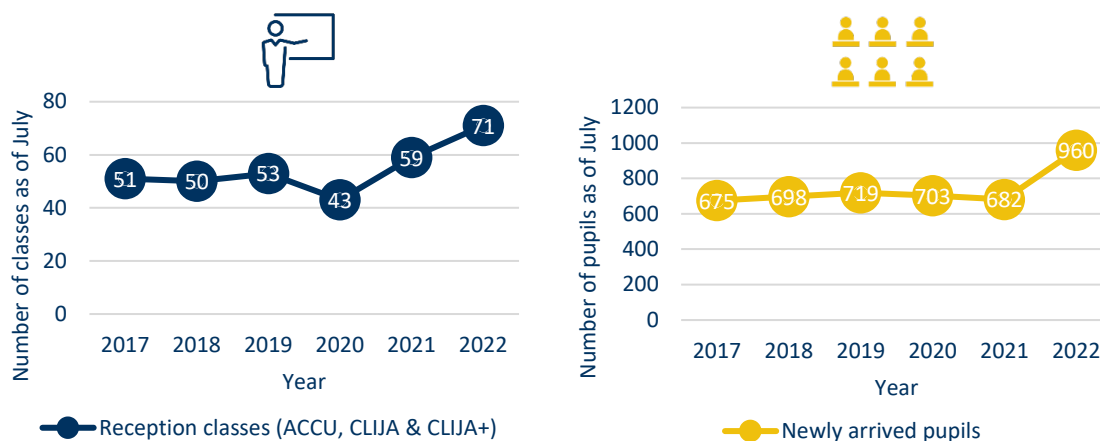
Source: Ministry of Education, Children and Youth, 2023. © EMN Luxembourg 2023

5.1.1.1 Specialised state reception classes

As of July 2022, the number of Reception classes for newly arrived pupils in secondary education amounted to 71 compared to 59 classes in 2021 (including Welcome classes, or ACCU, Integration

classes for young adults aged 16 to 17 years, or CLIJA, and Integration classes for young adults aged 18 to 24 years, or CLIJA+), and 43 classes in July 2020. In accordance with the legislation on the reception of newly arrived pupils, these classes are set up according to the current needs. The number of the classes therefore varies from term to term (for a general overview of the evolution of the number of ACCU, CLIJA and CLIJA+ classes, see Figure 23). In addition, in 2022, 22 reception classes for 316 pupils in elementary education have been organised.²⁴²

Figure 23: Reception classes (ACCU, CLIJA & CLIJA+) and number of newly arrived pupils in these classes (2017-2022)



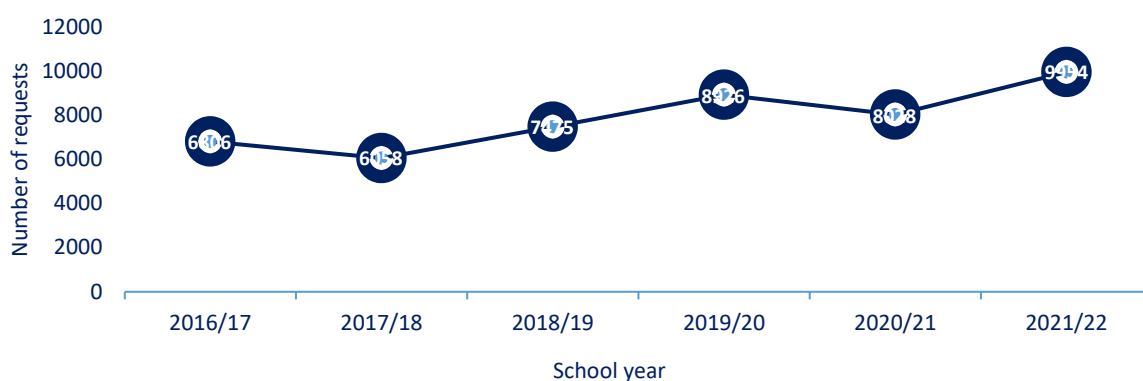
Source: Ministry of Education, Children and Youth, 2018 - 2023. © EMN Luxembourg 2023

5.1.1.2 Intercultural mediation

SECAM counted 85 intercultural mediators in 2022 (1 more than in 2021), who together worked in 40 different languages. Overall, 9 954 requests for intercultural mediations were recorded during the school year 2021/22 (not including 206 requests for written translations). This represents an increase of 24% in comparison to the previous school year (see Figure 24). The top four languages in demand did not change for 2022 and were Arabic (2 640), Portuguese (1 770), Bosnian-Croatian-Montenegrin Serbian (1 261), Tigrinya (970) and Chinese (675).²⁴³

Through a cooperation of the MAEE, the Ministry of Health, ONA, the City of Luxembourg, and the NGO LUKraine asbl, 52 Ukrainian-speaking intercultural mediators with an educational background were recruited as well.²⁴⁴

Figure 24: Requests for intercultural mediations (school years 2016/17-2021/22)



Source: Ministry of Education, Children and Youth, 2018 - 2023. © EMN Luxembourg 2023

5.1.2 Legislative developments

5.1.2.1 Bill 8069: Reforming the reception and integration of newly arrived pupils

On 2 September 2022, Bill 8069 in favour of the reception, orientation, integration, and school support of newly arrived pupils and concerning: i) creation of the school integration and reception service; ii) amendment of: 1) the amended Law of 25 June 2004 on the organisation of secondary schools; 2) the amended Law of 6 February 2009 on the organisation of primary education has been introduced to Parliament.²⁴⁵

Given continuous immigration to trilingual Luxembourg and the resulting diversification of the country, the adequate integration of the diverse multilingual and multicultural characteristics of pupils remains a major challenge to social cohesion.

Bill 8069 intends to give a legal basis to already existing integration measures and to create the new School Integration and Reception Service (*Service de l'intégration et de l'accueil scolaires*, SIA), which will replace the current [Department for the Schooling of Foreign Children](#) (*Service de scolarisation des enfants étrangers* - SECAM) in order to improve systematisation, reception, and guidance procedures for foreign pupils.²⁴⁶

SIA will function as a resource service for elementary schools and high schools and provide holistic support for all newly arrived pupils in Luxembourg both in basic and secondary education: it will no longer consider only their language skills for their orientation, but instead the entirety of their skill sets, as well as their aspirations and the family's life plan. SIA's objective is the reduction of the impact of the pupils' social or cultural origins on their academic performance and to enhance their personal background.²⁴⁷ Current measures, which are a multitude of initiatives applied on a case-by-case basis and at the discretion of the actors involved, are planned to be streamlined.

More precisely, Bill 8069 aims to improve supervision of each of the ca. 2 000 pupils who newly arrive each year and attend Luxembourg's public schools, by systematically structuring and following-up on their assessment. Within this framework, it is planned to create a reception plan (*projet d'accueil*) for each pupil. SIA shall contribute to the implementation and organisation of activities, which promote the pupils' reception, integration, language learning, as well as plurilingual and intercultural education.²⁴⁸

The bill thus responds to the many recommendations made by international bodies external to the Luxembourg school system, as well as to the demands expressed by the Schools' Ombudsman and by many organisations and associations established in Luxembourg.²⁴⁹

According to a press kit issued by the Ministry of National Education, Childhood and Youth, a scientific advisory board will be formed, which will monitor developments in the field of pupil reception and integration, advise on the national strategy implemented and identify research needs.²⁵⁰

Stakeholders' opinions

Bill 8069 has been assessed by the Council of State who mostly asked for further definitions of specific terms, such as "newly arrived" child, under penalty of formal opposition.²⁵¹ The Chamber of Civil Servants is generally in favour of the bill and positively highlights e.g. the foreseen Luxembourgish language classes and asks for further clarifications e.g. on the difference between the SIA and the *Maison de l'Orientation* in the area of secondary education.

The Chamber of Civil Servants criticizes the overload of work which is likely to fall on elementary and secondary schools. Thus, the Chamber suggests that the student's file to develop her/his reception process should be created the SIA and not the schools. This should also be the case for the mandatory missions to be implemented in schools and high schools, such as learning about the educational, cultural, and linguistic aspects of the students' countries of origin.²⁵²

ASTI does very much support the bill and asks for additional members on the SIA-advisory board: representatives of MIFA, Syvicol (Association of Luxembourgish Cities and Municipalities, *Syndicat des Villes et Communes Luxembourgeoises*) and also associations. ASTI would like to emphasise that the Government has to allocate a budget sufficient for the implementation of this bill.²⁵³

5.1.2.2 Bill 7977: A common base for education missions in an increasingly diverse society

On 10 March 2022, Bill 7977 (1) on the right to education and compulsory education; (2) amending the amended Law of 18 March 2013 on the processing of personal data; and (3) repealing the amended Law of 6 February 2009 on compulsory education on the right to education and compulsory education²⁵⁴ was introduced to Parliament. This bill aims at extending the duration of compulsory education. In addition, facing the advancing diversity of Luxembourg's resident population and its schools a specific law is required to enhance social cohesion and to build a common base to define the missions of education applicable to all forms of education, for example public and private.²⁵⁵

By virtue of Luxembourg's mainstreaming approach, this bill will also apply to Luxembourg's migrant population (i.e. European citizens and TCNs). Several Articles of Bill 7977 are particularly relevant for the integration of migrant children.

This bill stipulates the right to education and training for everyone from the age of three onwards. To this end, the Luxembourgish state shall provide a wide range of educational opportunities.²⁵⁶

- Article 4 introduces the right to return to education for every person up to the age of twenty-five who left the educational system without diploma.²⁵⁷
- Article 7 of this bill that the state promotes the integration of newly arrived people in schools. Thus, every learning structure operating in Luxembourg shall be committed to integration.²⁵⁸
- Article 10(4) states that all education respects and contributes to the principles of interculturality by promoting respect for linguistic and cultural diversity.²⁵⁹
- Article 11 extends the duration of compulsory education until a person reaches the age of 18. Individuals who obtained a final diploma/certificate of secondary education or vocational training or an equivalent before they reached the age of 18 are excluded from this independent of their nationality.²⁶⁰

Stakeholders' opinions

In general, most stakeholders, who have already provided their opinion on Bill 7977, support the main ideas behind the bill, such as reducing early school dropouts. However, they all take issue with how the bill is addressing several of its goals and have difficulties with approving it. For instance, they perceive school dropouts to result from more fundamental underlying problems, which the bill in their opinion does not sufficiently address. The points of view of several committees are summarised in the following.

The Chamber of Public Servants and Employees supports the retention of pupils but asks for more information and clarifications about the alternative schooling structures to be implemented to accommodate dropouts, otherwise it cannot approve this bill.²⁶¹

The Chamber of Employees is convinced that the educational problems older pupils face, originate in their earlier school years, which is why they recommend a more proactive intervention at the earlier education state and ask to take into account socio-economic inequalities.²⁶²

While the Luxembourg Association for the Freedom of Instruction also supports the ideas behind this bill, it does not approve that the bill uses coercion to reduce the number of early school dropouts.²⁶³

The Chamber of Commerce objects the extension of mandatory school years as a means to reduce early dropouts and proposes to consider alternative methods instead.²⁶⁴

ASTI is in general support of this bill, but they also see problems with how the reduction of early school dropouts shall be achieved. They would like to know more on how teachers will be trained to promote respect for the principles of interculturality and linguistic and cultural diversity.²⁶⁵

The Council of State cannot see that the demographic changes mainly due to immigration that occurred in Luxembourg since the last education-reform took place are that drastic that they would

justify the increasing of mandatory school years. The Council asks further, if improved teaching methods are available by now, why would they not suffice to achieve the goal of early dropout reduction without the extension of obligatory school years? With respect to Article 1, which states everyone's right to education, the Council points out that this right has already in the current (Article 23) and continues to be enshrined in the revised Constitution (Article 33). In addition, the Council reads several articles, notably Chapter 1 of this bill, more as a declaration of constitutional value, which as such should lack normative content and have no place in a law.²⁶⁶

5.1.3 Continuing diversification of Luxembourgish public school system

Opening of a sixth public European school in Luxembourg City for the school year 2022/23

Efforts to diversify the range of free public schools and to offer pupils flexibility in their choice of languages in parallel with integration measures for a more and more heterogenous population are continuing. In this context, the new Gaston Thorn International School ([EIGT](#)) was opened, based on the Law of 8 July 2022.²⁶⁷ The EIGT is the sixth international public school in the Grand Duchy. Given its location in Luxembourg City, public European education leading to a European Baccalaureate is now offered in all regions of the country from the 2022/2023 school year onwards.²⁶⁸ The Luxembourgish language plays a key role in integration and all pupils will take Lëtzebuergesch classes two hours per week throughout their primary and third year of secondary school.

New schools for refugee children.

On 26 September 2022, a new school for refugee children in a building of the EIB in Kirchberg has been opened. Some 80 pupils aged 3 to 12, children of Ukrainian refugees and children of APIs and BPIs from other nations are now being taught there. The MENEJ runs the facility and manages it as part of the school's programme for refugee children living in the accommodation facilities of ONA.²⁶⁹

On 19 December 2022, the Minister of National Education, Childhood and Youth and the Chairman of the Board of Directors of the Notre-Dame Sainte-Sophie Boarding School Foundation signed an agreement for providing urgently needed classrooms for special state reception classes.²⁷⁰ These are used for the schooling of Ukrainian refugee children and children of applicants for and beneficiaries of international protection who are old enough to attend basic school and who reside in the accommodation structures of ONA.²⁷¹

5.2 Unaccompanied Minors

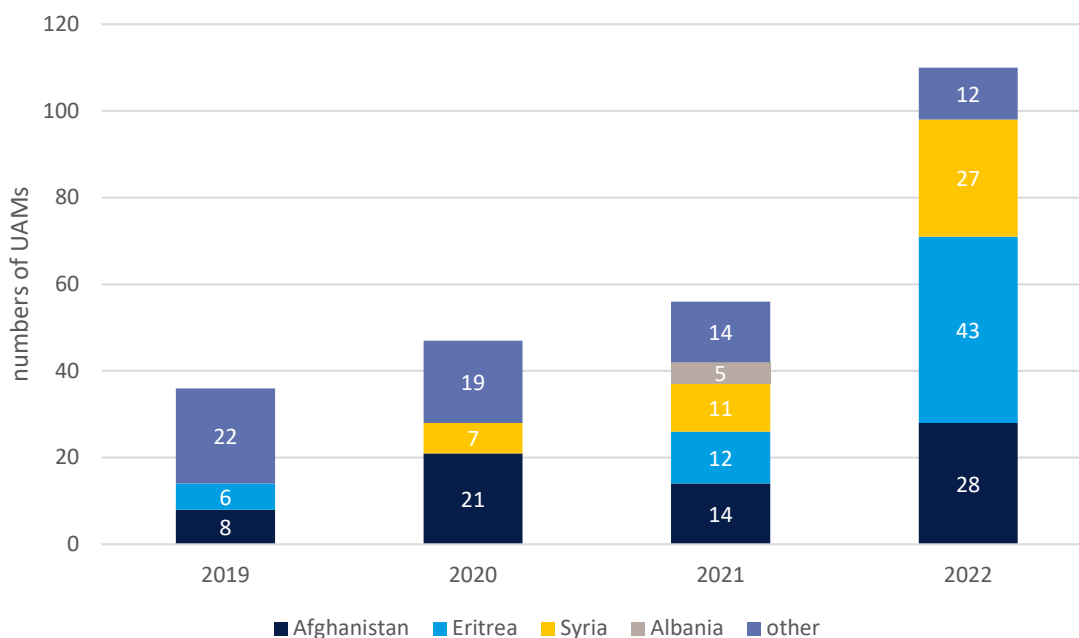
5.2.1 Statistical Trends

In total, the Directorate of Immigration counted 164 unaccompanied minors who arrived in Luxembourg and having lodged or waiting for lodging an application for international protection through an ad hoc administrator during 2022. Of these 164 UAMs, 110 UAMs applied for international protection in Luxembourg, doubling the numbers from 2021.²⁷² 54 UAMs (29 from Syria) are waiting to be assigned an ad hoc administrator by the Family Court in order to lodge their applications.²⁷³

Most of the 110 UAMs who have applied for international protection in 2022 came from Eritrea (43), Afghanistan (28) and Syria (27), and were male as illustrated by Figure 25. However, if the 29 Syrian UAMs mentioned above are counted in, Syrians will become the first nationality.²⁷⁴

It is important to mention that there is a discrepancy between the number of people newly arrived claiming to be minors in the reception centres during 2022 (273) and those who applied (110) or are going to apply for international protection (54). The main reasons for this discrepancy are: a) some of the 273 arriving in the reception centre were only on transit to another country and hence never applied for international protection in Luxembourg; b) some of the UAMs are from Ukraine and can obtain temporary protection, which is why they are not counted in the statistics on international protection; c) minors with family members or someone responsible for them are excluded from the statistics as they become accompanied minors.²⁷⁵

Figure 25: Unaccompanied minors applying for international protection (2019-2022) by country of origin



Source: Ministry of Foreign and European Affairs, 2021, 2022, 2023. © EMN Luxembourg 2023

Since 2019, numbers of UAMs who are applying for international protection are steadily rising, as shown by Figure 25. When set against pre-pandemic 2019, the overall increase of UAMs applying for international protection in Luxembourg has increased by 205,6% with the number of UAMs from Eritrea, Syria, and Afghanistan increasing the strongest.

5.2.2 Legislative developments

5.2.2.1 Addition of a civil society member to the Advisory Commission on the Evaluation of the best interest of Unaccompanied Minors

The Grand-Ducal Regulation of 12 August 2022 amending the Grand-Ducal Regulation of 4 November 2020 relating to the composition and functioning of the [advisory commission for the assessment of the best interests of unaccompanied minors](#)²⁷⁶ introduced the addition of a member of civil society as part of the Advisory Commission on the Evaluation of the best interest of Unaccompanied Minors²⁷⁷ (for further information please refer to LU NCP ARM pt.2 2021 sections 5.5.3 and 6.4). The Grand-Ducal Regulation came into force on 27 August 2022.²⁷⁸

This new member ensures the representation of civil society in the Commission and allows to decide an impasse in the event of a tie decision. By eliminating the possibility that the deciding vote lays in the hands of the Commission's president, this new member reinforces the protection of children.²⁷⁹

This member has to fulfil several requirements: a) must be a legal person with a registered office in Luxembourg; b) must have worked for at least ten years in the field of childhood; c) needs to hold a diploma attesting to the completion of a university course in educational and social sciences, pedagogy, or psychology, or has at least ten years' professional experience in the field of child protection or the socio-educational supervision of children.²⁸⁰ A call for applications was published at the end of the year with the aim of identifying and selecting a civil society actor.²⁸¹

Stakeholders' reactions

This Grand-Ducal Regulation has been subject to debate and the Advisory Commission on Human Rights, CCDH, and the OKaJu²⁸² reiterated his critique in an open letter addressed to the Minister of Foreign and European Affairs (for further information please refer to ARM 2021 pt.2, section 2.6.4).

The CCDH and the OKaJu criticise the functioning and composition of the Advisory Commission. Both express concerns regarding the lack of neutrality and independence from the Minister in charge of migration and asylum as the authority responsible for executing returns. They considered that, except for the application for international protection, all decisions concerning UAMs should be taken by a child protection agency and not by a migration authority, basing their claim on the United Nations High Commissioner for Refugees' (UNHCR) guidelines. They also question why a representative of a law enforcement authority such as the public persecutor is part of the Commission. The lack of

members with necessary qualifications and experience in the fields of mental health and schooling of minors is also deployed.²⁸³

In his reply, the Minister in charge of Immigration and Asylum laid out the different roles of the other members of the Advisory Commission. He explained that next to ONA and ONE (National Office for Children), the prosecutor's office, as a third member, described as a "repressive authority" by the CCHR and the OKaJu, is in fact an expert in youth protection. It should also be noted that the fourth member, from the Ministry, is an officer of the refugee department of the Directorate of Immigration, which processes applications for international protection and is specialised in the field of UAMs. This last member does not have any relation with the Return Department. Furthermore, the composition of the Advisory Commission has been validated by the European Commission. The Ministry points out that the Advisory Commission relies on guidelines from the UNHCR regarding the abovementioned issue of decisions taken concerning the child by an immigration authority.

According to the Minister, CCHR and the OKaJu are questioning the powers of the Advisory Commission, insisting that the latter will not have advisory functions but decision-making powers. The Minister concludes that the decision on whether returning an UAM is the exclusive competence of the Minister in charge of Immigration and Asylum.

The response also mentioned that the Directorate of Immigration received information via EMN Luxembourg on how best interests of UAMs are assessed in other Member States in the context of return decisions.²⁸⁴

In his annual report, the OKaJu continued questioning the Advisory Commission's neutrality. Furthermore, OKaJu criticizes the position of the Minister and considers insufficient the procedural safeguards of the best interest of the child. The OKaJu asks for the creation of a multidisciplinary commission with a broader mission to ensure the assessment of the best interests of the child, not only limited to UAMs. The OKaJu further proposes that the Advisory Commission must be working for the general interest of the child in all asylum procedures.²⁸⁵

5.2.2.2 Reception of UAMs

Reception facilities

In the period from 1 January to 31 December 2022, ONA has received 273 unaccompanied minors²⁸⁶, including 10 UAMs from Ukraine. This situation put the reception facilities for UAMs (especially Lily Uden), which were already operating close to their maximum capacity, under stress. As a result, some of the children had to be accommodated urgently at reception facilities of ONA, until age-appropriate accommodation became available.²⁸⁷

ONA sought to offer various measures to positively contribute to the daily lives of the accommodated UAMs.²⁸⁸

Concerns of OKaJu

In 2022, the OKaJu analysed the reception and accommodation situation structures for minor applicants for international protection in Luxembourg. The results and recommendations of the study were published in his 2022 annual report. The OKaJu based his assessment on data gathered from on a field survey of professionals and observations gathered during field visits (of 13 of the 55 facilities which are managed by ONA). He interviewed professionals and residents to understand to how and to what extent the facilities are child- and family friendly and if children's rights are respected.²⁸⁹

OKaJu's findings for instance showed that most facilities do not meet the standards children and families require to live in a dignified way. Amongst others, food was often not culturally appropriate (which resulted, e.g., in digestive issues) and needed to be eaten at fixed times, playrooms were mostly lacking, very few spaces of retreat and the actual living areas of children and families are very small not allowing any privacy.

OKaJu's recommendations for remediation cover the following aspects: accommodation, access to information and guidance, the right to visit, culturally appropriate food, financial resources, health care, education, leisure activities, handling of complaints, and child protection. The OKaJu concluded that the reception facilities visited cannot be considered as suitable places for families or children and are as such not compatible with the UN's Convention on the Rights of the Child.²⁹⁰

The Minister in charge of Immigration and Asylum responded that even though, he appreciates the work of OKaJu and that the wellbeing of children and families is to Luxembourg, the reality is that the reception facilities of ONA are working at full capacity. The current influx of people seeking help and protection in Luxembourg is at an all-time high. He emphasised, however, that ONA continues with ONE to search for better solutions for the people in its care.²⁹¹

6. INTEGRATION AND INCLUSION

AT A GLANCE

- Completed **Revision of the Constitution: Chapter I** on the use of Luxembourg's three official languages and Chapter II on the political participation of foreign residents.
- **Bill 8012 creating the National Institute of Languages Luxembourg (INL)** was introduced to Parliament to give a new legal basis to the INL and to complete and clarify its missions.
- **Bill 8032** was introduced to the Parliament to **introduce to the Penal Code an aggravating circumstance** for a crime or misdemeanour committed with a motive based on discrimination.
- **Bill 8155 on intercultural living together** and amending the amended Law of 8 March 2017 on Luxembourg nationality was presented to key state actors and partners from civil society in late 2022.
- The **Law of 22 July 2022** amending the amended electoral Law of 18 February 2003 **opens voting in municipal elections to all legal residents** of Luxembourg.
- The **United Nations Committee on the Elimination of Racial Discrimination (CERD)** issued **Concluding Observations** of the eighteenth to twentieth periodic reports of Luxembourg (2020 Luxembourg State Party Report).

6.1 Legislative Developments

6.1.1.1 Revision of the Constitution

Revision of Chapter I: Luxembourgish language

Bill 7700²⁹² revises Chapter I of the Constitution and addresses, inter alia, in Section 1, Article 4. the language regime, national flag, coat of arms and national anthem. Article 4 (1) states that the language of the Grand Duchy of Luxembourg is Luxembourgish ("*La langue du Grand-Duché de Luxembourg est le luxembourgeois.*"²⁹³), and that this law regulates the use of the three languages Luxembourgish, French and German. The proposed revision re-affirms Luxembourg's national symbols, as well as its attachment to multilingualism.²⁹⁴ In line with the revised Constitution, the national strategy on the promotion for the Luxembourgish language, describes Luxembourgish as a factor of cohesion and integration as well as a lingua franca and factor of cultural identity.²⁹⁵

The right to vote for foreign residents

Chapter II of the Constitution (Bill 7755)²⁹⁶ addresses rights and freedoms.²⁹⁷ In the context of the political participation of foreign residents, Article 9(bis) (2) specifies that with regard to political rights the principle according to which the right to vote can be extended by law to non-Luxembourgers (European citizens nor TCNs) does not apply to legislative elections, thus respecting the non-binding results of the [2015 referendum](#).²⁹⁸

For related information, please also refer to section 4.2.1 and 6.1.2.

6.1.2 Civic and political participation

6.1.2.1 Law of 22 July 2022: Increasing the participation of foreign nationals in municipal elections

The Law of 22 July 2022²⁹⁹ amending the amended electoral Law of 18 February 2003³⁰⁰ (hereinafter referred to as the Electoral Law) opens voting in municipal elections to all foreign residents of Luxembourg (for more information please also refer to section 4.2.1).³⁰¹ According to the Minister of Justice, the “ultimate goal remains to include our non-Luxembourg citizens in the democratic process” as the right to vote is an essential factor of integration.³⁰²

The main amendment of this law abolishes the five-year residence clause on active and passive voting rights for all non-Luxembourgers who legally reside on the territory, whether they are citizens of the EU or of third countries, wishing to register on the electoral lists for the communal elections.³⁰³

Another important change concerns the extension of the deadline for non-Luxembourg nationals to register to vote by 32 days (the deadline being established at 55 days instead of 87 days before election day). This means that the cut-off date for the municipal elections registration in 2023 is moved to 17 April 2023 for the upcoming municipal elections on 11 June 2023 (For more information please also refer to LU NCP ARM 2021 pt. 2 section 7.1.1.1).³⁰⁴

According to data extracted from the National Register of Natural Persons (RNPP), the new law potentially grants 257 034 non-Luxembourgish residents the right to vote.³⁰⁵

Stakeholders' opinions

Syvicol has brought forward two main issues. They demand a clarification of the term "certificate documenting legal residence" as this does not currently exist. Syvicol also indicated that Article 9 of the bill would introduce the right for any citizen to request in writing a copy of the provisional electoral lists from the municipality up to and including the 47th day before the day of the elections. Since these lists contain sensitive information, the syndicate is concerned over potential data breaches and recommends to only allow the consultation of the lists at the municipality (for more related information please also refer to LU NCP ARM 2021 pt. 2, section 7.1.1.2).³⁰⁶ The latter concern was also shared by the National Commission for Data Protection.³⁰⁷

The National Council for Foreigners (CNE) advised the government to set up training courses for municipal employees who are in direct contact with newly arrived foreign nationals to help them with the registration on the electoral roll. The municipal employees should pro-actively try to register foreign nationals when they register with their municipality after their move to Luxembourg. The CNE views the exercising of one's right to vote is a significant building block in the integration process (for more related information please also refer to LU NCP ARM 2021 pt. 2, section 7.1.1.2).³⁰⁸

On the contrary, the Chamber of Civil Servants and Public Employees criticises that the legislator was acting out of political intent when he was going far beyond the European directive on the right to vote,

which only concerns EU citizens, by abolishing the residence requirement for third-country nationals as well (for more related information please also refer to LU NCP ARM 2021 pt. 2, section 7.1.1.2).³⁰⁹

EU citizens only need to reside in Luxembourg there at the time of the application for registration on the electoral roll. TCNs are still required to hold a valid residence permit or card and to have their residence permit in Luxembourg at the time of the application for registration.

The initially foreseen option for residents to request a complete copy of the electoral at their commune has been taken out and been replaced by an option to consultation the list at the secretariat of the municipality.³¹⁰

“I can vote”- Campaign

Accompanying the legislative process of the abovementioned amendment to the electoral law, the MIFA launched a national information and awareness raising campaign [“Je peux voter” \(I can vote\)](#) in May 2022. The objective of this campaign is to increase voter registration and political participation among non-Luxembourgish residents with respect to the (upcoming) municipal elections.³¹¹

The campaign³¹² entails a dedicated website (www.jepeuxvoter.lu), with relevant information (including explanatory videos) in five languages, promotional material, as well as numerous awareness raising events, which were organised by different stakeholders and attended by the Department of Integration.³¹³

6.1.2.2 Law of 23 December 2022: Duration of the term of office–of the members of the National Council for Foreigners

On 18 January 2018, the Minister for Family and Integration appointed the members of the CNE by ministerial order. The duration of their mandate was determined by the amended Law of 16 December 2008 to 18 January 2023.

In 2020, the reform of the Integration Law has been initiated and this process is expected to be completed in 2023. The entry into force of the revised Integration Law will the National Council for Foreigners, which will be reformed. According to the current law, the mandate of the 34 members of the CNE was to expire in January 2023, and therefore new elections for the renewal of the CNE were to take place. However, the mandate of the new members would last only until the entry into force of the new law. Hence, it was considered more feasible to extend the current mandates of the CNE members from five to seven years.³¹⁴ This modification did not give rise to an important parliamentary debate and Bill 8106 was approved and became the Law of 23 December 2022.³¹⁵

6.1.3 Continuing reform process of the Integration Law of 16 December 2008

6.1.3.1 Bill 8155 on Intercultural living together

Following broad public consultation on the [reform of the Law of 16 December 2008](#) on the integration of foreigners (Integration Law³¹⁶) conducted in 2021, the Department of Integration drafted a new draft bill on intercultural living together ("*Avant-projet de loi relatif au vivre-ensemble interculturel*"), which has been introduced to Parliament on 20 February 2023 (Bill 8155).³¹⁷

This bill aims to replace the current "integration" approach with a broader and more open approach to "intercultural living together providing a global overhaul of the instruments for intercultural living together and shall repeal the amended Law of 16 December 2008 on the integration of foreigners in the Grand Duchy of Luxembourg."³¹⁸

This bill pursues the establishing of a general framework for harmonious, intercultural, and non-discriminatory living together between everyone residing and/or working in Luxembourg. These objectives shall be achieved by taking into consideration the diversity of Luxembourg's society, conveying knowledge about the Country, and by encouraging the understanding of and respecting cultural differences.³¹⁹

6.2 Involvement of multi-stakeholders

The Department of Integration works closely with the municipalities and offers them a range of support for the implementation of integration projects at local and regional level. To further strengthen the communal and regional integration unit, the position of "Integration Project Officer" was created in October 2022 on a full-time, permanent basis. The new officer supports the unit in the implementation and monitoring of local and regional strategies.³²⁰

6.2.1 Living Together Pact (*Pakt vum Zesummelliewen*)

The monitoring committee for the 'Pakt vum Zesummelliewen' project, which consist of the Department of Integration, CEFIS, ASTI, Syvicol, and integration advisors, met nine times in 2022 to discuss the progress of the various municipalities, their challenges, and proposals for adjustments to the process. Additional meetings between the Communal and Regional Integration Unit team and the integration advisors contributed to better consultation and coordination in terms of support for the municipalities that are running pilot projects. To provide appropriate support for the growing number of municipalities, two additional integration counsellors have been recruited in 2022 to strengthen the team of two counsellors who started in 2021.³²¹

New signatories

By signing the Living Together Pact, municipalities express their commitment to a multi-annual integration process based on three pillars: communication, access to information and participation of all people living or working in the municipality (please also refer to LU EMN ARM 2021 pat1 Q 49 and ARM 2021 pt.2 section 7.2).³²²

The Living Together Pact intends to strengthen integration processes and to make them more dynamic by engaging the municipalities as they play a crucial role in ensuring a peaceful Living Together and in fostering resident participation.³²³ The integrating non-Luxembourgish residents shall be advanced by engaging the entire society and emphasising the living-together aspect, which is paramount in Luxembourg.³²⁴

From 1 January to 31 December 2022, 12 additional Luxembourgish municipalities signed the “[Pakt vum Zesummeliewen](#)”. Since the beginning of 2021, a total of 30 municipalities (of [102](#)) have signed the “Pakt”.³²⁵

6.2.2 Local Integration Exchange and Support Group (GRESIL)

In 2022, the 8th and 9th meeting of the Local Integration Exchange and Support Group (GRESIL) took place in hybrid format on 15 June³²⁶ and on 9 November³²⁷

Both meetings brought together political leaders, municipal representatives and members of municipal integration advisory committees in person and online to discuss topics in the areas of citizen and political participation with respect to the upcoming communal elections.

A total of 110 participants representing 55 municipalities attended the event in June³²⁸ and 125 participants, representing 50 municipalities were present during the meeting in November. Both events were also joined by integration advisers, representatives of several ministries, the CNE, and a several associations working in the field of integration.³²⁹

6.2.3 Meetings of the Inter-ministerial Committee on Integration remained open to civil society organisations

Meetings of the inter-ministerial Committee on Integration continued to be open to civil society actors in 2022. The work of the Inter-ministerial Committee on Integration, which develops and monitors the implementation of the Integration PAN under the coordination of the Department of Integration, focused on the selection of projects under the 2022 PAN call and the preparation of the 2023 PAN call. The committee met twice as an extended committee and invited representatives of civil society. It was decided to continue these regular exchanges between ministerial representatives and civil society in 2023.³³⁰

6.2.4 Continued cooperation between the MIFA and NGOs

The Integration Department continued to cooperate with several associations and non-governmental organizations on the basis of conventions or collaboration agreements for the implementation of activities in favor of integration.³³¹ In 2022, agreements between the MIFA and the following NGOs have been renewed: [Centre d'Etude et de Formation Interculturelles et Sociale](#) (CEFIS),³³² [Association de Soutien aux Travailleurs Immigrés](#) (ASTI),³³³ [Comité de liaison des associations d'étrangers](#) (CLAE),³³⁴ and [Caritas](#).³³⁵

6.2.5 Citizen's Guide

The Municipal and Regional Integration Unit of the Department of Integration continued its work, in particular the development of a standardised citizens' guide. This model guide, which is available in five languages, contains national and local information and ideas for citizen involvement and interaction in fields such as volunteering, learning, language practice, and political participation. In close cooperation with the municipalities, the guide is prepared by the Department of Integration and made available in booklet and digital version. By the end of 2022, this guide was being prepared for some 30 municipalities, and the next municipalities will follow in early 2023.³³⁶

6.3 Multi-Annual National Action Plan for Integration (PAN)

The PAN is a general, strategic, and sustainable framework for the implementation of integration policy to fight against discrimination and to promote diversity and equal opportunities.³³⁷ The Interministerial Committee on Integration develops and monitors the implementation of the PAN integration. In October 2022, a new position for the coordination of the Committee, as well as the implementation, adaptation and monitoring of the PAN was created within the Department of Integration.³³⁸

Under the coordination of the Integration Department the Committee also started an evaluation of the PAN, which will continue into 2023.³³⁹

6.3.1 Launch of PAN-projects selected in 2022

The implementation of the PAN is notably fuelled by calls for projects. The 10 projects selected in the PAN call for projects in 2021³⁴⁰ were all carried out between July 2021 and December 2022.³⁴¹

Seven successful projects³⁴² were selected from the 2022 call "Zesummeliewen - lokal engagéieren a matmaachen" ("Living together – interact and participate locally") on political and resident

participation by the Inter-ministerial Committee for Integration for a total funding of € 740.000. These projects are available on the [website of the Ministry](#) and are going to run until December 2023.³⁴³ On 27 June 2022, the Department of Integration hosted the launch event for the [PAN Integration](#) 2022 projects (please see also ARM 2021 pt.2 section 7.3.2).³⁴⁴

6.3.2 New PAN-projects call 2023

The call for PAN 2023 project proposals on “Promoting intercultural 'Living Together' through associative life” was launched on 27 June 2022. The topic for 2023, which focuses on fostering participation in community life in Luxembourg as an important step towards integration into Luxembourgish society, was divided into three subsections:

- 1) Promoting cultural diversity within associations;
- 2) Strengthening associations in their management of cultural diversity;
- 3) Strengthening relations between municipalities and associations.³⁴⁵

Out of the 20 applications received, five projects³⁴⁶ have been selected by the Interministerial Committee on Integration with an overall budget of € 570 000:

- 1) Come Together Associations Network by Ara International Community Radio Asbl;
- 2) “Third places for all”: Bringing the intercultural community space to life in Luxembourg by University of Luxembourg;
- 3) LINKEY by SINGA Luxembourg;
- 4) En Bonne Entente in the Bonnevoie district by the Luxembourg multi-LEARN Institute for Interaction and Development in Diversity;
- 5) Hub Association by Equisolidaire.

The projects will run from January 2023 to December 2024.³⁴⁷

6.3.3 Welcome and Integration Contract (CAI)

The Welcome and Integration Contract can be entered by any foreigner who is least 16 years old, who legally resides in and wishes to settle permanently in Luxembourg.³⁴⁸ CAI signatories receive support in the form of vouchers for language-classes, civic education courses, an orientation day to discover Luxembourg, its languages, customs, and institutions etc.³⁴⁹

Evaluation of CAI

In October 2022, the Ministry signed an agreement with LISER (Luxembourg Institute of Socio-Economic Research) to evaluate how participation in CAI has impacted signatories’ integration

trajectories (on the labour-, and housing market, in education, and social life etc.). This project will run until March 2023.³⁵⁰

6.3.3.1 CAI signatories in 2022

In 2022, a record number of 2 400 CAI-contracts were signed (1 237 in 2021), of which 55% were signed by women (54,8% in 2021) and 45% by men (45,2% in 2021). Most signatories (84,63% in 2021) were between 25 and 45 years old, and 11,17% between 45 and 65 years old.

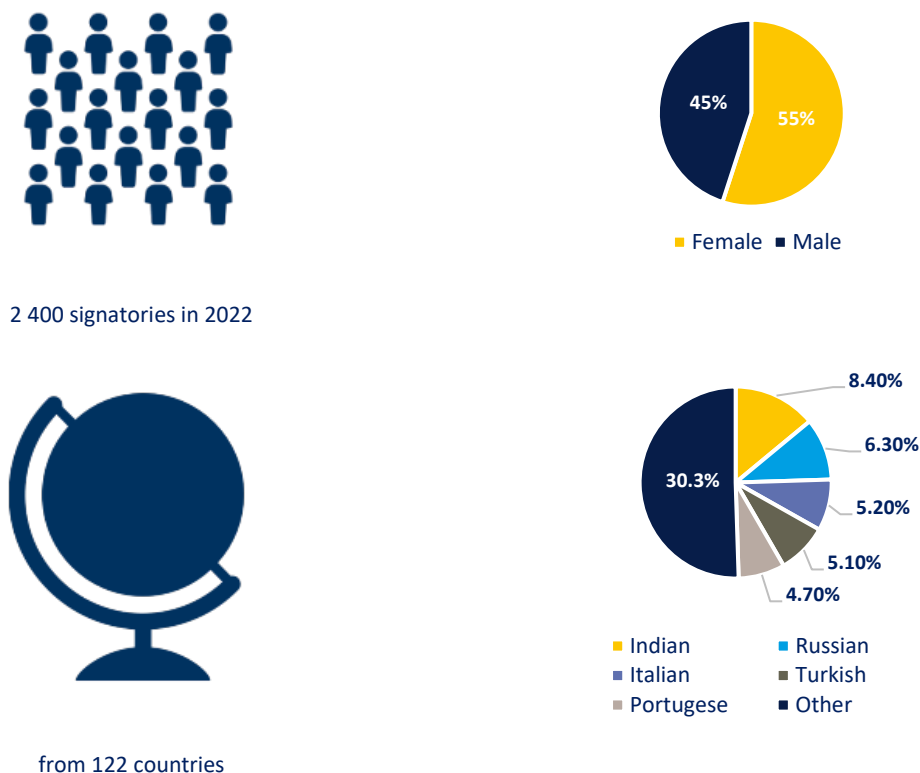
Of the signatories, 71% were third-country nationals and 29% were EU nationals: The top 5 signatory nationalities in 2022 were: 8,4% Indian, 6,3% Russian, followed by Italian (5,2%), Turkish (5,1%) and Portuguese (4,7%).

In total, nationals from 122 countries signed a CAI in 2022. From the start of the programme until the end of December 2022, a total of 13 055 CAI contracts have been signed.³⁵¹

During the year 2022, 2 628 people participated in the CAI-information sessions, which were offered as a webinar in four languages via the forum-cai.lu website.

Altogether, 3 511 reduced-rate vouchers were issued through the CAI in 2022 (1 751 in 2021). The majority were used for Luxembourgish courses (60,6%), followed by French courses (33,8%), and for German courses (5,6%). 1 531 people enrolled in 113 civic education courses (82 courses for 677 participants in 2021), of which 59% were held online.³⁵²

Figure 26: Overview: Signatories of the Welcome and Integration Contract 2022



CAIs signed since the launch of the program



13 055 CAIs signed as of end of December 2022

Source: Ministry of Family Affairs, Integration and the Greater Region, 2023. © EMN Luxembourg 2023

6.3.3.2 New online procedures on guichet.lu to conclude a Welcome and Integration Contract

Signing the CAI, a voluntary integration programme for non-Luxembourg residents, has been simplified. As of July 2022, two new administrative procedures are available on MyGuichet.lu, namely:

- Booking a personal orientation session and signing the CAI;
- Requesting to conclude a CAI without individual orientation.³⁵³

These electronic procedures, developed in collaboration with the Government Information Technology Centre (*Centre des technologies de l'information de l'État*, [CTIE](#)), are available without

authentication, i.e. it is not necessary to have a [LuxTrust certificate](#) or an electronic identity card (eID) to carry them out (given that not everyone might be [eligible](#) for this electronic security certificate).³⁵⁴

6.3.3.3 Orientation Days

The Orientation Day of the [Welcome and Integration Contract](#) (CAI) took place on 23 April 2022 for the fourth time in virtual form. More than 600 signatories of the CAI registered for this event, which was organised by the Department of Integration of the MIFA. During the event, participants had the opportunity to learn more about administrative procedures, the country's institutions, and community life in Luxembourg by participating in workshops and by visiting 24 virtual stands of representatives of different ministries, administrations, and associations.³⁵⁵

The CAI-Orientation Day on 19 November 2022 took place in-person. More than 550 signatories of the CAI registered for the event to learn more about mobility and housing, associative life, continuous education, recognition of diplomas or culture in Luxembourg. In a panel discussion, five representatives from different sectors discussed the topic of resident participation. In interactive workshops invited participants to find out where their involvement in such as political participation, administrative simplification, language practice and volunteering can make a difference.³⁵⁶

6.3.3.4 Launch of InfoLux.lu

On 19 September 2022, the MIFA has launched the platform [InfoLux.lu](#). This new platform was created to provide quick and easy access to information about daily life and to facilitate active participation in intercultural Living Together (*Vivre Ensemble*) in Luxembourg. Although this platform is primarily intended as a guide for newcomers, it might be also interesting to those who have been living and working in Luxembourg for some time already. The content of this platform will be regularly updated.³⁵⁷

6.3.4 Accompanied Integration Pathway (PIA)

The Accompanied Integration Pathway (PIA), which is carried out by the MIFA and the MENEJ, aims to integrate AIPs and (resettled) BIPs in the first few weeks after their arrival in Luxembourg. As part of PIA, the Department of Integration organises information sessions on life in Luxembourg (*Séances d'Information sur la Vie au Luxembourg, SIV*) for recently arrived AIPs who receive social assistance from ONA and for BIPs who have been resettled in Luxembourg (UNHCR - Resettlement). AIPs and BIPs are invited to participate in 2 sessions of 3 hours of sessions to interactively discuss topics such as health, values and norms or gender (in French). These sessions are to support the integration of

AIPs and BIPs, to help them to participate more autonomously in the life of the host society, and to provide them with basic information on living together in Luxembourg.³⁵⁸

During 2022, 362 people participated in the 2x3 hours of information sessions, of which 155 women (43%) and 207 men (57%). The average age of the participants was 33,3 years: 31 years for women and 35 years for men. The average participation rate in the SIV is 89% for the whole year 2022.³⁵⁹

6.4 European Asylum, Migration and Integration Fund (AMIF)

The Integration Department participated in the implementation of the new national programme AMIF 2021-2027.

6.4.1 AMIF Call for projects 2022

The 2022 AMIF call for projects intends to improve national capacities and procedures for migration management.³⁶⁰ This call was jointly launched by the General Secretariat of the MAEE (managing authority) and the Department of Integration of the Ministry of Family, Integration and the Greater Region (intermediary body). Applications for co-financed projects could be submitted from 9 May to 9 September 2022.

Private non-profit organisations and bodies, public establishments as well as professional chambers were invited to submit projects addressing two areas: the Common European Asylum System and legal migration and integration.

Out of the 14 received applications, the Department of Integration selected five projects within the subject area of legal migration and integration:

Axis 1: Promotion of exchange and dialogue between the target group, the host society, and awareness-raising actions

- 1) Significantly changing the societal issue of racism in Luxembourg and improving the conditions for the integration of third country nationals by PADEM (*Programme d'Aide et de Développement destinés aux Enfants du Monde*)
- 2) Ethno-racial stereotypes and stereotyping in the health care sector in Luxembourg by Luxembourg multi-LEARN Institute asbl
- 3) Sustainable Stereotypes of Luxembourg by Luxembourg multi-LEARN Institute asbl
- 4) Building together a strong and inclusive society by Luxembourg Association for Intercultural Dialogue (ALDIC)

Axis 2: Capacity building

5) Training "Interculturality and Empathy" by IOM (International Organization for Migration)

The overall budget for these projects was ca. € 830 000, including co-financing by the EU. The selected projects will be carried out between 1 January 2023 and 31 December 2024.³⁶¹

6.4.2 Studies completed under the 2020-AMIF-call

The 2020 AMIF call aimed at creating informed and evidence-based policies and programmes for gathering data on participation in community life and integration of non-Luxembourgish residents in Luxembourg.³⁶² Two studies were conducted and completed under the AMIF previous implementation period (2014-2020) under the specific objective two "Integration and legal migration"³⁶³ between 1 January 2021 and 30 June 2022.³⁶⁴

1. LISER: "[Participation in community life and integration of third-country nationals in Luxembourg](#)" (*Participation à la vie associative et intégration des ressortissants de pays tiers du Luxembourg*).
2. EcoTransFaire: "Identification and integration of nationals into the life of the country for better resilience and participation" (*Identification et intégration des ressortissants de pays tiers à la vie du pays pour une meilleure résilience et participation*).³⁶⁵

The publication of both reports is scheduled for early 2023.³⁶⁶

6.5 Adult education and employment

6.5.1 General schooling for adults

The Adult Education Department (SFA) introduced a new entry point into national formal school system for adults: the *Voie de préparation* ("Back to education options") offers classes and certification covering primary and lower secondary school programmes for adults, including foreigners.³⁶⁷

This pathway is built as a modular system and lasts for a maximum of three years. The offer includes classes on different subjects: mathematics, language classes, general culture, digital skills, practical workshops. Entry levels to different branches, as well as the desired final level can be defined individually, based on learners' knowledge and educational or professional goals.

Most learners are third-country nationals wanting to enter the Luxembourgish formal education system and gain access to vocational training offers or higher secondary school diplomas and so this new entry point serves as an integration tool and encourages foreigners to develop new skills in order to enter the job market in Luxembourg.³⁶⁸

6.5.2 Acquisition of Luxembourg's official languages

6.5.2.1 Bill 8012 for a new legal base of the INL

On 30 May 2022, Bill 8012 creating the National Institute of Languages Luxembourg (INL) was introduced to Parliament.³⁶⁹ This reorganisation became necessary to meet growing demand for language courses and certifications, facilitate integration and social cohesion, as well as contribute to the employability of people.³⁷⁰

The bill lists the mission of the INLL as follows:

- Provide modern language courses;
- Certify competencies in the languages offered³⁷¹;
- Participate in the development of induction training and in-service training for teachers and trainers;
- Develop, innovate, and promote the teaching of modern languages in collaboration with national and international universities, training, and research institutes;³⁷²

As a national certification authority, the INL is also in charge of the Luxembourgish language test for obtaining Luxembourg nationality.³⁷³

Bill 8012 has been approved on 9 February 2023 and became the Law of 8 March 2023.³⁷⁴

Stakeholders' opinions

Prior to the first constitutional vote on Bill 8012, several stakeholders provided their opinions, of which the most relevant points are summarised below.

The Chamber of civil servants and public employees requested that all INL staff hired as employees of the State should have knowledge of the three official languages of Luxembourg.³⁷⁵ The Chamber of Employees opposes the INL's monopoly for certifying Luxembourgish language skills, the organisation of tests, and examinations conferring the various certificates and diplomas in the Luxembourgish language. The INL has experienced significant difficulties in meeting the demand for Luxembourg language tests and examinations in recent years and that its inability to provide sufficient tests/exams has led to untenable waiting times. Hence, the Chamber recommends that the management of examinations and the right to certification should also be entrusted to other institutional and non-commercial actors.³⁷⁶

Given the composition of the Luxembourgish labour market, the Chamber of Commerce stresses the importance of the INL's missions for the competitiveness of the economy as language skills are essential for labour market integration and for the cohesion of work teams. In addition, the Chamber welcomes that the bill introduces free participation in the courses for those who are obliged to attend and registered by ADEM or ONA.³⁷⁷

6.5.2.2 Luxembourgish language policies

Access to language classes in Luxembourg

In Luxembourg, a country with three administrative languages and with many other languages spoken in parallel, languages are of high importance. Language learning is seen as an important building block for the integration of non-Luxembourgers. Foreigners can apply for reduced course fees for language classes if they are:

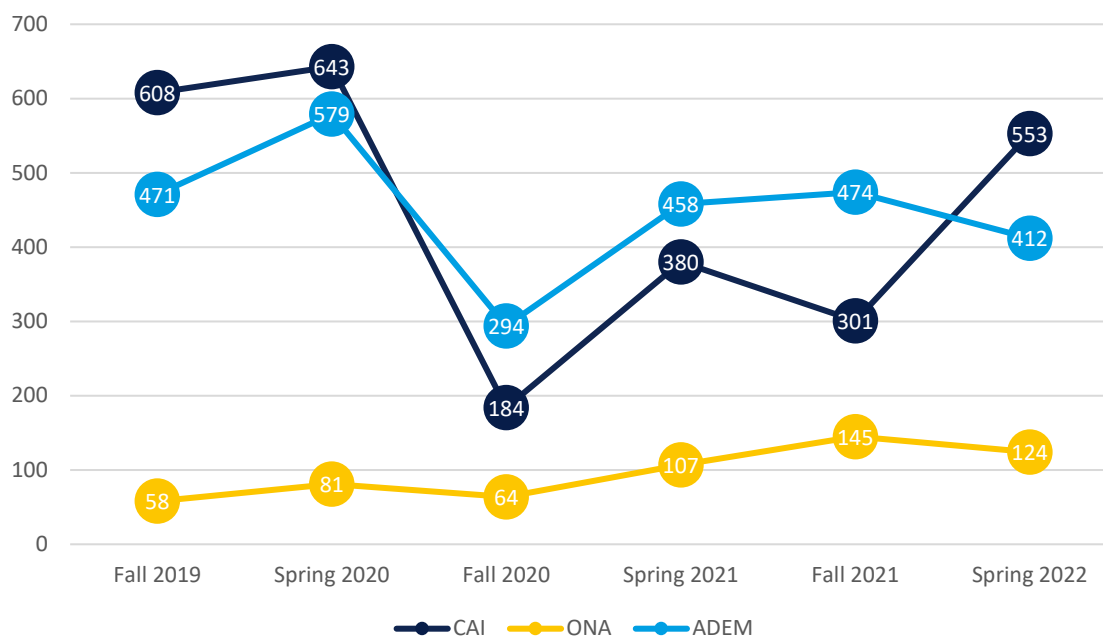
- 1) Pupils in secondary education with a referral by their school headmaster;
- 2) Social assistance recipients
- 3) Jobseekers as recognised and certified by ADEM;
- 4) In need as recognised and confirmed by ONA or social welfare offices;
- 5) CAI signatories.³⁷⁸

People who fall categories (1) to (4) can learn Luxembourgish, French, German, and English at a reduced rate of € 10 per course. CAI-signatories (5) can only study Luxembourg's three official languages at this reduced rate.³⁷⁹

From 2019-2021, the Ministry of Family, Integration and the Greater Region has issued a total of 6 585 vouchers for language courses under the CAI. These vouchers are accepted by the INL and are also valid with other language course providers, if they are approved by the Adult Training Department of the Ministry of National Education, Children and Youth.³⁸⁰

The number of people, regardless of their nationality, who have benefited from the reduced rate with the INL, on presentation of a certificate issued by ONA or the Ministry for Family Affairs, Integration and the Greater Region, during the last three years is given in the Figure 27 below.

Figure 27: Number of people who paid reduced INL-fees according to reduction-certificates issued



Source: Reply to Parliamentary Question 6194, © EMN 2023

Development of Luxembourgish language policies

Over the past 10 years, the Luxembourgish language has become increasingly popular and with 5 707 enrolments for the 2021/2022 school year, registrations for Luxembourgish courses even surpassed registrations for French classes (5 533) at the INL.³⁸¹ Various measures have been taken to promote Luxembourgish, the country’s “communication and integration language”, and culture. On 14 December 2022, the Minister of Education, Children and Youth and the Commissioner for the Luxembourgish language presented the new Action Plan for the promotion of the Luxembourgish language, which underlines the importance of knowing Luxembourgish for the integration of foreigners at all stages and circumstances of life.³⁸² Related developments can be accessed via a dedicated website: <https://lux.lu/>.

This plan consists of 50 measures, which can be grouped into three main areas:

- Enabling everyone to learn Luxembourgish;
- Increasing the visibility of Luxembourgish;
- Advancing the Luxembourgish language.³⁸³

Online and hybrid Luxembourgish language acquisition

The INL and the Ministry of National Education, Children and Youth, accompanied by external experts, have developed an e-learning platform for Luxembourgish. This platform, “[Léier Lëtzebuergesch Online](#)”, has been introduced at a press conference on 9 September 2022 by the MENEJ and the

Director of the INL. By virtue of Luxembourg's mainstreaming approach, this platform will be accessible free of charge to anyone interested in learning Luxembourgish and in immersing themselves into Luxembourgish culture.³⁸⁴

The "Zenter fir d'Lëtzebuenger Sprooch ("Centre for the Luxembourgish language"), the official institution to document and further the Luxembourgish language, publishes the widely used multilingual [Lëtzebuenger Online Dictionnaire](#) ("Luxembourgish Online Dictionary").³⁸⁵

The SFA offers basic skills and language integration courses. These classes are tailored to AIPs and BIPs who do not speak any of Luxembourg's three official languages. In 2022, the complete offer for language integration and basic skills education for third-country nationals was organised in a hybrid education mode.³⁸⁶ While e-learning classes were organised out of necessity during the COVID-19 pandemic, this educational approach has been kept and the benefits stemming from it are included and developed further in the current school offer.³⁸⁷ The SFA wants to encourage the development of learners' digital autonomy and the improvement of their individual learning capacities through using more digital content.³⁸⁸

6.6 Health

The "Universal Health Care" (CUSS) has been implemented as a pilot project in 2022 and evaluated at the end of 2022. This project offers access to health care through health insurance affiliation to different categories of residents who (due to their legal status) are not obligated to have a health insurance or who do not have the means to affiliate voluntarily and cannot benefit from the support of a social office to obtain access to health care. This applies in particular to TCNs without an authorization to stay (for more related information please refer to LU NCP ARM 2021 pt. 2, section 7.5).³⁸⁹

In November 2022, the Minister of Social Security provided an overview of the progress of CUSS. Following the presentation October 2021, the Government started to work with NGOs, the Committee for social protection (CNDS), Stëmm vun der Strooss, Médecins du Monde, Jugend-an Drogenhëllef, and the Red Cross, which already have an agreement with the Ministry of Health on the implementation of CUSS. The agreements have been adapted or supplemented so that the NGOs can obtain additional resources to implement CUSS.

More specifically, the NGOs, which stay in contact with the persons insured through CUSS have been provided with additional staff (generally one full-time employee per NGO) to accompany and support the insured persons on a regular basis.

In April 2022, CUSS was implemented by these NGOs and subsequently the first beneficiaries were able to register for voluntary health insurance. The registration procedure includes the following main points:

1. The NGOs that is in regular contact with the potential applicants, analyses their individual situation;
2. These files are then forwarded to the "Social Health" service of the Ministry of Health;
3. The Ministry of Health validates the files and thus launches the registration for voluntary health insurance;
4. The NGOs ensures regular monitoring. To do so, the contacts of the insured persons are necessary as they are needed for administrative procedures and to provide support to these persons.

As of 17 October 2022, 79 people were enrolled in voluntary health insurance under the CUSS pilot project while additional files are being processed.

The evaluation of the pilot project was planned to be launched at the end of 2022. As with the other projects, it is of course planned to present the details of the project and the results of the evaluation to the parliamentary committees as soon as they are available.

The Ministry of Health has a dedicated budget line³⁹⁰ to provide emergency care for people without health insurance. It is however not possible to provide an exact number of how many people without health insurance were treated by the emergency services as the corresponding invoices do not always indicate whether it was an emergency or not.³⁹¹

6.7 Inclusion of seniors

The aging of immigration in Luxembourg brings about the development of manifold intercultural initiatives and activities among and for elderly people of various origins and cultures:

Intercultural work

The work of the intercultural officer at the GERO Kompetenzzentrum für den Alter aims to improve information and awareness of seniors with a migrant background by setting up pilot projects that promote diversity:

- The [Kultura](#) game promotes exchange between cultures was developed with actors in the senior sector and many volunteers. It was presented at the Festival of Migrations in 2022.
- Awareness-raising trainings on intercultural diversity for professionals in the sector and three conferences on care-insurance held in Portuguese, French, and Luxembourgish attracted an intercultural audience.

- Establishing and maintain networks with different partners is an important objective of the intercultural officer. In addition to providing methodological support to the Senior Citizens' Clubs, he has worked with:
 - the Maison des Associations for the implementation of joint projects, notably the "Tell me a story" (*Raconte-moi une histoire*)-project, for which international trained senior volunteers tell stories to children in primary school classes (cycle 1-3) and in nurseries. The aim is to build intergenerational and intercultural bridges
 - the timeless association for the cross-border project "[Fréquence Mettis'Age](#)" which brings together seniors from France and Luxembourg around radio broadcasts.³⁹²

6.8 Fight against racism and discrimination

Issues with racism and discrimination in Luxembourg remained topical also in 2022, which is confirmed by data of the CET and the study on racism and ethno-racial discrimination as well as by the political and legislative developments that took place.³⁹³

The Department of Integration created the full-time, permanent position of a "Project Officer in the field of the fight against ethno-racial discrimination" in October 2022. The officer's tasks include implementing and monitoring projects against ethno-racial discrimination, conceptualising and implementing an anti-racist and intercultural strategy for the Integration Department as well as monitoring European and international files on fighting ethno-racial discrimination.³⁹⁴

6.8.1 Bill 8032 on introducing an aggravating circumstance for discrimination motives to the Penal Code

With racial hatred and violence on the rise, criminal justice responses need to become more effective and awareness about the seriousness of hate crimes needs be increased.³⁹⁵

On 20 June 2022, Bill 8032 was introduced to Parliament. The purpose of this bill is to introduce to the Penal Code for the first time an aggravating circumstance for an offense or misdemeanour committed with a motive based on discrimination based on the characteristics referred to in Article 454 of the Penal Code, namely because of one's origin, skin colour, their sex, sexual orientation, sex change, gender identity, family situation, age, state of health, disability, morals, political or philosophical worldviews, trade union activities, membership or non-membership, real or supposed, of a given ethnic group, nation, race or religion.³⁹⁶

Bill 8032 shall complete the transposition of the framework directive 2008/913/JHA³⁹⁷ on combating certain forms and manifestations of racism and xenophobia by means of criminal law and comply with

a recommendation from ECRI. Given the increase in incitement to hatred and violence, this reform is essential in the eyes of the authors.³⁹⁸

Stakeholders' opinions

Bill 8032 has been discussed by various stakeholders during their participating in the bill's consultation process from June 2022 to March 2023.

The CET welcomes Bill 8032, as it allows Luxembourg to follow several international recommendations to prevent and fight racism and discrimination, for example the "European Strategy to Combat Antisemitism and Support Jewish Life (2021-2030)" or the Council's ["Conclusions on Combating Racism and Antisemitism"](#). The CET is however surprised to see that Article 80 intends to cover only two of the three the offense-categories, namely offenses and misdemeanours but not minor infractions. The inclusion of minor infractions, such as insults, would be critical as perpetrators of such behaviours would otherwise escape the application of aggravating circumstances. The CET further criticises that the motive of the perpetrator should also be taken into account, not only the actual status of the victim as the motive actually presents the characteristic that pushes the author to take the action. Finally, for the CET, successful prevention of and fights against racism and discrimination require comprehensive and homogeneous structural antidiscrimination policy e.g. in the social, educational, and cultural realms is needed.³⁹⁹

In its contribution, the Luxembourg Bar Association highlights that Article 80 omits several grounds for discrimination, and they also remark that they are surprised that minor violations are excluded. Further, they question that, according to Article 80, aggravating circumstances can only be applied when it can be proven that the motive for the offense is based on e.g. racism. The Association hence wonders how courts will be able to identify and prove the intentions of the perpetrator for the offense. They propose as a solution the French penal code where special circumstances that must have accompanied, preceded, or followed the offence. Overall, the Association welcomes the idea behind the bill, but considers the actual situation too complex to be remedied by the insertion of only one Article.⁴⁰⁰ The same points were raised by the Supreme Court of Justice.⁴⁰¹

The District Court of Luxembourg, notes the importance of the motive, that is to say the reason for which the offense was committed, which constitutes the basis of the aggravating circumstance. The Court also observes the lack of precision of Article 80 when it comes to proving the hateful motivation of the offense.⁴⁰²

The CCDH welcomes Bill 8032, but it criticizes that it is not made sufficiently clear when and how (the different) aggravating circumstance will apply (e.g. when there is multiple discrimination). In addition, the CCDH draws attention to the absence of certain grounds of discrimination recommended by actors or present in national and international texts, such as genetic characteristics, wealth, social origin, birth, descent, gender expression, or language. The CCDH also highlights that although this bill is a first step to positively change mentalities, it would be useful to accompany this bill with more concrete measures, such as training for the judiciary, the police, the public prosecutor's office as well as the

lawyers who will have to apply the new law, and by awareness-raising campaigns for the population at large.⁴⁰³

Before Bill 8032 passed its first and successful constitutional vote in March 2023, several issues, such as the inclusion of minor violations, clarification on the penalties, which have been raised multiple times throughout the parliamentary discussion have been reworked and the text of the original bill has been updated.

6.8.2 Study on racism and ethno-racial discrimination

The [“Study on racism and ethno-racial discrimination”](#) was commissioned by the MIFA on the basis of a motion adopted by Parliament. This motion stems in turn from a parliamentary debate on racism of 1 July.⁴⁰⁴

Complementation of gathered study-data

In March 2022, the [study](#) conducted jointly by CEFIS and LISER (2022) was published. The Department of Integration presented results of the study to the Interministerial Committee on Human Rights (28 April 2022), to the Interministerial Committee on Integration (16 June 2022), to the Luxembourg Commission for Cooperation with UNESCO (United Nations Educational, Scientific and Cultural Organization) on 21 June 2022, as well as to the stakeholders, experts and organisations that participated in the qualitative part of the study (6 July 2022).⁴⁰⁵

The study on racism and ethno-racial discrimination gave rise to several follow-ups:

LISER was commissioned by the Ministry Family Affairs, Integration and the Greater Region to study in greater depth the socio-economic and socio-demographic determinants of attitudes towards racism, views on immigration, and ethno-racial discrimination from the perspective of witnesses and victims.

The Ministry supports CEFIS in a complementary study module aimed at collecting and analysing the experiences of ca. 30 victims of racism and discrimination, the forms of marginalization they have suffered, and their psychosocial impact. This will allow to study in greater depth the social dynamics of racism and discrimination to gain a better understanding of the coping strategies they adopt as well as of their needs.⁴⁰⁶

The conference cycle “Us and the Others” (*Nous et les autres*) on racism and ethno-racial discrimination in Luxembourg took place between September 2022 and January 2023. This cycle was co-organised in response of public demand for raising more awareness on the issue by the MIFA, LISER and CEFIS.

During the conferences, the main results of the study were presented. They were further elaborated on against the background of other surveys carried out in neighbouring countries or risk groups to stimulate collective, sometimes critical, reflection on the concepts, on the strategies for identifying discriminatory practices, and on the policies to be implemented.⁴⁰⁷

6.8.3 Announcing the development of a National Action Plan against Racism and Racial Discrimination

During the Interministerial Committee on Integration⁴⁰⁸ meeting on 22 February 2023, the MIFA announced that a National Action Plan against Racism and Racial Discrimination is going to be developed.⁴⁰⁹ The development of this Action Plan follows the recommendation of the [EU Action Plan against Racism 2020-2025](#) and the [Conclusions](#) of the [Council of the European Union on Combating Racism and Anti-Semitism \(6877/22\)](#).⁴¹⁰

6.8.4 Luxembourg's 4th periodic report at the 135th session of the UN Human Rights Committee

During the 106th Session (11 April 2022 - 29 April 2022) of the United Nations Committee on the Elimination of Racial Discrimination ([CERD](#)) the [combined eighteenth to twentieth periodic reports of Luxembourg \(2020 Luxembourg State Party Report\)](#), the UN CERD Committee Concluding Observations (CERD/C/LUX/CO/18-20), and the Advisory Human Rights Commission Parallel Report has been discussed.⁴¹¹

The Concluding Observations draw Luxembourg's attention to the recommendations contained in paragraphs 10 (application of the Convention by the national courts), 12 (legislation against racial discrimination) and 16 (conformity of criminal law with Article 4 of the Convention) and request Luxembourg to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.⁴¹²

6.8.5 Designation of focal points on racism and racial discrimination in Ministries

Representatives from three ministries, (i) the Ministry of National Education, Children and Youth; (ii) the Ministry of Labour, Employment and Social Economy; and (iii) the Ministry of Housing have been formally designated as focal points to collaborate with the MIFA to give integrated measures to combat racism and racial discrimination more breadth.⁴¹³ These steps towards sector-specific consultations are part of the developments for the aforementioned National Action Plan against Racism and Racial Discrimination and stem from the ["Study on racism and ethno-racial discrimination"](#).⁴¹⁴

6.8.6 Assaults against Russian residents

Racism and discrimination are an issue that affects all society members, regardless their skin colour or country of origin. Against the background of Russia's invasion of Ukraine, concerns about the safety of Russian residents in Luxembourg have been raised. The Prime Minister, the Minister of State, the Minister of Justice, and the Minister of Education, Children and Youth state that assaults on Russian residents are isolated. They underlined further that the Government condemns all kinds of hatred and discrimination based on ethnic origin and has issued a plea against any attacks on Russian residents. The Government has confirmed its solidarity with Russian residents who position themselves against the invasion of Ukraine.

To protect the safety and wellbeing of Russian children in Luxembourgish schools as well as to help all children to better understand this war, the Government referred to the [website](#) of the Zentrum für politisch Bildung (*Centre for civic education*, ZpB) where verified information and pedagogic material is provided in several languages to be used for interdisciplinary teaching.⁴¹⁵

6.8.7 Training courses

6.8.7.1 Diversity and non-discrimination training for municipal civil servants

As of 2022, training on "[Diversity and non-discrimination](#)" developed by the Department of Integration for municipal civil servants has been included in the [National Institute of Public Administration](#) (*Institut national d'administration publique*, INAP).⁴¹⁶ It has also been included in the national training catalogue to ensure that civil servants in municipalities shall be equipped with theoretical and practical knowledge on how to provide welcoming and non-discriminatory public services to citizens respecting diversity. Residents shall have access to non-discriminatory people-centred local public services.⁴¹⁷

6.8.7.2 Intercultural education training for police force

The training on "Intercultural education" for the police force, which is a four-hour-long face-to-face, optional training course and part of the ongoing professional service training delivered twice a year, has been included in the national training catalogue of the Police in collaboration between the Police Training Department and Police Psychological Service. The content of the training was developed, and the training was delivered in partnership with civil society organisation [Centre for Intercultural Education](#) (IKL). The course comprises: (i) the process of acquiring values, attitudes, and prejudice during socialisation and (ii) analysis of the terms stereotype and prejudice and the impact of these phenomena in the context of police work.⁴¹⁸

6.8.7.3 Anti-racism training for teachers

To support teachers and education personnel in dealing with racism, micro-aggressions and discrimination, the following training initiatives have been newly included in the national training catalogue of the National Education Training Institute for teachers and education personnel (IFEN). The following courses shall raise awareness and prepare the abovementioned target group and were developed in partnership with civil society organisations:

- How to create an inclusive and antiracist library;
- Anti-racism in schooling and education;
- Everyday racism in schools: Recognise and prevent racist micro-aggressions and prejudice;
- Do I have prejudices? And if so, how many? - Prejudice Reflection Exercise for Teachers;
- Penser, parler et agir de manière critique à l'égard du racism (Thinking, speaking, and acting critically of racism).⁴¹⁹

6.8.8 Digital realm

6.8.8.1 Awareness-Campaign #NOHATEONLINE

The online presence of hate and discrimination is steadily growing for young people online hate and violence represent the worst experiences. The BEE SECURE initiative launched the awareness campaign [#NOHATEONLINE](#) as a response. This campaign promotes mutual respect online, aims to combat hate speech and discrimination, and informs about freedom of expression and its legal limits. This campaign will also collaborate with the new [youth centre of Cinqfontaines](#) in 2023.⁴²⁰

By virtue of Luxembourg's mainstreaming approach, this project is open to anyone in Luxembourg, including its migrant population (i.e. European citizens and TCNs).

6.8.8.2 Digital Inclusion (DI)

Digital Inclusion offers services to households (families and individuals) who find themselves in challenging situations and have difficulties with accessing and using the internet. Among the support services offered, two are aimed at migrant populations:

- Access to a second-hand ready-to-use smartphone on the basis of a voucher system: eligibility conditional upon application approved by either social offices, Caritas, Red Cross, or ONA;

- Digital literacy courses for computers and smart phones at the absolute beginners and intermediate level given in Luxembourg's official languages as well as several of the most common foreign languages such as Arabic, Tigrigna, Persian and Portuguese.

The year 2022 saw a high demand for computers in the refugee population, among others because of the war in Ukraine. The [Digital Inclusion](#) team, which also consists of refugees, welcomed two new Ukrainian employees.⁴²¹

6.9 Additional developments

6.9.1 10 years Diversity Charta Lëtzebuerg

On 18 May 2022, the Diversity Charter Lëtzebuerg celebrated its 10th birthday in the presence of the Minister for Family Affairs, Integration, and the Greater Region.⁴²² The Charter has been working with signatories to change attitudes in companies and is a national commitment text proposed for signature to any organisation in Luxembourg wishing to commit to diversity promotion and management through concrete actions that go beyond legal obligations.⁴²³ In 2022, 26 new companies signed the charter, assembling 256 organisations in Luxembourg committed to diversity and inclusion.⁴²⁴

6.9.2 Inventory of intercultural trainings and initiatives

The Department of Integration attaches great importance to intercultural awareness and training to support living together. Within the framework of a specific agreement with the Department of Integration, [Inspiring more Sustainability Luxembourg](#) (IMS, a network for Corporate Responsibility) has drawn up an [inventory of existing training courses and initiatives](#) in the associative, professional, and state areas about interculturality in Luxembourg.⁴²⁵ This inventory is intended to contribute to the development of a sense of community and to creating synergies between the different players in interculturality, which is a fundamental and constitutive building block of living together in Luxembourg.

A restitution event and co-creation workshop organised by IMS Luxembourg in collaboration with the MIFA took place on 30 November 2022.⁴²⁶

7. CITIZENSHIP AND STATELESSNESS

AT A GLANCE

- The **Law of 23 December 2022** extended the deadline for submitting the declaration of reclamation of Luxembourg nationality to 31 December 2025
- In 2022, **10 499 persons acquired Luxembourg nationality by procedural means**. 1033 acquisitions were based on naturalisation, 5 193 on the option procedure (and 4 273 on the recovery procedure).

7.1 Legislative developments

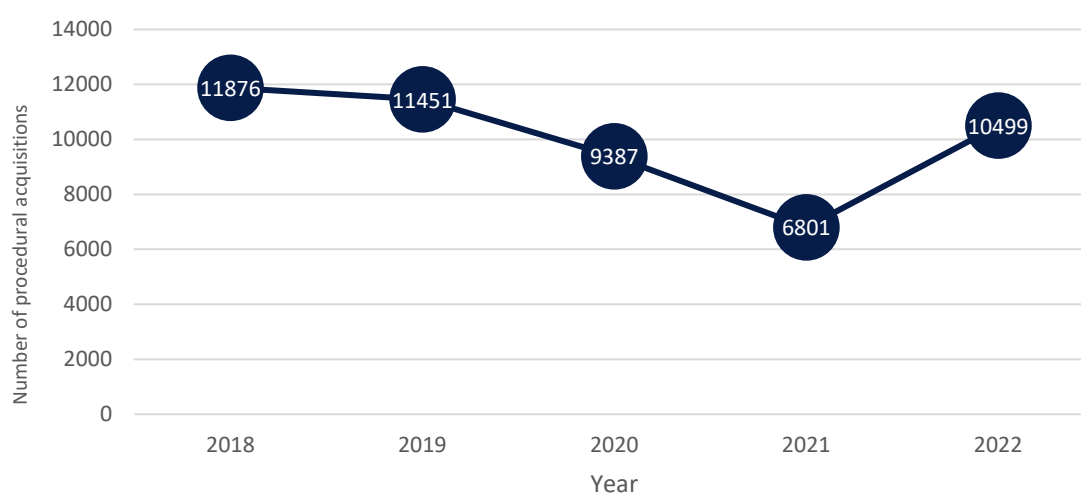
The Law of 23 December 2022 extended the deadline for submitting the declaration of reclamation of Luxembourg nationality for persons who are in possession of a certificate issued by the Ministry of Justice attesting to the descent of a Luxembourg ancestor on 1 January 1900 to 31 December 2025.⁴²⁷

7.2 Acquisitions of nationality

Depending on one's individual situation and the resulting eligibility, there are different ways to obtain or to acquire Luxembourgish nationality. It can either be obtained by simple operation of law⁴²⁸ or it can be acquired via procedural means in different ways.⁴²⁹ In the latter case, applicants can acquire Luxembourgish nationality by naturalisation⁴³⁰, by option⁴³¹, or by recovery.⁴³²

In 2022, 10 499 persons acquired Luxembourg nationality by procedural means, representing a sharp increase of 54,4% when compared to 2021 (6 801 acquisitions).⁴³³ These numbers include all procedural acquisitions of nationality by residents and non-residents, thus covering naturalisations, recoveries of nationality and acquisition of nationality by option.

Figure 28: Procedural acquisitions of the Luxembourgish nationality (2018-2022)



Source: Ministry of Justice, 2017-2023. © EMN Luxembourg 2023

In addition, 885 people became Luxembourgish citizens on the basis of first generation *ius soli*⁴³⁴ as well as 154 children who became Luxembourgish citizens because of their birth in Luxembourg to two foreign parents of which at least one was also born in Luxembourg (double *ius soli*).⁴³⁵ When adding these numbers, a total of 11 538 acquisitions is reached ⁴³⁶

Table 17 below lists the top 10 nationalities that have acquired the Luxembourgish nationality in 2022 by procedural means. While five of the top 10-nationalities are TCNs and five are EU-citizens, the share of TCNs is larger (57%) than the share of EU-citizens (43%) in 2022.

Table 17: Top 10 nationalities acquiring Luxembourgish nationality (2022) by procedural means

First nationality	Acquisitions of nationality
Brazilian	3 275
Portuguese	1 227
French	1 191
American	889
Belgian	551
German	289
Italian	273
Cape Verdean	186
Russian	175
Montenegrin	172
Total top 10 nationalities	8 228
Total remaining nationalities	2 271
Grand total	10 499

Source: Ministry of Justice 2023 © EMN Luxembourg 2023

Among the 10 499 acquisitions by procedural means, 1 033⁴³⁷ were based on naturalisation (9,84%), 5 193 on the option procedure (49,5%) and 4 273 on the recovery procedure (40,7%).⁴³⁸ When compared to 2021, acquisitions based on naturalisation increased by 17,4%, those based on the ten specific options stipulated in the amended Law of 8 March 2017 on Luxembourgish nationality (hereinafter Nationality Law)⁴³⁹ increased by 13,9% (+635), and those on recovery sharply increased by 213,5%.⁴⁴⁰ This increase compared to the previous year can probably be attributed the lifting of temporary restrictions on non-essential travel to Luxembourg linked to the fight against the Covid pandemic (please also refer to section 8.1.1), which allowed more candidates in the recovery procedure residing abroad to organise their travels to Luxembourg to formally sign the declaration to reclaim the Luxembourgish nationality before the civil registrar.⁴⁴¹

In 2022, 5 350 acquisitions of nationality via procedural means (51 %) concerned residents of Luxembourg, while 5 149 nationalities (49%) were acquired by individuals residing abroad. The share of acquisitions by individuals residing abroad sharply increased compared to 2021 by 27,5%.⁴⁴²

With regard to acquisitions by option, individuals who have resided in Luxembourg for at least 20 years by far constituted the largest group (1 434 acquisitions), followed by persons at least 12 years of age

who were born in Luxembourg (1 110 acquisitions), by adults with a parent, adoptive parent or grandparent who is or was Luxembourgish (977 acquisitions), and by adults who have completed at least seven years of schooling in Luxembourg (816).⁴⁴³ New Luxembourgers who have opted for the nationality by fulfilling the obligations arising from the Welcome and Integration Contract (CAI) (274 acquisitions) while 230 adult stateless persons, refugees or with subsidiary protection status became Luxembourgers in 2022.⁴⁴⁴

As illustrated in Table 18, the year 2022 saw a clear increase with regards to the share of third-country nationals acquiring the Luxembourgish nationality (60,6%), while the share of EU-citizens has fallen sharply (39,4%).⁴⁴⁵

Table 18: Acquisitions of nationality by EU citizens and third-country nationals (2018-2022)

Acquisitions of nationality	2018		2019		2020		2021		2022	
	%	Total	%	Total	%	Total	%	Total	%	Total
EU citizens	66,8	7 939	57,6	6 596	57,6	5 408	71,0	4 826	39,4	4 141
Third-country nationals	33,2	3 938	42,4	4 855	42,4	3 979	29,0	1 975	60,6	6 358
Total	100	11 877	100	11 451	100	9 387	100	6 801	100	10 499

Source: Ministry of Justice, 2023, STATEC, 2023. © EMN Luxembourg 2023

Sharp increase of nationality acquisitions by Brazilians

Citizenship acquisitions of Brazilians strongly increased by 2291% (from 137 to 3275) and also Americans by 539,57% (from 139 to 889) compared to 2021.⁴⁴⁶

Out of these 3 275 acquisitions, 3 080 (94%) relate to Brazilian nationals who can prove that they have a direct Luxembourgish ancestor who was alive on 1 January 1900 (recovery procedure based on Article 89 of the Luxembourgish Nationality Law). Moreover, 98,6% of these acquisitions concern Brazilians who do not reside in Luxembourg (3 228 out of 3 275 acquisitions).⁴⁴⁷

As for Americans, 668 out of 889 (75,1%) citizenship acquisitions concern the recovery procedure based on Article 89 of the Luxembourgish Nationality Law.⁴⁴⁸

As in the previous years, significant disparities can be observed with regards to the place of residence of applicants. The following table provides a breakdown of first nationalities that accounted for at least 150 acquisitions in 2022.

The acquisitions by Brazilian and American nationals mainly concerned non-residents, while an overwhelming majority of residential cases can be counted among Portuguese, German, Italian, Cape Verdean, Russian, Montenegrin, Syrian and British nationals (see Table 19).

Table 19: First nationalities acquiring Luxembourgish nationality by residence (2022)

First Nationality	Residence in Luxembourg	Residence abroad	Total acquisitions	Share of residents who acquired Luxembourgish Nationality (%)
Brazilian	47	3 228	3 275	1,4
Portuguese	1 203	24	1 227	98,0
French	682	509	1 191	57,3
American	43	846	889	4,8
Belgian	268	283	551	48,6
German	247	42	289	85,5
Italian	261	12	273	95,6
Cape Verdean	164	22	186	88,2
Russian	169	6	175	96,6
Montenegrin	171	1	172	99,4
Syrian	170	2	172	98,8
British	119	39	158	75,3

Source: Ministry of Justice, 2023, STATEC, 2023. © EMN Luxembourg 2023

7.3 Luxembourgish language test and civic integration courses for the acquisition of Luxembourgish nationality

During the academic year of 2021/22, 3 295 candidates registered for the Luxembourgish language test (*Sproochentest*), 3096 took the test, and 2068 people passed it, equalling a success rate of 67%. When set against 2020/21, the past academic year was a successful one as the attendance rate was 8% higher and the success rate increased by 14%.⁴⁴⁹

With respect to the Civic integration courses for the acquisition of Luxembourgish nationality (*Vivre ensemble au Grand-Duché de Luxembourg*)⁴⁵⁰ offered in 2021/22, the SFA issued 2 645 certificates for people who participated in civic courses and 515 certificates for people who took the exam for a total of 3 160 certificates compared to 2 812 certificates in 2020/21. This represents an increase of 12,4% in comparison to the previous year and even surpasses pre-pandemic level of 2019 by 25% (2 528 issued certificates).⁴⁵¹

8. BORDERS, VISA AND SCHENGEN

AT A GLANCE

- **Lifting of COVID-19 related entry-restrictions** and sanitary measures
- In terms of the implementation of the Smart Borders Agenda, work related to the implementation of the **Entry/Exit System (EES) and the European Travel Information and Authorisation System (ETIAS)** is ongoing.

8.1 Legislative and operational developments

There have been no legislative developments with respect to borders, visa, and Schengen issues in Luxembourg in 2022.

8.1.1 COVID-19-related temporary immigration restrictions

An overview of the development of COVID-related temporary immigration restrictions in 2022 is provided below in chronological order (for COVID-related temporary immigration restrictions in 2021 please refer to LU NCP EMN ARM 2021 pt.1 Q 63 and ARM 2021 pt. 2 section 2.1.2):

28 January 2022

Luxembourg's updated COVID-19-related temporary immigration restrictions took effect on 31 January 2022. These recommendations originated from the decision amending the Council Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restrictions⁴⁵² and include an updated list of third countries whose residents are not affected by temporary restrictions at the external borders on non-essential travel to Luxembourg. Additional health measures remained applicable to all travel by air to Luxembourg.⁴⁵³

1 March 2022

Due to the war in Ukraine, the MAEE expressed the need to facilitate access of Ukrainians to the territory of Luxembourg by exempting them from the temporary restrictions at the external borders linked to COVID-19. Thus, Ukraine has been added to the list of third countries whose residents should not be affected by a temporary restriction at the external borders on non-essential travel to Luxembourg.⁴⁵⁴

22 April 2022

The additional health measures to be observed by persons over 12 years and 2 months old entering Luxembourg by air were repealed on 22 April 2022. However, as the COVID-19 related temporary immigration restrictions for third-country nationals remain in force, the presentation of a vaccination certificate or a recovery certificate remains one of the means which permit third-country nationals to enter Luxembourg (regardless of the means of transport).⁴⁵⁵

30 June 2022

The Law of 30 June 2022⁴⁵⁶ amending the amended Law of 20 June 2020 introducing certain temporary measures relating to the implementation of the amended Immigration Law extended the ban on the entry of third-country nationals into the territory of the Grand Duchy of Luxembourg from 30 June 2022 to 31 December 2022. Based on the Law of 30 June 2022, the Grand Ducal Regulation of 30 June extended this ban to 30 September 2022.⁴⁵⁷

1 October 2022

Third-country nationals residing outside the European Union or the Schengen area can once again travel to Luxembourg for any kind of travel, including for non-essential travel (i.e. for tourist or other reasons), regardless of their vaccination status. However, TCNs remain subject to the basic conditions applicable for the entry and stay of less than 90 days in the Schengen area, such as the possession of a valid passport and, if applicable, of a short-stay visa.⁴⁵⁸

8.1.1.1 Smart Borders Developments related to the implementation of the EES

During the summer of 2022, the technical responsibility for the Entry/Exit System (EES) project was transferred from the CTIE to the Grand Ducal Police.⁴⁵⁹ This transfer is part of the process of implementing [Regulation \(EU\) 2017/2226](#)⁴⁶⁰ and will help to ensure an effective implementation of EES and the interoperability of EU border management information systems.⁴⁶¹

In 2022, preparatory work to modify the immigration law⁴⁶² is underway to align with the text of the EES Regulation (EU) 2017/2226 (taking into account biometric data to verify entry conditions and adaptation obligations imposed on carriers (as well as exemptions from these obligations)).⁴⁶³

8.1.1.2 Cooperation (ETIAS)

Project to create a legal base for the implementation of a collaborative model for the ETIAS National Unit (ongoing)

To effectively implement [Regulation \(EU\) 2018/1240](#)⁴⁶⁴ in Luxembourg, the ETIAS National Unit (ENU) will be anchored in the Immigration Department but will involve the membership and active participation of several other administrations.⁴⁶⁵

Extensive consultations on the nature and components of the legal base for ENU (for full compliance with the ETIAS regulation, data protection requirements as well as the specific requirements of participating administrations) took place in 2022 to implement this collaborative operational approach for ENU, which was validated by all relevant stakeholders in early 2021. Membership, division of labour, and responsibilities for the provision of opinions and decision-taking on ETIAS files, the consultation of national databases and responsibilities for data processing as well as the watchlist

were identified as the main building blocks. While work on this legal base is ongoing, amendments to the Immigration Law⁴⁶⁶ have been submitted, stipulating a valid travel authorisation as new condition for entry and (short) stay for visa exempt third-country nationals as well as the new obligations for carriers (as well as exemptions from those obligations). Furthermore, amendments to Bill 7881⁴⁶⁷ concerning ECRIS-TCN (European Criminal Records Information System third-country national) were introduced by the Ministry of Justice to ensure access to criminal records by ENU as required by the ETIAS regulation. The national legal base for appeals was also analysed and communicated to Frontex for publication on the ETIAS website.⁴⁶⁸

For full compliance with EU regulatory framework and for compatibility of the ETIAS software with the national ENU model, Luxembourg representatives have been actively participating in the ETIAS-related work meetings at the European level, most notably the ETIAS Advisory Group and the “Setting Up the ENUs” meeting organised by Frontex.⁴⁶⁹ The successful and timely implementation of the EES and ETIAS systems remains, however, dependent on regulatory and technical developments at European level.⁴⁷⁰

8.1.1.3 European Interoperability Framework (EIF)

Implementation of European and national coordination frameworks and development of draft legislation

The implementation of the framework, namely Regulation (EU) 2019/817⁴⁷¹ and Regulation (EU) 2019/818⁴⁷² for interoperability between EU information systems has continued in 2022. Representatives from Luxembourg have actively participated in different working parties at national and European levels.⁴⁷³

In addition, following an extensive consultation process, a bill has been prepared, which shall provide for the implementation of Article 20 of regulations (EU) 2019/817⁴⁷⁴ and (EU) 2019/818⁴⁷⁵ on the access to the common identity repository for identification. As of 31 December 2022, a corresponding bill has not yet been tabled and still needs to pass through the legislative process in Luxembourg.⁴⁷⁶

8.1.2 Integrated Border Management strategy

8.1.2.1 Development of a National Capability Development Plan

Between January and June 2022, Luxembourg developed a National Capability Development Plan (NCDP) to implement Regulation (EU) 2019/1896 (Article 9).⁴⁷⁷ This process, which was a collaborative effort between the relevant national administrations, was lead and coordinated by the Directorate of Immigration with support of the Airport Police Unit. It brought together major national players in the field in order to streamline and successfully help to implement the EU’s border management. To fully

meet the NCDP requirements, Luxembourg actively participated in the Capability Development Network (CDN) and met with Frontex bilaterally. Luxembourg successfully submitted its NCDP to Frontex on time in June 2022.⁴⁷⁸

8.1.2.2 Up-date of the National Integrated Border Management (IBM) Strategy Action Plan

To further the implementation of Regulation (EU) 2019/1896 (Articles 3 and 8)⁴⁷⁹ the National Integrated Border Management (IBM) Steering Committee met in November 2022 to review the implementation of the IBM Strategy and to update its action plan. Given the delays at EU level, the updates mostly concerned adjustments to the timeline and budgets for the implementation of the information systems for border management. In addition, some responsibilities were also updated/clarified, such as the attribution of technical project management for EES to the Grand-ducal Police (see above) or the anchoring of European Border Surveillance System within the Airport Police Unit. Relevant recommendations of the Schengen evaluation of December 2021 were also integrated.⁴⁸⁰

8.2 Additional Developments

8.2.1 Revision of the national incentive framework for missions of the European Border and Coast Guard and adaptation of the national legal base

In accordance with Regulation (EU) 2019/1896 on the European Corps of Border and Coast Guard,⁴⁸¹ work on the national contribution to the standing corps continued in 2022. For continued full compliance with EU level requirements, the incentive framework for national agents participating in standing corps was upgraded in 2022. A national coordination structure between the Directorate of Immigration, the Grand-ducal Police, the Ministry for Internal Security as well as the Customs Administration is in place to ensure that the requirements in terms of national contributions are met and to pursue issues relating to the preparation and follow-up of secondments, including feedback received by seconded staff members. Furthermore, preparatory work on adapting the national legal base to allow the reception of the standing corps in Luxembourg has started.⁴⁸²

In 2022, Luxembourg contributed three officers on long-term detachments and 14 short-term detachments to the European Border and Coast Guard.⁴⁸³ The Directorate of Immigration has a coordinating role in this matter, in close cooperation with the Police, and has itself seconded an officer on a long-term detachment. In 2022, the Directorate of Immigration also took over the management of the national contribution to Frontex's aerial surveillance capabilities through the provision of a helicopter from the Department of Homeland Security.⁴⁸⁴

8.2.2 Designation of the Airport Police Unit as National Coordination Centre (NCC) for EUROSUR

To implement of Regulation (EU) 2019/1896⁴⁸⁵ (Section 3)⁴⁸⁶, the Airport Police Unit (PGD/*Unité de la police de l'aéroport*, UPA) was designated as National Coordination Centre (NCC) for the European Border Surveillance system in 2022. Before, the NCC was located at the International Relations Directorate of the Police. The anchoring of the NCC at the PGD/UPA is necessary as the airport is Luxembourg's only external border. Notwithstanding, an active and efficient collaboration with other police units, the national customs administration as well as the Directorate of Immigration remains key to collect all relevant data for EUROSUR.⁴⁸⁷

8.3 Schengen

Evaluation of Luxembourg's performance with respect to the implementation of the Schengen acquis

In the framework of the periodic visits verifying the implementation of the Schengen acquis by the Member States, Luxembourg has been evaluated in 2021 and 2022. The Schengen evaluations cover all aspects of the Schengen acquis and also take into account the functioning of the authorities applying the Schengen acquis. They are carried out based on questionnaires and inspection visits, which may be announced or unannounced.⁴⁸⁸

During 2022 there were two evaluation visits: 1) the evaluation visit in the field on data protection took place from 13 to 18 March 2022 and 2) the visit in the field of visa policy took place from 21 to 26 November 2022.

The European Commission Implementing Decision establishing the report of the 2021 evaluation of Luxembourg on the application of the Schengen acquis in the fields of management of the external borders, return, Schengen Information System and police cooperation, was adopted on 13 September 2022. The Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2021 evaluation of Luxembourg on the application of the Schengen acquis was adopted on 18 November 2022.⁴⁸⁹ Luxembourg began preparing an action plan to implement these recommendations and remedy the shortcomings identified.⁴⁹⁰

9. IRREGULAR MIGRATION, MIGRANT SMUGGLING, RETURNS, AND READMISSION

AT A GLANCE

- **Bill 7954 amending the amended Law of 29 August 2008 on the free movement of persons and immigration** has been introduced to Parliament to improve the management of the phenomenon of illegal stays of third-country nationals on Luxembourgish territory.
- **Bill 8014 amending the amended Law of 18 December 2015**, on international protection and temporary protection (Asylum Law)¹ was introduced to Parliament **to strengthen legal certainty for AIPs who fall within the scope of the Dublin III regulation**.

9.1 Irregular migration

The year 2022 saw no new developments aimed at preventing irregular stay and combatting facilitation of irregular stay except for Bill 7954 on the removal of third-country nationals who illegally reside in Luxembourg.

9.1.1 Monitoring and identifying irregular migration routes

Data collection regarding irregular arrivals: EUROSUR-data

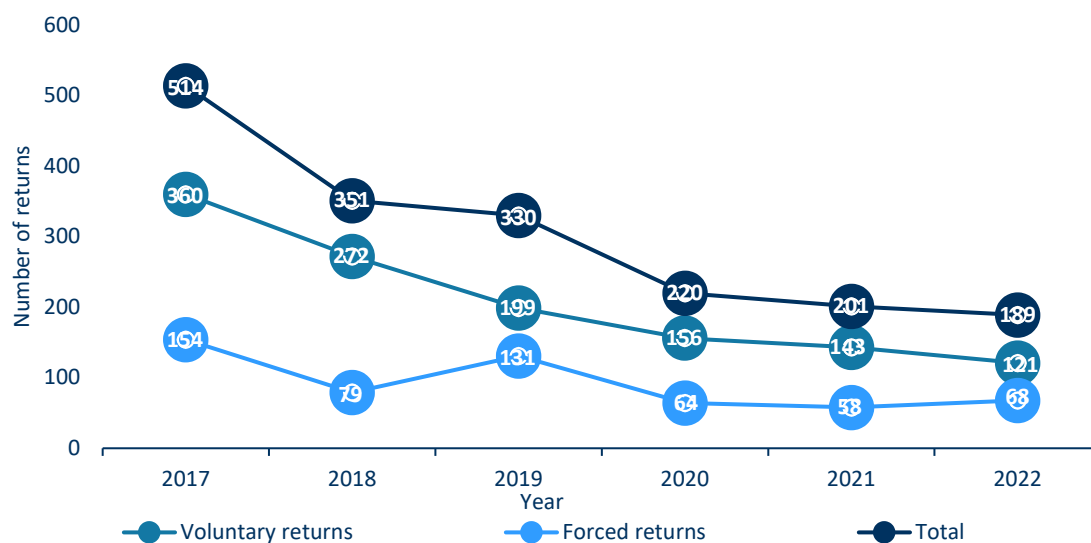
As a common framework for information exchange and cooperation between EU Member States and Frontex, EUROSUR aims at improving situational awareness and increase responsiveness to fight irregular migration.⁴⁹¹ The Grand-Ducal Police started with the implementation of data-collection via EUROSUR in 2022.⁴⁹²

9.2 Return

9.2.1 General developments and statistical trends

In 2022, 189 TCNs have been returned to their country of origin, which represents a decrease of 6% to 2021 and of almost 43% to pre-pandemic 2019. When set against the years 2021 and 2019, the share of voluntary returns in 2022 (121) decreased by 15% and 39%, respectively. The 17% more forced returns were conducted in 2022 (68) than in 2021 but 48% less than in 2019.⁴⁹³ Figure 29 provides a graphical overview on the evolution of returns and on the returnees, respectively.

Figure 29: Number of returns broken down by type (2017-2022)



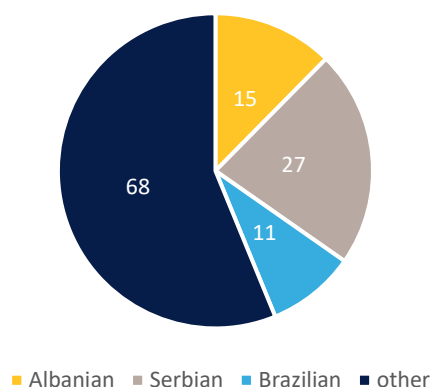
Source: Ministry of Foreign and European Affairs (2018 – 2023). © EMN Luxembourg 2023

The share of returnees from an international protection procedure has been decreasing progressively. This development could be attributed to the change in the profile of applicants for international protection that leads to more positive decisions in this area and to the decreasing numbers of applications for international protection from nationals of safe countries of origin.⁴⁹⁴

Voluntary returns

The vast majority of voluntary returnees came from the Western Balkan countries (49 persons) and Brazil (11 persons, see Figure 30 below). In 2022, 36 of the 121 voluntary returnees were rejected AIPs. As part of the promotion of voluntary return, the Directorate of Immigration continued in 2022 the Assisted Voluntary Return and Reintegration Programme with the assistance of the International Organisation for Migration. This programme has been running since 2009 and is co-financed by the Asylum, Migration and Integration Fund since 2014. In 2022, 87 people received support through this programme. It should be noted that access to this programme is conditional, and that aid depends on the country of origin of the person who opted for a voluntary return.⁴⁹⁵

Figure 30: Total number of voluntary returns in 2022 by nationality



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

Agreements on voluntary return

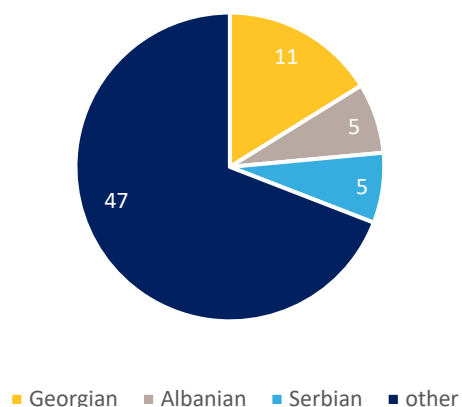
The Directorate of Immigration signed a three-year agreement (covering 2022-2024) with the IOM on assisted voluntary return and reintegration (AVRR) targeting third-country nationals⁴⁹⁶ renewing the AVRR-L.

Another agreement on assisted voluntary return (AVR) covering 2022-2024 has been signed. It relates to the return of EU nationals (or Schengen associated nationalities) and non-EU nationals (having a residence permit in an EU country/Schengen associated country).⁴⁹⁷

9.2.1.1 Forced returns

Of the 68 forced returnees from Luxembourg, i.e. by means of a police escort until their arrival at their destination, 15 were from a Western Balkan country. The majority are forced via commercial flights. Forced returns through scheduled commercial flights are eligible for EU co-financing through AMIF. The Directorate of Immigration further used the “Frontex Application for Return” (FAR) mechanism for direct funding of returns by commercial flight of nine persons by Frontex. The Albanian and Georgian authorities organised a charter flight, which resulted in the return of two persons respectively five persons from Luxembourg.⁴⁹⁸

Figure 31: Total number of forced returns in 2022 by nationality



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

In 2022, 10 of the 68 forced returnees were rejected applicants for international protection (see Figure 31 above). The other returnees were illegally staying third-country nationals.⁴⁹⁹

9.2.1.2 Impediments to removals

In 2022, the removal of 28 people was suspended on medical grounds, compared to 22 people in 2021. It should be noted that the same person can benefit from several extended suspensions of stay in the same year.

While 58 persons benefited were removed in 2021, this number rose to 124 persons in 2022, representing an increase of 113,8%. It should be pointed out that the removal of the same person can be suspended multiple times over the course of the same year.⁵⁰⁰

9.2.2 Legislative developments

Bill 7954 on the removal of third-country nationals

Bill 7954, introduced to Parliament on 19 January 2022, amending the amended Law of 29 August 2008⁵⁰¹ aims to, inter alia, structure the various categories of removal measures in a clear and coherent manner to better manage the phenomenon of illegal stay of third-country nationals in Luxembourg. In addition, extending the possibility of administrative detention to any illegally staying foreigner who needs to be forcibly removed, including EU citizens and their family members who have

been issued a removal order, for reasons set out in Articles 27, 30(1), and 30(2) of the Immigration Law⁵⁰². For related information please also refer to section 3.7.

This bill proposes to:

- Provide a general definition of the term "removal" (*éloignement*) as follows: "the physical transfer of a foreign national from the territory of the Grand Duchy of Luxembourg in execution of a removal decision, a return or expulsion decision, a "departure decision", a "dismissal decision" or a "referral order",⁵⁰³
- Introduce the concepts of "departure decision " and "dismissal decision" to manage more effectively the removal of third-country nationals who are illegally staying in Luxembourg and hold a valid residence permit in another EU or Schengen Area Member State. A "departure decision" will be issued against these persons, requiring them to leave immediately or at the latest within 72 hours the territory of the Grand Duchy. In case of non-compliance, a return decision will be issued;
- Enable the removal of any third-country national staying irregularly in Luxembourg to the Member State, which had previously allowed them to enter or stay on its territory, on the basis of a dismissal decision. Such removals are executed in accordance with Article 6(3) of Directive 2008/115/EC⁵⁰⁴ and in application of bilateral agreements or arrangements between Luxembourg and other Member States or States party to the Schengen Area;⁵⁰⁵
- Provide clarifications and amendments relating to the return decision and risk of absconding. The text of the bill specifies that a return decision is equivalent to a removal decision. In case of non-compliance, the decision may be enforced ex officio and by coercion. In addition, it is proposed to include within the criteria for risk of absconding not only individuals who have forged, falsified, or issued a residence permit or identity or travel document under a name other than their own, but also persons who have used these;⁵⁰⁶
- Define the notion of "imperative grounds" of public security in the context of orders to remove EU citizens. This definition is broadened⁵⁰⁷ to consider the judgment of the CJEU in Case C-348/09⁵⁰⁸;
- Indicate when the Minister of Immigration and Asylum must attach a ban on entry into the Territory to a return decision. This is the case the person has not been granted a deadline for voluntary departure, or if a person remains in the country after the time limit for voluntary return has expired;⁵⁰⁹
- Extend the possibility of administrative detention to any illegally staying foreigner who needs to be forcibly removed. This includes EU citizens and their family members who have committed an offence of such gravity that it constitutes serious harm to a fundamental interest⁵¹⁰ of society.⁵¹¹

Parliamentary debate

During 2022, Bill 7954 has been discussed in Parliament with a limited amount of internal dissent except for certain amendments introduced.⁵¹² On 8 March 2023, the bill was voted by a large majority in Parliament and welcomed by most political parties.⁵¹³

Several members of the opposition voted against the bill⁵¹⁴ and together with the NGO ASTI, they reiterated the criticism that the new law would serve as a shortcut between crime and immigration, which they consider a clear stigmatisation of immigration.⁵¹⁵

For additional information please refer to section 3.7.

9.3 Readmission

36 readmission applications were submitted in 2022 to other Member States, of which 25 were accepted and eight refused. In this context, four readmissions to Italy, two to Germany, and two to France were executed.⁵¹⁶

9.4 Administrative detention

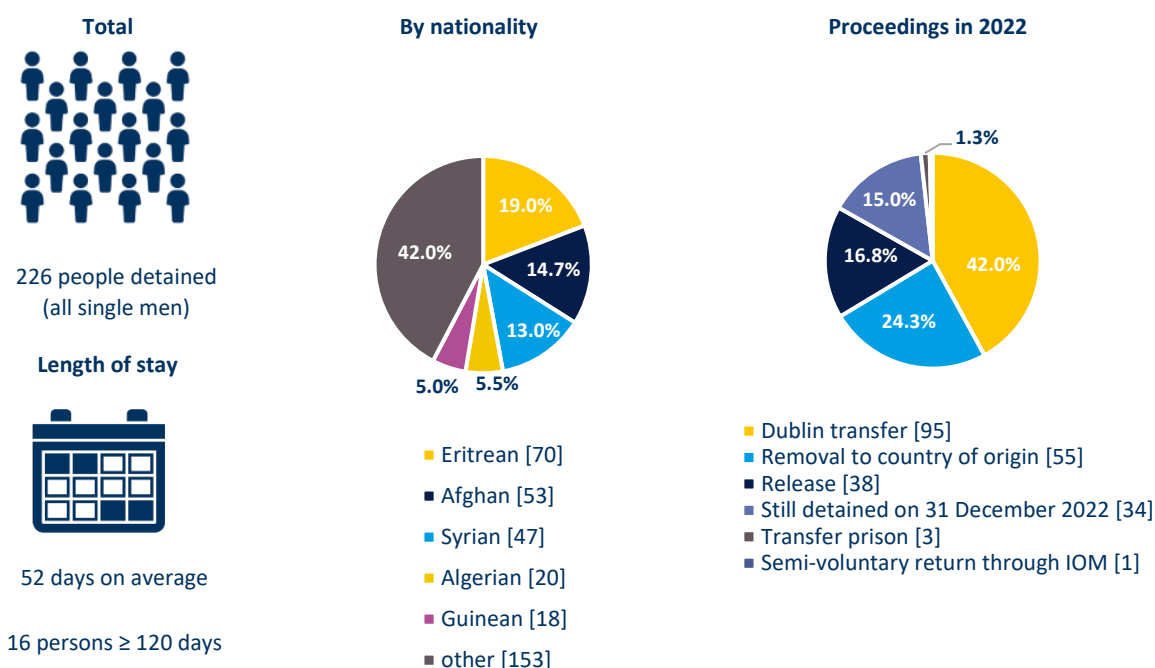
9.4.1 Statistical trends

In 2022, all 226 detainees who were admitted to Luxembourg's detention centre were males and the number of detainees slightly decreased by 2% compared to 2021. Of these 226 detainees, 95 or 42% (81 people in 2021) were subject to a Dublin-Transfer and transferred to the country responsible for processing their case, 55 or 24% (50 people in 2021) were removed to their country of origin or provenance, amounting to an increase to the previous year of 17% and 10%, respectively. The number of semi-voluntary returns through IOM decreased by two from three to one, and the number of released detainees decreased by 44% from 68 to 38. In addition, three (0 in 2021) were transferred to the Luxembourg Penitentiary Centre (CPL) and no escapes occurred during 2022. As of 31 December 2022, the Centre had 34 occupants.

In 2022, the Centre received detainees of 45 (49 in 2021) different presumed or proven nationalities. The most common nationalities were Tunisian 31, Moroccan 30, Nigerian 21, Georgian 18, Algerian 17, undetermined 9, Brazilian 7, Libyan 7, Guinean 7, Albanian 6, Senegalese 5, and Chinese 5.

The average length of detention for the year 2022 increased by 15,5% from 45 to 52 days and 16 (10) detainees stayed at the Centre for 120 days or more.⁵¹⁷

Figure 32: People in administrative detention (2022)



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

9.4.2 Bill 8014: Clarifications on the criteria for the risk of absconding (and detention)

On 30 May 2022, Bill 8014 amending the amended Law of 18 December 2015 on international protection and temporary protection (Asylum Law)⁵¹⁸ was introduced to Parliament.

This bill foresees modifications of Article 22 (2d) of the Asylum Law by specifying the criteria of the risk of absconding for AIPs who fall within the scope of the Dublin III regulation and to justify their placement in detention.⁵¹⁹

Bill 8014 thus aims to strengthen legal certainty for AIPs who are the subject of a transfer decision in the scope of the Dublin III regulation. This bill will fully comply with case law of the Court of Justice of the European Union and of the European Court of Human Rights, according to which any deprivation of liberty must be lawful in the sense that it must have a legal base in domestic law. It is also underlined that the national law authorising a deprivation of liberty must be sufficiently accessible, precise, and foreseeable in its application to avoid any danger of arbitrariness.⁵²⁰

Please also refer to section 4.2.2.

9.4.3 Covid-19 pandemic

9.4.3.1 Capacity of the detention centre

In 2022, COVID-19 regulations reduced the capacity of the detention centre to 34 beds for single men on three living units. The fourth unit served as quarantine/isolation unit for new arrivals and detainees infected with COVID.⁵²¹

9.4.3.2 Law of 30 June 2022

The Law of 30 June 2022 removes the health measures that were in place in the Detention Centre (such as quarantine of incoming people). This law thus aligns the measures in place in the Detention Centre with those applicable to the general population in line with the development of the changed epidemiological situation.⁵²²

9.4.3.3 Visits to the detention centre

As the restrictions against the Covid-19 pandemic were progressively relaxed throughout 2022, the number of private visits for the benefit of detainees rose to 360 and thus reached an almost pre-pandemic level.⁵²³

Please also refer to section 8.1.1.

9.4.4 Additional developments

9.4.4.1 Collaborations with the European Migration Network

In collaboration with the European Migration Network (EMN), the Detention Centre hosted high-level representatives of the Ministry of Security of Bosnia and Herzegovina in Luxembourg from 7 to 10 February 2022 for a study visit.⁵²⁴

The annual workshop for representatives of detention centres, which has been taking place since 2019 and by now has become a popular regular in the agendas of many representatives of European detention centres, was organised from 27 and 28 September 2022 in close cooperation with EMN on the Campus Kirchberg of the University of Luxembourg. It brought together some thirty managers of administrative detention centres from 14 EU Member States.⁵²⁵

9.4.4.2 Conceptualisation of a new closed structure for people with specific needs

The conceptualisation of a new closed structure for people with specific needs including minors and families with children as well as semi-closed structures as alternatives to detention is ongoing and

intensifying. Those structures were announced in the governmental programme for the legislative period 2018-2023 but have not been implemented so far.⁵²⁶

9.4.4.3 Other activities and developments

In 2022, the management of the Detention Centre was requested 136 (113) times for individual interviews with detainees. A new in-room infotainment system was implemented in December 2022 and now allows occupants to access specific web content directly from their rooms. In addition, the former communication system based on the provision of shared mobile phones usable with prepaid cards has been replaced by individual mobile phones allowing detainees to make calls free of charge up to a maximum of € 10 per week and to receive calls in full privacy anytime.⁵²⁷

9.4.5 Alternatives to detention: semi-open return facility - SHUK

Individuals, except for families with children, who fall within the scope of the Dublin III Regulation and are likely to be transferred to another Member State, are assigned to SHUK in Luxembourg's capital.

9.4.5.1 Temporarily repurposing the SHUK

Due to the migration crisis triggered by the armed conflict in Ukraine, SHUK was temporarily repurposed as an initial reception centre for people who have fled the war in Ukraine from 4 March 2022. ONA therefore took over the management of SHUK as an initial reception centre from 1 April 2022.

With help of the Ministry of Family, Integration and the Greater Region, the occupants of the SHUK were able to be relocated to the WAK premises in Findel. The Ministry made these premises available to the detention centre until 30 September 2022.

In addition to the single men placed under house arrest under the Dublin III Regulation in building A of WAK, the Detention Centre has also taken on the management of families with children temporarily housed by ONA in building B of the site.

The Detention Centre took back SHUK premises on 15 October 2022, when the residents of the WAK Building A moved back into SHUK.⁵²⁸

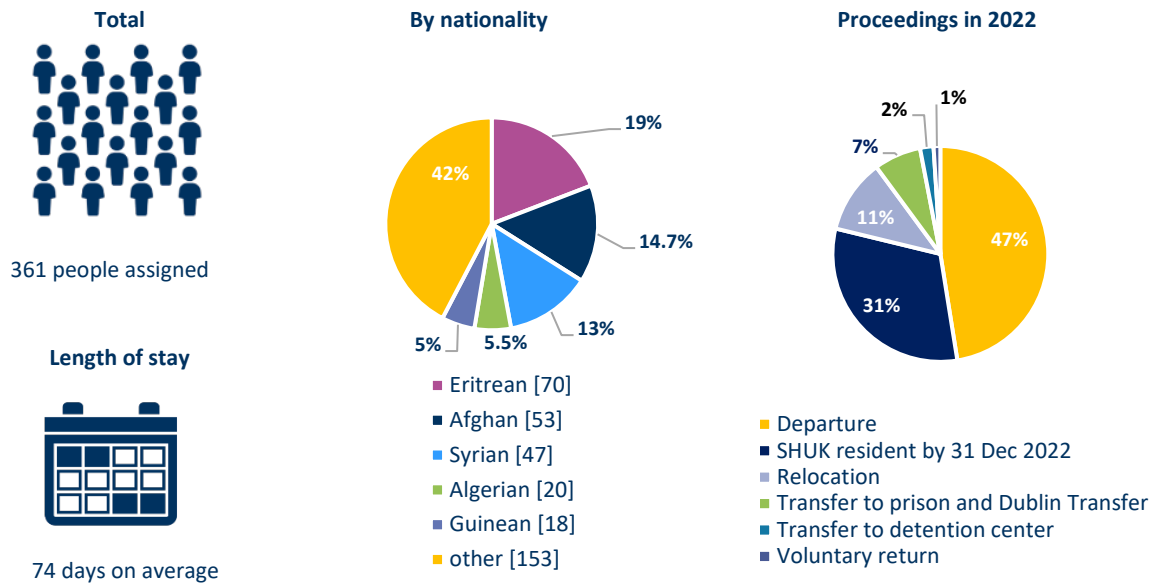
9.4.5.2 Statistical trends

In 2022, a total of 361 (in 2021: 212) males were assigned to SHUK of whom 25 (18) were transferred to another Member State from SHUK and 8 (14) persons were transferred to the Detention Centre.

170 (94) people left voluntarily. The people housed at SHUK were mainly from Eritrea, Afghanistan, Syria, Algeria, Guinea, Morocco, Tunisia, and Cameroon.

On 31 December 2022, 113 (69 in 2021) people were accommodated at SHUK. The average length of stay was 74 (73 in 2021) days for the year 2022.⁵²⁹

Figure 33: People accommodated in the Semi-open return facility – SHUK (2022)



Source: Ministry of Foreign and European Affairs, 2023. © EMN Luxembourg 2023

10. VICTIMS OF HUMAN TRAFFICKING (VHT)

AT A GLANCE

- Luxembourg remains at the "Tier 1" level in the report "2022 Trafficking in Persons Report: Luxembourg"
- Luxembourg continues ongoing measures against HT at various levels with multiple actors

10.1 Statistical trends

In 2022, the number of identified VHTs did more than triple from 14 to 46 third-country nationals, of which 44 were females and two males. In 2021, eleven male and three female third-country national were identified as VHTs.⁵³⁰

From 2019 to 2021, the majority of identified VHTs were victims of labour exploitation. In 2022, however, this trend reversed as sexual exploitation (44) represented by far the largest category of female victims of human trafficking while one woman and one man were victims of labour exploitation. As in previous years, all identified individuals as victims of human trafficking were over the age of 18.⁵³¹

In 2022, two reflection periods were granted; one for a female and one for a male victim and one residence permit granted. Moreover, 13 suspects were arrested or otherwise involved in criminal proceedings related to human trafficking. Three persons were convicted in 2022.⁵³²

10.2 Strategic policy developments

Luxembourg works with Frontex and Europol

The Minister of Foreign and European Affairs explained that Luxembourg generally relies on a concerted European approach, notably on the strengthening of European agencies on the ground, such as Frontex and the European Union Agency for Law Enforcement Cooperation (Europol), to fight against migrant smuggling.⁵³³

10.3 Support and assistance services and identification of victims

Regular cooperation within the Monitoring Committee for the Fight against Trafficking in Human Beings (*Comité Traite*) as well as with the task force, which includes of the Immigration Department, has continued throughout 2022 to jointly discuss practical cases.⁵³⁴

10.3.1 Training and awareness raising

10.3.1.1 Publication of the newly extended “MEGA-catalogue”

The “[MEGA-catalogue](#)” serves as a reference tool, which contains projects in human trafficking awareness and gender equality. Hence it links the implementation of gender equality with, inter alia, the fight against trafficking in human beings.⁵³⁵ This toolbox was first launched in April 2021 and has very successfully organised hundreds of workshops and training sessions.

The “MEGA-catalogue” registered such success that it has been extended and now also targets parents and interested individuals at large in addition to professionals in the socio-educational sector. The catalogue covers all awareness-raising and training initiatives offered by MEGA (Ministry of Equality between Women and Men) and its partners, such as the “[Trafficking in human beings” training](#).”⁵³⁶ Since 2015, the “[Trafficking in human beings” course](#) has been taken by 161 labour inspectors, which equals 573 hours of training.⁵³⁷

Each year on the European Day against Human Trafficking on 18 October 2022, [MEGA](#) and the [Ministry of Justice](#) raise awareness of human trafficking via social media.

10.3.1.2 Continuation and enhancing of existing measures of trainings on caring for victims of human trafficking

In 2022, [three basic training courses were offered](#) by INAP, which were accessible to all state and municipal officials. Representatives of ONA, the Detention Centre, the Grand-Ducal Police, the Directorate of Immigration, the Inspectorate of Labour, the Prison Administration, and the Judicial Administration have participated in these courses. Specific training has been organised for ONA and the Joint Social Security Centre, the Luxembourg Bar Association, civil society actors such as Caritas, Red Cross, and [Family Planning \(Planning Familial\)](#).⁵³⁸

10.4 Additional developments

10.4.1 Luxembourg remains in TIER 1 of the international assessment report on human trafficking

The “Trafficking in Persons” reports issued annually by the US Government serve to maintain international cooperation to eliminate human trafficking.⁵³⁹ On 21 September 2022, the Minister of Justice met with the Ambassador of the United States of America, who officially presented the result of the “2022 Trafficking in Persons Report: Luxembourg”. As in previous years, Luxembourg has been classified at the “Tier 1” level (highest level attainable).⁵⁴⁰

The report of the Office to Monitor and Combat Trafficking in Persons at the US Department of State stated that the Government of Luxembourg fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the

reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. These efforts included investigating, prosecuting, and convicting more traffickers; identifying more than double the number of trafficking victims; and providing shelter to significantly more trafficking victims. The government also added one additional staff member to a unit in the Judicial Police focused on victim protection and granted restitution to a victim in a criminal case. Moreover, the government significantly increased funding for awareness raising activities. However, the report also pointed out that the government decreased funding for victim services, and that judges continued to issue lenient sentences to convicted traffickers, creating potential safety concerns for trafficking victims, weakening deterrence, and undercutting nationwide efforts to fight trafficking.⁵⁴¹

10.4.2 Publication of third GRETA-Report

On 4 October 2022, the Group of Experts on Action against Trafficking in Human Beings (GRETA) published its [report](#) on the Third Evaluation Round of Luxembourg on its compliance with the Council of Europe Convention on Action against Trafficking in Human Beings⁵⁴² over the reporting period from 2018 to 2021. GRETA acknowledges and welcomes Luxembourg's progress in the prosecution of Trafficking in Human Being as well as in the victims assistance services. However, it also urges Luxembourg to invest in additional efforts to identify and assist victims of trafficking, to ensure that human trafficking cases are investigated proactively and result in effective, proportionate, and dissuasive sanctions.⁵⁴³

10.4.3 Minister of Labour, Employment and the Social and Solidarity Economy in constructive talks with the Advisory Commission on Human Rights

On 28 April 2022, the Minister of Labour, Employment and the Social and Solidarity Economy received a delegation from the Consultative Commission on Human Rights, the national Rapporteur on Human Trafficking.

The representatives of CCDH welcomed the efforts observed in the fight against trafficking in human beings and the significant improvement of collaboration between involved actors.

The Minister agreed that the issue of human trafficking requires more attention and awareness. He has proposed to organise specific courses on this subject at the [École Supérieure du Travail](#) (School for Labour and Social Affairs, EST).⁵⁴⁴

10.5 Cooperation with different countries

10.5.1 Enhanced cooperation between the Benelux-Countries

Luxembourg's Presidency of the Benelux Treaty

The programme of Luxembourg's fourth Presidency of the Benelux Treaty (since 2012) advocates security without borders within the Benelux and plans on continuing and deepening the existing close collaboration on cross-border police cooperation for enhanced border security. Efforts to strengthen cooperation include, inter alia, the fight against human trafficking.⁵⁴⁵

Through the European Migration Network Luxembourg, the Ministry of Justice launched an ad hoc query on "[Distinctions between labour exploitation and particularly exploitative labour conditions](#)" in 2021. This query inquired whether Member States distinguish between trafficking in human beings as defined in Directive 2011/36⁵⁴⁶ and the framework decision on the irregular employment of third-country nationals (Directive 2009/52⁵⁴⁷) and the difficulties to prove these offences. The latter stems from increasing case numbers and the resulting complexity with distinguishing between labour exploitation and human trafficking in case of particularly severe conditions of exploitation.⁵⁴⁸

Based on this study, Luxembourg organised a day of exchange as part of its Benelux presidency with representatives of the judicial authorities, social inspections, immigration departments, the Ministry of Justice, and assistance services from the three Benelux Countries.⁵⁴⁹

10.5.2 Co-financed prevention campaigns in third countries

Participation in the EUCPN-Campaign against Human Trafficking

As part of the [European Crime Prevention Network's \(EUCPN\) campaign against Human Trafficking](#), on Human Trafficking Day on 18 October 2022. The Ministry of Justice raised awareness of human trafficking by posting a [joint video on its Twitter account](#).⁵⁵⁰ The Ministry of Justice also distributed campaign-posters in Ukrainian and additional languages (e.g. English, Portuguese, Arabic) during several training sessions to stakeholders.⁵⁵¹

11. MIGRATION AND DEVELOPMENT

AT A GLANCE

- Directorate for Cooperation and Humanitarian Action presented its **new strategy for humanitarian action**

11.1 Luxembourg presents new humanitarian strategy

On the annual World Humanitarian Day on 19 August 2022, the Directorate for Cooperation and Humanitarian Affairs presented its new strategy for humanitarian action. This programme shall enable the Directorate for Cooperation and Humanitarian Action to better respond to multidimensional crises in an increasingly volatile global context, characterised by more conflicts, instability, violence as well as climate change and health crises.

The new strategy consists of six cross-cutting priorities, six strategic objectives (protection, international humanitarian law, nexus and sustainable humanitarian action, good donorship, digital transformation, coordination of responses to humanitarian emergencies)⁵⁵² and 50 action points, which should help with assessing the impact of Luxembourg's humanitarian action in practice.⁵⁵³

11.2 Luxembourg joins the Champions Countries Initiative of the United Nations

On 17 January 2022, Luxembourg was confirmed as a member of the Champion Countries initiative for the implementation of the network for Global Compact for Safe, Orderly and Regular Migration (GCM) at the United Nations. The initiative offers an opportunity for Member States to share insights, lessons learned and promising practices to contribute to achieving the objectives of the GCM, consistent with the GCM vision and guiding principles.⁵⁵⁴ In a joint statement, the permanent representatives of the Permanent Missions of Luxembourg to the United Nations in Geneva and in New York, recognise the positive impacts that migrants had had and continue to have as a source of cultural diversity, prosperity, innovation, and sustainable development globally. Luxembourg also states that it remains fully committed to promoting and protecting the human rights of all migrants. By joining the initiative, Luxembourg expresses its wish to continue its long-standing support for migration, including migrants' social and economic integration, as well as the implementation of the Global Compact for Migration by way of national policies as well as advocacy and sharing of best practices.⁵⁵⁵

11.3 Luxembourg supports NGO Yazda

During the last day of his working visit to Iraq (29 March to 1 April 2022), the Minister of Foreign and European Affairs travelled to Duhok, where he met survivors of the genocide committed by Daesh against the Yazidi community and visited a camp for displaced people.

At the offices of Yazda, an NGO, the Minister assured Luxembourg's support through the Department of Development Cooperation and Humanitarian for Yazda to promote access for displaced persons in Iraq to mental health services and psychosocial support, as well as legal services.⁵⁵⁶

11.4 New bilateral agreement and Memorandum of Understanding signed with Kosovo

On 21 July 2022, Luxembourg and Kosovo signed a new bilateral agreement (2023 – 2030) and a new Memorandum of Understanding (MoU), which lay the groundwork for development cooperation relations between the Luxembourg and Kosovo over the coming years.

The MoU, with an indicative budget of € 35 million, covers the period 2023 – 2025 and defines as priority sectors vocational training, health, sustainable and inclusive growth, and support for civil society. An additional amount will be made available through an innovation fund and can be dedicated to another sector, defined according to Kosovo's emerging needs. By including sustainable and inclusive growth as a priority sector, the MoU places greater emphasis on the development of information and communication technologies (ICT), digitalisation, as well as on the ecological transition of Kosovo.⁵⁵⁷

11.5 Aid for Afghanistan 2022

The return to power of the oppressive Taliban, an economic and social crisis, and droughts deteriorate the living situation of Afghans and the country's "worst humanitarian crisis in its contemporary history", according to the UN.⁵⁵⁸ In this context, the Minister for Foreign and European Affairs gave an overview of the planned aid from Luxembourg for Afghanistan in 2022:

An indicative envelope of € 4 000 000 for emergency aid purposes in Afghanistan is intended. Added to this are the commitments made with the Food and Agriculture Organization (FAO) for 2022 of about € 1 000 000. Additional commitments for emergency humanitarian assistance and early recovery are also intended for 2022.⁵⁵⁹

Last access date of all URLs is 28 April 2023.

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⁵⁹ Reply to Parliamentary Question 7630, Accompagnement des ménages accueillant les personnes ayant fui l'Ukraine, 21 March 2023, URL: <https://wdocs-pub.chd.lu/docs/exped/0138/020/276206.pdf>

⁶⁰ Law of 16 December 2008 on child and family support, published in Mémorial A 192 of 22 December of 2008, URL: <https://legilux.public.lu/eli/etat/leg/loi/2008/12/16/n4/jo>

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Information obtained from the National Reception Office (ONA) on 10 January 2023.

⁶¹ LU EMN NCP, answer to AHQ 2022.18 on "Access to accommodation or housing for persons fleeing Ukraine", launched on 28 March 2022.

⁶² LU EMN NCP answer to AHQ 2022.18 on "Access to accommodation or housing for persons fleeing Ukraine", launched on 28 March 2022.

⁶³ Information obtained from the National Reception Office (ONA) on 20 December 2022.

⁶⁴ Reply to Parliamentary Question 5989, Sécurité des réfugiés ukrainiens, 27 March 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0129/102/259025.pdf>

⁶⁵ Information obtained from the National Reception Office (ONA) on 20 December 2022.

⁶⁶ LU EMN NCP, answer to AHQ 2022.19 on “Access to social welfare or means of subsistence, access to medical care, and the right to move freely between Member States for the purpose of changing residence”, launched on 28 March 2022.

⁶⁷ Budget article 14.0.34.011 : Treatment of social diseases and other illnesses; payment for hospital and treatment charges for destitute people: subsidy / *Traitement des maladies sociales et d'autres affections ; prise en charge de frais d'hospitalisation et frais de traitement de personnes indigentes subside* , URL : <https://budget.public.lu/lb/budget2022/am-detail.html?chpt=depenses&dept=14§=98>

⁶⁸ Reply to Parliamentary Question 6009, Situation de logement des réfugiés ukrainiens, 2 May 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0129/130/259300.pdf>

⁶⁹ Law of 26 October 2022 on the recruitment of health professionals for the medical and health care of people fleeing the war in Ukraine. Published in Mémorial A 538 of 26 October 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/10/26/a538/jo>

⁷⁰ Ministry of Foreign and European Affairs, Frequently asked questions, 1 July 2022, URL: <https://maee.gouvernement.lu/en/services-aux-citoyens/accueil-de-personnes-ukraine/FAQ.html>

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Bill 8035 relating to the recruitment of health professionals for the medical and health care of people fleeing the war in Ukraine.. Introduced to the Chamber of Deputies on 29 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/064/264642.pdf>

⁷¹ Law of 10 May 2022 amending Articles 1 and 32 of the Social Security Code. Published in the Mémorial A 226 of 10 May 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/05/10/a226/jo>

While BTPs (as CNS members) have to pay their medical bills and then submit them to get reimbursed, ONA continues to offer support with the payment of medical bills to BTPs who cannot afford them. In order to be eligible for such financial support, BTPs must first be eligible for non-financial aid from ONA and billed medical treatments must qualify for partial or full reimbursement by the CNS

Reply to Parliamentary Question 6436, Prise en charge médicale des personnes fuyant la guerre en Ukraine, July 28, 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/051/264519.pdf>

⁷² Law of 26 October 2022 on the recruitment of health professionals for the medical and health care of people fleeing the war in Ukraine. Published in Mémorial A 538 of 26 October 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/10/26/a538/jo>

⁷³ Law of 26 October 2022 on the recruitment of health professionals for the medical and health care of people fleeing the war in Ukraine. Published in Mémorial A 538 of 26 October 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/10/26/a538/jo>

⁷⁴ Grand-Ducal Regulation of 11 October 2022 modifying the modified grand-ducal regulation of 3 February 2009 relating to the medical check-up of foreigners. Published in Mémorial A 516 of 13 October 2022, URL: <https://legilux.public.lu/eli/etat/leg/rgd/2022/10/11/a516/jo>

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Information obtained from the National Reception Office (ONA) on 20 December 2022.

⁷⁵ Law of 18 December 2015 on the reception of applicants for international protection and temporary protection, and amending the amended law of 10 August 1991 on the legal profession, Article 13, published in Memorial A 225 of 28 December 2015, URL: https://legilux.public.lu/eli/etat/leg/loi/2015/12/18/n16/jo#art_13

The amounts listed are indexed amounts as of February 1, 2023

⁷⁶ Reply to Parliamentary Question 6448, Droits sociaux des bénéficiaires à la protection temporaire (BPT), 8 August 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/085/264857.pdf>

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LU EMN NCP answer to AHQ 2022.19 on “Access to social welfare or means of subsistence, access to medical care and the right to move freely between Member States for the purpose of changing residence”, launched on 28 March 2022.

⁷⁷ Reply to Parliamentary Question 6448, Droits sociaux des bénéficiaires à la protection temporaire (BPT), 8 August 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/085/264857.pdf>

⁷⁸ LU EMN NCP, answer to AHQ 2022.19 on “Access to social welfare or means of subsistence, access to medical care, and the right to move freely between Member States for the purpose of changing residence”, launched on 28 March 2022.

⁷⁹ Reply to Parliamentary Question 6448, Droits sociaux des bénéficiaires à la protection temporaire (BPT), 8 August 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/085/264857.pdf>

⁸⁰ Ministry of Home Affairs, Circulaire 4115, Enrolment of Ukrainian children in a school in Luxembourg, 21 March 2022, URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2022/janvier-juin/4115.pdf>

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Ministry of Home Affairs, Circulaire 4125, Schooling for Ukrainian refugee children, 21 March 2022, URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2022/janvier-juin/4125.pdf>

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Ministry of Education, Children and Youth, The national education system welcomes Ukrainian pupils, Press release, 18 March 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/18-accueil-eleves-ukrainiens.html

⁸¹ Ministry of Education, Children and Youth, The national education system welcomes Ukrainian pupils, Press release, 18 March 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/18-accueil-eleves-ukrainiens.html

⁸² Law of 1 April 2022 amending: 1° the amended Law of June 29 2005 establishing the personnel frameworks of secondary education establishments; 2° the amended Law of 23 July 2016 creating a national reserve of high school teaching employees; 3° the amended Law of 29 October 2020 1° derogating from Article 27 of the amended Law of 6 February 2009 concerning staff in basic education; 2° modification of the amended Law of 29 June 2005 establishing the personnel frameworks of secondary education establishments; 3° modification of the amended Law of 23 July 2016 creating a national reserve of high school teaching employees; 4° the Law of 17 December 2021 concerning the State revenue and expenditure budget for the 2022 financial year. Published in Mémorial A 150 of 1 April 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/04/01/a150/jo>

⁸³ Law of 1 April 2022 amending: 1° the amended Law of June 29, 2005 establishing the personnel frameworks of secondary education establishments; 2° the amended Law of 23 July 2016 creating a national reserve of high school teaching employees; 3° the amended Law of 29 October 2020 1° derogating from Article 27 of the amended Law of 6 February 2009 concerning staff in basic education; 2° modification of the amended Law of 29 June 2005 establishing the personnel frameworks of secondary education establishments; 3° modification of the amended Law of 23 July 2016 creating a national reserve of high school teaching employees; 4° the Law of 17 December 2021 concerning the State revenue and expenditure budget for the 2022 financial year. Published in Mémorial A 150 of 1 April 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/04/01/a150/jo>

⁸⁴ Law of 1 April 2022 amending: 1° the amended Law of June 29 2005 establishing the personnel frameworks of secondary education establishments; 2° the amended Law of 23 July 2016 creating a national reserve of high school teaching employees; 3° the amended Law of 29 October 2020 1° derogating from Article 27 of the amended Law of 6 February 2009 concerning staff in basic education; 2° modification of the amended Law of 29 June 2005 establishing the personnel frameworks of secondary education establishments; 3° modification of the amended Law of 23 July 2016 creating a national reserve of high school teaching employees; 4° the Law of 17 December 2021 concerning the State revenue and expenditure budget for the 2022 financial year. Published in Mémorial A 150 of 1 April 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/04/01/a150/jo>

⁸⁵ Grand-Ducal Regulation of 20 July 2022 amending the amended Grand-Ducal Regulation of 14 November 2013 concerning the authorization to be granted to managers of education and childcare services. Published in Mémorial A 378 of 21 July 2022, URL: <https://legilux.public.lu/eli/etat/leg/rgd/2022/07/20/a378/jo>

⁸⁶ Government of Luxembourg, Information Portal Guichet.lu, 21 November 2022, Receiving childcare service vouchers, URL: <https://guichet.public.lu/en/citoyens/enseignement-formation/education-prescolaire-primaire/parascolaire/demarche-cheque-service.html#bloub-2>

⁸⁷ Ministry of Home Affairs, Circulaire 4139, Clarifications concerning the establishment of contracts of adhesion to the service voucher scheme reception (CSA) of refugee children who have fled Ukraine, 4 May 2022, URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2022/janvier-juin/4139.pdf>

⁸⁸ Information obtained from the Service for the education of foreign children (SECAM) and the School service for newly arrived pupils (CASNA) on 7 February 2023

⁸⁹ Reply to Parliamentary Question 6444, Efforts déployés dans le cadre de la scolarisation des enfants et jeunes réfugiés ukrainiens, 28 September 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0133/091/266918.pdf>

⁹⁰ LU EMN NCP, answer to AHQ 2022.20 on “Access to education and training for minors and adults”, launched on 28 March 2022.

⁹¹ Information obtained from the Adult Education Service (SFA) on 19 December 2022.

⁹² Information obtained from the National Language Institute (INL) on 15 December 2022.

⁹³ Information obtained from the Directorate of Immigration on 4 January 2023.

⁹⁴ Ombudsman fir Kanner a Jugendlecher, annual report 2022, November 2022, p. 81, URL: http://okaij.lu/files/PDFs/OKAJU_Brochure_A4_Rapport_Annuel_2638_2_with_links_web.pdf

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Lëtzebuurger Flüchtlingsrot Collectif Réfugiés, Réfugiés de l’Ukraine: la concertation dans l’intérêt de tous!, communiqué du LPF à la suite de l’entrevue du 25 mars 2022 avec des représentants de l’Office Nationale de l’Accueil (ONA) et de la Direction de l’Immigration, 5 April 2022, URL: <https://www.asti.lu/refugiés-de-lukraine-la-concertation-dans-linteret-de-tous-lfr/>

⁹⁵ Today RTL, Kirchberg Emergency Shelter: Asylum seeker claims refugees evicted to make way for Ukrainians, 13 March 2022, URL: <https://today.rtl.lu/news/luxembourg/a/1879320.html>

⁹⁶ Parliamentary Question 5926, Transfert de demandeurs de protection internationale de la Structure d'hébergement d'urgence vers les locaux de la "Wanteraktioun", 14 March 22, URL: <https://wdocs-pub.chd.lu/docs/exped/0128/067/256679.pdf>

⁹⁷ Ministry of Foreign and European Affairs, Press release, Arrival of people fleeing the war in Ukraine, 3 March 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/03-accueil-ukraine.html

⁹⁸ Reply to Parliamentary Question 5926, Transfert de demandeurs de protection internationale de la Structure d'hébergement d'urgence vers les locaux de la "Wanteraktioun", 15 April 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0129/045/258453.pdf>

⁹⁹ Reply to Parliamentary Question 5989, Sécurité des réfugiés ukrainiens, 27 March 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0129/102/259025.pdf>

¹⁰⁰ Information obtained from the Ministry of Justice on 17 January 2023.

¹⁰¹ Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign and European Affairs, Ministry of Justice, Raising awareness on the risks faced by people fleeing the war in Ukraine to become victims of exploitation and human trafficking, Press release, 25 March 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/25-sensibilisation-risques-ukraine.html

¹⁰² Information obtained from the Ministry of Justice on 17 January 2023.

¹⁰³ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 19, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹⁰⁴ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 20, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹⁰⁵ The category "Other" includes: investors, community service providers or workers for a community service provider, ICT mobile expert/executives and ICT mobile employee/trainees, ICT - employee-trainee, private reasons, volunteers as well as NMCD students and ICTs. The number of residence permits for each of the listed categories is lower than five per year.

¹⁰⁶ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 22, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹⁰⁷ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 19, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹⁰⁸ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 19, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹⁰⁹ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 16 & 19, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

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¹¹⁰ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 23, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹¹¹ Article 50 of the Law of 29 August 2008 on the free movement of persons and immigration regulates the issuance of work permits to TCNs who reside in another Member State.

Law of 29 August 2008 on the free movement of persons and immigration, initial version and amending texts, Article 50. Published in Mémorial A138 of 10 September 2008, URL: https://legilux.public.lu/eli/etat/leg/loi/2008/08/29/n1/jo#art_50

¹¹² Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 20 & 24 URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹¹³ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 16, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹¹⁴ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 16, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹¹⁵ Government Council, Résumé des travaux du 5 octobre 2022, Press release, 5 October 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/10-octobre/05-conseil-gouvernement.html

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¹¹⁶ Information obtained from the Directorate of Immigration on 15 March 2023.

¹¹⁷ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 19, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹¹⁸ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 23, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹¹⁹ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, 22 February 2023, p. 24, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

¹²⁰ National Employment Agency (ADEM), Ministry of Higher Education and Research, Ministry of Education, Children and Youth, Ministry of Labour, Employment and the Social and Solidarity Economy, National Skills Strategy: Vers des recommandations concrètes, Press release, 25 April 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/04-avril/25-national-skills-strategy.html

¹²¹ National Employment Agency (ADEM), Ministry of Higher Education and Research, Ministry of Education, Children and Youth, Ministry of Labour, Employment and the Social and Solidarity Economy, National Skills Strategy: Vers des recommandations concrètes, Press release, 25 April 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/04-avril/25-national-skills-strategy.html

¹²² National Employment Agency (ADEM), Ministry of Higher Education and Research, Ministry of Education, Children and Youth, Ministry of Labour, Employment and the Social and Solidarity Economy, National Skills Strategy: Vers des recommandations concrètes, Press release, 25 April 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/04-avril/25-national-skills-strategy.html

¹²³ With respect to foreign workers in Luxembourg, the significance of priority 3, attracting and retaining foreign talent to fill skills shortages in Luxembourg, stands out. This priority consists of two opportunities, which in turn are comprised of several policy directions and related recommendations. More specifically, opportunity 1 proposes to facilitate the recruitment of foreign talent in line with Luxembourg's labour market needs by improving the accessibility of Luxembourg to foreign skilled workers through more efficient digitalised admission processes and an up-to-date list of skill-shortages. An additional policy direction is to improve the information flow between foreign skilled workers and Luxembourgish employers by improving information flow on international job matching processes as well as by further improving the Work-in-Luxembourg.lu-Portal.

¹²⁴ Priority 4 deals with the availability and quality of relevant data in Luxembourg, which makes it a cross-sectoral concern. Improving the collection of timely and reliable data on current and future skills needs would inform the development and implementation of the abovementioned policy recommendations

¹²⁵ Organisation for Economic Co-operation and Development (OECD), OECD Skills Strategy Luxembourg - Assessment and Recommendations, OECD Skills Studies, p. 4 & 5, 23 February 2023, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/23-oecd-skills/oss-lux-report-summary-eng-print.pdf>

¹²⁶ Organisation for Economic Co-operation and Development (OECD), OECD Skills Strategy Luxembourg - Assessment and Recommendations, OECD Skills Studies, p. 22 & 23, 23 February 2023, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/23-oecd-skills/oss-lux-report-summary-eng-print.pdf>

¹²⁷ National Employment Agency (ADEM), Un acteur majeur pour répondre aux défis futurs du marché de l'emploi – l'ADEM présente son rapport annuel 2021 et sa stratégie "ADEM 2025", Press release, 20 June 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/06-juin/20-engel-adem.html

¹²⁸ Government Council, Résumé des travaux du 8 juillet 2022, Press release, 8 July 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/07-juillet/08-conseil-gouvernement.html

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¹²⁹ Centre commun de la sécurité sociale (CCSS) (Joint Social Security Centre), Codes CITP (Certificat d'Initiation Pratique), February 17, 2020, URL: <https://ccss.public.lu/fr/codes-citp.html>

¹³⁰ Ministerial regulation of 19 December 2022 setting the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of 29 August 2008 on the free movement of persons and immigration., published in Mémorial A698 of 23 December 2022, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2022/12/19/a698/jo>

¹³¹ 2012: € 66.564: Ministerial regulation of 15 February 2012 setting the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of 29 August 2008 on the free movement of persons and immigration., published in Mémorial A33 of 27 February 2012, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2012/02/15/n2/jo>

2013: € 67.842: Ministerial regulation of 5 February 2013 setting the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of 29 August 2008 on the free movement of persons and immigration, published in Mémorial A23 of 16 February 2013, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2013/02/05/n1/jo>

2014: € 69.858: Ministerial regulation of 5 March 2014 fixing the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of August 29, 2008 on the free movement of persons and immigration, published in Mémorial A34 of 21 March 2014, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2014/03/05/n1/jo>

2015: € 71.946: Ministerial regulation of 13 May 2015 setting the average gross annual salary under the amended Grand-ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of 29 August 2008 on the free movement of persons and the 'immigration, published in Mémorial A94 of 6 May 2015, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2015/05/13/n1/jo>

2016: € 73.296: Ministerial regulation of 30 June 2016 setting the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of 29 August 2008 on the free movement of persons and immigration, published in Mémorial A120 of 11 July 2016, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2016/06/30/n1/jo>

2017: €73.998: Ministerial regulation of 30 November 2017 setting the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of 29 August 2008 on the free movement of persons and immigration, published in Mémorial A1040 of 11 December 2017, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2017/11/30/a1040/jo>

2019: € 78.336: Ministerial regulation of 13 September 2019 setting the average gross annual salary under the amended Grand-Ducal regulation of 26 September 2008 determining the minimum level of remuneration for a highly qualified worker in execution of the law of August 29, 2008 on the free movement of persons and immigration, published in Mémorial A633 of 23 September 2019, URL: <https://legilux.public.lu/eli/etat/leg/rmin/2019/09/13/a633/jo>

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²⁸³ Commission consultative des Droits de l'Homme du Grand-Duché de Luxembourg (CCDH), À quand une composition neutre et compétente en matière d'évaluation de l'intérêt supérieur des mineurs non accompagnés ? Lettre ouverte de la Commission consultative des Droits de l'Homme et de l'Ombudsman fir Kanner a Jugendlecher à l'attention de Monsieur le Ministre de l'Immigration et de l'Asile, 11 July 2022, URL: <https://ccdh.public.lu/fr/actualites/2022/mna.html>

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²⁸⁷ Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, p. 39, 22 February 2023, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

²⁸⁸ Following an extended period of sanitary measures, ONA was able to organise new pedagogical projects, information sessions, workshops, and activities, and could finally resume management of the volunteers working in its structures

Ministry of Foreign and European Affairs, Bilan de l'année 2022 en matière d'asile, d'immigration et d'accueil, p. 39, 22 February 2023, URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/02-fevrier/21-bilan-immigration/bilan-de-lanne-2022-en-matiere-dasile-dimmigration-et-daccueil.pdf>

²⁸⁹ Ombudsman for children and youngsters (OKaJu), Rapport Annuel 2022 - Une enfance mise en suspens - Situation et accueil des enfants issus de l'exil au Luxembourg, 15 November 2022, URL: http://okaju.lu/files/PDFs/OKAJU_Brochure_A4_Rapport_Annuel_2638_2_with_links_web.pdf

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²⁹¹ Ministry of Foreign and European Affairs, National Reception Office (ONA), Prise de position du ministre de l'Immigration et de l'Asile concernant le rapport de l'OKAJU "Une enfance mise en suspens", Press release, 18 November 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/11-novembre/18-asselborn-okaju.html

²⁹² Proposal for revision 7700 of chapters I, II, III, IV, V, VI, VII, VIII, IX, X, XI, and XII of the Constitution. Introduced to Parliament on 17 November 2020, URL: <https://wdocs-pub.chd.lu/docs/exped/0114/122/229221.pdf>

²⁹³ Constitution of the Grand Duchy of Luxembourg, Consolidated version applicable on 01/07/2023, Published in Mémorial A 23 of 19 January 2023, URL: <https://legilux.public.lu/eli/etat/leg/constitution/1868/10/17/n1/consolide/20230701>

²⁹⁴ Parliament, Proposal for revision 7700 of chapters I, II, III, IV, V, VI, VII, VIII, IX, X, XI, and XII of the Constitution. Exposé des motifs. Introduced to Parliament on 17 November 2020, last accessed on 16 March 2023, URL: <https://wdocs-pub.chd.lu/docs/exped/0114/122/229221.pdf>

²⁹⁵ Gouvernement du Grand-Duché de Luxembourg, Une Stratégie pour promouvoir la langue luxembourgeoise, presented on 9 March 2017, URL: <https://gouvernement.lu/dam-assets/fr/actualites/articles/2017/03-mars/09-promotioun-sprooch/langue-sp.pdf>

²⁹⁶ Proposal for revision 7755 of Chapter II. of the Constitution, accepted on 22 December 2022. Introduced to Parliament on 29 April 2021, URL: <https://wdocs-pub.chd.lu/docs/exped/0120/165/241650.pdf>

²⁹⁷ Constitution of the Grand Duchy of Luxembourg (Consolidated version applicable on 01/07/2023), Version consolidée de la Constitution du Grand-Duché de Luxembourg, Published in Mémorial A 23 of 19 January 2023, URL: <https://legilux.public.lu/eli/etat/leg/constitution/1868/10/17/n1/consolide/20230701>

²⁹⁸ Parliament, Revision of the Constitution, adopted in two consecutive constitutional votes by Parliament, URL: <https://www.chd.lu/en/node/9>

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²⁹⁹ Law of 22 July 2022 amending: 1° the amended electoral Law of 18 February 2003; 2° of the amended Law of 27 July 1991 on electronic media. Published in Mémorial A394 of 25 July 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/07/22/a394/lo>

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³⁰¹ Law of 22 July 2022 amending: 1° the amended electoral Law of February 18, 2003; 2° of the amended Law of 27 July 1991 on electronic media. Published in Mémorial A 394 of 25 July 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/07/22/a394/lo>

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³⁰³ Ministry of Family Affairs, Integration and the Greater Region, Ministry of Home Affairs, Ministry of Justice, Voting in municipal elections open for all residents of the Grand Duchy of Luxembourg, Press release, 14 July 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiques/2022/07-juillet/14-vote-elections-communales.html

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³⁰⁵Number of foreign residents who will be 18 years or older on 11 June 2023

Ministry of Family Affairs, Integration and the Greater Region, From 32,197 to 41,336 registrations: large increase in registration numbers in March, Press release, 31 March 2023, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiques/2023/03-mars/31-inscriptions-elections.html

³⁰⁶ Bill 7877 amending: 1° the amended electoral Law of 18 February 2003; 2° the amended Law of 27 July 1991 on electronic media. Introduced to Parliament on 2 September 2021, Opinion of the Association of Luxembourgish Cities and Municipalities (Syvicol) on Bill

7877, Parliamentary document 7877/04, Luxembourg, 6 December 2021, URL: <https://wdocs-pub.chd.lu/docs/exped/0126/121/253219.pdf>

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³⁰⁸ Bill 7877 amending: 1° the amended electoral Law of 18 February 2003; 2° the amended Law of 27 July 27 1991 on electronic media. Introduced to Parliament on 2 September 2021, URL: <https://www.chd.lu/fr/dossier/7877>

Bill 7877, Opinion of the National Council for Foreigners (CNE), 12 November 2021, URL: <https://wdocs-pub.chd.lu/docs/exped/0127/186/255860.pdf>

³⁰⁹ Bill 7877, Opinion of the Chamber of Public Servants and public employees, 7 October 2021, p. 2. URL: <https://wdocs-pub.chd.lu/docs/exped/0128/177/257777.pdf>

³¹⁰ Additional opinion of the Syndicat des Villes et Communes luxembourgeoise, 2 June 2022. URL: <https://wdocs-pub.chd.lu/docs/exped/0132/042/264424.pdf>

³¹¹ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

³¹² The website provides information on who can vote, how to register to vote, and on why voting is important as well as a frequently asked questions section and a communication toolkit for municipalities. The communication tool kit includes communication material prepared in the context of the campaign (flyers, posters, logos etc.), as well as a letter-template that can be used by municipal representatives to communicate with citizens about the participation of non-Luxembourgish residents in the upcoming communal elections.

The Department of Integration also provides physical material (flyers, posters, campaign stand, roll-ups etc.) for municipalities or civil society organisations to promote the campaign in their offices / at their events.

³¹³ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022

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Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 288/289, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

³¹⁴ Bill 8106 amending the amended Law of 16 December 2008 on the integration of foreigners in the Grand Duchy of Luxembourg. Introduced to Parliament on 29 November 2022, p.3, URL: <https://wdocs-pub.chd.lu/docs/exped/0135/040/270407.pdf>

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³¹⁵ Law of 23 December 2022 amending the amended Law of 16 December 2008 concerning the integration of foreigners in the Grand Duchy of Luxembourg. Published in Mémorial A 669 of 23 December 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/12/23/a669/jo>

³¹⁶ Law of 16 December 2008 concerning the reception and integration of foreigners in the Grand Duchy of Luxembourg, initial version and amending texts. Published in Mémorial A209 of 24 December 2008, URL: <https://legilux.public.lu/eli/etat/leg/loi/2008/12/16/n5/jo>

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Bill 8155 on intercultural living-together amending the amended Law of 8 March 2017 on the Luxembourgish nationality. Introduced to Parliament on 20 February 2023, URL: <https://wdocs-pub.chd.lu/docs/exped/0137/058/274584.pdf>

³¹⁸ Ministry of Family Affairs, Integration and the Greater Region, Draft law on intercultural living together and amending the amended law of 8 March 2017 on Luxembourg nationality, Press release, 7 February 2023, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiques/2023/02-fevrier/07-cahen-loi-vivre-ensemble-interculturel.html

³¹⁹ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

³²⁰ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 282, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

³²¹ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 282, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

³²² Ministry of Family Affairs, Integration and the Greater Region, Signing of the "Pakt vum Zesummeliewen" with the municipality of Hesperange, Press release, 18 January 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiques/2022/01-janvier/18-pakt-zesummeliewen-hesperange.html

³²³ Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign and European Affairs, Signature du "Pakt vum Zesummeliewen" dans les communes de Schifflange, Steinfort, Echternach et Bettembourg, Press release, 29 March 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiques/2022/03-mars/29-pakt-zesummeliewen.html

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³²⁵ Ministry of Family Affairs, Integration and the Greater Region, Pakt vum Zesummeliewen, 18 October 2022, URL: <https://mfamigr.gouvernement.lu/en/le-ministere/attributions/integration/niveau-communal/plan-communal.html>

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³²⁶ A complete recording of the first part of GRESIL 8, as well as all the presentations on good practices presented have been made available here: <https://integratioun.lu/gresil/gresil-8-15-06-2022/>

³²⁷ A full recording of the first part of GRESIL 9, as well as all presentations on best practices presented, is available on the intergatioun.lu website <https://integratioun.lu/gresil/gresil-9-09-11-2022/>

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³³⁵ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 278, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

³³⁶ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 283, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

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- ³⁴⁸ The Welcome and Integration Contract (CAI) is made available by the Integration Department to any foreigner over the age of 16, who is legally resident in Luxembourg and wishes to stay there in a longer-term way. The CAI allows the signatories to enjoy the following benefits: an orientation day in the presence of numerous actors presenting the public services, as well as the cultural and sporting offer; civic education training to better know and understand the traditions, values, history, culture and political system of the Grand Duchy; and Luxembourgish, French and German language courses at a reduced rate. Source: The Government of Luxembourg, Information Portal Guichet.lu, “Concluding a Welcome and Integration Contract (CAI) with the State of Luxembourg”, 1 January 2020, URL: <https://guichet.public.lu/en/citoyens/immigration/nouveau-resident-luxembourg/arrivee-luxembourg/contrat-accueil-integration.html>
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³⁷³ Law of 8 March 2017 on Luxembourg nationality and repealing:

1. the Law of 23 October 2008 on Luxembourg nationality;
2. the Law of 7 June 1989 relating to the transposition of the surnames and first names of persons who acquire or recover Luxembourg nationality. Published in Mémorial A289 of 17 March 2017, URL: https://legilux.public.lu/eli/etat/leg/loi/2017/03/08/a289/1o#art_23

³⁷⁴ Bill 8012 creating the National Institute of Languages Luxembourg. Introduced to Parliament on 30 May 2022, Dossier, URL: <https://www.chd.lu/fr/dossier/8012>

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Law of 8 March 2023 creating the National Language Institute Luxembourg Published in Memorial A156 of 21 March 2023, URL: <https://legilux.public.lu/eli/etat/leg/loi/2023/03/08/a156/1o>

³⁷⁵ Bill 8012 creating the National Institute of Languages Luxembourg. Introduced to Parliament on 30 May 2022, Avis of the Chamber of public servants and employees, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/048/264489.pdf>

³⁷⁶ Bill 8012 creating the National Institute of Languages Luxembourg. Introduced to Parliament on 30 May 2022, Avis of the Chamber of employees, URL: <https://wdocs-pub.chd.lu/docs/exped/0132/049/264490.pdf>

³⁷⁷ Bill 8012 creating the National Institute of Languages Luxembourg. Introduced to Parliament on 30 May 2022, Avis of the Chamber of Commerce, URL: <https://wdocs-pub.chd.lu/docs/exped/0134/124/269245.pdf>

³⁷⁸ Reply to Parliamentary Question 6194, Coupons de réduction pour des cours de langues, 28 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0131/049/262497.pdf>

³⁷⁹ Reply to Parliamentary Question 6194, Coupons de réduction pour des cours de langues, 28 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0131/049/262497.pdf>

³⁸⁰ Reply to Parliamentary Question 6194, Coupons de réduction pour des cours de langues, 28 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0131/049/262497.pdf>

³⁸¹ National Institute for Languages (INL), Ministry of Education, Children and Youth, La rentrée à l'Institut national des langues, Press release, 24 February 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/02-fevrier/24-rentree-inl.html

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Ministry of Education, Children and Youth, Léier Lëtzebuergesch Online - LLO.LU A new tool to learn Luxembourgish: digital, global and free, Press release, 9 September 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/09-septembre/09-llo-meisch.html

³⁸² Commissioner for the Luxembourgish language, Aktionsplang fir d'Lëtzebuergesche Sprooch, 14 December 2022, URL: <https://men.public.lu/dam-assets/catalogue-publications/langues/luxembourgeois/web-aktionsplang-letz-sprooch.pdf>

³⁸³ Ministry of Education, Children and Youth, Zesumme fir d'Lëtzebuergesche Sprooch: D'Regierung huet mam neien Aktionsplang e weidere Mesurëpak ugeholl, Press release, 14 December 2022, URL: https://gouvernement.lu/lb/actualites/toutes_actualites/communiqués/2022/12-decembre/14-aktionsplang-letz-sprooch.html

³⁸⁴ National Institute for Languages (INL), Ministry of Education, Children and Youth, La rentrée à l'Institut national des langues, Press release, 24 February 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/02-fevrier/24-rentree-inl.html

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Ministry of Education, Children and Youth, Léier Lëtzebuergesch Online - LLO.LU A new tool to learn Luxembourgish: digital, global and free, Press release, 9 September 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/09-septembre/09-llo-meisch.html

³⁸⁶ LOD offers translations of over 32 000 dictionary articles, 35 000 described terms, 173 000 translations, 54 000 example sentences and 10 000 synonyms from Luxembourgish to English, French, German, and Portuguese and vice versa. The LOD also offers more than a thousand articles in sign language. In addition to that, an audio file for pronunciation is linked to each listed word. LOD is constantly

updated and is now also available as an app for smartphones and tablets, which can be downloaded from the Google Play Store and the Apple App Store

Information obtained from the Adult Education Service (SFA) on 19 December 2022.

³⁸⁷ Information obtained from the Adult Education Service (SFA) on 19 December 2022.

³⁸⁸ Information obtained from the Adult Education Service (SFA) on 19 December 2022.

³⁸⁹ Ministries of Health and Social Security, Présentation de la couverture universelle des soins de santé, Press release, 27 October 2021, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2021/10-octobre/27-cuss.html and <https://gouvernement.lu/dam-assets/documents/actualites/2021/10-octobre/27-cuss.pdf>

³⁹⁰14.0.34.011 - Treatment of social illnesses and other ailments; payment of hospitalisation costs and treatment costs for indigent persons: subsidies. (Credit not limited and without distinction of exercise)

³⁹¹ Reply to Parliamentary Question 6909, Couverture universelle des soins de santé, 16 November 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0134/153/269531.pdf>

³⁹² Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 143/144, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

³⁹³ The Centre for Equal Treatment's (CET) mission is to promote, analyze and monitor equal treatment between all persons without discrimination on the basis of race or ethnic origin, sex, sexual orientation, religion or beliefs, handicap or age. For the year 2022, the CET recorded an increase of 9% in new cases to 221 cases in addition to 19 open cases from 2021. As of 31 December 2022, 11 cases (5%) could not yet be closed and are therefore still pending. In 57 cases (24%), the nationality of the applicant was not known. From the cases where the nationality of the claimant was disclosed, 129 cases (54%) were filed by EU citizens, 67 cases (28%) by Luxembourgers, and 43 cases (18%) by TCNs, which is a similar distribution to 2021. While the absolute number of reported racial discriminations has decreased from 60 to 48 in 2022, this category remains the largest also in 2022.

Information received from the CET in April 2023.

CET, Rapport d'activités 2021, 3 May 2022, p. 26, 28, 29, URL : https://cet.lu/wp-content/uploads/2022/05/CET-Rapport-dactivite%CC%81s-2021_FR_ACC.pdf

³⁹⁴ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 286, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

³⁹⁵ Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0131/174/263740.pdf>

³⁹⁶ Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0131/174/263740.pdf>

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Penal Code (Consolidated version), Article 454, URL: https://legilux.public.lu/eli/etat/leg/code/penal/20230101#art_454

³⁹⁷ Council of the European Union, Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, 28 November 2008, URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32008F0913>

³⁹⁸ Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0131/174/263740.pdf>

³⁹⁹ Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, opinion of the CET, URL: <https://wdocs-pub.chd.lu/docs/exped/0133/035/266355.pdf>

⁴⁰⁰ Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, opinion of the Luxembourg Bar Association, URL: <https://wdocs-pub.chd.lu/docs/exped/0134/029/268293.pdf>

⁴⁰¹Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, opinion of the Superior Court, URL: <https://wdocs-pub.chd.lu/docs/exped/0134/175/269751.pdf>

⁴⁰²Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, opinion of the Luxembourg District Court, URL: <https://wdocs-pub.chd.lu/docs/exped/0134/175/269755.pdf>

⁴⁰³Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, opinion of the CCDH, URL: <https://wdocs-pub.chd.lu/docs/exped/0137/070/274700.pdf>

⁴⁰⁴ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴⁰⁵ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 284, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴⁰⁶ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 285, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴⁰⁷ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 287, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴⁰⁸ The Inter-ministerial Committee on Integration (Comité interministériel à l'Intégration) under the direction of the Ministry of Family Affairs, Integration and the Greater Region is composed of representatives from thirteen ministries and two administrations. Further information on membership, mandate and meeting reports are available under: <https://mfamigr.gouvernement.lu/en/le-ministere/attributions/integration/comite.html>

⁴⁰⁹ Ministry of Family Affairs, Integration and the Greater Region, Extended Inter-ministerial Committee on Integration (Ministerial and civil society representatives), Minutes of the meeting on 22 February 2023, URL: https://mfamigr.gouvernement.lu/content/dam/gouv_mfamigr/le-minist%C3%A8re/attributions/int%C3%A9gration/comite-interministeriel/en/compte-rendu-cii-22022023-en.pdf

⁴¹⁰ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022

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Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 286, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴¹¹ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴¹² Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December. 2022.

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Committee on the Elimination of Racial Discrimination, Concluding observations on the combined 18th to 20th periodic reports of Luxembourg, 16 May 2022, pp. 2 & 3, URL: https://digitallibrary.un.org/record/3975408/files/CERD_C_LUX_CO_18-20-EN.pdf?ln=en

⁴¹³ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴¹⁴ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 287, March 2, 2023, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴¹⁵ Reply to Parliamentary Question 5912, Agressions envers des citoyens russes, 8 April 2022, URL: <https://wdocs-pub.chd.lu/docs/exped/0129/025/258258.pdf>

⁴¹⁶ The content of this course for municipal civil servants includes the following 5 topics:

1. Diversity and discrimination: what are we talking about? Definition of key terms ("discrimination", "stereotypes", "racism", "diversity" etc.) with the help of illustrations, games, explanatory videos, including [Sylvia Duckworth's Wheel of Power/Privilege](#);
2. The situation in Luxembourg: facts and realities. Partially based on the results of the study on racism and ethno-racial discrimination;
3. Anti-discrimination regulations. Luxembourg legal and normative framework on discrimination (e.g. Penal Code and the Law of 28 November 2006);
4. Typical profile of groups at risk for discrimination. Partially based on the results of the study on racism and ethno-racial discrimination in Luxembourg;
5. Reception in communities: dos and don'ts. Interactive exercises to become aware of one's own position, to discuss the discriminatory nature of everyday expressions and to identify good non-discriminatory practices.

This cross-cutting initiative brings together three ministries:

- Ministry of Home Affairs, via the Department of Municipal Affairs provides financial resources for the training;
- Ministry of the Civil Service, via the INAP is responsible for logistical aspects of the training, including enrolment, and end-of-course examination;
- Ministry of Family Affairs, Integration and the Greater Region, via the Department of Integration is responsible for developing the training content, material and providing the actual training.

Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 287, March 2, 2023, URL:

<https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴¹⁷ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴¹⁸ The intercultural training for the police force has the following objectives:

- Raising awareness and strengthening the skills of police officers in carrying out their duties in a multicultural society;
- Being aware of the impact of culture, stereotypes and prejudices on our perception of others and our behaviour;
- Reflecting critically on how we perceive others;
- Analysing facts without regard to a person's background;
- Respecting all individuals regardless of their background;
- Basing judgements on the facts and not on the person

Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴¹⁹ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴²⁰ National Youth Service, #NOHATEONLINE, la campagne de sensibilisation de BEE SECURE pour promouvoir le respect en ligne !, Press release, 19 October 2022, URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/10-octobre/19-bee-secure-campagne.html

⁴²¹ Ministry of Family Affairs, Integration and the Greater Region, Rapport d'activité 2022, p. 32/33, March 2, 2023, URL:

<https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-famille-integration-grande-region/2022-rapport-activite-mfamigr/rapport-dactivit-2022-vf.pdf>

⁴²² Ministry of Family Affairs, Integration and the Greater Region, The Diversity Charta Lëtzebuerg is celebrating its 10th birthday, Press release, 19 May 2022, URL:

https://gouvernement.lu/en/actualites/toutes_actualites.gouv_mfamigr%2Ben%2Bactualites%2B2022%2Bcharte.html

⁴²³ Charte de la Diversité Lëtzebuerg, What is the Diversity Charter Luxembourg?, last accessed on 8 March 2023, URL:

<https://chartediversite.lu/en/pages/quest-ce-que-la-Diversite>

⁴²⁴ Charte de la Diversité Lëtzebuerg, What is the Diversity Charter Luxembourg?, last accessed on 8 March 2023, URL:

<https://chartediversite.lu/en/pages/quest-ce-que-la-Diversite>

⁴²⁵ Ministry of Family Affairs, Integration and the Greater Region, Inventory of training and initiatives on interculturality in Luxembourg, Press release, 12 July 2022, URL:

https://gouvernement.lu/en/actualites/toutes_actualites.gouv_mfamigr%2Ben%2Bactualites%2B2022%2Binterculturalite.html

⁴²⁶ Information obtained from the Department of Integration of the Ministry of Family Affairs, Integration and the Greater Region on 23 December 2022.

⁴²⁷ Law of 23 December 2022 on legal referendaries and amending: 1° the amended law of 16 April 1979 establishing the general status of civil servants; 2° the amended law of 7 March 1980 on the organisation of the judiciary; 3° the amended law of 7 November 1996 on the organisation of administrative courts; 4° the amended law of 27 July 1997 on the organisation of the Constitutional Court; 5° the amended

law of 7 June 2012 on legal attachés; 6° the amended law of 8 March 2017 on Luxembourg nationality, Published in Mémorial A681 of 23 December 2022, URL: <https://legilux.public.lu/eli/etat/leg/loi/2022/12/23/a681/jo>

⁴²⁸ The Government of Luxembourg, Information Portal Guichet.lu, Obtaining Luxembourgish nationality by simple operation of law, 8 October 2020, URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/possession-automatique/effet-loi.html>

⁴²⁹ The Government of Luxembourg, Information Portal Guichet.lu, Acquiring/reclaiming Luxembourgish nationality, 1 September 2020, URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement.html>

⁴³⁰ The Government of Luxembourg, Information Portal Guichet.lu, Acquiring Luxembourgish nationality by option, 3 September 2018, URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/option.html>

⁴³¹ The Government of Luxembourg, Information Portal Guichet.lu, Acquiring Luxembourgish nationality by naturalisation, 21 March 2022, URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/naturalisation.html>

⁴³² The Government of Luxembourg, Information Portal Guichet.lu, Reclaiming Luxembourgish nationality, 17 June 2020, URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/recouvrement.html>

⁴³³ Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2021, Luxembourg, 2022, URL: https://mj.gouvernement.lu/content/dam/gouv_mj/dossiers/dossier-nationalite/statistiques/Procdures-de-nationalite-luxembourgeoise-evacuees-%E2%80%93-Annee-2021.pdf

Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2020, Luxembourg, 2021, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/Ind-Stat-2020.pdf>

⁴³⁴ Information obtained from the Ministry of Justice, 2023.

⁴³⁵ Information obtained from the National Institute for Statistics and Economic Studies (STATEC), 2023.

Not included in these figures are children who automatically become Luxembourgish citizens as a result of the acquisition of Luxembourgish nationality by one of their parents. Since 2018, these figures are no longer available.

⁴³⁶ These figures do not include minors who automatically become Luxembourgish following the acquisition of Luxembourgish nationality by one of their parents.

⁴³⁷ All 1330 persons were naturalised on the basis of Article 14 of the amended Law of 8 March 2017 on the Luxembourgish Nationality. Published in Memorial A 289 of 17 March 2017, URL: <https://legilux.public.lu/eli/etat/leg/loi/2017/03/08/a289/jo>

⁴³⁸ Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2022, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

⁴³⁹ Law of 8 March 2017 on the Luxembourgish nationality abrogating: 1° the Law of 23 October 2008 on the Luxembourgish nationality; and 2° the Law of 7 June 1989 relating to the transposition of surnames and names of people that recover Luxembourgish nationality. Published in Memorial A 289 on 17 March 2017, URL: <http://legilux.public.lu/eli/etat/leg/loi/2017/03/08/a289/jo>

⁴⁴⁰ Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2022, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2021, Luxembourg, 2022, URL: https://mj.gouvernement.lu/content/dam/gouv_mj/dossiers/dossier-nationalite/statistiques/Procdures-de-nationalite-luxembourgeoise-evacuees-%E2%80%93-Annee-2021.pdf

⁴⁴¹ Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2022, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2021, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

⁴⁴² Information obtained from the National Institute for Statistics and Economic Studies (STATEC), 2023.

⁴⁴³ Articles 28, 86 and 27 of the amended Law of 8 March 2017 on Luxembourgish nationality, respectively.

Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2022, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

⁴⁴⁴ Information obtained from the Ministry of Justice, 2023

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⁴⁴⁵ Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2022, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

⁴⁴⁶ Ministry of Justice, Procédures de nationalité luxembourgeoise clôturées – Année 2022, 17 January 2023, URL: <https://mj.gouvernement.lu/dam-assets/dossiers/dossier-nationalite/statistiques/procedures-de-nationalite-luxembourgeoise-evacuees-annee-2022.pdf>

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⁴⁴⁷ Information obtained from the Ministry of Justice, 2023.

⁴⁴⁸ Information obtained from the Ministry of Justice, 2023.

⁴⁴⁹ Ministry of Education, Children and Youth, Rapport d'activités 2022, March 2023, p. 58/59, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-education-nationale-enfance-youth/2022-activity-report-menje/2022-activity-report-menje.pdf>

Ministry of Education, Children and Youth, Rapport d'activités 2020, March 2021, p. 72, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-education-nationale-enfance-jeunesse/2020-rapport-activite-menej/2020-rapport-activite-menej.pdf>

⁴⁵⁰ Following the entry into force of the Nationality Law, the “Living together in the Grand Duchy of Luxembourg” certificate can be acquired by participating in either 24-hour courses or in an examination on: fundamental citizen rights; the state and municipal institutions of the Grand Duchy of Luxembourg; and the history of the Grand Duchy of Luxembourg, along with European integration. The courses and the exam are held in three languages which participants choose.

⁴⁵¹ Ministry of Education, Children and Youth, Rapport d'activités 2022, March 2023, p. 63, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-education-nationale-enfance-youth/2022-activity-report-menje/2022-activity-report-menje.pdf>

Ministry of Education, Children and Youth, Rapport d'activités 2021, March 2022, p. 75, URL: <https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-education-nationale-enfance-jeunesse/2021-rapport-activite-menej.pdf>

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⁴⁶¹ The remainder of the governance structure of the project was maintained and the work with the service provider responsible for the development of national EES system and the service provider for the provision of EES equipment has continued smoothly: the tests with the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) have been successfully initiated and the new pre-enrolment equipment (self-service systems and easy towers) have been delivered and are being installed in close collaboration with the airport operator, lux-Airport. Simulations of border crossing times following the implementation of EES were also carried out. The finalisation of business process re-engineering has also continued. It is therefore expected that Luxembourg will be ready for entry into operation, currently planned for May 2023

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⁴⁷¹ European Union, Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA, 20 May 2019, URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R0817&qid=1682680084214>

⁴⁷² European Union, Regulation 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816, 20 May 2019, URL: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.135.01.0085.01.ENG

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