

2019
ANNUAL REPORT ON
MIGRATION AND ASYLUM

SUMMARY

The present report provides an overview of the main developments and debates in relation to migration and asylum in Luxembourg in 2019.

Luxembourg remains an important country of immigration, as evidenced by the figures on net migration, which remains the main reason for the demographic growth of the Luxembourgish resident population. Net immigration of third-country nationals remains high (7 336) and exceeds that of citizens of the European Union (EU; 4 806).

The number of people applying for international protection remained high in 2019 (2 047 applications) compared to the levels registered pre-‘migration crisis’ (1 091 in 2014). Family reunification remains the principal reason for third-country nationals to immigrate to Luxembourg, followed by economic reasons and international protection.

Several major developments occurred in the field of legal migration. The introduction of a new long-term visa simplifies the entry and stay of third-country nationals for a period of up to one year, without having to apply for a residence permit.

In order to guarantee the rights of British citizens working and residing in Luxembourg before the withdrawal of the United Kingdom (UK) from the EU (Brexit) four laws were adopted, most of them were supposed to enter into force if there was a non-deal Brexit. In 2019, the impact of Brexit was already noticeable in the area of irregular migration for example, with an increase of people trying to migrate to the UK with false documents,¹ as well as, with an increase in naturalisations of British residents. This last trend started in 2017, already.

Other important changes related to migration result from the adoption of the law of 4 December 2019 amending the law of 29 August 2009 on the free movement of persons and immigration (hereinafter Immigration Law).² This law takes into account the expert’s comments during the evaluation in 2016 of the application of the Schengen acquis. Concerning irregular migration, it increased two types of sanctions: on the one hand, for people who have knowingly made false declarations to competent authorities or knowingly produced falsified or inaccurate documents to enter the territory or to obtain/renew an authorization to stay, a residence document, or an authorization to work. On the other hand, for air carriers that transport third-country nationals without the correct documentation or that have provided false/incomplete information or no information. With respect to detention and return, it introduced a procedure for reviewing prolonged detention periods under the judicial review of the administrative jurisdictions.³ It also enables the Grand Ducal Police – with permission from the presiding judge of the ‘tribunal d’arrondissement’ - to access the place of residence of a third-country national being removed if the person (or the owner of the property) is refusing entry.⁴ Finally, it establishes an interdisciplinary commission to evaluate the best interest of unaccompanied minors (UAMs) in return decisions. The latter was also a source for public debate and was highlighted in the annual report of the Ombuds-Committee for the Rights of the Child (*Ombuds-Comité fir d’Rechter vum Kand – ORK*), as well as issues around the status, the protection and the age assessment of UAMs.

In the field of international protection, the accessibility of housing (which is a general problem in Luxembourg) worsened during 2019 due to a growing population and limited affordable offers on the housing market. This phenomenon affects also the accommodation capacities for applicants of international protection (AIPs). Once the persons are granted international protection, they cannot access the housing market and are obliged to continue residing in the reception facilities for AIPs. As

a result, the occupation rate surpassed 80% thus entering into a state of chronic saturation. In that respect, the Government took several steps towards awareness raising in municipalities to encourage them to engage in initiatives for accommodation possibilities for AIPs⁵ or beneficiaries of international protection (BIPs).⁶ At the same time, the reception facilities were evaluated in order to improve the quality of the reception.

Among the issues that were raised and debated in the field of international protection by civil society was the topic of the semi-open return facility (*Structure d'hébergement d'urgence au Kirchberg – SHUK*) from which people are transferred to the Member State responsible for examining their application, according to the Dublin Regulation.

Regarding social protection, the law on the social inclusion income (REVIS) came into force on 1 January 2019. It clarifies that all beneficiaries of international protection (refugee status and beneficiaries of subsidiary protection) who are aged 25 years or older, as well as, their family members, can benefit from the REVIS, without having to fulfil the residence condition of 5 years in Luxembourg during the last 20 years.⁷

Notable developments occurred in the fight against human trafficking at the national and international level. At the national level, there was a reinforcement of reception and consultation facilities in 2019, namely for male victims of human trafficking (VHTs)⁸ and an increase of the staff training of key stakeholders at the basic and advanced level on how to detect and fight trafficking of human beings.⁹ A new National Action Plan was launched under the National Promotion Program of Sexual and Emotional Health, which promotes respect and equality through sexual and emotional education, strengthens the fight against prostitution and the prevention of sexual exploitation.¹⁰ At the international level, it is important to notice the Declaration of Intent of the Benelux States, signed in Luxembourg¹¹ in order to fortify cooperation between the Benelux States on the identification and protection of VHTs, as well as, Luxembourg's initiative to join the European Crime Prevention Network (EUCPN) an initiative to launch a prevention campaign against human trafficking aimed to inform victims or potential victims of their rights, where to find help, protection and information.¹²

Moreover, the Consultative Commission on Human Rights (*Commission Consultative des Droits de l'Homme - CCDH*) presented its second report as national reporter on trafficking in human beings in Luxembourg to the Parliament which sparked public debates, particularly in the domain of labour exploitation.¹³

Finally, several developments were implemented in the field of integration:

The law of 4 December 2019, establishing the National Reception Office (ONA) and amending the law of 16 December 2008 on the reception and integration of foreigners, transferred the competencies for the reception of AIPs from the Luxembourg Office for Reception and Integration (OLAI) to the ONA. The competencies concerning integration were in turn, transferred under the responsibility of the newly created Department of Integration at the Ministry of Family Affairs, Integration and the Greater Region (MFI). In consequence, OLAI no longer exists.

Further, the law of 4 December 2019 outlines under what conditions the Government can grant budgetary means to support municipalities and civil society actors working on the integration of foreigners.

Efforts to implement the Multi-Annual National Integration Plan (Integration NAP) continued in 2019. In this context, two calls for projects were launched by the MFI, aimed at private organisations, public

institutions and research centres, to facilitate the integration of all residents, including third-country nationals.

In 2019, the authorities especially focussed on local integration and really invested in it by supporting the activities of the Local Integration and Exchange Support Group (*Groupe d'échange et de soutien en matière d'intégration au niveau local* – GRESIL) and of the different actors working towards the establishment of municipal integration plans (*Plan communal d'intégration* – PCI).

The phenomenon of migration has also led to a more heterogeneous population in Luxembourg's schools. To cater for this situation, the Ministry of Education, Children and Youth (MENEJ) continued to diversify Luxembourg's offer in education and training, especially by expanding the international school offer.

About citizenship, the demand for Luxembourgish language courses increased substantially since the changes in the law on the acquisition of Luxembourgish nationality came into force in 2017 and Brexit. The National Institute of Languages (INL), increased the offer of Luxembourgish language courses¹⁴ and has reorganised the "Sproochentest" (language test) required for acquiring Luxembourgish nationality in order to better handle the flux of candidates.

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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 Family Affairs, Integration and the Greater Region, nor of the Ministry of Foreign and European Affairs.

The present report was drawn up by Florence Hallack-Wolff, Ralph Petry, Zane Rozenberga and Adolfo Sommaribas members of the National Contact Point Luxembourg within the European Migration Network (EMN Luxembourg) under the responsibility of the coordinator Associate Prof. Dr. Birte Nienaber, University of Luxembourg, with the ongoing support of Sylvain Besch, CEFIS - Centre for Intercultural and Social Study and Training; David Bourson, National Reception Office; Christiane Martin, Directorate of Immigration, Ministry of Foreign and European Affairs; Pascale Milim, Ministry of Justice; Jacques Brosius, Department of Integration, Ministry of Family Affairs, Integration and the Greater Region and François Peltier, STATEC - National Statistics and Economic Studies Institute.

METHODOLOGY

In order to determine the significance of the events or debates, the following criteria was taken into account:

- Impact of the debate on the political discussions accompanying the legislative process;
- Media coverage;
- Number and type of actors (non-governmental organisations, trade unions, political parties, deputies, Parliamentary groups, media, members of government, etc.) intervening or involved in the debate.

The principal sources of information used, were:

- Information provided by national governmental and non-governmental experts;
- Information provided by non-governmental organisations active in the field of migration and asylum;
- Systematic monitoring of Parliamentary debates and questions;
- Systematic consultation of the press articles written in the main daily and weekly newspapers in Luxembourg;
- Systematic consultation of relevant internet sites (ministries, non-governmental organisations, etc.);
- Consultation of reference documents such as studies and activity reports from various stakeholders (ministries, public institutions etc.), which have fed the debate on asylum and migration policies in Luxembourg;
- Consultation of the positions taken by non-governmental organisations;
- Consultation of the database on administrative case law regarding migration and international protection in the database of the administrative jurisdictions.

TERMINOLOGY AND DEFINITIONS

As for terminology, we refer to the terms used in the Asylum and Migration Glossary 6.0 of the European Migration Network.¹⁵

However, some terms are explained in the national legislation such as:

Foreigner defined as “any person who does not possess the Luxembourg nationality, who either exclusively possesses another nationality, or who possesses none”.¹⁶

Refugee defined as “any third-country national or stateless person who, because they fear with good reason of being persecuted because of their race, religion, nationality, political opinions or belonging to a certain social group, is outside the country of which they have the nationality and who cannot or, because of this fear, does not want to claim the protection of this country or any stateless person who, being for the above reasons outside the country in which they had their habitual residence, cannot or, because of this fear, does not want to return there.”¹⁷

Beneficiary of subsidiary protection defined as “any third-country national or stateless person who cannot be considered a refugee, but for whom there are serious and proven reasons to believe that the person concerned, if returned to their country of origin or, in the case of a stateless person, in the country in which they had their habitual residence, would run a real risk of suffering serious harm, and this person being unable or, in view of this risk, not being prepared to avail themselves of the protection of that country.”¹⁸

1. DEMOGRAPHIC DEVELOPMENTS

On 1 January 2020, Luxembourg had a population of 626 108 inhabitants. This signifies that since 1 January 2019, Luxembourg has grown by 12 214 people which represents an increase of 1,9%. The relative growth of third-country nationals (TCNs) was 7,0% while it was of 2,2% for Luxembourgish nationals, and 0,7% for foreign European Union (EU) citizens.

At the moment, the national population is composed of 329 643 Luxembourgish nationals (52,6%) and 296 465 foreign nationals (47,4%). The proportion of foreigners in the country on 1 January 2020 remained relatively stable when compared to 2019 (-0,1%). This increase can be attributed to the migratory surplus (difference between arrivals and departures +11 075 individuals) and to the natural increase of the population (difference between births and deaths, +1 947 individuals).

In 2019, from the 26 668 arrivals from abroad, 49,2% can be attributed to foreign EU citizens, 45,1% to third-country nationals and 5,7% to Luxembourgish nationals. The departures from Luxembourg involved 53,3% foreign EU citizens, 30,2% third-country nationals and 16,2% Luxembourgish nationals.

The migratory balance is largely positive for third-country nationals (+7 336) and foreign EU citizens (+4 806) while it is negative for Luxembourgish nationals (-1 067).¹⁹

On 1 January 2020, foreign population is composed of 247 878 EU citizens (83,6%) and 48 587 third-country nationals (16,4%). Third-country nationals represent 7,8% of the total population. Moreover, the top ten largest national groups residing in Luxembourg come from EU Member States (MS).

Table 1: Top twenty nationalities residing in Luxembourg as of 1 January 2020.

| Nationality | Number as of 1 st January 2020 | % of the total population |
|--------------------------|---|---------------------------|
| Portugal | 95 057 | 15,2 |
| France | 47 805 | 7,6 |
| Italy | 22 996 | 3,7 |
| Belgium | 19 823 | 3,2 |
| Germany | 12 849 | 2,0 |
| Spain | 7 202 | 1,1 |
| Romania | 5 724 | 0,9 |
| United Kingdom | 5 317 | 0,8 |
| Poland | 4 844 | 0,7 |
| Netherlands | 4 168 | 0,6 |
| China | 3 925 | 0,6 |
| Greece | 3 673 | 0,6 |
| Montenegro | 3 163 | 0,5 |
| India | 2 804 | 0,4 |
| Cape Verde | 2 572 | 0,4 |
| Brazil | 2 449 | 0,4 |
| United States of America | 2 334 | 0,4 |
| Syria | 2 266 | 0,4 |
| Ireland | 2 027 | 0,3 |
| Serbia | 1 866 | 0,3 |

Source: Statec, 2020

From Table 1 and 2 we can see that, like last year, the largest group of third-country nationals residing in Luxembourg are from China (11th place, 3 925 persons), followed by Montenegro (13th, 3 163) which until 2018 was the principal third-country – followed by India (14th), Cape Verde (15th) and Brazil (16th).

This is slightly different to last year when Montenegrins were in 12th position (ahead of Greeks) and Cap Verdeans were ahead of Indians (15th). The Chinese remained the largest group of third-country nationals.²⁰ It is interesting to note that between the end of 2019 and 2020, the Chinese population increased by 5,7%, the Indians by 20,3% and the Brazilians by 11,1%. However, the Montenegrin population decreased by 11,9% and the Cap Verdeans by 1,2%.

Table 2: Top five third-country nationalities in Luxembourg (2019).

| Nationality | Number as of 1 st January 2019 | Number as of 1 st January 2020 | % of the total population as of 1 st January 2020 |
|-------------|---|---|--|
| China | 3 714 | 3 925 | 0,6 |
| Montenegro | 3 589 | 3 163 | 0,5 |
| India | 2 331 | 2 804 | 0,4 |
| Cape Verde | 2 621 | 2 572 | 0,4 |
| Brazil | 2 205 | 2 449 | 0,4 |

Source: Statec, 2020

2. LEGAL MIGRATION AND MOBILITY

During 2019, the Directorate of Immigration of the Ministry of Foreign and European Affairs (MAEE) issued a total of 13 242 residence permits, including 6 622 first residence permits, 546 residence permits for long-term residents and 6 074 renewed residence permits.²¹ This is a decrease of 3,3% compared to 2018 with the granting of 13 688 residence permits.²² However, the number of residence permits issued for the first time increased by 7,2% in comparison with 2018.

Table 3: First residence permits issued in 2018 and 2019 broken down by category of residence permit.²³

| Category | 2018 | 2019 | Variation (%) |
|---|--------------|--------------|---------------|
| European Blue Card | 511 | 662 | 29,5 |
| Researcher | 63 | 79 | 25,3 |
| Pupil | 184 | 163 | -11,4 |
| Student | 348 | 419 | 20,4 |
| Investor | 4 | 2 | - |
| Au pair | 111 | 152 | 36,9 |
| Family member | 1 848 | 2 094 | 13,3 |
| Community Service Provider | - | 2 | - |
| Sportsperson or trainer | 46 | 45 | -2,1 |
| Trainee | 33 | 48 | 45,4 |
| Posted worker | 36 | 14 | -61,1 |
| Intra-corporate transfer - expert/executive | 235 | 206 | -12,3 |
| Intra-corporate transfer - employee-trainee | 13 | 15 | - |
| Intra-corporate transfer - mobile expert/executive | - | 2 | - |
| Intra-corporate transfer - mobile employee-trainee | - | - | - |
| Worker for a community service provider | 3 | 1 | -66,6 |
| Self-employed | 39 | 49 | 25,6 |
| Salaried worker | 1 219 | 1 546 | 26,8 |
| Transfer worker | - | - | - |
| Private reasons – 67 (4) (job search or business creation) | 1 | 26 | - |
| Private reasons – 78 (1) a (sufficient resources) | 88 | 100 | 13,6 |
| Private reasons – 78 (1) b (autonomous) | 9 | 4 | - |
| Private reasons – 78 (1) c (family or personal relationships) | 146 | 185 | 26,7 |
| Private reasons – 78 (3) humanitarian reasons | 21 | 28 | 33,3 |
| Private reasons – 95 (victims of trafficking) | 6 | 3 | - |
| Private reasons – 131 (medical reasons) | 1 | 2 | - |
| Private reasons – other | 21 | 8 | -61,9 |
| Volunteer | 2 | 2 | - |
| International protection – refugee status | 1 083 | 727 | -32,9 |
| International protection – subsidiary protection | 103 | 38 | -63,1 |
| Total | 6 174 | 6 622 | 7,3 |

Directorate of Immigration 2018, 2019 © EMN Luxembourg 2020

The most frequently issued residence permit remained the ‘family member’ permit representing 2 094 residence permits (31,6%) of the total number of residence permits issued for the first time in 2019. This permit is followed by the ‘salaried worker’ with 1 546 residence permits (23,3%) and the ‘International protection - refugee status’, 765 residence permits (11,6%). Together these three

groups represent almost two thirds (65,8 %) of the total of residence permits issued for the first time in 2019.

The principal three nationalities for the family member residence permit were Indian (384), Chinese (170) and American (169).²⁴ These three nationalities amount to 32,4% of all the first issuances of “family member” residence permits.

In regard to the first issuance of salaried worker residence permits, the main three nationalities were Indian (200), Chinese (147) and Mauritians (107) amounting for 29,4% of the total residence permits issued in this category.²⁵

Finally, with regard to the international protection residence permits the first three nationalities were: Syrian (271), Eritrean (202) and Iraqi (75²⁶).²⁷

In addition to the residence permits issued in the categories listed above, the Directorate of Immigration attributed the ‘long-term resident’ permit to 546 individuals in 2019,²⁸ marking a slight increase (1,3%) when compared to the 539 permits issued during 2018, still this is inferior to the numbers in 2017 (741).²⁹ These permits were mainly issued to third-country nationals from China (121), Montenegro (75) and Serbia (41),³⁰ which amount to 43,4% of the total number of long-term residence permits issued during 2019.

Further, the number of work permits issued to third-country nationals residing in another EU Member State (first issue) increased from 110 in 2017 to 158 in 2018 and 180 in 2019,³¹ representing an increase of 63,6% compared to 2017 and 13.9% compared to 2018.

3 045 residence cards were issued to third-country national family members of EU and European Economic Area (EEA) citizens from which 1 206 were permanent residence cards for individuals who had acquired permanent residence status.³² Of the remaining 1 839 residence cards, the main nationalities to receive the documents were Brazilian nationals (218), followed by Cape Verdeans (163) and Moroccans (97).³³ The first two nationalities remained the same as in 2018, however, the Moroccans displaced Americans from third place, which they held in 2018.

The number of residence cards issued for family members of a citizen of the EU increased by 15,9% in comparison to 2018. The number of permanent residence cards issued for family members of a citizen of the EU decreased by 6,3% as opposed to a sharp increase between 2017 and 2018 of 44,4%, from 891 cards issued in 2017 to 1 287 cards issued in 2018.

Table 4: Documents treated / issued to family members of citizens of the EU or assimilated countries (2018-2019) (first issue).

| Residence cards | 2018 | 2019 | Variation (%) |
|---|--------------|--------------|---------------|
| Residence card for family member of an EU citizen | 1 586 | 1 839 | 15,9% |
| Permanent residence card for family member of an EU citizen | 1 287 | 1 206 | -6,3% |
| Total | 2 873 | 3 045 | 5,9% |

Source: Directorate of Immigration 2018, 2019 © EMN Luxembourg 2020

Statistics regarding the free movement of EU citizens (including nationals of assimilated countries) put the numbers regarding documents issued to third-country nationals into perspective. In 2019, the Directorate of Immigration processed a total of 17 543 registration certificates and 5 769 permanent registration certificates.³⁴ This is a slight increase (2,6%) in comparison to the registration certificates treated during 2018 but a significant decrease of permanent residents' certificates (-15,2%) in comparison with 2018.

Table 5: Documents issued in relation to free movement of persons, broken down by type of document (2018 - 2019).

| Certificates | 2018 | 2019 | Variation % |
|----------------------------------|--------|--------|-------------|
| Registration certificates | 17 099 | 17 543 | 2,6% |
| Permanent residence certificates | 6 804 | 5 769 | - 15,2% |

Source: Directorate of Immigration 2019 © EMN Luxembourg 2020

The main countries of origin for holders of the registration certificates were, as in previous years, Portugal (4 165), France (4 099), Italy (2 053) and Belgium (1 213).³⁵

In order to have a better overview of the number of third-country nationals present in Luxembourg and their motives for moving to Luxembourg, the table below provides a statistical snapshot of the total number of third-country nationals, holder of valid residence permits on 1 January 2020.³⁶

Table 6: Total number of third-country nationals holding a valid residence permit divided by category.

| Migration for family purposes | Category | Type of permit issued | Total |
|--------------------------------|---|-----------------------|---------------|
| | Residence Card for a family member of an EU citizen | 8 378 | |
| | Permanent Residence Card for a family member of an EU citizen | 8 390 | |
| | | | 16 768 |
| | Family Member | | 8 114 |
| | Private reasons - 78 (1) c (family or personal relationships) | | 437 |
| Grand Total | | | 25 319 |
| Migration of economic purposes | | | Total |
| | European Blue Card | | 2 102 |
| | Researcher | | 155 |
| | Intercorporate transferees (ICT) – employee/trainee | 5 | |
| | ICT - specialist/manager | 405 | |
| | | | 410 |
| | Sportsperson or Trainer | | 59 |
| | Posted Worker | | 26 |
| | Self-employed | | 150 |
| | Salaried Worker | | 5 466 |
| | Transferred Worker | | 1 |

| | | | |
|--|---|-----|---------------|
| | Community Service Provider or Worker for a Community Service Provider | | 4 |
| Grand Total | | | 8 373 |
| Education purposes migration | | | Total |
| | Pupil | | 71 |
| | Student | | 719 |
| | Trainee | | 16 |
| | Volunteer | | 3 |
| Grand Total | | | 809 |
| International protection | | | Total |
| | International Protection | | 204 |
| | International Protection - Subsidiary Protection | | 277 |
| | International Protection – Refugee status | | 4 393 |
| Grand Total | | | 4 874 |
| Private reasons (medical or humanitarian reasons, victims of human trafficking) | | | |
| | Private reasons – 131 (medical reasons) | | 2 |
| | Private reasons – 78 (3) (humanitarian reasons) | | 84 |
| | Private reasons – 95 (victims of human trafficking) | | 6 |
| Grand Total | | | 92 |
| Long-Term Residents | | | 5 814 |
| Other | | | |
| | Au pair | | 112 |
| | Private reasons – 78 (1) a (sufficient resources) | 160 | |
| | Private reasons – 78 (1) b (autonomous) | 29 | |
| | Private reasons - other | 477 | |
| | Private reasons - 67 (4) (job search or business creation) | 25 | |
| | | | 691 |
| | Investor | | 6 |
| Grand Total | | | 809 |
| Total | | | 46 090 |

Source: Directorate of Immigration 2020.

Table 6 underlines the importance of migration for family purposes as the principal reason to migrate to Luxembourg (54,9%),³⁷ followed by migration for economic purposes (18,2%).

2.1. Migration for economic purposes

Table 7: Residence permits issued for economic motives in 2018 and 2019 (first deliveries).

| Category | 2018 | 2019 |
|---|--------------|--------------|
| European Blue Card | 511 | 662 |
| Researcher | 63 | 79 |
| ICT - employee/trainee | 13 | 15 |
| ICT - specialist/manager | 235 | 206 |
| Mobile ICT - specialist/manager | - | 2 |
| Sportsperson or trainer | 46 | 45 |
| Posted Worker | 36 | 14 |
| Self-employed | 39 | 49 |
| Salaried Worker | 1 219 | 1 546 |
| Community Service Provider | - | 2 |
| Worker for a Community Service Provider | 3 | 1 |
| Total | 2 165 | 2 621 |

Source: Directorate of Immigration 2020.

In 2019, the number of first residence permits issued for economic reasons increased overall by 21,1% when compared to the previous year (see Table 7). There was a large increase on two main categories of permits for economic migration: ‘European Blue Card’ (29,5%) and the ‘salaried worker’ which increased by 26,8%.

2.1.1. Admission policies of specific categories of third-country nationals

Some legislative changes introduced in 2019 had an impact on different categories of third-country nationals and British nationals with the withdrawal of the United Kingdom (UK) from the European Union (Brexit).

The principal measures taken were:

- The facilitation of entry and stay onto the territory under a new long-term visa simplifying the entry and stay of a third-country national for a period of up to one year, without having to apply for a residence permit.³⁸ This visa applies particularly to the “Working Holiday” agreements, such as the agreement with Canada that came into force.³⁹
- The administrative arrangements relating to bilateral social security agreements with the People’s Republic of China⁴⁰ and the Republic of Korea⁴¹ were published by Grand Ducal Decree.
- The Luxembourgish Government took steps in anticipation of the exit of the UK from the EU in order to protect British citizens residing and working in Luxembourg. In this context, four laws were adopted in order to guarantee the rights of these individuals.⁴²

2.1.2. Salaried Workers

2.1.2.1. Highly skilled/Qualified Workers

In 2019, the Directorate of Immigration granted 662 (first issuance) European Blue Cards. This represents an increase of 29,5% in comparison with 2018 breaking the tendency for this category of residence permit to stagnate (there was an increase of only 3,4% between 2017 and 2018).⁴³ The main countries of origin for those issued with Blue Cards were India (184), the United States (97) and Turkey (50), which together represent 50% of the total residence permits in this category.⁴⁴

In view of the increasing cost of living in Luxembourg, the minimum remuneration threshold for highly skilled workers increased through a Ministerial Decree published on 13 September 2019.⁴⁵ The decree foresees that the minimum salary threshold of a highly qualified third-country national is € 78 336 per year.⁴⁶ For professions for which there is a particular need for certain third-country nationals, the minimum salary is fixed at € 62 668,80 per year.⁴⁷

2.1.2.2. Low and Medium skilled workers (other than seasonal workers)

No direct changes took place that affected low and medium skilled workers from third countries in 2019. However, the Government hopes to attract workers - be they third-country nationals, EU and EEA citizens or nationals - to the HORECA sector by increasing the minimum wage by € 100.⁴⁸

2.1.3. Intra-corporate transferee (ICT)

Intra-corporate transferees are the third largest group of third-country permit holders after salaried workers and Blue Card holders. 223 first issued permits were delivered in the context of the 'intra-corporate transferee (ICT)' permit in 2019, which represents a decrease of 10,1% in comparison with 2018.

In 2019, 206 permits were issued for the category 'ICT - specialist/manager' compared to 235 in 2018. This represents a decrease of 12,3%. The three main nationalities to be granted this type of permit remained the same as in 2018: Indian (83), Chinese (61) and American (31), which represent 85% of the totality of residence permits issued under this category.

15 permits were issued for the category 'ICT – employee/trainee' and two under 'Mobile ICT - specialist/manager' in 2019. Respectively in 2018, 13 were issued for 'ICT – employee/trainee' and 0 for the last category. 14 were issued to Chinese nationals.

2.1.4. Posted Workers

The number of third-country national posted workers remain at a very low level. In 2019, there was a decline in the number of posted worker residence permits issued, passing from 36 in 2018 to 14 in 2019, which represents a decrease of 61,1% (see Table 7).

The Social Security Convention signed between the Grand Duchy of Luxembourg and the People's Republic of China entered into force on 1 May 2019. According to this Convention, workers posted to the other country to carry out work of a temporary nature will continue to be covered by the legislation of the sending country for a period of 60 months.⁴⁹

2.1.5. Researchers⁵⁰

79 permits were issued to the category 'researcher' in 2019, which represents a 25,4% increase in comparison with 2018. The three main countries of origin for these permits are China (15), India (13) and Iran (5).

2.1.6. Bilateral Social Security Agreements

In 2019, Luxembourg continued its policy to facilitate the international coordination between different social security regimes and to secure the rights and obligations of workers. Bilateral conventions are made with the principals of equality of treatment, aggregation of insurance periods, and the exports of benefits. In this regard, some legislative changes were observed:

The Grand Ducal Decree on the publication of the administrative arrangement in relation to the Social Security agreement signed between the Grand Duchy of Luxembourg and the People's Republic of China⁵¹ in Beijing on 27 November 2017, was published on 5 February 2019. The Convention applies mainly to the legislation in both States relating to pensions aimed at old age. The Convention entered into force on 1 May 2019.⁵²

The Social Security Convention between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of Korea was approved by the law of 28 May 2019.⁵³ The Convention applies particularly to the legislation in both States relating to pensions aimed at old age, invalidity and survival. The Grand Ducal Decree of 21 June 2019,⁵⁴ publishing the administrative arrangement for the application of the Convention, was published on 25 June 2019. The Convention entered into force on 1 September 2019.⁵⁵

2.2. Migration for educational purposes

Table 8: Residence permits issued for educational motives in 2018 and 2019 (first deliveries).

| Category | 2018 | 2019 |
|-----------|------|------|
| Pupil | 184 | 163 |
| Student | 348 | 419 |
| Trainee | 33 | 48 |
| Volunteer | 2 | 2 |
| Total | 567 | 632 |

Source: Directorate of Immigration 2020.

In 2019, the number of first residence permits issued for educational reasons increased overall by 11,5% when compared to the previous year (see Table 8).

2.2.1. Trainees

In 2019, there was a 45,4% increase in the number of first instance permits granted for the category 'trainee' with 33 permits having been granted in 2018 and 48 in 2019.⁵⁶ The three main countries of origin are Tunisia (7), China (6) and Mexico (4).⁵⁷

The Ministry of Education, Children and Youth (MENEJ) responsible for vocational education and training in close cooperation with their social partners, started preparing an overhaul to the

amended law of 19 December 2008 amending vocational training. The Bill⁵⁸ was introduced into Parliament in 2018 and was adopted on 19 June 2019 (law of 12 July 2019).⁵⁹

The law of 12 July 2019 regulates vocational training (right to train, apprenticeship contract, and a training contract or agreement). It is a general law but it also benefits third-country nationals legally residing in Luxembourg. It provides a better picture on the regulation concerning the right to train, the content of apprenticeship and training contracts, and strengthens the rights and duties of trainees. It also regulates vocational training possibilities for students studying at educational institutions in neighbouring countries (including third-country nationals) who wish to attend vocational trainings in Luxembourg when they are not available in their country of residence.

According to the law, transborder apprenticeships only apply to the professions mentioned in a list fixed by the Grand Ducal Regulation of 22 August 2019.⁶⁰

Key factors for change are:

- The reintroduction of a grade-based evaluation system.
- An alternation of the structure of the final exams.
- The contractual part of the apprenticeship as stipulated in the Labour Code, which strengthens the apprentice's rights and duties.⁶¹

Volunteers

No changes were observed with regards to volunteers in 2019. Two permits were issued to this category.

Students and pupils

In 2019, 419 first permits were issued for students, which represents an increase of 20,4% compared to 2018. The three main nationalities to be granted the permits are Chinese (43), Indians (40) and Americans (26).⁶²

The number of permits issued to the category 'pupil' declined by 11,4%, from 184 permits in 2018 to 163 in 2019. 160 of these permits were delivered to American nationals, two to Cambodians and one to a Chinese national.

In 2019, the Ministry allowed two notifications for mobile students, holders of a valid authorization to stay in another Member State.

2.2.1.1. Admission policies for students and researchers

The Directorate of Immigration and the Ministry of Higher Education and Research informed the University of Luxembourg that students residing in the Greater Region (European Grouping for Territorial Cooperation) could be enrolled at the University of Luxembourg in the case of a cross border study program without having to reside in Luxembourg or having a Luxembourgish residence permit. However, the student needs to have a valid residence permit from the competent authorities in Germany, Belgium or France in order to cross the border on a daily basis.

In order to comply with the relevant law on the recognition of diplomas, the Ministry of Higher Education and Research indicated to the University of Luxembourg what documentation third-country national students must provide, as well as, the criteria upon which the authorities are allowed to decline an applicant.⁶³ This situation generates a problem because in order to conduct the notification foreseen by the Immigration Law,⁶⁴ third-country nationals with a valid residence permit in a neighbouring Member State have to prove sufficient resources in accordance with the national law which is higher than in their Member state. This is an ongoing issue.⁶⁵

2.2.1.2. Resource and housing criteria

Accessibility to affordable housing in Luxembourg is a general problem. In 2019, prices continued to increase. Between the second trimester of 2019 and the second trimester of 2018, the price of housing (flats and houses) increased by 11,4%.⁶⁶

This problem affects nationals as foreigners alike and represents the biggest cost for residents (more than 1/3 of their household income).⁶⁷ The housing crisis directly affects international students which cannot find affordable housing and in consequence affects the possibility to obtain a residence permit, as adequate accommodation is a *sine qua non* requisite for granting it.⁶⁸

The University of Luxembourg manages 1 100 apartments and housing units, however, at the beginning of the academic year 2019/2020, they were fully booked and 300 students were put on a waiting list. For this reason, on 13 September 2019, the Rector of the University made an appeal among its staff to help with student accommodation in which he stated: "The commercial real estate market seems unable to provide enough housing in line with the needs and resources of the students".

The appeal urged staff and collaborators in the possession of adequate accommodation to make them available to students that were on the waiting list.⁶⁹

2.2.1.3. Incentive mechanisms for retaining students.

With the transposition of the directive 2016/801/EU by the law of 1 August 2018, introducing Article 67-4 of the Immigration Law,⁷⁰ a residence permit was created allowing students and researchers to continue residing in Luxembourg for a maximum period of nine months after completion of their studies in order to search for a job or create an enterprise. The student or researcher will receive a "private reasons" residence permit with the note "job search or business creation".⁷¹

In 2019, 26 residence permits for 'Private reasons - 67 (4) (job search or business creation)' were issued.

2.3. Migration for family purposes

Table 9: Residence permits/cards issued for family motives in 2018 and 2019 (first deliveries).

| Category | 2018 | 2019 |
|---|--------------|--------------|
| Residence Card for a family member of an EU citizen | 1 586 | 1 839 |
| Permanent Residence Card for a family member of an EU citizen | 1 287 | 1 206 |
| Family Member | 1 848 | 2 094 |
| Private reasons - 78 (1) c (family or personal relationships) | 146 | 185 |
| Total | 4 867 | 5 324 |

Source : Directorate of Immigration 2020.

When considering the total number of residence permits issued for the first time for family motives in 2019, a total of 5 324 were issued. This represents an increase of 9,4% when compared to 2018. The 3 045 residence cards which were delivered in 2019 to third-country national family members of citizens of the EU and assimilated countries account for 57,2% of all first residence permits issued for family motives.

In the context of family reunification between third-country nationals, 2 279 residence permits were issued in 2019. Out of these, 2 094 were in the 'family member' category, while 185 were in the category 'private life – 78 (1) c (family or private links)'. The overall increase equals to 14,3% when compared to 2018 (1 994: out of which 1 848 family member and 146 private reasons for family links).⁷²

In the context of family reunification between third-country nationals, the number of temporary authorisations to stay issued in 2019 exceeds slightly the number of first residence permits issued: 2 289 against 2 279. This can be explained by the fact that the delivery of a residence permit is always preceded and conditioned on the delivery of a temporary authorisation to stay.

The data on authorisations to stay are informative on the category of the residence permit of the sponsor as shown in Table 10.

Table 10: Temporary work authorisations delivered for purposes of family reunification according to the category of residence permit of the sponsor (2017 – 2019).

| Category of residence permit of sponsor | 2017 | | 2018 | | 2019 | |
|---|--------------|-------------|--------------|-------------|--------------|-------------|
| | Total | % | Total | % | Total | % |
| International protection | 174 | 10,9% | 423 | 20,9% | 462 | 20,2% |
| Remunerated activities | 1 225 | 76,9% | 1 404 | 69,3% | 1 553 | 67,8% |
| Other | 195 | 12,2% | 200 | 9,9% | 274 | 12,0% |
| Total | 1 594 | 100% | 2 027 | 100% | 2 289 | 100% |

Source: Directorate of Immigration 2019 © EMN Luxembourg 2020

67,8% of the family members had a sponsor with a resident permit from a remunerated activity during 2019. Beneficiaries of International Protection (BIPs) represented only 20,2% of the sponsors

for family reunification. There was an increase of family reunification of 12,9% in 2019 in comparison with 2018. However, the increase for BIPs was only of 9,2% and for the family reunification related to remunerated activities, it was of 10,6%.

In 2019, 65,4% (1 496 out of 2 289) of the family members were female and 34,6% were male (793 persons).

2.4. Other categories

2.4.1. Au-Pairs

The number of permits delivered to the category 'au-pair' continued to increase passing from 111 in 2018 to 152 in 2019 representing an increase of 36,9%. The three main countries of origin for receiving these permits did not change when compared to last year with the exception of Brazil (12) replacing Columbia. The Philippines (53) remained the biggest group followed by Cameroon (18).

2.4.2. Investors

As part of Luxembourg's efforts to diversify its economy and boost entrepreneurship, the Law of 8 March 2017 amending the Immigration Law introduced an authorisation to stay for investors. This law aims to attract qualified third-country national investors to the country.⁷³ Four permits were granted in 2018.⁷⁴ In 2019, six permits were issued.⁷⁵

Part of the reason for these low numbers is the authorities' commitment to properly investigate authorisations to stay for third-country national investors⁷⁶ and their investment projects, before granting a third-country national investor an authorisation to stay.⁷⁷ This is done in the context of Luxembourg's fight against money laundering and the financing of terrorism.

Third-country national investors undergo the same security checks as other third-country nationals applying for a permit. Systematic checks in the Schengen Information System (SIS) are made for each third-country national introducing an application for the investors' permit before they enter the country. Further, a criminal record is requested from their last country of residence and must be joined to the application.⁷⁸

On the 13 January 2019, a law establishing a Register of Beneficial Owners and transposing the Directive (EU) 2015/849 of the European Parliament and the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing came into force. It applies to third-country nationals applying for the investor permit. The authorities have access to the register and can make regular checks, thus helping prevent the misuse of the financial system. This law also applies to cases of human trafficking, which is expanded upon in Chapter 7: Fight Against Trafficking in Human Beings.⁷⁹

2.5. Information on routes to and conditions of legal migration

2.5.1. Visa Policy

Table 11: Number of visas issued in Luxembourg 2019.

| Member State | Short stay visas (C Visa) | | National visa (D Visa) | | Total |
|--------------|--|--------------------------------------|--|--------------------------------------|---------------|
| | Issued to TCN coming directly from a third-country | Issued to TCN resident in another MS | Issued to TCN coming directly from a third-country | Issued to TCN resident in another MS | |
| Luxembourg | 10 819 | 113 | 1 827 | 449 | 13 208 |

Source EMN Luxembourg © EMN Luxembourg 2020

In 2019, a total of 13 208 visas were issued by the authorities, 10 932 (82,8%) were short stay Schengen Visas (C- stays of up to 90 days) and 2 276 (17,2%) were National Visas (D). 10 819 (81,9%) short stay Schengen Visas were issued to third-country nationals coming directly from a third country, and 113 (0,9%) to third-country national residents in another Member State. 1 827 (13,8%) National Visas (D) were issued to third-country nationals coming directly from a third country, and 449 (3,4%) to third-country nationals residing in another Member State. In 2018, a total of 22 737 visas were issued: 20 535 (90,3%) were short stay Schengen Visas and 2 202 (9,7%) were National Visas (D). In comparison with 2018, the total number of visas issued by Luxembourg shows a decrease of 41,9%.

Moreover, two main developments took place with regards to visa policies in 2019. Firstly, the cooperation between Belgium and Luxembourg in terms of issuing visas in the name of the Grand Duchy of Luxembourg by the Belgian diplomatic representations abroad and vice versa was ratified through a bilateral agreement adopted on 8 August 2019.⁸⁰

Secondly, bill n°7238 amending the Immigration Law was adopted on 10 October 2019⁸¹ and became the Law of the 4 December 2019 amending the amended law of 29 August 2008 on free movement of persons and immigration.

The law provides for a long-stay visa with a maximal duration of one year and the possibility for the visa holders to declare their arrival at the municipality of their place of residence for a stay of up to 3 months, without having to seek a residence permit. The law came into force on 27 December 2019. This visa will particularly be applied under the framework of ‘working holidays’ visas, negotiated bilaterally between the Grand Duchy of Luxembourg and a third-country.⁸²

2.5.2. Working Holiday Visas

On 3 July 2019, Luxembourg and Canada signed a “Working Holiday” agreement, allowing people of Luxembourgish or Canadian nationality between the ages of 18 and 30 to live and work in the other country for the duration of a year. The aim of this programme is to promote international exchanges of young people and to deepen their linguistic and cultural exchange.⁸³

Similarly, Luxembourg and Chile signed a “Working Holiday” agreement on 16 July 2018. Although, the agreement came into force in 2018,⁸⁴ the information on how Luxembourgish citizens could apply was not available until 2019 as the Chilean Government had not specified the application process.⁸⁵ The National Youth Service (SNJ) has since updated their website and directs

Luxembourgish citizens to the Chilean Embassy in Brussels.

2.6. Brexit

2.6.1. Measures taken in the context of Brexit

Seeing the incertitude that Brexit generated during 2019, the Luxembourgish Government decided to enact four laws (please refer to section 2.6.2 and 2.6.3) in order to attenuate the impact that Brexit would have with regards to the rights of British citizens residing and working in Luxembourg.

The Law of 8 April 2019 amending the Immigration Law was published on 11 April 2019. The legislation came into force once the UK left the EU.⁸⁶ It lays out a legal basis on how to deal with British citizens living in Luxembourg after Brexit by introducing several articles to the Immigration Law in case of a 'deal' or 'no deal' Brexit.

On the one hand, the law aims to incorporate the Agreement of 25 November 2018 on the withdrawal of the UK from the EU into national legislation. Notably, regarding British citizens' right of residence and the rights of British cross border commuters. The Withdrawal Agreement provides for British citizens and their family members residing in an EU Member State at the time of the UK's withdrawal from the EU or before the end of the transitional period (with the possibility of an extension)⁸⁷ to continue benefiting from the right to free movement within the EU. The same applies to family members that will unite after the transitional period ends) with a British citizen already residing in Luxembourg before the end of the transitional period.

On the other hand, in case of a 'no-deal' Brexit, the law provides a solution for the conservation of the rights of British citizens and their family members residing in Luxembourg before the withdrawal of the UK. The Commission on European and Foreign Affairs, Cooperation, Immigration and Asylum extended the scope of the bill by Parliamentary Amendment, by including applicable measures to British citizens' right of residence and their family members in case of a 'no deal' Brexit.⁸⁸ These measures were put in place by taking into account the Government Council's decision of 18 January 2019 to grant British citizens and their family members residing in Luxembourg a right of residence on the basis of a residence permit being delivered within a year after the UK's withdrawal.⁸⁹ In light of the uncertainty surrounding the UK withdrawing from the EU with a deal, the legislator prepared the legislation for both scenarios, 'deal' or 'no deal'.

2.6.2. In a 'deal' scenario

British citizens and their family members, who are in possession of a registration certificate or a residence card must apply for a new document at the latest by the end of the transition period, as a replacement of the certificate or card.

British citizens and their family members who arrive in Luxembourg during the transition period must request a residence document. With this document, they will be able to apply for the replacement document. Family members of British citizens who fall within the scope of the Withdrawal Agreement and who come to Luxembourg after the end of the transition period, will have to apply for a residence document within the first three months after their arrival.⁹⁰

British citizens and their family members benefiting from permanent residency before the end of the transitional period will receive a residence document, as a replacement of a permanent

registration certificate, respectively the permanent residence card.⁹¹

The law also specifies that:

- When calculating the five years of uninterrupted residency required for the right of permanent residence, the periods of stay before, during and after the transitional period will be taken into consideration.⁹² However, these interruptions cannot be longer than 6 months.
- The right of permanent residence of British citizens and their family members, acquired before the end of the transitional period can only be lost if there is an interruption of residence for more than five consecutive years.⁹³

Moreover, British citizens and their family members will maintain the same rights as other EU citizens under the Withdrawal Agreement in the following areas:

- Access to the labour market.
- Recognition of academic and professional diplomas.
- Access to financial aid for higher education.
- Access to jobs in the public service.

2.6.3. In a 'no-deal' scenario

British citizens and their family members that held a residence document delivered by Luxembourg before the withdrawal of the UK from the EU would benefit from the right of residency during a period of one year after the withdrawal date. During this period, they are allowed to pursue activities as an employed or self-employed worker.⁹⁴

At the latest, three months before the end of the one-year period, British citizens have to obtain a residence permit issued by the Ministry in charge of immigration. However, they are dispensed from the obligation to provide a declaration of arrival to the municipality, a medical certificate, and proof of adequate accommodation required to obtain a residence permit. On the other hand, they are not exempted from the fee of € 80 for the issuance of the residence permit.⁹⁵

A circular was sent by the Minister of Interior and the Directorate of Immigration to municipal administrations about the consequences and impact of Brexit on British citizens and on municipal administrations on 3 April 2019. The Directorate of Immigration also ensured that a specific procedure for British citizens and their family members will be put in place in order to successfully process their applications, in accordance to their status and would inform municipalities in time.⁹⁶

Similarly, three other bills were introduced into Parliament in preparation of a 'no deal' Brexit:

- 1) Bill n°7406 had for objective to prevent the potential impact of the UK's withdrawal from the EU on the Luxembourgish Public Service and on the personal situation of British citizens that are either civil servants, employees of the State, local councilors or local officials, and municipal employees.⁹⁷ Especially in relation to the 42 British citizens that were working for the State at the time the bill was drafted. The bill thus proposed a legal basis upon which civil servants and employees of the State or municipalities of British citizenship could conserve their rights and duties in the case of a 'no deal' Brexit.⁹⁸

British teachers working under the framework of the Luxembourgish international schooling offer would particularly be affected by becoming third-country nationals as they would no longer be able to work as public servants or employees of the State.

The law of 8 April 2019 amending the laws relating to civil servants and municipal officials (published in Memorial A 239) and it guarantees that British citizens working before the entering into force of Brexit as public servants for the State or municipalities will preserve their rights.⁹⁹ This law would therefore, not only protect British teachers but also ensure the good functioning of international teaching.¹⁰⁰

The law was to enter into force in the case of a 'no deal' Brexit but on the 1 February 2020, the UK left the EU with a withdrawal agreement.

- 2) Bill n° 7409 aimed to transpose into national law the repercussions of the withdrawal of the UK from the EU in the domain of higher education. Initially, the authors based the bill on the assumption of an effective ratification of the Withdrawal Agreement with an exclusive aim at maintaining the status quo during the transitional period. The measures originally planned were:¹⁰¹
- To include the UK in the list of States whose nationals can benefit from state financial assistance for higher education in the same way as EU citizens, as defined by the amended law of 24 July 2014 on state financial aid for higher education.
 - To include the UK under the definition of a Member State as defined in Article 3 of the Law on the Recognition of Professional Qualifications in order for British citizens to benefit from the simplified procedure for recognizing qualifications and to register their higher education diploma on the Register of certificates - a procedure usually reserved for EU citizens.
 - To add the UK to the list of assimilated States for British citizens to benefit as nationals of Member States from the simplified application procedure for practicing a profession in the health sector.
 - Guaranteeing the automatic recognition of diplomas and training titles for certain medical professions and architects under Article 21 of the Law of 28 October 2016 relating to the recognition of professional qualifications obtained in the UK after its withdrawal from the EU.
 - Exempting British students from specific provisions for accessing studies at the University of Luxembourg for third-country nationals through Article 32, paragraph 6 of the amended law of 27 June 2018 on the organisation of the University of Luxembourg.

The law of 8 April 2019 amends the law of 28 October 2016 on the recognition of professional qualifications,¹⁰² and has adapted the Luxembourgish recognition system only for certain professional titles. It creates a legal basis for the automatic recognition of professional qualifications of specialist doctors and general practitioners, nurses, dentists/dental specialists, veterinarians, midwives, pharmacists and architects that were delivered in the UK for these

professions.¹⁰³

It was to come into force in the case of a 'no deal' Brexit. On the 1 February 2020, the UK exited the EU with a withdrawal agreement, therefore this law does not apply.

- 3) Bill n°7421 aimed to avoid British citizens losing their access to the social inclusion income or the income granted to severely disabled persons in the case of a 'no deal' Brexit.¹⁰⁴ If Brexit had occurred without the Withdrawal Agreement, British citizens would be considered third-country nationals from the moment that the UK withdrew from the EU. The criteria upon which a person can benefit from the social inclusion income and the income granted to severely disabled persons are different for third-country nationals than EU citizens and Luxembourgish nationals.

Third-country nationals have to have resided in Luxembourg for a minimum period of five years over the last twenty years or have the status of long-term resident in order to benefit from the social inclusion income. EU and EEA citizens can apply after three months of staying in Luxembourg.

The law of 8 April 2019 on disabled persons and social inclusion¹⁰⁵ allows British citizens residing in Luxembourg that have a serious disability and/or benefit from the social inclusion income to continue benefiting from these rights after Brexit. This law did not enter into force as the UK withdrew from the EU with a deal.

2.6.4. Preoccupations relating to Brexit

As stated in the Coalition Agreement, the Government set-out to minimize the negative impact of Brexit on both its citizens and businesses, while ensuring a fair balance between rights and obligations in any future relationship.¹⁰⁶ For the most part, the reservations on Brexit were related to the conservation of the rights of British citizens and their family members. Considering 5 800 British reside in Luxembourg (as of 1 January 2020)¹⁰⁷ and that it is within the European institutions and the financial sector in which they usually work, the social and economic consequences of Brexit are difficult to determine but will for certain have an impact on these residents and these sectors. The uncertainty can either be a source of risk or opportunity.¹⁰⁸

Primary research¹⁰⁹ found that for the most part, British citizens residing in Luxembourg would like to continue living in Luxembourg, which is reflected upon in the number of British citizens acquiring Luxembourgish citizenship. In response to Brexit, the Luxembourgish non-governmental organisation (NGO), British Immigrants Living in Luxembourg (BRILL) was created. This NGO advocates for the protection of the rights of British citizens living in Luxembourg. They were part of delegations that participated in meetings with the British Government's Department of Exiting the EU (DExEU), the Commission's task force for the preparation and conduct of the negotiations with the United Kingdom under Article 50 Treaty on European Union, the Council Brexit, as well as with, Members of the European Parliament (MEPs).¹¹⁰ On 2 January 2019, the National Council for Foreigners (*Conseil National pour Etrangers* – CNE) together with BRILL delivered a proposal to Luxembourg's Parliament.¹¹¹ It set-out a number of questions surrounding the rights of British citizens:

- Will British residents working in Luxembourg receive confirmation from the State that their working contracts will not be affected by Brexit?
- Will bilateral agreements be put in place between Luxembourg and the UK considering the vast number of Luxembourgish residents that pursue studies in the UK?
- What will be the impact of Brexit on the teaching of the English language in schools (notably the access to native language teachers in the Luxembourg labour market)?
- How will British cross-border commuters be treated?
- What will be the impact of Brexit on real-estate in Luxembourg with the arrival of new actors in the financial sector?¹¹²

In order to support British citizens and their family members living in Luxembourg to understand their rights after Brexit, a FAQ section on MyGuichet was created to answer the most common questions by providing clear and objective information on their personal situations.¹¹³

2.6.5. Naturalisations

The juridical insecurity surrounding the rights of British citizens has led to a peak in naturalisations since 2016. In 2019, the number of British citizens who became Luxembourgish citizens remained high, with 431 acquisitions compared to 435 in 2018.

Table 12: British citizens acquiring Luxembourgish nationality procedurally (2015 – 2019).

| Year | Number of acquisitions |
|------|------------------------|
| 2015 | 75 |
| 2016 | 128 |
| 2017 | 384 |
| 2018 | 435 |
| 2019 | 431 |

Source: Ministry of Justice, Statec, 2020

A curious fact about these naturalisations is that almost half of the Luxembourgish nationalities acquired in 2018 and 2019 by British citizens were based on the option that allows acquisition after 20 years of residence in Luxembourg. This takes place under the condition that the person has participated in a 24 hour introductory course to the Luxembourgish language, however, they are not required to take and pass the Luxembourgish language exam.

2.6.6. Brexit's impact on migration flows

The head of the Airport Police Unit of the Grand Ducal Police stated on 28 October 2019, that fake documents are often intercepted at Findel airport and that since the discussions on Brexit started, the number of false documents in circulation has increased. It would appear that the pressure put on migrants without the right documentation, by smugglers, to reach the UK before it leaves the EU has heightened.

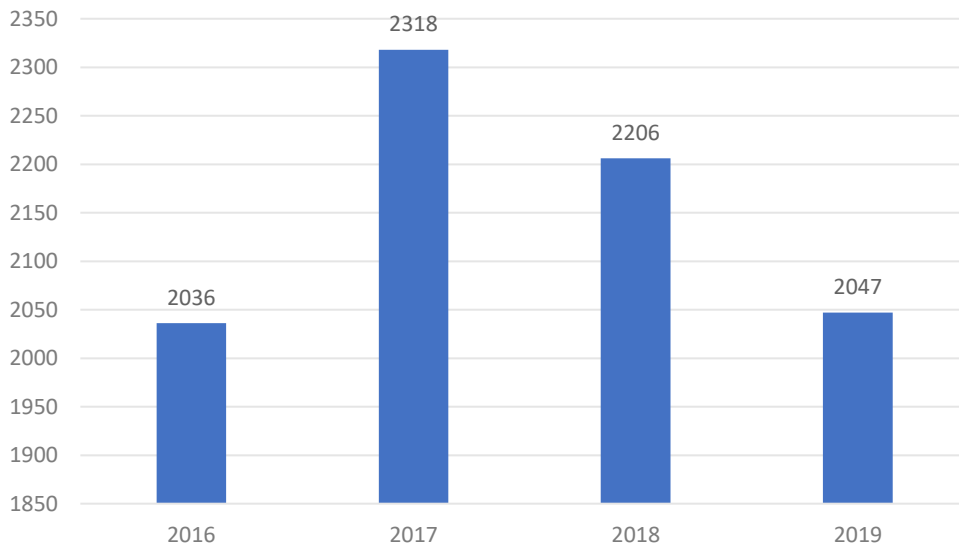
In 2019, the number of false documents detected was 4 times higher than previous years. A total of 129 false documents were detected in 2019. The most common nationalities detected trying to get

to the UK/Ireland, were Albanians (82) Iranians (15) and Indians (9). The main country of origin for the fabrication of false documents was Italy (40).¹¹⁴

3. INTERNATIONAL PROTECTION

During 2019, the number of applications for international protection submitted to the Directorate of Immigration amounts to 2 047 registered applications. However, this number shows a decrease of 7,2% since 2018 (2 206).¹¹⁵

Figure 1: Number of applications (2016-2019).



Source: Directorate of Immigration, 2020 © EMN Luxembourg

Applications for international protection

Like the previous years, the largest number of applicants were Eritreans (510) amounting to 24,9% of the total number of applications. In comparison to 2018, applicants from Eritrea increased by 30,1%. This nationality is followed by Syrians (287 [14%]) with an increase of 26,4% from 2018, Afghans (162 [7,9%]), Iraqis (110 [5,4%]) and Algerians (79 [3,9%]).¹¹⁶

In 2018, none of the Maghreb countries appeared among the top five countries of origin of AIPs in 2018 (unlike in 2017, when Morocco, and Algeria respectively occupied 3rd and 5th place).¹¹⁷ Algeria is again part of the top five countries of nationality in 2019.

Venezuela, for the first time, figured among one of the main countries of origin with 64 applications (3,1% of the total number of applications). Further, there was a slight increase in the number of applications from Iranian and Turkish nationals. Regarding, the Balkan States, only Albania saw a slight increase with 56 applications (2,7%), in comparison to the 45 during 2018.¹¹⁸ The number of AIPs originating from the West Balkans has thus continued to decrease.

It is also interesting to note that there was a sharp decrease in applications from Georgian nationals with 36 applications versus 141 in 2018.¹¹⁹ The number of AIPs from Georgia, doubled between 2016 and 2017 from 64 to 138, and remained stable in 2018 with a total of 141 individuals (5th most represented country in 2018).¹²⁰

Table 13: Number of people applying for international protection by country of nationality (2019).

| Country of Nationality | Number of applications | Percentage (%) out of total number of applications in 2019 |
|------------------------|------------------------|--|
| Eritrea | 510 | 24,9 |
| Syria | 287 | 14,0 |
| Afghanistan | 162 | 7,9 |
| Iraq | 110 | 5,4 |
| Algeria | 79 | 3,9 |
| Venezuela | 64 | 3,1 |
| Iran | 60 | 2,9 |
| Turkey | 57 | 2,8 |
| Albania | 56 | 2,7 |
| Morocco | 48 | 2,3 |
| Somalia | 42 | 2,1 |
| Guinea-Conakry | 40 | 2,0 |

Source: Directorate of Immigration, 2020.

Decisions in international protection applications

In 2019, the Directorate of Immigration took 2 154 decisions¹²¹ on international protection.¹²² This represents a decrease of 9,1% in comparison to 2018 (2 371).

In comparison to 2018:

- The granting of international protection fell from 44,4% to 32,2%.
- Refusals of international protection slightly increased from 15,2% to 18,4%.
- The implicit withdrawal of applications strongly increased from 3,7% to 14,3%.
- The percentage of ineligible applications also increased, from 3% to 5,8%. The main reasons for ineligibility were the existence of a first country of asylum or a safe third country for the applicant.¹²³

In 2019, 693 people obtained international protection in Luxembourg (refugee status or subsidiary protection). The recognition rate of international protection is at 57,1%. It represents the relationship between positive decisions and the overall number of decisions taken – grants and refusals.¹²⁴ 653 people were granted the status of refugee compared to 994 in 2018 (-34,3%). In parallel, 40 people received the status of subsidiary protection in comparison to 74 people in 2018 (-45,9%).¹²⁵

During 2019, 268 Syrian nationals were granted refugee status (41% of the total number of refugee statuses granted), followed by Eritreans (182 [27,9%]), Iraqis (56 [8,6%]) and Afghans (52 [8%]).¹²⁶ The number of subsidiary protection statuses granted to Venezuelan nationals (17) represented 42,5% of the total number of status granted under this category in 2019.

397 refusals were issued, of which 207 (52,1%) were taken under the normal procedure and 190 (47,9%) in the context of an accelerated procedure. The proportion of refusals under the normal procedure increased by 20% with respect to 2018, whereas, the proportion under an accelerated procedure fell by 20%. This can partly be explained by the decrease in applications for international protection made by nationals from the West Balkan States and Georgia.¹²⁷

In 2018, the number of decisions taken during an ultra-accelerated procedure among decisions in an accelerated procedure was at 59,2% (145 out of a total of 245 decisions), the number in 2019 decreased to 47,4% (90 out of a total of 190 decisions).

3.1. Institutional changes in the national asylum system

3.1.1. Change in Competencies

In line with the Coalition Agreement of 2018-2023,¹²⁸ bill n° 7403¹²⁹ on the establishing of the National Reception Office (ONA) was introduced into Parliament on 5 February 2019. On 23 October 2019, the Parliament approved the bill and it became the law of 4 December 2019 establishing the ONA. The provisions of the new reception policy entered into force on 1 January 2020.¹³⁰ The ONA thereby replaces the Luxembourg Office for Reception and Integration (OLAI) established by the law of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg (hereinafter Integration Law). This law formalizes the transfer in competences concerning the reception of AIPs, which has been placed under the jurisdiction of the Minister of Immigration and Asylum.¹³¹ The competence of integration will be maintained within the jurisdiction of the Ministry of Family Affairs, Integration and the Greater Region (MFI).

As stated in Article 2 of the law on the establishing of the ONA,¹³² the ONA has for mission to:

- 1) Organise the reception of AIPs.
- 2) Manage housing structures reserved for the temporary housing of AIPs, refugees and persons able to benefit from subsidiary protection.
- 3) Collaborate with other organisms for the creation and management of housing structures destined for AIPs, refugees and beneficiaries of subsidiary protection.
- 4) Promote with the respective competencies, the construction and development of housing structures reserved for AIPs, refugees and beneficiaries of subsidiary protection.

A transfer of € 34,7 million was integrated into the ONA budget under Article 00.6.33.001 of the National Budget for the High Commission for National Protection in relation to the reception of AIPs to deal with the high influx of AIPs seen since 2015. Until the end of 2019, these funds were allocated to the OLAI. Finally, the funds allocated to the construction and equipping of reception centres that used to be funded in the National Budget under “Special Funds and Investment into socio-family issues” have also been transferred under ONA.¹³³ The total budget of ONA amounts to € 76,1 million¹³⁴ which is double the one that OLAI used to have. This increase can be explained by the fact that the reception of AIPs is no longer considered an emergency, so the regular budgets for institutions must now cover the expenses with their general budgetary lines and not through emergency funding - as the National Budget since 2015 centralised all expenses related to the influx of applicants.¹³⁵

Moreover, in 2019, the Government released the figures for the State Budget for the period 2015-2018¹³⁶ concerning their efforts in strengthening the system in place aimed at AIPs and BIPs.

3.1.2. Other dispositions in the law of 4 December 2019 establishing the National Reception Office (ONA)

The law:

- Attributes OLAI's mission to the ONA, to provide one-time support to third-country nationals that are not entitled to social benefits, in exceptional duly substantiated cases.¹³⁷
- Foresees that the Minister provides a national report on the reception of AIPs and the evolution of migration to Parliament, every 5 years.¹³⁸
- Determines the framework under which financial aid can be granted to entities and municipalities who take part in reception projects for AIPs, by specifying the different types of costs that are eligible.¹³⁹
- Excludes the application of the amended Law of September 21, 2006 on residential leases and amending certain provisions of the Civil Code to tenancy agreements for reception structures reserved for the accommodation of AIPs and BIPs.¹⁴⁰

3.1.3. Debates on the bill on the establishing of the ONA

Besides discussions during the lawmaking process, the bill on the establishing of the ONA was the object of very little debate. The Council of State was particularly critical of the initial bill and made three formal oppositions.¹⁴¹

The Council of State especially questioned why the scope of ONA's support was extended to all third-country nationals and not just limited to AIPs. They formally opposed this point as the essential elements of the aid scheme were not precise enough (for example the conditions and criteria, or lack maximum amounts of support determined in the law to stop any discretionary power from the ONA).¹⁴²

In its amendment, the Parliamentary Commission took this criticism into account by specifying the parameters and limits in which financial aid is granted¹⁴³ to persons in accordance with their family situation, humanitarian or medical reasons, without exceeding the amounts provided under Article 13 (2 and 3) of the law of 2015 on the reception of AIPs.

The commentary on the Article also sheds light on the type of people targeted and the kind of support granted. These are:

- Rejected AIPs.
- Rejected AIPs that benefit from a suspension or postponement of removal.
- Rejected AIPs who are granted an authorisation of stay for medical reasons.¹⁴⁴

As for ad-hoc assistance, it can be used for example, to cover medical costs, the purchase of school materials, training costs or even the purchase of hygiene products. The Council of State, in its additional opinion, considers that the precision of the framework for the temporary aid scheme for foreigners is sufficiently precise so that it removes its formal opposition.¹⁴⁵

The Council of State's second formal opposition concerned the mechanism under which financial aid is allocated to entities and municipalities that take part in projects relating to the reception of AIPs. According to the Council of State, the suggested dispositions did not correspond to the criteria laid

out in Article 32(3) of the Constitution, in the sense that the essential elements of the dispositions were not present in the law.¹⁴⁶ The Parliamentary Commission made some amendments, detailing the elements of the financial aid framework, and specifying the different types of financial aid and costs that are eligible. In response, the Council of State removed its formal opposition.¹⁴⁷

The third formal opposition relates to the authorization of financial participation in the construction or development of reception facilities, which could cover up to 100% of the costs. Firstly, according to the Council of State, this point could be used to justify co-financing of the State, however, the State is committed to respect a certain threshold in its financial contributions, as specified in Article 99 of the Constitution. If the co-financing of the State goes over this threshold, it has to be authorized by a special law. The text also does not respect Article 99 of the Constitution, as the essential elements of the dispositions were not present in the bill's text.¹⁴⁸ The Parliamentary Commission proposed to repeal the Article.¹⁴⁹

In general, the Council of State wanted to maintain the domains of reception and integration under one umbrella administration.¹⁵⁰ They question the pertinence of separating the domains of reception and integration which are highly interlinked. For example, certain instruments, such as the Welcome and Integration Contract (*Contrat d'accueil et d'intégration* - CAI) or the Guided Integration Trail (*Parcours d'intégration accompagné* – PIA) which are offered to AIPs to facilitate their integration into society as soon as they arrive. Also, it feared that with the disappearance of the OLAI, integration policies will lose visibility, which have been highlighted in the last years. The Council of State also questions why the bill establishes that ONA's mission is limited to European and International cooperation and that the collaboration with countries of origin was not mentioned. The Family and Integration Commission reacted to this, explaining to the Council of State that this measure "had for object to search for the family members of applicants of international protection and unaccompanied minors" and that such a disposition is in the amended law of 18 December 2015 on international protection, therefore it was not necessary to repeat it.¹⁵¹

The Council of State, finally noted that the bill refers to the ONA as the new OLAI which could be problematic since OLAI's missions will not be wholly transferred to the ONA but distributed across two entities. This could lead to a transfer of attributes to the ONA that in the future would belong to the Ministry in charge of integration.¹⁵²

The Chamber of Commerce, the Consultative Commission on Human Rights (*Commission Consultative des Droits de l'Homme* - CCDH) and the Council of State, all expressed views on the consequence of separating the domains of reception and integration.

The Chamber of Commerce supports the centralisation of competencies with regards to integration under the MFI. According to the Chamber, this allows for a more efficient service.¹⁵³ The Chamber of Commerce also highlighted that the reforms on reception and integration is "an occasion to reinforce measures in favour of attracting qualified and highly qualified workers" since 65% of businesses confirmed that the lack of qualified workers hampers economic development. This gap will be difficult to fill in the future by people coming only from the Greater Region. The Chamber of Commerce is also in favour to include measures specific to the reception and integration of qualified workers into the bill – reminding its proposal for a modern law on immigration, containing public means "to attract, welcome and integrate qualified, and highly qualified workers".¹⁵⁴

In a press release on the OLAI's reform, the CCDH stated: "we salute any measure that aims to make the reception and integration of AIPs more efficient, accessible and human".¹⁵⁵ The CCDH hopes, however, for clear communication on the competencies of two new entities to persons involved. It especially poses the question on the elaboration and the execution of future national integration plans. As the current national integration plan incorporates the domain of reception, will there be two plans, one dedicated to the topic of integration and one on reception in the future?

3.1.4. Staff training

Reception:

In 2019, OLAI recruited 3 new staff members. The main focus was to improve the recruitment process and develop the competencies of OLAI's agents. Further, the acquisition and development of competences are essential for OLAI (now ONA) staff, particularly for people who are in direct contact with AIPs. Between January and December 2019, OLAI's staff participated in 81 different trainings, in the following areas:¹⁵⁶

- Diversity of genders and sexual orientation.
- First Aid.
- Mental health (suicide prevention, post-traumatic stress, prevention of depression etc.).
- Administrative organisation, human resources and finally on the receiving of clients.

Further, OLAI regularly organised collective supervision sessions for caseworkers.

Directorate of Immigration:

In order to prevent and combat unfounded applications, as well as, improve the credibility assessment, the European Asylum Support Office (EASO) provided trainings to caseworkers at the Directorate of Immigration in 2019. In that context, every new caseworker participated in the Inclusion Training, and regular caseworkers participated in a follow-up Inclusion Training.¹⁵⁷ Further, two Luxembourgish agents participated in the "Train-the-Trainer" EASO event called "End of Protection".¹⁵⁸

3.2. Procedure for international protection

The majority of the changes related to the 2019 international protection procedure were not legislative but administrative.

3.2.1. Dublin III procedure

Since March 2019, the evaluation of Dublin cases are integrated into the Asylum Unit of the Directorate of Immigration (Department for Refugees). Before this date, it was under the Return Unit of the Directorate of Immigration (Department for Returns).¹⁵⁹

On 11 April 2019, a bilateral agreement under the framework of Article 36 of Dublin III came into force between Luxembourg and Germany in order to accelerate the procedures, and the taking of charge to diminish the time for transfers.¹⁶⁰ Luxembourg also published a revised Dublin leaflet to AIPs.¹⁶¹

In the context of the application of the Dublin III regulation, 983 requests to take responsibility of AIPs and irregular migrants residing in Luxembourg were sent to other Member States in 2019 and Luxembourg received 551 requests from other EU Member States.¹⁶²

There was a reduction in decisions of incompetence in 2019 with 625 decisions compared to 797 in 2018 representing a decrease of 27,5%.

330 people were transferred to other countries under the Dublin system, compared to 289 people in 2018, an increase of 14,2%. 90 people were transferred to Luxembourg from other Member States compared to 91 in 2018. Out of these 90 people, 30 were transferred from Greece – namely for family reasons.

During the course of the World Refugee Day on 20 June 2019, the Luxembourgish Council for Refugees (LFR) expressed reservations with regards to Dublin III, which creates critical situations on a daily basis as there is no distribution of AIPs between the States that adhere to the Dublin Regulation. The LFR continues to plead, like the NGO, Passerelle, for a halt of transfers to Italy. The question of Dublin transfers to Italy (or Greece) has been debated for several years (see EMN 2018 Annual Report). According to Passerelle, the authorities are too quick to apply Dublin III, as a result, the question of vulnerability of Dubliners is often not taken into consideration. The association recalls that Dublin III does provide the possibility for Member States to process applications for international protection even though they can see that an application has already been submitted in another country.¹⁶³ If that country has systematic flaws with its international protection system and leaves AIPs with minimal access to human rights, then the transfer decision should not be taken. The Minister of Immigration and Asylum has repeatedly reminded that Luxembourg does not make systematic transfers to Italy and that it always analyzes the files on a case-by-case basis taking into account the situation in these countries and the vulnerability of persons liable to be transferred.¹⁶⁴

3.2.1.1. Semi-open return facility - SHUK

In 2019, a total of 546 people compared to 570 in 2018 (4,2% less), were assigned to the SHUK. This includes individuals that fall under the Dublin III category and will be transferred to another Member State. Women and families are not assigned to the SHUK.¹⁶⁵

Out of these 546 people, 104 were transferred to another Member State (51 in 2018), 16 to the detention centre (27 in 2018), and 323 left at their own will (compared to 316 in 2018).¹⁶⁶

The SHUK's residents is mainly comprised of Eritreans, Algerians, Afghans, Moroccans and Tunisians. As of 31 December 2019, 38 AIPs were residing at the SHUK, compared to 96 in 2018. On average, individuals stay for a period of 55 days at the SHUK in 2019. The time increased by 37,5% since 2018.¹⁶⁷

Visits to the SHUK at the request of staff managers at the ONA, took place between the 28 June and 7 August 2019. About 20 people participated. Further, seven members from the Ethno-psychological Migrant and Refugee Service of the Red Cross were invited on 21 November 2019 for an exchange of good practices.¹⁶⁸

Other activities such as arts and crafts or problem-solving games, along with board games were proposed to the residents all year round, enabling them to share some leisure time, also with staff members. During periods of major competitive sport events, SHUK managers set-up projection

screens for all to enjoy.¹⁶⁹ Further, an awareness campaign on the flu vaccination was launched at the SHUK on 24 October 2019. As a result, 30 people were vaccinated on 13 November 2019.¹⁷⁰

Moreover, activities outside the SHUK, for the residents, were organised in collaboration with the municipality of Luxembourg. Three people were given a “Kulturpass” which allows a person to attend a variety of different cultural events in Luxembourg. Ten people were granted access twice per week to the Lily Uden Gym, managed by the Red Cross. In addition, SHUK residents were allowed to attend the “Baggerweier” (water platforms in the municipality of Schengen), free of charge during the summer season.¹⁷¹

The last development regarding the SHUK was the exploration of alternatives to the SHUK - of a temporary nature for Dublin returns - by the Government. In order to completely change the structure of the SHUK, a new terrain is needed. Studies are being carried-out to determine the best possible location in collaboration with different municipal stakeholders involved.¹⁷²

Similarly, like in 2018 the LFR criticized the SHUK. On the World Refugee day, 20 June 2019, the LFR published a press release in which they indicated that even though the SHUK is intended as an alternative to detention, it is more used as an alternative to reception - deliberately made more precarious as a means to dissuade secondary movements from other Member States.¹⁷³ On the same day, the LFR organised an awareness raising event on the difficult living conditions that exist at the SHUK. During the event, by-passers and participants could learn about the living conditions at the SHUK, as well as support the initiative of the LFR by sending a post card to the Prime Minister asking to close the SHUK.¹⁷⁴ Besides closing the SHUK other claims made by the organisers of the awareness raising event were:

- To have more dignified accommodation.
- The need for equal treatment of all AIPs in matters of reception and protection, transferable or not.
- The proactive identification of vulnerabilities.
- That curfew orders should be reserved to for those that a definitive transfer decision has been made.
- The right to a fair hearing and appeal with suspensive effect in the case of a transfer decision.¹⁷⁵

3.2.2. Safe countries of origin

No changes with regards to the list of safe countries of origin took place in 2019.

The Minister of Immigration and Asylum stated in a Parliamentary question¹⁷⁶ that Algeria, Morocco and Tunisia will not be added to the safe country list. These three countries do not fulfil the criteria for safe countries established by the Asylum Law.¹⁷⁷

However, this does not mean that citizens of one of these countries cannot be submitted to a fast track asylum procedure depending on their case.¹⁷⁸ The data on the number of refusals shows that Algeria, Tunisia and Morocco are the first countries of origin under which negative decisions in an accelerated procedure are taken.¹⁷⁹

3.2.3. Revocation of international protection

When asked about the phenomenon of temporary returns of BIPs to their country of origin, the Minister of Immigration and Asylum confirmed that this phenomenon exists in Luxembourg but that it cannot be quantified.¹⁸⁰ He furthermore noted that a BIPs temporary return to the country of origin does not automatically entail a withdrawal of status.

The Directorate of Immigration verifies whether the person returned in order to stay for a short period of time, or to permanently establish himself or herself in the country. The Directorate of Immigration carries out an in-depth analysis of the file and revokes the status if it estimates that the BIP no longer requires this protection.¹⁸¹

In 2019, Luxembourg carried out seven revocations of status and did not take any decisions of exclusion.¹⁸²

3.3. Reception, support and integration measures

3.3.1. Housing

3.3.1.1. Legislative Changes

As mentioned under section 3.1.1, ONA has for mission to organise the reception of AIPs and to manage housing structures reserved for AIPs.¹⁸³

According to Article 7 of the law of 4 December 2019 establishing the ONA, the amended law of 21 September 2006 on residential lease agreements does not apply to temporary housing structures destined for AIPs, refugees and beneficiaries of subsidiary protection. This provision replaces the former provision which stated that the law of 21 September 2006 did not apply to temporary housing structures destined to foreigners.¹⁸⁴

3.3.1.2. Reception Capacity

The OLAI's (now ONA) accommodation system is organised in three phases: phases 1 and 2 correspond to the first reception, while phase 3 corresponds to accommodation in lasting facilities.¹⁸⁵

As of 31 December 2019, OLAI (now ONA) had a total of 55 reception structures with a total number of 4 064 beds in use, spread across 32 municipalities.¹⁸⁶ 3 208 individuals lived across these reception facilities. Out of these 3 208 people, 204 were housed in phase 1 (compared to 210 in 2018), 204 in phase 2 (167 in 2018) and 2 800 in phase 3 (2 344 in 2018).

On 31 December 2019, the average occupation rate for all the reception facilities was 78,9%. For the phase 3 housing it was at 81,6% compared to 70,8% in 2018 and 65% in 2017.¹⁸⁷ Note that the maximum occupancy capacity of OLAI (now ONA) accommodation facilities is limited to 80%.¹⁸⁸ For the first time, the occupation rate surpassed 80% for phase 3 accommodation, thus entering into a state of chronic saturation. Residents are mainly AIPs, however, with the lack of affordable housing in Luxembourg, it is not uncommon for BIPs to continue living there. They have to pay rent and the amount depends on their income and household size.¹⁸⁹

The authorities attribute the high number of beneficiaries living in its facilities to the high number of new arrivals and BIPs' increasing duration of stay.¹⁹⁰

The pressure on the existing reception capacity is reinforced by the fact that several buildings are being renovated and are currently unoccupied. The high rate of occupancy can be explained because structures are unsuited for certain specific needs of AIPs and large families. Other structures are empty waiting to be redirected towards social housing agencies or a public organisation. Some contracts were limited in time and currently under revision for termination. Lastly, one structure will be demolished to make space for the enlargement of another.¹⁹¹

On 31 December 2019, OLAI (now ONA) housed 76 different nationalities in its facilities, Eritreans being the most numerous (28,4%), followed by Syrians (21,6%), Afghans (9,1%) and Iraqis (8,5%).¹⁹² In comparison with last year this changed, Syrians were the biggest group (23,4%), then Eritreans (22,7%), Iraqis (12,2%) and Afghans (8%).¹⁹³ 32,1% of those housed were under the age of 18, and 40,7% were women.¹⁹⁴

3.3.1.3. Developments in or for AIPs or BIPs' accommodation structures

Accessibility to housing

The Government stated on 29 April 2019¹⁹⁵ that once the ONA was created, one of its responsibilities would be to define and to formalise the level of quality of the housing structures. Preparations and new solutions for this were already implemented before the establishing of the ONA. The corresponding authorities assessed the current housing situation of AIPs. The findings will be used to improve the existing health and safety measures.

Given the occupation rate of 78,9% in accommodation facilities, several steps towards awareness raising in municipalities were made, notably a call made by the Minister of Immigration and Asylum and the Minister of Interior. The call was made to encourage municipalities to engage themselves in making terrain available (minimum 10 ares) or buildings that could be used as accommodation for AIPs. This effort will continue in 2020.¹⁹⁶ In this call, the Government also reminded municipalities of the benefits of modular housing which have been used for the reception of AIPs since the crisis of 2015. These benefits include among others, a reduced time of construction without compromising on quality.¹⁹⁷

In an effort to encourage municipalities in their initiatives to rent accommodation to BIPs, the Government has decided to increase the threshold of governmental subsidies to 100% to the prices announced by the Housing Observatory, instead of 80% as it was done before.¹⁹⁸

Moreover, a bill on establishing of a Special Fund for supporting the development of housing was deposited at the Chamber of Deputies on 6 November 2019. This bill has for goal to create a fund dedicated to the creation of affordable housing.¹⁹⁹

Article 3, point 8 of the bill states that the fund can be used to finance the construction of accommodation for foreign workers and AIPs.

Modular housing structures in the context of an emergency reception plan

The Government's contingency plan for the reception of a sudden influx of AIPs, inspired by the events in 2015, provided for the setting up of four modular housing facilities (in Diekirch, Mamer, Steinfort and Junglinster). The plan will be revised and discussed with the newly created ONA.²⁰⁰

Updating of the internal regulations for residents of structures

The internal regulations for residents of structures managed by the OLAI, now ONA, were updated in November 2019.²⁰¹ The regulations define all the rights and obligations of all persons put up, in any capacity, in reception structures.

Facilitating autonomy of AIPs

In 2018, the Government announced in their Coalition Agreement²⁰² that they will continue their efforts to equip all reception facilities with kitchens. In light of this, an analysis was conducted in 2019 and showed that for old buildings, the configuration just does not allow for a kitchen.²⁰³ For these structures, an external company has to deliver meals.

All new standardised modular accommodation structures will include a kitchen so that AIPs will have the opportunity to cook should they choose to do so.²⁰⁴

Another initiative to increase the autonomy of AIPs started with a pilot project launched in 2018 giving AIPs (mainly families) prepaid credit cards with their allowances on it. Due to its success, the project is to be extended by OLAI (now ONA) to six other structures, as well as, provide different ways of catering meals throughout the network of structures according to the different needs of people.²⁰⁵

3.3.2. Integration measures

3.3.2.1. Access to work

In January 2019, the LFR published a report “Access to the labour market for AIPs / BIPs” (*L'accès au marché du travail des demandeurs/bénéficiaires de protection internationale*).²⁰⁶ In this report the LFR indicated that AIPs and BIPs are placed in a challenging situation, as on the one hand their access to the labour market is restricted, which leads to delayed integration, higher care costs for the State and distrust from public opinion. On the other hand, lack of communication between the partners/institutions and a lack of information increases the period of inactivity, reduces the motivation, as well as, leads to the loss of acquired skills. The LFR also analyzed obstacles to labour market integration and existing regulations in other EU Member States. Besides indicating the existing challenges, the LFR provided proposals to improve the situation:

- To have individualised screenings of skills both linguistic and professional of these individuals.
- To organise information workshops on the access to labour market as part of the PIA.
- To develop a legal framework to allow AIPs to participate in labour market activation measures (community work, internships, voluntary work for young people etc.).
- To promote access to professional training.
- To reform the procedure for the temporary occupation authorisation (AOT).
- To abolish the community preference (labour market tests) for AIPs, within 12 months after an application for international protection has been lodged.
- To make AOTs more accessible to employers, by establishing a contact point of support, this way encouraging employers to hire.
- To give greater guarantees to employers who hire young AIPs as part of an internship.²⁰⁷

On 12 March 2019, the Minister of Labour, Employment and the Social and Solidarity Economy met with representatives of the LFR, for a first exchange of views on the proposals included in the report.²⁰⁸ During this meeting, both parties, as well as representatives of the National Employment Agency (*Agence pour le développement de l'emploi – ADEM*), among other things, addressed the

need for a professional and linguistic skills screening upon the arrival of asylum seekers, and the need for a reform of the AOT. The parties finally stressed the importance of regular dialogue to open up together in favour of the integration of people seeking refuge in Luxembourg.²⁰⁹ Discussions that took place at the 9th plenary meeting of the Ronnen Dësch also slightly touched upon the question of access to the labour market. The director of the ADEM indicated that the knowledge of French language is essential to enter the labour market.²¹⁰

Access to work was also mentioned by the CCDH in its press release on the reform of the OLAI. The CCDH pleaded for a simplification of the procedure for AIPs to access the labour market and that it should go hand in hand with raising awareness and supporting potential employers. Following from proposals in the Coalition Agreement, the CCDH also invited the Government to simplify the acquisition procedure for AOTs.²¹¹

In a joint answer to a Parliamentary question on the topic of AOTs, the Minister of Labour, Employment and the Social and Solidarity Economy and the Minister of Immigration and Asylum stated that the Government has taken note of different proposals made by stakeholders, but the way forward has not yet been decided.

Furthermore, the Government is looking at the possibility for employers to offer a paid internship for a limited period of time to AIPs, in order to offer them first-hand experience on the Luxembourg job market.²¹²

3.3.2.2. Access to social security, social assistance and healthcare

The law on the social inclusion income (REVIS) came into force on 1 January 2019.²¹³ This law replaces the former law of Guaranteed Minimum Income (RMG).²¹⁴ It aims to provide people a basic means of livelihood and to facilitate their employment and social inclusion.²¹⁵

The main changes in relation to BIPs are:

- That the law on REVIS takes into account the provisions of the law of 18 December 2015 on the reception of AIPs and temporary protection.²¹⁶ The law uses the broader term BIPs instead of refugees, which was in the abrogated law. Even though, the National Solidarity Fund (*Fonds national de Solidarité* – FNS) had already included the beneficiaries of subsidiary protection by a decision taken in 2011, it did not exclude the family members of BIPs from the residence condition of five years in the territory during the last 20 years to benefit from the RMG. The new law corrects this oversight.²¹⁷
- In accordance with the Law on REVIS, certain individuals may, for a maximum period of 12 months, be considered by the FNS as a part of a household. This includes among others, persons receiving free accommodation in a household, if their upkeep represents an expense for the household, and if they have come from reception centres run by the OLAI (now ONA).²¹⁸ This provision allows BIPs to be temporarily housed with a family without losing their entitlement to the REVIS.

All REVIS applicants must apply for REVIS by submitting an application by post or in person to the FNS.²¹⁹ The ADEM will then orientate them according to their profile to different areas of work offered by the ADEM or to a method of social stabilization carried out by the National Office of Social

Inclusion (ONIS). The latter happens if a person is not able to access the labour market due to their personal situation and language skills.

BIPs have to apply under the same conditions and are treated in the same way as any other jobseeker with the intention of reinserting themselves into the labour market. According to the motion adopted during the vote of the bill, the REVIS system will be evaluated after a period of three years, and if necessary, adjustments will be proposed.²²⁰

Several housing structures have highlighted issues related to the access to REVIS and social aid. The Ronnen Dësch has also raised the point that in the absence of REVIS for individuals younger than 25, the support provided by social welfare offices diverged greatly and that it should be the same for all.²²¹ The CCDH also highlighted this problematic in its press release on the reform of ONA and pleaded that the legislation be changed so as to guarantee BIPs aged younger than 25 access to benefits.²²²

3.3.2.3. Education

Since the academic year of 2018-2019, the Centre for Psycho-Social and Student Support (*Centre Psycho-Social et d'Accompagnement Scolaires – CePAS*) take responsibility for BIPs enrolled in academia.

In order to be eligible, they must be younger than 25 years old, enrolled in a secondary education institution, have no income and have to opt for voluntary health insurance with the National Health Fund (CNS).

A grant is allocated by the CePAS to students suffering from psycho-social issues. The application for this grant is systematically made for BIPs by CePas services located in secondary schools to help these students to obtain their diplomas.²²³

3.3.2.4. Support measures

In May 2019, the OLAI updated a brochure called “*Tout savoir sur les DPI/BPI dans ma commune*”²²⁴ (Everything you need to know about BIPs and AIPs in my municipality). It is aimed at municipal administrations receiving AIPs and BIPs on their territory and provides them with information on the most frequently asked questions in receiving AIPs and BIPs.

The OLAI also organised information sessions with municipalities receiving AIPs to inform the municipalities’ residents on volunteering opportunities, the rights and obligations of AIPs, and on the organisation of integration projects.²²⁵

Financial support given by the MFI to the Luxembourgish Integration and Social Cohesion Centre (*Lëtzebuurger Integratiouns- a Sozialkohäsiounscenter - LISKO*) continued in 2019, in order to:

- Support municipalities and social offices in their task to autonomize BIPs, especially families that require more intensive and specialized follow-ups at the cultural and linguistic level.
- Facilitate networking with other institutions (e.g., school, health services, psychological services, housing).
- Promote integration within local communities.²²⁶

It is also interesting to note that with the first country of origin of applicants in Luxembourg being Eritrea, the need for interpreters of Tigrinya has increased. However, these interpreters live mainly abroad (Germany and Belgium) and have to travel to Luxembourg for interviews, which leads to higher costs.²²⁷

As a result, the budget allocated to translation and interpretation services increased from € 235 400 in 2018²²⁸ to € 418 200 in 2019.²²⁹ Georgian and Tigrinya were also added as languages to the information leaflet for AIPs.

3.4. Relocation and resettlement

Luxembourg continued to prove its intra- and extra- European solidarity by taking part in the relocation and resettlement of people in need of international protection.

3.4.1. Malta Declaration

The ‘Malta Declaration’, a joint agreement on a redistribution mechanism for migrants rescued in the Mediterranean between the Ministers of Interior from Italy, Malta, France and Germany was signed on 23 September 2019. Luxembourg has expressed its support for the Declaration.²³⁰

Further, the declaration was followed by the Standard Operating Procedures (SOPs) on a temporary solidarity mechanism elaborated and endorsed by several Member States, the European Commission and EU Agencies in November 2019. The SOP’s define responsibilities and procedures for these ad hoc relocations.

3.4.2. Relocation from Greece, Italy, and Malta

In May 2019, Luxembourg relocated two families, 8 persons of Kuwaiti and Syrian origin, from refugee camps on Lesbos island. They arrived in Luxembourg on 19 November 2019. This relocation stems from the Cardinal’s initiative and the Catholic Church of Luxembourg will provide for their needs in Luxembourg.

Luxembourg participated in ad hoc relocation exercises in 2019 (following disembarkations in Italy and Malta) coordinated by the European Commission. Overall, Luxembourg relocated 42 persons in 2019, 23 from Italy, and 19 from Malta.²³¹

3.4.3. Resettlement

Based on the Commission’s Recommendation of 27 September 2017 (the “50 000” scheme; 9 December 2017 – 31 December 2019), and in commitment to the United Nations High Commissioner for Refugees (UNHCR) Emergency Transit Mechanism, 48 refugees were resettled from Niger.

A Luxembourgish delegation composed by representatives of the Grand Ducal Police, Directorate of Immigration and the OLAI went to Niamey, Niger from the 7 to 20 October 2019 to conduct interviews with refugees who were preselected by the UNHCR. The delegation selected 48 people for resettlement: 19 Somalis, 18 Eritreans, 8 Sudanese and 3 Ethiopians. Out of this 48 people, 5 are children, 13 are women and 30 are men.

From these 48 selected refugees, only 35 refugees could be transferred to Luxembourg in 2019 on 4 December 2019. The transfer of the remaining group had to be postponed due to medical reasons, and is expected to take place early 2020.²³²

4. UNACCOMPANIED MINORS AND VULNERABLE GROUPS

4.1. Unaccompanied minors

In 2019, 36 unaccompanied minors (UAMs) introduced an application for international protection in Luxembourg, these numbers are identical to the number of applications introduced during 2018. However, the large majority of UAMs arrived towards the end of the year and 11 of them do not appear in the statistics of 2019 as they are currently waiting to be assigned an ad-hoc administrator (see also section 4.1.2. below).²³³ Eight of the applicants were from Afghanistan followed by Eritrea (6). In 2018, the largest group came from Eritrea. Of the 36 UAMs, 5 were female, while 31 were male.²³⁴ The youngest of the UAMs was fourteen, eight were fifteen, 14 sixteen and 13 seventeen.

In 2019, 39 decisions were taken. Out of the 39 decisions, ten received the refugee status (seven boys and three girls). Not all UAMs who received a decision had submitted their application in 2019 (some were before), and some UAMs who introduced an application in 2019 are still waiting for an answer.²³⁵

In 2019, Luxembourg started to provide a leaflet to UAMs, which gives specific information on their situation in a child friendly manner.²³⁶

4.1.1. Consultative commission to evaluate the best interests of the child

Concerning UAMs, the main legislative development was the establishment of the consultative commission to evaluate the best interests of the child in return decisions with the adoption of the Law of 4 December 2019 amending the Immigration Law.²³⁷ As reported in the EMN Annual Report on Migration and Asylum in 2018, bill n°7238 was introduced in the Chamber of Deputies on 29 January 2018 and the Council of State, the Ombuds-Committee for the Rights of the Child (*Ombuds-Comité fir d'Rechter vum Kand* – ORK) and the CCDH provided their opinions on the bill in the course of 2018.²³⁸ The main comments by these three actors concerned, in their view, the unclear notion of 'multidisciplinary team', as well as, its composition.²³⁹

In 2019, the Parliamentary Commission modified the bill by specifying that the notion of 'multidisciplinary team' will be replaced by the notion of 'consultative commission', whose composition and functioning will be defined by a Grand Ducal Regulation.²⁴⁰ On 22 November 2019, the Council of Government approved the draft Grand Ducal Regulation,²⁴¹ which was then communicated to the Council of State, the CCDH and the ORK in December 2019 for their input.²⁴² Seeing that the Grand Ducal Regulation had not come into force in 2019, the discussions will continue in 2020.²⁴³

It is worth reminding in this context that the CCDH, in their opinion of 2018, raised the question whether the collegiate body that had started to function within the Directorate of Immigration since the beginning of 2018 constituted, in fact, of the 'multidisciplinary team' that bill n°7238 set-out to establish.²⁴⁴ In its annual report to the Government and the Parliament, the ORK also noted that this commission had already been presiding in practice, without the Grand Ducal Regulation determining its composition and functioning having been officially adopted.²⁴⁵

Furthermore, the ORK noted that neither the neutrality nor the independence of the consultative commission are guaranteed because of the fact that the same public institution, namely the Ministry in charge of immigration and asylum, is in charge not only of the international protection procedure

and the organisation of the return but it is in charge also of the evaluation and the determination of the best interests of the child.²⁴⁶

The ORK joined the CCDH and UNHCR in their recommendation to have a clear separation between the institutions and responsibilities relating to asylum and child protection.²⁴⁷ The ORK added that the procedure for collecting information on young persons should be clearly separated from the decision-making process, and that the presence of the ad-hoc administrator in the consultative commission would be essential. According to the ORK, the CePAS²⁴⁸ should also be part of the consultative commission.²⁴⁹ The ORK further recommended that an institution responsible for child protection should take every decision concerning a child, with the exception of the decision on international protection. Finally, and contrary to the opinion expressed by the CCDH²⁵⁰, the ORK considered that it did not wish to become a member of this commission for reasons of independence and preferred to retain a status as observer.²⁵¹

4.1.2. Debates on unaccompanied minors

As reported in the EMN Annual Report on Migration and Asylum of 2018,²⁵² the question on the assessment of the age of minors was the subject of much debate and wide media coverage in 2018 following the outrage and condemnation of the CCDH of the practice of examinations and taking photographs of genitals to determine the age of AIPs.²⁵³ In 2019, the LFR and ORK reiterated their position regarding this practice, reminding the public that according to experts in the field, no method is really precise or reliable with regard to age determination.²⁵⁴

At the beginning of the year, the Minister of Foreign and European Affairs announced that the authorities would stop with the inspection of genitals as a valid age assessment practice,²⁵⁵ a decision that was acknowledged by the ORK.²⁵⁶

In addition to the debate surrounding the age assessment, several other topics were highlighted by the ORK in its annual report. Some of these observations and recommendations have already been made in the past²⁵⁷ and were reiterated in 2019, such as to establish a special status for UAMs,²⁵⁸ as well as the necessity to assign an ad-hoc administrator to every UAM, independent of their age. As the ORK considers that, a legal vagueness between the ad-hoc administrator and the guardian exists. They state that the mission of the ad-hoc administrator should not be limited to the international protection procedure in itself as the UAM can find themselves in Luxembourg for other reasons than making an international protection application (i.e. economic reasons, fugue from the household because of domestic violence etc.).²⁵⁹ With regard to the latter, the ORK noted that the legal disposition relating to the possibility of not assigning an ad-hoc administrator if the minor will, in all likelihood, come of age before a decision on their application for international protection is taken,²⁶⁰ would unjustly deny them of the protection laid down by the Asylum Law.²⁶¹ The CCDH also echoed this position in its second report on trafficking in human beings in Luxembourg.²⁶² The ORK also considered that this disposition would not comply with the United Nations Convention on the Rights of the Child (UNCRC) according to which every child has the right to the same protection.²⁶³ It is in this context that the ORK recommended to include a provision in bill n°7276 instituting a child protection system²⁶⁴ that would take into account the special status of UAMs, and guarantee them the same rights as any other child living in Luxembourg.²⁶⁵

The ORK further expressed regret over the fact that the Luxembourgish legislation makes a difference between an ad-hoc administrator and a tutor.²⁶⁶ While the ad-hoc administrator assists the UAM in

the asylum procedure, the tutor assists them in everyday life in different aspects such as education, health and social integration.²⁶⁷

Other observations by the ORK related to the asylum procedure itself, the first of which was on the access of information for UAMs when it comes to the progress of their application which results in a situation of uncertainty for the children. In this context, the ORK²⁶⁸ supports the recommendation made by the LFR to implement a system of traceability of files that would allow AIPs to monitor the progress of their application at any given moment in time.²⁶⁹

The CCDH also recommended that the Directorate of Immigration should regularly collect statistics on missing UAMs. These statistics should be collected as soon as an application for international protection is made in order to better establish measures to fight against their disappearance.²⁷⁰

The second observation referred to the examination of applications for international protection lodged by UAMs as according to the ORK these examinations have an average duration of 19 months. The ORK called for the authorities to make more use of the legal provision that allows for the prioritization of examination of applicants of UAMs and other vulnerable groups.²⁷¹

The ORK also commented positively on the agreement that was concluded between the MAEE and the International Organisation for Migration (IOM) in 2017²⁷² in the framework of the search for the parents of UAMs in their country of origin.²⁷³ The IOM starts with this search once the minor has lodged their application for international protection. At the same time, the ORK noted that a return to the minors' family in the country of origin is not always necessarily in their best interest and that this search should also be conducted for UAMs who already have refugee status and who might want to apply for family reunification.²⁷⁴

4.2. Other vulnerable groups

4.2.1. Statelessness

During 2019, the Directorate of Immigration granted one first-time travel document for stateless persons and eight renewals. Five requests were rejected.²⁷⁵ It should be noted in this context that the issuance of a travel document for stateless persons does not imply the automatic authorisation of stay. After having been granted a biometric travel document for stateless persons, the individual is notified of the need to apply for a temporary authorisation to stay and then for a residence document fulfilling the conditions foreseen by the Immigration Law.²⁷⁶

The ORK expressed concern regarding statelessness of children and noted that stateless children on the territory of Luxembourg, irrespective of whether they are unaccompanied or in a family situation, are left for months or even years in a situation of legal uncertainty and, consequently, experience a high degree of vulnerability.²⁷⁷ In this context, the ORK reminded the Government of the obligations laid down in the UNCRC, in particular the obligations related to non-discrimination (Article 2), the right to an identity and to a nationality (Article 7 and 8) and the right to protection for refugee children (Article 22).²⁷⁸

4.2.2. Right of residence for victims of forced marriages or domestic violence

The law of 20 July 2018 approving the Council of Europe's Convention on the prevention and the fight against violence directed at women, and domestic violence introduced a provision in the amended Immigration Law on third-country nationals that have been victims of a forced marriage and were forced to leave the territory. According to this provision, they can recover a residence permit in a simplified procedure. The modalities relative to recovering their residence permit can be found in the draft Grand Ducal Regulation amending the amended Grand Ducal Regulation of 5 September 2008 on the execution of certain dispositions of administrative formalities set out in the Immigration Law. The text in the proposal specifies the documents needed to submit with the application and all the formalities to fulfil, in order to obtain a visa, if needed. The proposal was sent to the Government Council of 22 November 2019, and later to the Council of State.²⁷⁹ The Council of State provided its opinion on 11 February 2020.²⁸⁰

5. INTEGRATION

5.1. Legislative Developments

From the institutional point of view, the main change was the adoption of the law of 4 December 2019 establishing the ONA and amending the Integration Law.²⁸¹ This law transfers the competence of reception of AIPs from the MFI to the MAEE. However, the competences on integration were put under the direct supervision of the MIF with the creation of a Department of Integration.

Changes to the law on the reception and integration of foreigners

The law of 4 December 2019 on the creation of the ONA amended the amended Integration Law, as follows:

- The law is now known as the law of 16 December 2008 on the integration of foreigners to the Grand Duchy of Luxembourg (Integration Law).
- The Minister who has integration under their attributions has for mission to facilitate the integration process of foreigners by putting into place and coordinating integration policies together with municipalities and civil society actors, among which the fight against discrimination is an essential element. The reference on reception of AIPs has been deleted, as well as, the provision on the management of accommodation reserved for the temporary housing of foreigners and the organisation of social aid to foreigners who are not entitled to existing benefits.
- The national report on integration and on the fight against discrimination in the Grand Duchy of Luxembourg that the Minister must deliver to the Chamber of Deputies no longer includes the following aspects: reception, social aid for foreigners and the monitoring of migrations.
- The law specifies the elements of the framework for the financial support to organisations and municipalities that are working on integration.

5.1.1. Multi-Annual Integration Plan - NAP (Plan d'Action National d'Intégration - PAN)

The general strategic framework for programmes and tools put in place to achieve social cohesion between Luxembourgers and foreigners (EU and EEA citizens, and third-country nationals) were set out in the new Multi-Annual National Action Plan for Integration (Integration NAP) and the Fight Against Discrimination in 2018.²⁸² The Department of Integration²⁸³ of the MFI is now in charge of the Integration NAP.²⁸⁴

The Integration NAP will thus be implemented further in 2020, by continuing to develop the three phases of the PIA²⁸⁵ aimed at AIPs and BIPs, as well as the CAI.²⁸⁶ In order to achieve this, the budget foreseen for 2020 is of € 2,7 million for the year 2020 with a total of € 14,8 million up to 2023.²⁸⁷

In the framework of the Integration NAP, several calls for projects were made for 2019²⁸⁸ and 2020.²⁸⁹ They were aimed at private organisations, public institutions, training institutes, professional chambers and research centres, to facilitate the integration of all foreign residents in Luxembourg.

On 20 May 2019, a first call was launched for innovating short-term pilot projects. The objective of this call is to:

- 1) Develop the spread of information and sensitization of different targets groups on the subject of integration.
- 2) Promote intercultural projects that focus on integration, everyday exchanges, and setting up a network.

The call for projects, which ended on 17 June 2019, had a budget available of minimum € 25 000 per project.

The Government has retained six projects so far. These projects are the following:

- 1) The Luxembourg Bankers' Association (ABBL): Summer Academy for newcomers in financial literacy.
- 2) Luxembourg Institute of Socio-Economic Research (LISER): *Reflexions sur les politiques d'intégration au Luxembourg* (Reflections on integration policies in Luxembourg).
- 3) Digital Inclusion: *Les ordinateurs et les smartphones comme outils d'intégration* (Computers and smartphones as integration tools).
- 4) LOKAL: *Coordinateurs interculturels* (Intercultural Coordinators).
- 5) Sportunity: Sport Fellows.
- 6) Multi-Learn Institute: Wait-In, whilst waiting...learn participate and interact.²⁹⁰

On 4 November 2019, the MFI launched a call for projects in 2020. The call is orientated on three axes:

- 1) Studies and research that aim to better understand the needs of integration in Luxembourg.
- 2) Projects aiming to improve the competencies in the area of integration in Luxembourg.
- 3) Projects aiming to promote the social, political, cultural and economic participation - and/or the sensitization of integration.

A minimum of € 25 000 is allocated per project. Two information sessions were organised on 13 and 28 November 2019. The deadline for submitting a proposal was the 6 January 2020.

The MFI has associated an external independent consultant to accompany the projects created under the call for projects 2019. A strategy for evaluation will be set-up for all publically financed instruments, as is planned under the Integration NAP.²⁹¹

5.1.1.1. Welcome and Integration Contract ("Contrat d'accueil et d'intégration" - CAI)²⁹²

The CAI was under the competence of OLAI and is now under the competence of the Department of Integration of the MFI. In order to guarantee the good functioning of the CAI, a Grand Ducal Regulation²⁹³ was issued to adapt other Grand Ducal Regulations replacing all references to OLAI by a reference to the Department of Integration. Therefore ensuring the functioning of the CAI.

This happened for example with various courses which are offered as part of adult courses and which are accessible to foreigners (including AIPs). Until now, these courses were provided to people under the responsibility of OLAI (on the basis of a certification provided by OLAI).²⁹⁴

For the 2018/2019 academic year, 3 705 people enrolled in courses in the context of the CAI or the law on nationality at the Department of Adult Education of the Ministry of Education, Children and

Youth (SFA), this marks an increase of 23,5% in comparison to the previous year (3 001 enrolments).²⁹⁵

5.1.1.2. The Guided Integration Trail (PIA)²⁹⁶

The Government seeks to continue developing the three phases of the PIA aimed at AIPs and BIPs.²⁹⁷

The OLAI contributed to the initial training of regional social inclusion agents (ARIS), set up under the REVIS law, by presenting the PIA program to them. Based on feedback from this training, the PIA program could be complemented with new elements.²⁹⁸

In the context of PIA, the SFA, carries out language trainings and guidance on adult education.

For PIA I (aimed at AIPs), SFA has 19 staff positions for the language teaching and orientation. The teachers for PIA I have a psycho-social background. The main focus of this phase is on guidance and orientation, while the teachers for the second phase are focussed in teaching French as a foreign language.²⁹⁹

Language training consists of IL1 language integration courses and IL2 courses.³⁰⁰

In all 1 719 AIPs and BIPs followed the course between September 2018 and September 2019 against 1 193 the previous year which represents an increase of 44,1%. 748 registrations were registered in IL1 course against 640 the previous year, an increase of 16,9%. 971 were enrolled in IL2 courses, compared to 553 the previous year, representing an increase of 75,6%. Of these 971 people, 382 were assigned to literacy classes and 589 to French courses as a foreign language.³⁰¹

Under the framework of the PIA, the Schooling Service for Foreign Children (*Service de la scolarisation des enfants étrangers*- SECAM) organises since March 2018 individual guidance sessions for all AIPs aged 18 to 24. In 2019, 152 AIPs took part in these sessions, 36% were from Eritrea, 14% from Syria and 13% from Afghanistan. The majority (60%) were orientated to courses offered by the SFA and to specialized reception classes (27%).³⁰²

Usually during the course of the guidance sessions, young AIPs have an interview with the Cell for newly arrived pupils (*Cellule d'accueil scolaire pour élèves nouveaux arrivants* – CASNA) and take part in a language and reasoning test which evaluates their competences. The outcome of the interview and test determines whether they are orientated towards courses provided by the SFA (literacy and language courses) or towards reception classes to continue their studies or start a vocational training course.³⁰³

5.1.1.3. The National Council for Foreigners (CNE)³⁰⁴

In 2019, the CNE issued three opinions for the benefit of the Government.³⁰⁵ They concerned, the translation of Parliamentary questions written in Luxembourgish,³⁰⁶ cross-border commuters teleworking³⁰⁷ and finally on the functioning of the CNE. The CNE annual report for 2018, was also published in 2019.³⁰⁸

Under the changes brought to the legislation on integration, the Grand Ducal Regulation of 12 December 2019³⁰⁹ amended the amended Grand Ducal Regulation of 15 November 2011 on the determination of the modalities for designating foreign representatives in the CNE and their distribution across nationalities. The objective was to adapt the Grand Ducal Regulation to the

transfer of competencies from the former OLAI to ONA and the Department of Integration by the law of 4 December 2019 on the establishing of the ONA.³¹⁰

5.1.1.4. The CNE reform

The 2018-2023 Coalition Agreement foresees the reform and re-evaluation of the CNE, after having consulted the CNE and other actors on its role, its functioning and its electoral system.³¹¹

During the course of the year, discussions from 2018³¹² on reforming the CNE continued. The Liaison and Action Committee for Foreigners (CLAE) proposed a round table called “The CNE of today and the CNE of tomorrow – How to reform and value the CNE?” during the 36th Festival on Migration on 2 March 2019. Representatives of the different political parties, along with members of the CNE were present. Three main topics for discussion were proposed by the CNE:³¹³

- The election procedure for members of the CNE: who can vote, how should the distribution of representatives be, who is eligible as a candidate, what is the procedure, is double nationality an issue?
- The autonomy of the CNE: should the CNE be under the supervision of another institution or ministry? Or, should it be completely independent? What financial resources should be put at its disposition?
- The role of the CNE in the legislative procedure of the Luxembourgish State: Should the CNE be consulted for its opinion on all matters concerning foreigners in Luxembourg? Should its opinion be made public and/or should it be addressed directly to the State?

On request of the MFI, the CNE issued an opinion on its reform on 14 June 2019. The CNE proposes a redefinition of its mission. They suggest broadening their electoral base, which is currently only made up of non-profit organisations registered with the Department of Integration: the CNE would like to include in the voters, representatives of the municipal integration consultative commissions. According to the CNE, non-Luxembourgers who have been resident in Luxembourg for at least 6 months must be eligible, as well as binational nationals (Luxembourgers and foreigners). Finally, the CNE should have an adequate secretariat and budget to guarantee its functioning.³¹⁴

On 12 December 2019, the political party Déi Lénk raised some questions regarding the CNE and its functioning in a Parliamentary question. In its view, the CNE does not achieve its missions as defined in the Integration Law stating that: “It is publically known that the CNE since its establishment has had difficulties to function effectively” and that these issues did not disappear with the renewal of its body in 2018, following the 2017 elections.³¹⁵

Questions surrounding the composition of the Council, lack of participation and communication, and a set of unclear internal rules that lack a professional framework are just a few concerns. It would also seem that the elected members of the CNE hold Luxembourgish citizenship, which contradicts Article 19 of the Integration Law.³¹⁶

The Minister of Family Affairs, Integration and the Greater Region responded that a consultation on the role and the modalities for functioning and electing members of the CNE took place in 2019 and will continue. The outcome of these consultations will be used as a basis for amending the Integration Law. In this context, the Minister recalled that the mandate of a representative of foreigners ends

once the elected member acquires Luxembourgish nationality. This will particular be subject to discussion and taken into account when reforming the law.³¹⁷

5.2. Local Integration

In line with Integration NAP, efforts aimed at supporting municipalities and enforcing local integration by the Government continued in 2019. Concretely, this translated itself into financial support by the State to municipalities working on projects in favour of integration, diagnostics on local integration and municipal integration plans (*Plan communal d'intégration – PCI*), exchanges among the Local Integration Exchange and Support Group (*Groupe d'échange et de soutien en matière d'intégration au niveau local – GRESIL*) and finally, local awareness raising initiatives.

5.2.1. Financial support to municipalities

The MFI annual budget allocated for 2020 to supporting projects in the domain of integration implemented by municipalities was increased to € 500 000.³¹⁸ This budget will be made available to 20 municipalities. Each municipality may benefit from a subsidy of € 25 000, in order to implement a PCI. This tool is a key for the development of a successful integration policy.³¹⁹

In acknowledgement of municipalities' essential role in creating a successful integration policy, the MFI offers financial support to municipalities that take initiatives in the area of integration. The budgetary line of the national budget entitled 'Subsidies for public entities within the municipal, inter-municipal and regional sector initiating and supporting projects in line of integration and the reception of foreigners' is destined to implement this goal.³²⁰ These funds are used to co-finance integration projects up to 75% of the eligible identified costs.³²¹

5.2.2. Call for projects

On 6 March 2019, a call for projects, called: 'Subsidies for projects aimed at the integration of foreigners', was sent via circular to municipalities by the Ministry of Interior and the MFI.³²² On 17 May 2019, a second circular³²³ was sent to municipalities extending the deadline of the call for projects from 30 April 2019 to 15 November 2019.

In 2019, the CNE, the Volunteer Agency and the Association for the Support of Immigrant Workers (*Association de Soutien aux Travailleurs Immigrés - ASTI*) launched a pilot project entitled LOKAL (mentioned under section 5.1.1) which proposes the allocation in Luxembourg's municipalities of one or more spaces as meeting places and for intercultural and intergenerational exchanges. Under the supervision of an intercultural coordinator, these spaces are run by local networks of volunteers willing to offer and share all kinds of activities that promote meetings and exchanges.

Under the call for projects made under the framework of the Integration NAP, ASTI introduced the project LOKAL for the period of 15 September 2019 to 31 December 2019.³²⁴ The Volunteer Agency submitted a request to the European Social Fund (ESF) for the years 2020 and 2021 to continue the initiatives taken by the partners (CNE, Agence du Bénévolat and ASTI) around this pilot project.³²⁵

5.2.3. The Local Integration Exchange and Support Group (GRESIL)

The GRESIL was put in place to support and help municipalities in their activities to achieve integration and social cohesion among their residents. It helps identify good practices in local integration, and develop their competencies.³²⁶

On 3 July 2019, the third meeting of the GRESIL took place under the theme 'Which Actors for your Local Integration Strategy?'.³²⁷ 74 participants were present, representing 37 municipalities. Reflections on how to involve key actors in putting in place a local integration strategy and identifying potential barriers for their mobilization were discussed and best practices were shared among the participants to stimulate their commitment.³²⁸

The fourth meeting was held on 27 November 2019 under the theme 'From a multicultural event to an intercultural event – How to reinforce the 'Living Together' through local initiatives?'.³²⁹ A total of 92 participants across 43 municipalities were present.³³⁰

5.2.4. Municipal Integration Plans - PCI³³¹

In 2019, several municipalities launched a diagnostic on local integration initiatives with the idea of elaborating a PCI (Hesperange,³³² Schiffflange,³³³ Strassen³³⁴). Several data collection methods were put in place: a) a statistical analysis on migration trends in the municipality was drawn; b) a survey on the needs of the population regarding local integration was launched and c) an analysis of project documents put into place by the municipality was conducted.

Several municipalities also collected data through organising thematic information sessions with the public and focus groups.

Furthermore, on 15 October 2019, the Union of Luxembourg towns and municipalities (*Syndicat des Villes et Communes Luxembourgeoises* - SYVICOL) sent a circular³³⁵ to municipalities in order to see the state of play in regard to PCIs. SYVICOL and the MFI are awaiting their feedback.³³⁶

Meanwhile, four municipalities engaged themselves to conduct a diagnostic on local integration with the idea of drafting a PCI during 2020.³³⁷ These municipalities are: Clervaux, Roeser, Habscht and Kopstal. The municipalities of Schuttrange,³³⁸ Niederanven³³⁹ and Steinfort³⁴⁰ have also taken steps to draft a PCI.

5.3. Socio-economic participation

5.3.1. Social Inclusion Revenue (REVIS)

As mentioned under the Chapter 3: International Protection, the law on REVIS entered into force on 1 January 2019,³⁴¹ abrogating the former law on the RMG.³⁴²

The new law specifies that in order to benefit from the REVIS, a person must have the right of residence, be registered on the National Registry of Natural Persons and to be residing at their usual residence.³⁴³

The law on REVIS excludes beneficiaries of the long-term residence status from the condition required that third-country nationals must have resided in Luxembourg for five years over the course of the last twenty years in order to benefit from REVIS (the long-term residence status

holders fulfil this requirement de facto).³⁴⁴

Among different categories of persons not eligible for the REVIS, the law adds foreign nationals granted entry and residence in Luxembourg on the basis of having a statement of financial support (according to Article 4 of the amended Immigration Law).³⁴⁵ The signatory of the statement commits themselves to being financially responsible for the person for a maximum of two years.

5.3.2. Access to labour market

The Ministry of Labour, Employment and the Social and Solidarity Economy, together with the ESF financially supported a new project in 2019 called 'Connections4Work' initiated and run by ASTI. The project will run until 2020 and aims to facilitate the labour market integration of migrants and BIPs by teaching them a basic linguistic level of the languages used in Luxembourg and offering internships in Luxembourgish firms.³⁴⁶ An agreement relating to the participation the ONIS in national co-financing came into force in 2019.³⁴⁷

Similarly, on 1 January 2019, the ADEM launched a project called Project 'Words4Work 2019-2020', and co-financed by the ESF.³⁴⁸ It focuses on two groups of people: a) skilled professionals whose linguistic skills are insufficient for finding a job and b) residents wanting a change in their career. The project aims to promote vacancies in certain sectors such as artisanal/construction jobs, sales, HORECA and cleaning by building a person's French skills - which are very important for accessing the labour market. The French courses focus on language needed for specific professions. It is open to everyone, including third-country nationals holding a valid work authorization.

5.4. Education

School integration measures target all migrant children, regardless of whether they are EU/EEA citizens or third-country nationals or whether they are AIPs or BIPs. Luxembourg's increasingly heterogeneous population is reflected in the country's population of pupils. Overall, the share of non-Luxembourgish pupils in fundamental education was 46,2% in the academic year 2018/2019; it was 41,5% in secondary education applying the official programme provided by the MENEJ. The share of pupils whose first language spoken at home is not Luxembourgish was at 64% for the academic year 2018/2019, this rate remained stable in comparison to 2017/2018.³⁴⁹

The existence of a significant supply of education in private and international schools which do not apply the official national programme must be taken into consideration when looking at the data. According to the forecasts made by the MENEJ for the 2019/2020 school year, the number of pupils who attend schools who do not apply the national programme is 12 357 or 11,7% of total enrollments in fundamental and secondary education in Luxembourg (105 308 pupils). Most of these pupils (5 997 or 49%) are enrolled in European schools that do not apply the national programme. It should also be noted that 6 295 of the 12 357 pupils, or 50,9%, are enrolled in classes corresponding to fundamental education and 6 062 (49,9%) in secondary classes.³⁵⁰

The composition of the school population represents a major challenge for the education authorities in terms of integration.³⁵¹

Between 1 January 2019 and 1 November 2019, 1 138 consultations took place with newly arrived pupils to Luxembourg.³⁵² Between September 2018 and September 2019, the CASNA welcomed

1 223 families for consultations compared to 1 145 between September 2017 and September 2018, which represents an increase of 6,8%.

Table 14: Most frequent nationalities of newly arrived pupils who were received by CASNA (2019).

| Main Nationalities | 2017-2018 | 2018-2019 |
|--|-----------|-----------|
| Portuguese | 20,3% | 17,9% |
| Eritrean | 10% | 9,3% |
| Luxembourgish (returned to Luxembourg) | 8,1% | 7,6% |
| French | 6,4% | 6% |
| Syrian | 8,2% | 5,7% |
| Italian | 4,9% | 5,1% |
| Afghan | 2,5% | 4,5 % |
| Cape Verdean | 1,8% | 2,9% |
| Iraqi | 2,4% | 2,9% |

Source: Ministry of Education, Childhood and Youth, 2019

Portuguese pupils constituted, like in 2017/2018, the largest share of students received by CASNA, (17,9% of the total students). They are far ahead of the Eritreans, Luxembourgers returning to Luxembourg, French and Syrians. Note that the Syrians occupy the 5th place in 2018/2019, while they were in 3rd place in 2017/2018. The share of Portuguese, Eritreans and Syrian, Luxembourgers who returned to Luxembourg, French, Syrian and Iraqi pupils seen by CASNA decreased over the last three years. Afghans, Cap Verdean and Eritrean pupils increased, however.

5.4.1. Schooling of newly arrived pupils: developments at the level of specific reception classes³⁵³

In the academic year 2018/2019, there were 15 specialised reception classes of the State for migrant children.

At the secondary school level, according the MENEJ, the majority of newly arrived pupils do not speak any of the languages, or only one, used in Luxembourg's schools (public regular school or public international schools) and can thus not directly join regular, German, French or English speaking classes.

On the 1 July 2019, 719 pupils were schooled into 53 specialised reception classes. At the start of the academic year 2019/2020, extra reception classes were created. In 2019, the MENEJ organised a free French language summer course for the fourth time. 55 newly arrived children between the ages of 12 and 17 participated in these classes.³⁵⁴ The previous year, 66 children, aged 12 to 16, participated in the offer.³⁵⁵ It is important to note that since 2016, CASNA also welcomes young people between the age of 18 and 24.

5.4.2. Responding to the challenges of heterogeneity in schools

Diversification of school offer

In 2019, the authorities continued to diversify the school offer, notably its international school offer. In October, the Service for International and European Offers (*Service des offres internationales et*

européennes - SOIE) was created and focuses solely on responding to the demand and need for an international school offer in public education.³⁵⁶

From October to December 2019, an inventory of the needs and priority tasks based on feedback provided by schools was drawn. A working group, specifically for International and European schools was created. It brings together the initiatives taken by SOIE, the school directors, representatives of SECAM-CASNA and the Luxembourgish Delegation to the Superior Council on European Schools.³⁵⁷

The authorities planned to open a new public European School in Limpertsberg (Luxembourg City) in 2027 which will have a capacity of 1 400 students.

In the meantime, in order to better prepare students for the future and to achieve its role as a social elevator, public schools are diversifying and broadening their educational provisions, especially in relation to language courses.³⁵⁸ These changes are motivated by a desire to offer the best chances of success to students of increasingly diverse backgrounds.

Furthermore, the International School of Junglister (ISJ) - an integrated part of the Lënster secondary school - will be expanded. This is in response to the high demand present in Luxembourg City and the capital's periphery.³⁵⁹

Vocational trainings are also diversifying their linguistic options in order to adapt to the country's evergrowing multi-lingual reality. More professional formations in French and English were also available for the academic year 2019/2020.³⁶⁰

*Intercultural mediation*³⁶¹

In 2019, the SECAM hired one new administrative collaborator, along with an Arabic, Tigrinya and a Farsi intercultural mediator, as these are the most common languages used by BIPs in 2019. In total, they count 65 intercultural mediators (53 freelance and 12 on a permanent contract). Between them, they speak 36 languages.³⁶² Between 1 September 2018 and 31 August 2019, SECAM saw 7 475 requests for intercultural mediation.³⁶³

The Institute of National Education Formation (IFEN) solicited IKL (*Centre de Documentation et d'Animations Interkulturelles*) to give trainings on understanding the impact of culture on communication and education to staff working in the psychosocial area and education. The project is called 'Multiculturalism: What challenges does intercultural parenting provide?',³⁶⁴ it was created as a means to tackle the challenges that can arise from a multicultural society and to create better interactions among the educational staff with children, young people and their parents.

5.4.3. Measures to enhance language skills

5.4.3.1. Language classes

Measures and steps taken to improve integration into society by means of language(s) are generally speaking not specifically designed for third-country nationals but are for all citizens who desire to perfect their language skills. The courses can, however, cater to a particular audience or respond to specific needs. Language classes are offered either by the National Institute of Languages (INL) or by the SFA.

In the academic year 2018/2019, the INL saw an increase of 4,9% in enrolments for language courses and national and international certificates going from 17 781 in 2018 to 18 644 in 2019. This increase mainly reflects a growth in demand for Luxembourgish (5 291 enrolments, + 11% compared to 2017/2018), French (5 740 enrolments) and the evaluation exam for the Luxembourgish language organised under the framework of the procedures for acquisition of Luxembourgish nationality ('Sproochentest').³⁶⁵

As a result of the increase in enrolments at the INL, many people were on a waiting list for Luxembourgish courses in 2019. The INL thus provided extra classes during autumn for those that were not able to get on a course. In order to deal with the greater demand for the academic year of 2019/2020, the INL employed more Luxembourgish teachers.

Further, an e-learning platform was developed by the INL for Luxembourgish. It is an experimental pilot project that will test the concept of blended learning (half in-person and half in-distance learning). The courses will be available in French, English and German. Luxembourgish will be made available in September 2020. The idea is to allow those abroad or those that can't always physically take part in a course to learn Luxembourgish. The evaluation tests to determine one's level will already be available online in February 2020, as well as, the Sproochentest's oral comprehension test.³⁶⁶

The budget allocated to subsidies increased from € 385 000 in 2018 to € 500 000³⁶⁷ in 2019 with regards to improving the organisation of language courses in Luxembourgish, German, French, literacy and digital skills. In addition, the general INL's budget saw an increase from € 8 772 542 in 2018 to € 14 355 749 in 2019.³⁶⁸

Language classes are also the most popular courses offered at the SFA. In the academic year 2018/2019, 18 420 enrolments were registered compared to 17 480 enrolments the year before, which represents an increase of 5,4%.³⁶⁹ Language courses represent nearly two thirds SFA's educational offer (64,3%). In 2019, the SFA saw 9 267 registrations (50,3%) for Luxembourgish language courses, 34% for French, 5% for English, 3% for German and 8% concerned thirteen other languages. According to the MENEJ, the influx of language courses results from three major reasons: "the permanent increase in immigration, the increased desire to learn the official languages of Luxembourg and the growing number of people who want to obtain Luxembourgish nationality".³⁷⁰

It should also be noted that 738 people enrolled in the basic instruction courses in 2018/2019, in addition to the 382 AIPs/ BIPs attending literacy classes as part of the PIA's IL2 linguistic integration courses. Demand and supply have increased following the arrival in numbers of AIPs. In response to the increased needs following the large number of AIPs, the SFA has developed tools for locating basic skills, as well as, teaching materials suitable for basic instruction in German or French.³⁷¹

5.4.4. Other measures to promote the Luxembourgish language

5.4.4.1. The Permanent Council of the Luxembourgish Language (*Conseil permanent de la langue luxembourgeoise* – CPLL)

In the context of the national strategy to promote the Luxembourgish language,³⁷² the Grand Ducal Decree of 17 December 2018 establishing an inter-ministerial committee, which assists the Commissioner of the Luxembourgish language, came into force on the 14 January 2019.³⁷³

In addition, the organisational modalities of the CPLL were determined by Grand Ducal Regulation³⁷⁴ the 3 November 2019. The CPLL discusses and determines the correct spelling, grammar and phonetics of the Luxembourgish language.³⁷⁵

5.4.4.2. Linguistic leave

The budget allocated to 'linguistic leave' (special leave granted to employees and self-employed persons of any nationality, to take up to 200 hours off work to learn or perfect Luxembourgish during working hours) went from € 400 000 to € 250 000.³⁷⁶

The change in budget is due to underspending in previous years.

5.4.4.3. Dictionary for French-Tigrinya Speaking Community

The MENEJ updated the Luxembourgish-French-Tigrinya dictionary in collaboration with ASTI. The new version was launched in January 2019.³⁷⁷

Implemented by ASTI, the dictionary was developed in close collaboration with Eritreans, settled in Luxembourg for a long time. The dictionary contains 1 590 French and Luxembourgish words translated into Tigrinya. It was created as a tool to help manage with the large number of Eritreans applying for international protection in Luxembourg.³⁷⁸

Produced within the Successful Migration Project - the dictionary was financially supported by the Grand Duchess Charlotte National Relief Service, the OLAI (now the Department of Integration) and the Asylum, Migration and Integration Fund (AMIF).

5.5. Access to citizenship and civic participation

5.5.1. Grand Ducal Regulation of 22 July 2019 on the evaluation exam of the Luxembourgish language

No significant changes took place in the field of citizenship in 2019. The sole legislative change was the adoption of the Grand Ducal Regulation of 22 July 2019 on the evaluation exam of the Luxembourgish language organised under the framework of the procedures for acquisition of Luxembourgish nationality (*'Sproochentest'*).³⁷⁹ While this Grand Ducal Regulation abrogated the Grand Ducal Regulation of 30 June 2017 on the evaluation exam of the Luxembourgish language, it maintained the same conditions for the evaluation of the Luxembourgish language than its predecessor. The following administrative³⁸⁰ modifications were introduced:

- It is no longer foreseen that the answer sheets for the oral comprehension test are corrected by two examiners.³⁸¹
- Individuals caught cheating are no longer prevented to enrol before a period of 12 months has passed.³⁸²
- A person that passed the Luxembourgish language test required in the recruitment procedure for becoming a primary or secondary school teacher in the public sector can, upon request, be dispensed from taking the exam, but will still be delivered the certificate of achievement. Similarly, this applies to employees of the State and civil servants working in public institutions.³⁸³

- Enrolment fees to Luxembourgish language courses are reimbursed.³⁸⁴

Furthermore, in a Parliamentary question on the acquisition of Luxembourgish nationality, the Government noted that they would currently not envisage to centrally organise citizenship ceremonies for new Luxembourgish citizens. The reason therefore relates to the fact that citizenship is not the sole competence of the State, as the municipalities are responsible for registering all citizenship applications and are thereby the main contact for people wanting to acquire Luxembourgish nationality. The Government further remarked that, in fact, a number of municipalities do organise such a welcoming gesture, be it in the form of a letter or a reception for new Luxembourgish citizens.³⁸⁵

In a joint answer to another relevant Parliamentary question, the Minister of Justice and the Minister of Education, Children and Youth stated that they are currently not planning to publish a dedicated book containing the relevant documentation for the ‘*Vivre ensemble au Grand-Duché de Luxembourg*’ (“Living together in the Grand Duchy of Luxembourg”) course and exam. Persons that intend to take the exam are expected to obtain the necessary information on their own or can rely on the information provided on a dedicated website.³⁸⁶

5.5.2. Acquisitions of nationality

In 2019, 11 451 persons acquired Luxembourg nationality, a slight decrease of 3,6% when compared to 2018 (11 876 acquisitions in 2018).³⁸⁷ These numbers include all acquisitions of nationality by residents and non-residents via procedural means, thus covering naturalisations, reclamations of nationality and acquisition of nationality by option. What has to be added to this figure is the 942 people that became Luxembourgish citizens on the basis of first generation *ius soli* as well as 165 children that became Luxembourgish citizens because of their birth in Luxembourg to 2 foreign parents of which at least one was also born in Luxembourg (double *ius soli*).³⁸⁸ By adding these figures, we would arrive to a total of 12 558 people.

Among the 11 451 acquisitions by procedural means, 921 were based on naturalisation (8%), 5 453 on the option procedure (47,7%) and 5 077 on the reclamation procedure (44,3%). Compared to 2018, acquisitions based on naturalisation (+16,4%) and reclamation (+9,6%) have increased in 2019, while those based on the 10 specific options stipulated in the amended Law of 8 March 2017 on Luxembourgish nationality (hereinafter Nationality Law)³⁸⁹ have shown a decrease of 15,5%.

5 657 acquisitions of nationality via procedural means (49,4 %) concerned residents of Luxembourg, while 5 794 nationalities (50,6 %) were acquired by individuals residing abroad.³⁹⁰ The main reason for the significant share of non-residents acquiring Luxembourgish nationality is the reclamation procedure, which does not require the applicant to reside or to have ever resided in Luxembourg.

With regard to acquisitions by option, individuals who have resided in Luxembourg for at least 20 years by far constituted the largest group (2 163 acquisitions), followed by persons over the age of 12 who were born in Luxembourg (1 192 acquisitions) and by adults who have completed at least seven years of schooling in Luxembourg (675).³⁹¹

The year 2019 was marked by several significant statistical developments with regard to third-country nationals acquiring Luxembourgish nationality.³⁹² The first important development related to the increase in acquisitions and of the share of third-country nationals compared to EU citizens.

Of the total 11 451 persons acquiring Luxembourgish nationality, 4 855 persons were third-country nationals, an increase of 23,3% compared to 2018 and representing 42,4% of the total acquisitions in 2019. This increase is a continuation of the trend observed in recent years of growing numbers of third-country nationals acquiring Luxembourgish nationality, as the following table shows:

Table 15: Acquisitions of nationality by EU citizens and third-country nationals, total and share (2015-2019).

| Acquisitions of nationality | 2015 | | 2016 | | 2017 | | 2018 | | 2019 | |
|--------------------------------|--------------|-------|--------------|-------|--------------|-------|---------------|-------|---------------|-------|
| | Total | % | Total | % | Total | % | Total | % | Total | % |
| EU citizens | 4 533 | 85,4% | 6 152 | 86,2% | 6 945 | 76,9 | 7 939 | 66,8% | 6 596 | 57,6% |
| Third-country nationals | 773 | 14,6% | 989 | 13,8% | 2 085 | 23,1% | 3 938 | 33,2% | 4 855 | 42,4% |
| Total | 5 306 | 100% | 7 141 | 100% | 9 030 | 100% | 11 877 | 100% | 11 451 | 100% |

Source: Ministry of Justice, Statec, 2020

Table 15 further illustrates that the total number of acquisitions has doubled in the last five years, from 5 306 acquisitions in 2015 to over 11 000 in 2018 and 2019, respectively.

A second significant development is that Brazil showed a very significant increase of acquisitions in 2019.. While Brazilians figured among the top third-country nationalities in recent years, the number more than doubled from last year, that is to say from 931 in 2018 to 2 117 in 2019, representing an increase of 127%.

Table 16: Top 10 third-country nationals acquiring Luxembourgish nationality (2019).

| First nationality | Acquisitions of nationality |
|------------------------------|-----------------------------|
| Brazilian | 2 117 |
| American | 730 |
| Montenegrin | 372 |
| Serbian | 201 |
| Bosnian | 186 |
| Cape Verdean | 167 |
| Kosovar | 145 |
| Russian | 95 |
| Indian | 52 |
| Turkish | 50 |
| Total top-10 nationalities | 4 115 |
| Total naturalisations | 4 855 |

Source: Ministry of Justice, Statec, 2020

Brazilians thereby account for 43,6% of all acquisitions by third-country nationals in 2019. At the same time, it has to be highlighted that 2 050 out of the 2 117 total acquisitions (96,4%) relate to Brazilian nationals who can prove that they have a direct Luxembourgish ancestor who was alive on 1 January 1900 (reclamation procedure based on Article 89 of the Luxembourgish Nationality Law). Moreover, 97,5% of these acquisitions concern Brazilians who do not reside in Luxembourg (2 064 out of 2 117 acquisitions).

As in the previous years, significant disparities could 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 100 acquisitions in 2019.

Table 17: First nationalities acquiring Luxembourgish nationality by residence, total and share (2019).

| First nationality | Acquisitions: residence in Luxembourg | Acquisitions: residence abroad | Total acquisitions | Share of residents having acquired Luxembourgish nationality (%) |
|-------------------|---------------------------------------|--------------------------------|--------------------|--|
| French | 689 | 1 777 | 2 466 | 27,9 |
| Brazilian | 53 | 2 064 | 2 117 | 2,5 |
| Belgian | 402 | 933 | 1 335 | 30,1 |
| Portuguese | 1 057 | 10 | 1 067 | 99,0 |
| American | 55 | 675 | 730 | 7,5 |
| British | 365 | 66 | 431 | 84,7 |
| Montenegrin | 370 | 2 | 372 | 99,5 |
| German | 243 | 117 | 360 | 67,5 |
| Italian | 322 | 17 | 339 | 95,0 |
| Serbian | 201 | 0 | 201 | 100 |
| Bosnian | 186 | 0 | 186 | 100 |
| Cape Verdean | 163 | 4 | 167 | 97,6 |
| Kosovar | 145 | 0 | 145 | 100 |

Source: Ministry of Justice, Statec, 2020

The acquisitions by French, Brazilian, Belgian and American nationals mainly concerned non-residents, with a majority of them reclaiming Luxembourgish nationality, while Portuguese, British, Montenegrin, German, Italian, Serbian, Bosnian, Cape Verdean and Kosovar nationals were in the overwhelming majority of the cases residents in Luxembourg.

5.5.2.1. The ‘Vivre ensemble au Grand-Duché de Luxembourg’³⁹³ and Luxembourgish language test (‘Sproochentest’)

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. In 2019, the SFA issued 1 851 certificates for people who participated in the courses and 677 certificates for people who took the exam.³⁹⁴

The high demand regarding the access to Luxembourgish nationality continued to be reflected in the increase in demand of Luxembourgish language courses at the INL. The INL who is also the responsible authority for the Luxembourgish language test ('*Sproochentest*') therefore increased the offer of Luxembourgish language courses from 166 courses in 2015/2016 to 270 courses in 2018/2019.³⁹⁵

Following the difficulties in coping with demand in early 2018 and in order to better deal with the influx of candidates, the INL reorganised the *Sproochentest*. This has reduced waiting times and allowed them to receive as many applicants as possible. 2 224 candidates were able to register for the *Sproochentest* in 2018/2019 and the waiting lists were eliminated. The success rate across all sessions in the period was 74%.³⁹⁶

A look at the overall statistics of enrolments in Luxembourgish language courses mandated by the SFA shows that this number increased from 6 302 enrolments in 2015/2016 to 9 267 enrolments in 2018/2019.³⁹⁷ The MENEJ attributed this significant increase in enrolments to the introduction of the amended Nationality Law.³⁹⁸

5.5.2.2. The attitude of the resident population towards nationality and naturalization

A representative survey on living together in Luxembourg was launched,³⁹⁹ focusing on three dimensions: the feeling of belonging, integration and political participation. ASTI together with TNS – ILRES,⁴⁰⁰ published the results of the survey focusing on political participation on November 28, 2019, it received wide media coverage.⁴⁰¹

One part of the survey related to the attitude of the resident population towards nationality and naturalization:⁴⁰²

According to 80% of respondents, the nationality of people is important to them from a practical and legal point of view⁴⁰³ and, for 70%, from an emotional point of view.⁴⁰⁴

When questioned on different statements on access to Luxembourg nationality, 79% of the respondents (strongly) agreed with the statement that *it is important to accept the Luxembourgish way of life*. This rate is followed by the following statements: *to be proficient in one of the 3 official languages of the country* (72%), *to be proficient in Luxembourgish* (66%) and *to follow civic courses* (61%). Only 15% respondents (strongly) agreed with the statement that *it is important to be born in Luxembourg* and 9% that *it is important to have Luxembourgish parents*.

Furthermore, when questioned on the duration of residence in the country in order to be able to apply for the Luxembourgish nationality, 54% opted for a duration of 5 years,⁴⁰⁵ which is the condition that is actually required.

ASTI commented on the results stating that "to become a Luxembourger, neither *jus sanguinis* nor *jus soli* are considered important".⁴⁰⁶

5.5.3. Civic and Political Participation

5.5.3.1. The Translation of Parliamentary Questions and Answers Written in Luxembourgish

Considering the percentage of foreigners in Luxembourg and that there is an increasing amount of Parliamentary questions written in Luxembourgish with no French translation, there is a vast amount of Parliamentary discussions that are not accessible to the population.⁴⁰⁷

Whilst respecting the usage of the Luxembourgish language in Parliamentary discussions, the CNE proposed that the Government assigns a translator to ensure the translation of Parliamentary questions and answers written in Luxembourgish to French or even English to make Parliamentary discussions more accessible to the public. This topic was also discussed at the 8th Congress of immigrants associations of CLAE.

5.5.3.2. CLAE's 8th Congress of immigrant associations

On the 7 and 8 December 2019, the CLAE held its 8th Congress for associations originating and continuing to work on issues in the area of immigration. Representatives from 75 structures, the Government, and actors working in the political and social sphere of the Grand Duchy of Luxembourg were present. With them, the topics of immigration, asylum, reception and the recognition of people with a migrant background were debated. These debates led to a shared resolution with concrete demands from civil society working in these areas to the Government.⁴⁰⁸

5.5.3.3. Political participation depicted through a survey

Some results of the representative survey on living together in Luxembourg are related to political participation.⁴⁰⁹

Overall, 52% of respondents (strongly) agreed with the statement that *foreigners must have the right to vote in legislative elections after a certain period of residency*, this position is shared by 62 % of foreigners, 60% of Luxembourgers with a second nationality and 43% of Luxembourgers without a second nationality.⁴¹⁰ 42% of residents agreed to the statement that *the electorate is not representative of the population for legislative elections*, and 43% (strongly) believe that *opening up the right to vote for foreigners in legislative elections would strengthen societal cohesion*. Finally, 40% of residents believe that *opening up the right to vote for foreigners in legislative elections would help solve future challenges facing Luxembourg*.

56% of the foreign residents are in favor of the automatic registration of foreigners on the electoral lists for the municipal and European elections while 80% are in favor to maintain the condition of 5 years of continuous residence in the territory in order to participate in the municipal elections.

Interestingly, 68% of foreign respondents feel that they are Luxembourgish and 84% feel that they are citizens of Luxembourg.

In a press release, ASTI described these results on political participation as tilting towards openness, but not with much enthusiasm: "The participation of the majority in elections seems not to be a

priority for the residents interviewed but that does not prevent them from showing a strong feeling of adhesion to the host society".⁴¹¹

5.6. Non-discrimination and awareness raising

5.6.1.1. 100% Brochures

Following on from local integration initiatives, the municipalities of Strassen and Schifflange have each published a brochure to sensitize their populations on the cultural diversity in their municipalities. They are called 'Schifflange 100%'⁴¹² and 'Strassen 100%'.⁴¹³

5.6.1.2. Diversity Charter Lëtzebuerg

On 26 September 2019, Inspiring More Sustainability Luxembourg (IMS) along with the OLAI (now ONA) and the MFI organised the 9th session on the official signing of the Diversity Charter Lëtzebuerg. Twenty-three new organisations signed the Charter.⁴¹⁴

Throughout 2019, the OLAI promoted the activities that took place under the framework of the Charter. On 15 May 2019, as they organised the *Diversity Day* - an opportunity for businesses, public organisations and associations to demonstrate their engagement to promoting diversity. The Minister of Family Affairs, Integration and the Greater Region visited many stakeholders and other actors working towards a better understanding of diversity in Luxembourg to further increase awareness on the topic.⁴¹⁵

5.6.1.3. The fight against Racism and Xenophobia

On the occasion of the International Day for the Elimination of Racial Discrimination on 21 March, the ASTI highlighted that the CNE had not for years conducted its special Commission for receiving and treating complaints of racial discrimination.⁴¹⁶

On 13 November 2019, a conference debate on the experiences of discrimination and hate crime of people of African descent in the Grand Duchy of Luxembourg took place called "Being Black in Luxembourg".⁴¹⁷ It was based on a report called 'Being Black in the EU', published by the Fundamental Rights Agency (FRA) in 2018.⁴¹⁸

This conference revived the debate around xenophobia and racism in Luxembourg and the means of combating them. The debate led to two Parliamentary questions and a lot of media coverage.⁴¹⁹

In response to the first Parliamentary question, the Minister for Family Affairs, Integration and the Greater Region said that the results of the study should be taken very seriously, even if they must be interpreted with great caution, especially since different sources of data provide different insights into the magnitude of the phenomenon. The aim is to better understand the reasons for these differences, in order to strengthen and better target the State's efforts in the fight against discrimination. The Minister also clarified that within the framework of the Integration NAP, specific actions can be implemented to fight against possible racial discrimination.⁴²⁰ The second Parliamentary question raises the question of the follow-up to European Commission against Racism and Intolerance's (ECRI) recommendations on the establishment of a system for recording and

monitoring racist incidents and strengthening the resources of the Centre for Equal Treatment (CET).⁴²¹

One main conclusion from the debates in the media is that covert and overt forms of racism seem to be more present in Luxembourg, than one would have thought, which contradicts its socially inclusive and multicultural image although difficulties present themselves when measuring the extent of the phenomenon.⁴²²

6. RETURN, IRREGULAR MIGRATION AND DETENTION

6.1. Return and irregular migration

During 2019, 330 individuals were returned to their country of origin or to a different Member State. Of these, 199 returned in the context of a voluntary return (60,3%), while 131 returned under the context of a forced return (39,7%).

This is a decrease when compared to the previous year, during which 351 were returned overall, of which 272 were voluntary (77,4 %) and 79 (22,6%) were forced. Thus, in 2019, the total number of returns decreased by 6% when compared to 2018. While the number of voluntary returns decreased by 27% when compared to the previous year, the number of forced returns increased by 66%. Since 2016, however, a decrease in the number of returns can be observed.

Table 18: Type of return from 2017 to 2019.

| Year | Voluntary Returns | Forced Returns | Total | % Voluntary Returns |
|------|-------------------|----------------|-------|---------------------|
| 2017 | 360 | 154 | 514 | 70% |
| 2018 | 272 | 79 | 351 | 77,4% |
| 2019 | 199 | 131 | 330 | 60,3% |

Source: Directorate of Immigration 2017,2018, 2019 © EMN Luxembourg 2020

The majority of individuals opting for a voluntary return originate from the West Balkans (74), Georgia (28) and Brazil (21).

The Directorate of Immigration attributed the decrease in voluntary return to the changed profile of AIPs (more individuals fleeing from armed conflict and likely to be granted international protection), leading to more positive decisions. As well as, an increase in applications falling under the scope of the Dublin III Regulation and a decrease in international protection applications from third-country nationals from the Balkans who over the last years made up the vast majority of rejected AIPs.⁴²³

Table 19: The number and proportion of returns towards the West Balkans from 2016 to 2019.

| Year | Voluntary Return: West Balkans | N° of voluntary returns | % of volunt -ary returns | Forced return: West Balkans | Total: forced returns | % of forced returns | N° of returns: West Balkans | Total | % of Returns |
|------|--------------------------------|-------------------------|--------------------------|-----------------------------|-----------------------|---------------------|-----------------------------|-------|--------------|
| 2016 | 328 | 456 | 71,9% | 79 | 113 | 69,9% | 407 | 569 | 71,5% |
| 2017 | 279 | 360 | 77,5% | 97 | 154 | 63% | 376 | 514 | 73,2% |
| 2018 | 157 | 272 | 57,7% | 24 | 79 | 30,4% | 181 | 351 | 51,6% |
| 2019 | 74 | 199 | 37,2% | 44 | 131 | 33,6% | 118 | 330 | 35,8% |

Source: Directorate of Immigration 2016, 2017, 2018, 2019 © EMN Luxembourg 2020

Further, since the entry into force of visa liberalisation with Ukraine and Georgia in 2017, the number of returned Georgians increased from 9 in 2017 to 50 in 2018, and returns of Ukrainian nationals to their country of origin almost doubled between 2017 and 2018, from 13 to 25. In 2019, these

numbers decreased with regards to Georgia (42) and for Ukrainians the number decreased from 25 to 6.

Wishing to promote voluntary return, the Directorate of Immigration put in place the assisted voluntary return and reintegration programme with the support of the IOM. In 2019, 121 individuals received support through this programme. It is important to note that third-country nationals from the West Balkans (Macedonia, Bosnia, Albania, Kosovo and Serbia), and Georgians no longer receive financial support under the reintegration assistance but just the return ticket.

A majority of returnees went through the international protection procedure; this is the case for 128, or 22% of those returned voluntarily and 63, or 48% of those returned through a forced return. The other individuals were irregularly staying third-country nationals who had not introduced an application for international protection.

Table 20: Number of returned persons by type of return and migratory situation (2017-2019).

| | 2017 | 2018 | 2019 |
|-------------------------------------|------------|------------|------------|
| Voluntary returns | 360 | 272 | 199 |
| -AIP | 126 | 25 | 128 |
| -AIP rejected | 198 | 154 | |
| -migrants in an irregular situation | 36 | 93 | n/a |
| Forced returns | 154 | 79 | 131 |
| -AIP rejected | 97 | 29 | 63 |
| -migrants in an irregular situation | 57 | 50 | 68 |
| Total | 514 | 351 | 330 |

Source: Directorate of Immigration 2017, 2018, 2019 © EMN Luxembourg 2020

Among the 131 people removed in 2019 as part of a forced return with a Police escort to their final destination, 29 were from the West Balkans. In 2018, the number of people returned to their country of origin via forced return was 79 and in 2017, 154.

Commercial flights were the means of the majority of forced returns. The participation of two charter planes, organised by Austria allowed five people to be returned to Nigeria. A national charter plane, allowed nine people to be returned to Albania and six to Northern Macedonia. Moreover, the Georgian authorities organised a charter plane to return four people back to Georgia.

In 2019, 28 individuals benefitted from a suspension of removal for medical reasons (*sursis à l'éloignement*) while 96 benefitted from a postponement of removal (*report à l'éloignement*).⁴²⁴

6.1.1. Developments in the field of return and the prevention of irregular migration

6.1.1.1. The law of 4 December 2019 amending the Immigration Law

In summary, this law introduces several operational changes on the conditions in the field of return and irregular migration.⁴²⁵

In the context of return:

It establishes an interdisciplinary commission to evaluate the best interest of UAMs in return decisions (see also the Chapter 4: Unaccompanied Minors and Vulnerables).

It indicates that the Minister or the Minister's delegate takes all the necessary measures for the execution of the decision of removal by the Grand Ducal Police. These measures include, among others, the presentation of foreign individuals to embassies, consulates or a hearing delegation in order to determine the nationality and identity of the concerned person. This is done in view of obtaining the documents required for the removal, as well as, taking digital fingerprints and photographs for establishing or verifying the identity of the stranger.⁴²⁶

This amendment takes into account the definition of removal found under Article 3 of the Implementing Agreement on Cooperation and Support during the deportation measures on the territory of the Benelux countries. It therefore, removes uncertainty concerning the concept of removal.⁴²⁷

Lastly, a new paragraph introduced to Article 124 enables the Grand Ducal Police to access the place of residence of a foreign resident, after being duly authorized by the President of the Luxembourg District Court, if the foreign resident or the owner of the property refuses access to this place in order to prevent his or her removal. In order to gain access, the President of the D Court of the place of habitation must give his or her explicit agreement.⁴²⁸

During Parliamentary discussions, the Council of State noted that the bill only spoke of living spaces, excluding other possible places that could accommodate foreigners living irregularly in Luxembourg, the Commission thus changed the term 'living spaces' (« *locaux destinés à l'habitation* ») to 'private spaces' (« *locaux privés* ») to 'spaces used for living' (« *locaux servant à son habitation* »).⁴²⁹

This modification also takes into consideration the importance emphasized by the European Commission Recommendation of 7 March 2017 on making returns more effective when implementing the Directive 2008/115/EC of the European Parliament and of the Council, by inviting the EU Member States to adopt the necessary measures to deal with persons obstructing the enforcement of the return decision.⁴³⁰

In the context of irregular migration:

- It changed the sanctions foreseen in Article 141 of the Immigration Law in regard to entering the territory under false pretenses, or by the use of false or incorrect documents or in regard to obtaining/renewing an authorization to stay, a residence permit or an authorization to work. The sanctions were increased from 1 month up to 2 years to 1 month up to 3 years of imprisonment and/or from a fine of € 251 up to € 3 000 to a fine of € 251 up to € 12 500.⁴³¹
- It amends Article 147 of the Immigration Law, increasing the fine from a maximum amount of € 4 000 to a fixed amount of € 5 000 that apply to airlines who transport third-country nationals into the territory either without the correct documentation, or, provided wrong/incomplete information or no information.⁴³²

6.1.1.2. Other developments in the field of return, irregular migration

Luxembourg continues to cooperate with other countries in the area of return and readmission:

- Two bills were introduced to Parliament: 1) a bill for the ratification of the implementing

protocol between the Benelux States and Armenia applying the readmission agreement between the EU and Armenia;⁴³³ and 2) a bill for the ratification of the implementing protocol between the Benelux States and Ukraine applying the readmission agreement between the EU and Ukraine.⁴³⁴

- The Protocol between the Governments of the Benelux (Kingdom of Belgium, Grand Duchy of Luxembourg and Kingdom of the Netherlands) and the Government of the Republic of Serbia on the implementation of the agreement between the EU and the Republic of Serbia concerning the readmission of persons in an irregular stay situation, entered into force on 1 February 2019.⁴³⁵
- The Directorate of Immigration continued working on the strengthening of embassy and consular relations in the context of return. In 2019, it organised its seventh Consular Day, “which aimed to familiarize consulate authorities with the legislation and applicable procedures to international protection and immigration”. This project benefited from European co-financing via the AMIF.⁴³⁶

6.1.2. Measures to improve the effectiveness of external border controls

Luxembourg also continued to participate in measures to improve the effectiveness of external border controls:

In 2019,⁴³⁷ Luxembourg sent 12 agents from the Grand Ducal Police for a duration of two months to Frontex’s Poseidon mission. It also sent three agents (two agents for a duration of three months and one agent for two months) to Frontex’s Indalo mission. A fully equipped Luxembourg Air Force helicopter was sent for a 9 months period to participate in the Indalo mission.⁴³⁸

Further, Luxembourg is actively engaged in preparing the national implementation of the Entry-Exit System (EES) as well as the European Travel Information and Authorisation System (ETIAS).⁴³⁹

The head of the Airport Police Unit of the Grand Ducal Police stated that the introduction of biometric passports has helped to increase the efficiency of fraudulent document detection. When a fake document is detected, the file is sent to the Public Prosecutors’ Office (*Parquet Général*).⁴⁴⁰ Biometric passports are systematically checked against all relevant databases such as SIS and Interpol’s Stolen and Lost Travel Documents database (SLTD). Furthermore, a chip in the passport is read by the airport verification reading systems which analyse a variety of security features. If an error is detected, it is a good indicator that something might be wrong with the passport, which prompts border guards to investigate further.⁴⁴¹

Nevertheless, researchers at the University of Luxembourg discovered a flaw this year in the security standard used in biometric passports, ICAO9303. The discovered flaw demonstrated that “with the right device, you can scan passports in close vicinity and re-identify previously observed passport holders, keeping track of their movements” thus a passport holder using this technology is not protected from an unauthorized observer.⁴⁴²

6.2. Administrative detention

In 2019, 421 people were placed in detention, compared to 423 in 2018.⁴⁴³

With regard to the profile of the persons detained, 374 were single men, or 89% of the total number of detained persons (compared with 390 in 2018), 12 were single women (compared to 23 in 2018) and 10 families comprising of 35 people (compared to 4 families in 2018, representing a total of 10 people).

Another peculiarity is the large number of persons detained to be transferred as part of the Dublin procedure (148 persons, 35%). However, this represents a decrease in comparison to 2018 (177 persons, 41,8%).

While 119 of them were removed to their country of origin (84 in 2018), 5 took advantage of a “semi-voluntary return” through IOM (7 in 2018), 97 were released (90 in 2018), 3 were transferred to the Penitentiary Centre (2 in 2018) and 3 escaped compared to 6 in 2018.⁴⁴⁴

The average length of detention in all categories was 47 days in 2019 (compared to 40 in the previous year). However, 38 people were detained for 120 days or more, compared to 19 in 2018.⁴⁴⁵

It is important to note that, the Government of Luxembourg is exploring alternatives to the current detention centre in Findel. Different concepts are being studied for this. Pilot projects in Member States are being used as reference points for finding alternatives to the current structure. However, the question of infrastructure in Luxembourg has to be answered. The availability of terrain is being determined by State institutions and municipalities.⁴⁴⁶ This initiative was applauded by the LFR who has always been opposed to detention and would like to see less coercive systems.⁴⁴⁷

6.2.1. Visits at the Detention Centre

The Detention Centre was the subject of several events during 2019:

- In collaboration with EMN, the detention centre initiated and organised the first workshop specially dedicated to the heads of European detention centres on 13 March 2019. This initiative aimed to create a platform where exchanges of practices among practitioners may take place. Around 45 representatives from EU Member States and agencies participated.
- Under the framework of the Consular Day, the detention centre received around 20 consular representatives for a working visit on 20 September 2019.
- As part of an initiative launched by the President of the Administrative Tribunal, a dozen attaches and several judges were invited to an in-depth presentation of the detention centre. They were also given the opportunity to visit the grounds on 17 October 2019.
- Around ten members of the Ethno-psychological Department (*Cellule ethno-psychologique*) of Migrant and Refugee Service of the Luxembourgish Red Cross were welcomed at the detention centre for a meeting, followed by a visit of the grounds on 12 December 2019.

6.2.2. Developments on retention

Extension of the detention period

The law of 4 December 2019 amending the Immigration Law introduces the systematic verification of the conditions for extended administrative detention of third-country nationals by the administrative jurisdictions.⁴⁴⁸

After criticism of the Council of State to the proposed changes to Article 123 made in 2018, the Commission on European and Foreign Affairs, Cooperation, Immigration and Asylum amended the Article to take into account the criticism.⁴⁴⁹

However, the Council of State maintained its criticisms that the proposed judicial verification of the decision to extend detention by the Minister would amount to the Minister appealing to the President of the Administrative Tribunal against his own extension decision.⁴⁵⁰

The Council of State proposed to reformulate the role of the President of the Administrative Tribunal to make it similar to the liberties and detention judge in France that determines the period of duration for foreigners in a waiting zone.⁴⁵¹ Alternatively, Belgian law provides for a natural liberties judge (under the Council Chamber of the District Court) creating a notable exception to the fact that all administrative litigation is the sole responsibility of the administrative courts. Finally, the Council of State proposed a third solution that the law could provide for a system in which the Minister takes a decision on the extension of detention which is limited to a certain number of days.⁴⁵²

Finally, a new paragraph (6) was introduced to Article 123 of the Immigration Law which introduces the systematic verification by the jurisdictions - in case the Minister of Immigration and Asylum decides to extend the detention period beyond 4 months (after an initial detention period of 1 month, renewed three times for 1 month each).⁴⁵³ In this case, the Minister lodges a request with the President of the First Instance Administrative Court within five days of the notification of decision. Then, within ten days of the introduction of the request, the President of the court rules as a trial judge, as a matter of urgency. An appeal against the decision of the President can be filed before the Administrative Court. If the Minister does not file a request with the court within the foreseen deadlines, the detained person will be set free.

This amendment takes into account the comments of the experts in the context of the evaluation of the application of Schengen.⁴⁵⁴ They noted that Luxembourgish legislation was not in conformity with Article 15, paragraph 3 of Directive 2008/115/EC which foresees that "In every case, detention shall be reviewed at reasonable intervals of time either on application by the third-country national concerned or ex officio. In the case of prolonged detention periods, reviews shall be subject to the supervision of a judicial authority".⁴⁵⁵

Furthermore, a derogation was introduced to the legislation regarding the procedure before the administrative jurisdictions, in view of limiting the number of written pleadings that can be filed by each party.

7. FIGHT AGAINST TRAFFICKING IN HUMAN BEINGS

In 2019, one female third-country national was identified as a victim of human trafficking (VHT) in Luxembourg and twelve people were suspected VHTs, of which seven were female and five male. In 2018, eight third-country nationals were identified/alleged VHTs in Luxembourg, of which six were women and two were men.

Similarly to 2018, labour exploitation was the biggest category for VHTs.⁴⁵⁶ The identified person was a victim of labour exploitation and, eight of the suspected victims were also in this category. Six were suspected of sexual exploitation and one was in the category other.

In 2019, all the individuals suspected of being VHT were over the age of 18 and originated from the following countries: China (2), Nigeria, Brazil, Algeria, Senegal, Indonesia, Morocco, Angola, Congo, Cameroun and Ethiopia. In 2018, all were also over the age of 18, however the main countries of origin differed (China, India and Moldova).⁴⁵⁷

Further, nine people were arrested or processed in criminal proceedings related to human trafficking. This is a clear decrease (-55%) when compared to 2018 when 20 people were sentenced for human trafficking.⁴⁵⁸

7.1. Strategic Policy Developments

Evolution of the legislation

Two bills were introduced into Parliament which will, if adopted, facilitate the fight against human trafficking:⁴⁵⁹

- Bill n°7442 introduced on 22 October 2019, aims to transpose two EU Directives: Directive 2016/1919/EU of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings;⁴⁶⁰ and Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing the Council Framework Decision 2001/220/JHA.⁴⁶¹

The bill also proposes to amend the law of 10 August 1991 on the profession of lawyer. According to the bill, legal aid would be available to all civil parties - victims and suspects - involved in a criminal procedure, independent of their place of residence or nationality.⁴⁶²

- Bill n°7452⁴⁶³ was introduced to Parliament on 26 June 2019. It aims to complete the transposition of the Directive 2014/42/EU on the freezing and confiscation of instruments and proceeds of crime in the EU⁴⁶⁴ and to transpose the Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identifying of proceeds, or other property related to the crime.

According to this bill, the law of 7 March 1980 on judicial organisation will be amended by creating a centralised office of management and asset recovery (BGRA) legislation. The BGRA would be in charge of managing the recovery of assets confiscated and regulate its cooperation on an international level with similar offices abroad. This institution will have the means to carry

out asset investigations in cases where the decision taken on confiscation cannot be executed. It also improves financial investigations in cases of human trafficking by allowing investigations into a convicted person's estate.⁴⁶⁵ Also, civil parties may (under certain conditions) be able to obtain their compensation from the BGRA, by being paid from the confiscated property. The Grand Duchy of Luxembourg would then subrogate the rights of the civil party.⁴⁶⁶

Lastly, the law of 13 January 2019⁴⁶⁷ establishing a Register of Beneficial Owners will also apply in cases of human trafficking. The Grand Ducal Regulation of 15 February 2019⁴⁶⁸ implements the modalities of registration, payment of administrative fees and access to the information registered in the Register of Beneficial Owners. The investigators of the Criminal Police, dealing with human trafficking cases have direct and unrestricted access to the Register of Beneficial Owners in order to conduct investigations.⁴⁶⁹

The National Promotion Program of Sexual and Emotional Health

The National Promotion Program of Sexual and Emotional Health was put in place in 2013 by the Ministry of Health, the MENEJ, the Ministry of Equality between Women and Men (MEGA), and the MFI. Under the lead of the Ministry of Health, a second National pluriannual national action plan promoting asexual and emotional health (*Plan d'Action National Santé Affective et Sexuelle – PAN-SAS*) was launched in 2019, under which the four ministries will continue to work interactively.

PAN-SAS promotes mutual respect and equality through sexual and emotional education, strengthens the fight against prostitution, and the prevention of sexual exploitation and human trafficking.⁴⁷⁰

The strengthening of the support services

In 2018, the MEGA launched a project with the Red-Cross, Caritas, and the InfoMann service of the NGO ActTogether to strengthen their consultation services in order to reorganise the housing of men in a situation of distress. This includes male victims of domestic violence, human trafficking and perpetrators of domestic violence.

Further, in cooperation with Caritas, the MEGA established a housing structure for male VHTs. This structure opened its doors in 2019 for nine male VHTs.⁴⁷¹

In 2019, MEGA further strengthened its services by reinforcing its convention with the Fondation Maison de la Porte Ouverte (FMPO) and the Ozanam centre - trafficking in human beings (COTEH) with regards to the support of VHTs. A complementary reception structure was also set-up for five female VHTs next to the reception centre (Foyer Paula Boye) where they can provide support to women in a situation of distress- this includes victims of violence and human trafficking.⁴⁷²

7.2. Developments in the area of assistance and support for victims from third countries

7.2.1. Awareness raising measures

The Government of Luxembourg, along with 23 other European countries,⁴⁷³ decided to join the European Crime Prevention Network (EUCPN) initiative to launch a prevention campaign against human trafficking which aims to inform victims or potential victims of their rights at the European

level, where to find help, protection and information.

Through a poster campaign and on social networks, the message is broadcasted in several languages and in very specific places (train stations, bus stops, assistance and reception services, etc.) in order to directly target VHTs and potential VHTs.

The prevention campaign, funded by the Internal Security Fund (ISF) of the EU, was launched on 17 October 2019 to inform victims that they have rights that can be claimed in all EU Member States (assistance and protection, human rights, labour rights, right to be granted a reflection period and a residence permit).

The campaign's dissemination is also done via Facebook and the website "stoptraite.lu" which was created during the first awareness campaign aimed at the general public.

Furthermore, a brochure for potential victims will be available in several languages (including Arabic, Chinese, Albanian etc.) and in the form of pictograms.⁴⁷⁴

The CCDH applauded this campaign but further recommends that the Government launches another campaign focused on tackling the demand for services in which the trafficking of human beings is common.⁴⁷⁵

7.2.2. Collaborative measures between authorities and various stakeholders involved in the identification, reception and protection of victims

The Luxembourgish Monitoring Committee on the Fight Against Human Trafficking (*Comité de suivi de lutte contre la traite des êtres humains*), chaired by the Ministry of Justice aims to strengthen the national and international efforts in this area. Part of this effort was the launch of a new human trafficking preventative campaign on 17 October 2019.⁴⁷⁶

Since 2018, the Committee has an annual budget of € 15 000 at its disposal. In 2019, this budget was used for the EUCPN awareness-raising campaign and the preparation of the brochures for victims.

In addition, the Directorate of Immigration appointed a contact person for the fight against trafficking since 2018. In addition, the Directorate of Immigration appointed a reference person in each of its services, namely, the Refugee, the Foreigners, the Return and the Legal Departments. These appointed officials will meet with the contact point whenever the situation requires it.⁴⁷⁷ The CCDH in its 2nd report on trafficking in human beings in Luxembourg recommends the Government, however, to reinforce its 'Organised Crime' section of the Grand Ducal Police, to recruit more investigators and improve the identification and protection of VHTs, as well as, pursue criminals involved in the trafficking of human beings.⁴⁷⁸ The CCDH also recommends that the Government puts in place a hotline for all victims, similar to the ones already in place in Belgium and the Netherlands.

7.3. Identification of victims

7.3.1. Training and awareness-raising in identifying and supporting victims

In 2019, the National Institute for Public Administration (*Institut National d'Administration Nationale*-INAP), hosted a basic training course on Trafficking in Human Beings on two occasions.⁴⁷⁹ These trainings are organised twice per year by the Ministry of Justice, MEGA, the Grand Ducal Police

(Judicial Police), the Support Service for Victims of Trafficking in Human Beings (SAVTEH) and COTEH.⁴⁸⁰

Furthermore, INAP offered two in-depth trainings⁴⁸¹ carried out by the non-profit organisation Sürya from Liège (Belgium), on the approach and support given to VHTs, work ethics and understanding the problem (*Approche et Accompagnement des Victimes de la Traite d'Être Humains, posture du travailleur et compréhension du phénomène*).⁴⁸²

On top of these four annual trainings, Ministerial departments and administrations can request the INAP for trainings, specifically adapted to their needs. In 2019, a basic training course which was also organised outside of INAP's framework, upon request for the forensic medical examiners of the Unit for Medicolegal Documentation of Injuries (*Unité médico-légale de documentation des violences* -UMEDO) and the Red Cross.⁴⁸³

Independently of the INAP trainings, MEGA finances and organises three in-depth trainings per year carried out by Sürya. They are open to civil society and to local actors on the ground that are not employees of the State. In this light, two in-depth training sessions were organised, one for Caritas and one for the Red Cross.⁴⁸⁴ Another training session is also planned for Caritas in January 2020, along with sessions for the ASTI and ONA.⁴⁸⁵ Furthermore, an in-depth training formation is also planned in 2020, for the Directorate of Immigration.⁴⁸⁶

The CCDH suggested that online trainings should be offered in addition to the basic trainings as a means to reach a maximum number of qualified professionals at a lower cost.⁴⁸⁷

7.3.2. International cooperation measures

As part of the Luxembourgish Benelux presidency activities, a "*journée d'échange*" between experts on trafficking and immigration from all three countries was held in Brussels on 1 October 2019. The focus was on the detection, identification and treatment of VHTs among AIPs. The purpose of this day was to have an exchange between professionals from the field of trafficking and immigration so as to come up with concrete conclusions that could serve as a basis for discussions at a conference, held in Luxembourg on 10 December 2019.⁴⁸⁸

At this conference, experts on human trafficking from the Netherlands, Belgium and Luxembourg were invited to assist in the signing of a Declaration of Intent between the Benelux States, by the Minister of Justice of Luxembourg, the Dutch Secretary of State for Security and Justice and the Minister of Justice of Belgium.⁴⁸⁹ The idea is to fortify the cooperation between the Benelux States on the identification and protection of VHTs, as well as, to bridge legislative gaps on the matter, which became apparent during the "*journée d'échange*" in October.

7.3.3. Prevention measures in third countries

Luxembourg financially supports the work of ECPAT Luxembourg (End Child Prostitution, Child Pornography And Trafficking of children for sexual purposes). The organization conducts projects in Cape Verde, Senegal, Mali, Niger, Burkina Faso, Nepal, India and Morocco which aim at preventing smuggling and sexual exploitation of children, protecting children from any form of trafficking and exploitation and reinserting children back into their communities.⁴⁹⁰

7.4. Debate

The Consultative Commission on Human Rights (CCDH) on labour exploitation.

On 6 November 2019, the CCDH as the National Rapporteur on Trafficking in Human Beings presented its 2nd report on trafficking in human beings in Luxembourg to the the Parliament and the press.⁴⁹¹

This report covers the years 2017 and 2018 and analyses the trends based on available statistics, case law and the legal national, international and policy framework. It focuses particularly on trafficking in human beings for the purpose of labour exploitation and the role that the Inspectorate of Labour and Mines (ITM) has to play in the detection of potential victims and in the fight against this phenomenon in Luxembourg which sparked a public debate.

Following on from the debates reported in 2018, the CCDH continues to advocate for the need to collect reliable statistics on the trafficking of human beings by setting-up a platform that can be updated on a regular basis by all actors involved.⁴⁹²

Further, the report stresses that, for the first time, the majority of the registered cases is composed of VHTs for the purpose of labour exploitation, whereas previously, sexual exploitation was predominant. There were 17 cases of the former against 11 cases of the latter, recorded between 2017 and 2018 – with Albanian, Chinese and Romanian nationalities at the top of the list. Workers in precarious situations tend to face a higher risk of exploitation, above all migrants with irregular status, AIPs and refugees, seasonal workers, temporary or posted employees and domestic workers. Particularly concerned areas include the construction sector, domestic work, road transport and the HORECA sector.⁴⁹³

The CCDH's report criticizes the management of the ITM for its inaction on the subject and finally calls for a change in the legislation to grant the ITM an explicit competence to investigate and tackle the problem of human trafficking more effectively in the area of labour exploitation.⁴⁹⁴ It remembered that Luxembourg is among the signatories of the Convention of the International Labour Organisation on forced labour. However, Luxembourg has not yet ratified the 2014 Additional Protocol,⁴⁹⁵ which provides for the implementation of measures such as the protection of migrant workers against possible abusive or fraudulent practices.⁴⁹⁶

On 6 December 2019, the Government Council agreed with the bill n° 7521 approving the Additional Protocol P029 of the International Labour Organisation relating to the Forced Labour Convention. The bill will be submitted to the Chamber of Deputies in 2020.⁴⁹⁷

The CCDH also suggests the merging of the two support services SAVTEH and COTEH for the sake of simplification and optimization, as well as a staff increase.⁴⁹⁸ They also suggested to increase the financial support to organisations that provide support to undocumented migrants, AIPS or BIPs. The rationale behind this is that irregular migrants are more likely to contact organisations from civil society than the police when in need.⁴⁹⁹

In response to the CCDH report, the Minister of Labour, Employment and the Social and Solidarity Economy assured that all labour inspectors are instructed to detect suspicious cases and have all received special training to be able to identify typical signs of trafficking. A change in legislation has

so far been rejected for the sole reason that the Police - and not the labour inspectors - should keep the competence to prosecute cases of trafficking "in a highly criminal environment". The Ministry contemplates, nevertheless, modifications to the Labour Code in order to better protect potential witnesses – such as co-workers – so to encourage them to report any irregularities. The ITM announced it plans to compensate for the lack of statistics to allow for better monitoring of the work carried out in this area.⁵⁰⁰

The CCDH also criticised the fact that on the contrary to establishments involved in sexual exploitation, no businesses that were involved in labour exploitation have been shut. The CCDH strongly affirms that the sanctions should be the same for all forms of trafficking of human beings.⁵⁰¹

The conclusions of the report gained attention within a number of high circulation in national newspapers. Part of the media highlighted the rising numbers of human trafficking in Luxembourg and reinforced the appeal from the CCDH for tougher laws for those involved in criminal proceedings. Other media outlets debated the role of ITM and urged the Government to extend the ITM's responsibility in the fight against human trafficking.⁵⁰²

LIST OF ABBREVIATIONS

| | |
|-------------|--|
| ABBL | Luxembourg Bankers' Association |
| ADEM | National Employment Agency |
| AIP | Applicant for international protection |
| AMIF | Asylum, Migration and Integration Fund |
| AOT | Temporary occupation authorisation |
| ASTI | Association for the Support of Immigrant Workers |
| ARIS | Regional social inclusion agents (Agents régionaux d'inclusion sociale) |
| BGRA | Office of Management and Asset Recovery |
| BIP | Beneficiary of international protection |
| Brexit | Withdrawal of the United Kingdom from the European Union |
| BRILL | British Immigrants Living in Luxembourg |
| CAI | Welcome and Integration Contract |
| CASNA | School reception unit for newly arrived pupils |
| CCDH | Consultative Commission on Human Rights |
| CEFIS | Centre for Intercultural and Social Studies and Training |
| CePAS | Centre for Psycho-Social and Student Support (Centre Psycho-Social et d'Accompagnement Scolaires) |
| CET | Centre for Equal Treatment |
| CLAE | Liaison and Action Committee for Foreigners |
| CNE | National Council for Foreigners |
| CNS | National Health Fund |
| COTEH | Ozanam centre - trafficking in human beings |
| CPLL | The Permanent Council of the Luxembourgish Language (Conseil permanent de la langue luxembourgeoise) |
| DExEU | Department of Exiting the EU |
| EASO | European Asylum Support Office |
| ECPAT | End Child Prostitution, Child Pornography And Trafficking of children for sexual purposes |
| ECRI | European Commission against Racism and Intolerance |
| EEA | European Economic Area |
| EES | Entry-Exit System |
| EMN | European Migration Network |
| ESF | European Social Fund |
| ETIAS | European Travel Information and Authorisation System |
| EU | European Union |
| EUCPN | European Crime Prevention Network |
| FMPO | Fondation Maison de la Porte Ouverte |
| FNS | National Solidarity Fund (Fonds national de Solidarité) |
| FRA | Fundamental Rights Agency |
| GRESIL | Local Integration Exchange and Support Group |
| ICT | Intercorporate transferees |
| IFEN | Institute of National Education Formation |

| | |
|-------------|---|
| IKL | Centre of Documentation and Intercultural Animations (Centre de Documentation et d'Animations Interkulturelles) |
| INAP | National Institute for Public Administration |
| INL | National Languages Institute |
| IOM | International Organisation for Migration |
| ISF | Internal Security Fund |
| ISJ | International School of Junglisters |
| ITM | Inspectorate of Labour and Mines |
| LFR | Lëtzebuurger Flüchtlingsrot (Luxembourgish Council for Refugees) |
| LISER | Luxembourg Institute of Socio-Economic Research |
| LISKO | Lëtzebuurger Integratiouns- a Sozialkohäsiounscenter (Luxembourgish Integration and Social Cohesion Centre) |
| MAEE | Ministry of Foreign and European Affairs |
| MEGA | Ministry of Equality between Women and Men |
| MENEJ | Ministry of Education, Children and Youth |
| MEP | Member of the European Parliament |
| MFI | Ministry of Family Affairs, Integration and the Greater Region |
| MS | Member State |
| Integration | National Action Plan on Integration |
| NAP | |
| NGO | Non-governmental organisation |
| OLAI | Luxembourg Office for Reception and Integration |
| ONA | National Reception Office |
| ONIS | National Office of Social Inclusion |
| ORK | Ombuds-Comité fir d'Rechter vum Kand (Ombuds-Committee for the Rights of the Child) |
| PCI | Municipal Integration Plan |
| PIA | Guided Integration Trail |
| REVIS | Social inclusion income |
| RMG | Guaranteed minimum income |
| PAN-SAS | National Action Plan for Sexual and Emotional Health (Plan d'Action National Santé Affective et Sexuelle) |
| SAVTEH | Support Service for Victims of Trafficking in Human Beings |
| SECAM | Schooling Service for Foreign Children (Service de la scolarisation des enfants étrangers) |
| SFA | Department of Adult Education of the Ministry of Education, Children and Youth |
| SHUK | Semi-open return facility |
| SIS | Schengen Information System |
| SLTD | Stolen and Lost Travel Documents database (Interpol) |
| SNJ | National Youth Service |
| SOIE | Service for International and European Offers |
| STATEC | National Institute of Statistics and Economic Studies |
| SYVICOL | Union of Luxembourg towns and municipalities |
| TCN | Third-country national |
| UAM | Unaccompanied minor |
| UK | United Kingdom |

| | |
|-------|---|
| UMEDO | Unit for Medicolegal Documentation of Injuries (Unité médico-légale de documentation des violences) |
| UNCRC | United Nations Convention on the Rights of the Child |
| UNHCR | United Nations High Commissioner for Refugees |
| VHT | Victim of human trafficking |

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Bill n°7413 on the protocol between the Governments of the Benelux States (Belgium, Luxembourg, Netherlands) and the Government of the Ukraine on the application of the Agreement between the European Community and the Ukraine about the readmission of persons in irregular stay, signed in Brussels, 17 June 2018. Introduced into Parliament on 26 February 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=370BBD13B1E7AA6D60DBED491AE6A5570CD12644F79911A877DD970C6662ADEDAD5F9F1211911B458BE969CA50E4E166\\$BA3A9FFA97F7046480A70EFB451F5723](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=370BBD13B1E7AA6D60DBED491AE6A5570CD12644F79911A877DD970C6662ADEDAD5F9F1211911B458BE969CA50E4E166$BA3A9FFA97F7046480A70EFB451F5723)

Bill n°7450 concerning the budget for State revenues and spending for 2019. Introduced into Parliament on 5 March 2019. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2966A52E9987035500B539E90DCEB67B\\$6850687C70BCB99495113752A0D107CE&fn=2966A52E9987035500B539E90DCEB67B\\$6850687C70BCB99495113752A0D107CE.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2966A52E9987035500B539E90DCEB67B$6850687C70BCB99495113752A0D107CE&fn=2966A52E9987035500B539E90DCEB67B$6850687C70BCB99495113752A0D107CE.pdf)

Bill n°7429 on the protocol between the Governments of the Benelux States (Belgium, Luxembourg, Netherlands) and the Government of the Republic of Armenia on the application of the Agreement between the European Community and the Republic of Armenia about the readmission of persons in irregular stay, signed in Brussels, 20 June 2018. Introduced into Parliament on 26 March 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=67D6FDA75EC163EA83FBA18993CF4F432D138BA0A7DC96BDCC027EA45A32C718A3444AA11537C8277589432FF68F23C5\\$43BD6247C07B5FE5997072264644F3FA](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=67D6FDA75EC163EA83FBA18993CF4F432D138BA0A7DC96BDCC027EA45A32C718A3444AA11537C8277589432FF68F23C5$43BD6247C07B5FE5997072264644F3FA)

Bill n°7442 transposing: 1) the Directive (UE) 2016/1919 of the European Parliament and Council of 26 October 2016 guaranteeing legal aid for suspects and accused persons in criminal proceedings; and 2) the Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. Also, amending the law of 10 August 1991 on legal professions. Introduced into Parliament on 27 May 2019. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=3336CF06597D7C62DC16B30007A2796D\\$D59021196ADF09CA830FEE23A034D7F5&fn=3336CF06597D7C62DC16B30007A2796D\\$D59021196ADF09CA830FEE23A034D7F5.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=3336CF06597D7C62DC16B30007A2796D$D59021196ADF09CA830FEE23A034D7F5&fn=3336CF06597D7C62DC16B30007A2796D$D59021196ADF09CA830FEE23A034D7F5.pdf)

Bill n°7452 amending: 1) the Criminal Law; 2) the Code of Criminal Procedure; 3) the amended law of 7 March 1980 on the judicial organisation; 4) the amended law of 19 December 2008 on the interadministrative and judicial cooperation, and the strengthening of the means of the Administration of direct contributions, the Administration of registration and domains, and the Customs Administration; 5) The amended law of March 25 2015 fixing the treatment regime and conditions, and the promotion of conditions of civil servants – in light of the transposition of the Council decision of 2007/845/JAI relative to the cooperation between asset recovery offices in Member States to better identify products of crime or in relation to crime; and of the transposition of certain dispositions of EU Directive 2014/42 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union. Introduced into Parliament on 27 June 2019. URL:

[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=A0DD6E6AA7573C6B7C9257C733742931\\$D21C5E6F2685CC28E52AC453E6F7CE04&fn=A0DD6E6AA7573C6B7C9257C733742931\\$D21C5E6F2685CC28E52AC453E6F7CE04.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=A0DD6E6AA7573C6B7C9257C733742931$D21C5E6F2685CC28E52AC453E6F7CE04&fn=A0DD6E6AA7573C6B7C9257C733742931$D21C5E6F2685CC28E52AC453E6F7CE04.pdf)

Bill n°7500 concerning the budget for State revenues and spending for 2020. Introduced into Parliament on 14 October 2019. URL:

[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=CDC43110BD2BF7CA457CF326C6088F33\\$7C9A69E1D1A769D45A76A603A8F6627A&fn=CDC43110BD2BF7CA457CF326C6088F33\\$7C9A69E1D1A769D45A76A603A8F6627A.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=CDC43110BD2BF7CA457CF326C6088F33$7C9A69E1D1A769D45A76A603A8F6627A&fn=CDC43110BD2BF7CA457CF326C6088F33$7C9A69E1D1A769D45A76A603A8F6627A.pdf)

Bill n°7495 on the establishing of a special fund to support the development of local housing. Introduced into Parliament on 6 November 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=5942A4E00168DDA B28A2C86C53AD4EAAD090AA3ED4330EC13E6AFB69FA421219E967DE87389F326564BC2F3A2BF32566\\$10D2070C1BF791E635AC3EC2B7800DEA](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=5942A4E00168DDA B28A2C86C53AD4EAAD090AA3ED4330EC13E6AFB69FA421219E967DE87389F326564BC2F3A2BF32566$10D2070C1BF791E635AC3EC2B7800DEA)

Parliamentary Documents

Answer of the Minister of Foreign and European Affairs of 12 July 2017 to the Parliamentary question n°3088 on possible temporary return of refugees to their country of origin. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=C27053B3F3EA566D5A86E527AE07F58F\\$02CA1AF6179D16F66FA90C536CEDCA6A&fn=C27053B3F3EA566D5A86E527AE07F58F\\$02CA1AF6179D16F66FA90C536CEDCA6A.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=C27053B3F3EA566D5A86E527AE07F58F$02CA1AF6179D16F66FA90C536CEDCA6A&fn=C27053B3F3EA566D5A86E527AE07F58F$02CA1AF6179D16F66FA90C536CEDCA6A.pdf)

Answer of the Ministry of Foreign Affairs and the Ministry of Finance of 11 February 2019 to the Parliamentary question n° 270 on Golden Passports and Visas, and whether they conform to EU concerns on money laundering and the financing of terrorism. URL: [https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=4FA3EB89CA10F1F194EF131B3C430F49F41226978137667F082217044A673061AB2368878431AE29C5A44E060954B215\\$E51072C3CFAD62CA88BB25BA1F282C80](https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=4FA3EB89CA10F1F194EF131B3C430F49F41226978137667F082217044A673061AB2368878431AE29C5A44E060954B215$E51072C3CFAD62CA88BB25BA1F282C80)

Answer of the Ministry of Foreign and European Affairs of 15 February 2019 to the parliamentary question n° 269 of 25 February 2019 on the list of safe countries of origin. Algeria, Morocco and Tunisia will not be added to the list of safe countries. URL: [https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=B2FDE87960E303CE517F8A9C0A0EFA412417386525F79B2A2BC60870366D6BC39C4629DC88AEE34CE521A6CC3D824DA8\\$7543A8F5B06363C7F171F9462051EC8E](https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=B2FDE87960E303CE517F8A9C0A0EFA412417386525F79B2A2BC60870366D6BC39C4629DC88AEE34CE521A6CC3D824DA8$7543A8F5B06363C7F171F9462051EC8E)

Answer of the Minister of Immigration and Asylum of 15 April 2019 to the Parliamentary question n° 550 of 2019 on reception facilities. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=7B0168AFCD58A56CD1772E1F879FCD3D\\$46A240F166BD5A4EA2E8EA88AC7EB6CC&fn=7B0168AFCD58A56CD1772E1F879FCD3D\\$46A240F166BD5A4EA2E8EA88AC7EB6CC.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=7B0168AFCD58A56CD1772E1F879FCD3D$46A240F166BD5A4EA2E8EA88AC7EB6CC&fn=7B0168AFCD58A56CD1772E1F879FCD3D$46A240F166BD5A4EA2E8EA88AC7EB6CC.pdf)

Answer of the Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign, and European Affairs of 25 June 2019 to the Parliamentary question n° 739 on reception facilities. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=D7757C9E47D7E2D43E5D2B39149B6119\\$92BFC94882649945B25471EECE2F7F36&fn=D7757C9E47D7E2D43E5D2B39149B6119\\$92BFC94882649945B25471EECE2F7F36.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=D7757C9E47D7E2D43E5D2B39149B6119$92BFC94882649945B25471EECE2F7F36&fn=D7757C9E47D7E2D43E5D2B39149B6119$92BFC94882649945B25471EECE2F7F36.pdf)

Answer of the Minister of Immigration and Asylum of 26 July 2019 to the Parliamentary question n°908 on alternatives to detention centres. URL: [https://chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=FDEE71AAD51F1204717C20CD1A30A980\\$98CE2AA55604286E8DD5768FEF87C167&fn=FDEE71AAD51F1204717C20CD1A30A980\\$98CE2AA55604286E8DD5768FEF87C167.pdf](https://chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=FDEE71AAD51F1204717C20CD1A30A980$98CE2AA55604286E8DD5768FEF87C167&fn=FDEE71AAD51F1204717C20CD1A30A980$98CE2AA55604286E8DD5768FEF87C167.pdf)

Answer of the Minister of Foreign and European Affairs of 6 September 2019 to the parliamentary question n°1045 on criticisms of Frontex. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=61311CD471DE9823785AB773AD5C70263A3D0B3F123D842FA30479A06D7D0028DC2AC662FCDC60DE4F91B0FBCB43D9F2\\$88A5858EA8B6DBA6C683589E99825AC3](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=61311CD471DE9823785AB773AD5C70263A3D0B3F123D842FA30479A06D7D0028DC2AC662FCDC60DE4F91B0FBCB43D9F2$88A5858EA8B6DBA6C683589E99825AC3)

Answer of the Ministry of Family Affairs, Integration and of the Greater Region of 13 September 2019 to the Parliamentary question n°925 on the budget provided for the implementation of the National Integration Plan.

URL:[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=415AC173EC92C70FE75B4A36ABB81B0804A56496AD68B647DECD77D1636D440BD5207A7F2248452BAFE0E421196D83C6\\$6A314950B09A37125290BE42AF0EB3BC](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=415AC173EC92C70FE75B4A36ABB81B0804A56496AD68B647DECD77D1636D440BD5207A7F2248452BAFE0E421196D83C6$6A314950B09A37125290BE42AF0EB3BC)

Answer of the Minister of National Education, Children and the Youth of 30 September 2019 to the parliamentary question n° 926 concerning the learning of the Luxembourgish language. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=AE24763609BA229246EA4FF127B018B7\\$DCED5E836124857FF8A8EF236C7DB88D&fn=AE24763609BA229246EA4FF127B018B7\\$DCED5E836124857FF8A8EF236C7DB88D.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=AE24763609BA229246EA4FF127B018B7$DCED5E836124857FF8A8EF236C7DB88D&fn=AE24763609BA229246EA4FF127B018B7$DCED5E836124857FF8A8EF236C7DB88D.pdf)

Answer of the Ministry of Family Affairs, Integration and of the Greater Region and the Ministry of Foreign and European Affairs of 1 October 2019 to the Parliamentary question n°1137 on reception facilities. URL:

[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=144A738B9F0721649A868B012A40D12E\\$F70F912F0F296DDD30C6B9C9CA6FAA5B&fn=144A738B9F0721649A868B012A40D12E\\$F70F912F0F296DDD30C6B9C9CA6FAA5B.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=144A738B9F0721649A868B012A40D12E$F70F912F0F296DDD30C6B9C9CA6FAA5B&fn=144A738B9F0721649A868B012A40D12E$F70F912F0F296DDD30C6B9C9CA6FAA5B.pdf)

Answer of the Minister of Family Affairs and Integration of 22 October 2019 to the Parliamentary question n°1239 concerning the study « Being Black in the EU ». URL : [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=4E22F34045F2EE2333427A4158FFDF9\\$B419F87A068FCE823C02815433CFF907&fn=4E22F34045F2EE2333427A4158FFDF9\\$B419F87A068FCE823C02815433CFF907.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=4E22F34045F2EE2333427A4158FFDF9$B419F87A068FCE823C02815433CFF907&fn=4E22F34045F2EE2333427A4158FFDF9$B419F87A068FCE823C02815433CFF907.pdf)

Answer of the Ministry of Labour, Employment and the Social and Solidarity Economy of 5 December 2019 to the parliamentary question n° 1444 on human trafficking in the labour market.

URL:[https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=37EAD625CBAFDB9CB845530F7DB68136E3C40FDBCCBC9BB6DC4964BEF0C3A1BB8BE476DBDAD4BC411880C61CDE1E5E9C\\$7F90572A892B1F9F9CE38CCB78052F70](https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=37EAD625CBAFDB9CB845530F7DB68136E3C40FDBCCBC9BB6DC4964BEF0C3A1BB8BE476DBDAD4BC411880C61CDE1E5E9C$7F90572A892B1F9F9CE38CCB78052F70)

Answer of the Minister of Family Affairs and Integration of 30 December 2019 to the Parliamentary question n°1547 relating to the measures used to fight against racism and xenophobia. URL : [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2D52BFFE6599A5343C785F1D78EB421C\\$9D68F86A9A5F41C98FB135984B044715&fn=2D52BFFE6599A5343C785F1D78EB421C\\$9D68F86A9A5F41C98FB135984B044715.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2D52BFFE6599A5343C785F1D78EB421C$9D68F86A9A5F41C98FB135984B044715&fn=2D52BFFE6599A5343C785F1D78EB421C$9D68F86A9A5F41C98FB135984B044715.pdf)

Answer of the Minister of Family Affairs, Integration and the Greater Region of 30 December 2019 to the Parliamentary question n°1575 on the National Council for Foreigners (CNE). URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=C1113EA02B9D27E5C3C7C14FC3AB8558DB0D59EDB621CD3928239D0AE259C3ED314B699A9AC23E9AD51D1E7937D1335E\\$023967EB281840DC5532B697F8F72149](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=C1113EA02B9D27E5C3C7C14FC3AB8558DB0D59EDB621CD3928239D0AE259C3ED314B699A9AC23E9AD51D1E7937D1335E$023967EB281840DC5532B697F8F72149)

Joint Answer of the Ministry of Labour, Employment and the Social and Solidarity Economy of 6 June 2019 to the Parliamentary question n°670 on temporary occupation authorization (AOT). URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=A3D51AF8348817B72BAA851E37E215E7\\$37346CD56F0DEFF6F69504CB3AB42348&fn=A3D51AF8348817B72BAA851E37E215E7\\$37346CD56F0DEFF6F69504CB3AB42348.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=A3D51AF8348817B72BAA851E37E215E7$37346CD56F0DEFF6F69504CB3AB42348&fn=A3D51AF8348817B72BAA851E37E215E7$37346CD56F0DEFF6F69504CB3AB42348.pdf)

Joint Parliamentary Answer n°1098 of the Ministry of Finance; Ministry of Family Affairs, Integration and the Greater Region; and the Ministry of Foreign and European Affairs of 25 September 2019, on the National Budget concerning the reception of persons requiring international protection. URL:https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=6E8C45B28616

[63A65F51DC73821E138E8FFF3506E29D9EFD5E52531E80CC43218D7379F66BA9DBC96FC6DC30EC9EF088\\$F2DE096B104434B2B69D3CD77FC81FEE](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=4D55DF16CF173788965536FD03FDBE783D55683651627406C4144199EBE8FE3A&fn=4D55DF16CF173788965536FD03FDBE783D55683651627406C4144199EBE8FE3A.pdf)

Joint answer from the Prime Minister and Minister of State, the Minister of Family and Integration and the Ministry of Justice of 11 October 2019 to the Parliamentary question n°1212 concerning a welcome gesture for new holders of Luxembourgish nationality. URL: https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=4D55DF16CF173788965536FD03FDBE783D55683651627406C4144199EBE8FE3A&fn=4D55DF16CF173788965536FD03FDBE783D55683651627406C4144199EBE8FE3A.pdf

Joint answer from the Minister of Justice and the Minister of National Education, Children and Youth of 25 October 2019 to the Parliamentary question n°1253 concerning the documentation needed for the “Living together in the Grand Duchy of Luxembourg” course. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=ADB D39F16F0A29877DE33EF3179CF0F0\\$90F9670E384CFB6D640F6E72F2C88B79&fn=ADB D39F16F0A29877DE33EF3179CF0F0\\$90F9670E384CFB6D640F6E72F2C88B79.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=ADB D39F16F0A29877DE33EF3179CF0F0$90F9670E384CFB6D640F6E72F2C88B79&fn=ADB D39F16F0A29877DE33EF3179CF0F0$90F9670E384CFB6D640F6E72F2C88B79.pdf)

Joint answer of the Minister of Family and Integration, the Minister of Immigration and Asylum, the Minister of Interior and the Minister of Housing of 10 December 2019 to the Parliamentary question n°1432 relating to the situation of beneficiaries of international protection seeking accommodation in Luxembourg. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=2705AB5A5446AA4ACCD780C1843272EDC51CA080CB18C7B06AA286A8D0E120EE52AF0D9E041CE5A2691B6F690A5A0261\\$256247A2C4F6595C7BE27ED0B9A742E7](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=2705AB5A5446AA4ACCD780C1843272EDC51CA080CB18C7B06AA286A8D0E120EE52AF0D9E041CE5A2691B6F690A5A0261$256247A2C4F6595C7BE27ED0B9A742E7)

Parliamentary document 7238/01, « Avis Conseil d'État ». Introduced into Parliament on 8 May 2018. URL:

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⁵⁰ Researchers are considered as economic migrants in Luxembourg.

⁵¹ Grand Ducal Decree of 29 January 2019 on the publication of the administrative agreement on the application of the Social Security Convention between the Grand Duchy of Luxembourg and the People's Republic of China, signed in Beijing, the 27 November 2017. Published in Memorial A 56 on 5 February, 2019. URL: <http://legilux.public.lu/eli/etat/leg/agd/2019/01/29/a56/jo>

⁵² Social Security Convention between the Grand Duchy of Luxembourg and the People's Republic of China, signed in Beijing, the 27 November 2017 – entered into force, Published in Memorial A 57 on 5 February 2019. URL: <http://data.legilux.public.lu/file/eli-etat-leg-memorial-2019-57-fr-pdf.pdf>

⁵³ Law of 28 May 2019 on the application of the Social Security Convention between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of Korea, made in Luxembourg 1 March 2018 and signed on 28 May 2019. Published in Memorial A 381 on 3 June 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/05/28/a381/jo>

⁵⁴ Grand Ducal Decree of 21 June 2019 on the publication of the administrative agreement signed in Luxembourg the 1 March 2018 on how to apply the Social Security Convention between the Grand Duchy of Luxembourg and the Republic of Korea. Published in Memorial A 435 on 25 June 2019. URL: <http://legilux.public.lu/eli/etat/leg/agd/2019/06/21/a435/jo>

⁵⁵ Social Security Convention between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of Korea, made in Luxembourg 1 March 2018 – entered into force. Published in Memorial A 436 on 25 June 2019. URL: <http://data.legilux.public.lu/file/eli-etat-leg-memorial-2019-436-fr-pdf.pdf>

⁵⁶ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 19

⁵⁷ *Ibid*, p. 20

⁵⁸ Summary of bill n°7268 amending 1) the Labour Code; 2) the amended law of 31 July 2006 introducing a Labour Code; and 3) the amended law of 19 December 2008 amending professional training. Introduced into Parliament on 22 March, 2018. URL: https://www.chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAffaires?action=doDo_cpaDetails&id=7268

⁵⁹ The law of 12 July 2019 amends: 1) the Labour Code; 2) the amended law of 31 July 2006 introducing a Labour Code; and 3) the amended law of 19 December 2008 amending professional training. Published in Memorial A497 of 12 July 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/07/12/a497/jo>

⁶⁰ Grand Ducal Regulation of 22 August 2019, 1) determining which professions fit under the framework of vocational trainings, 2) fixing the allowances for apprenticeships in the artisanal, commercial, HORECA, industrial and the agricultural sectors. Published on 23 August 2019 in Memorial A 579. URL: <http://legilux.public.lu/eli/etat/leg/rgd/2019/08/22/a579/jo>

⁶¹ Information provided by the Ministry of Education, Children and Youth on 20 December 2019.

⁶² Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 20

⁶³ The student must present an exemption for a residence permit, established by the Directorate of Immigration. Information provided by the Directorate of Immigration on 21 January 2020 and in accordance with Article 58 of the amended Immigration Law.

⁶⁴ Article 58 of the Immigration Law.

⁶⁵ Information provided by the University of Luxembourg on 6 March 2020.

⁶⁶ National Statistics and Economic Studies Institute (Staterc), « Le logement en chiffres au deuxième trimestre 2019 », Luxembourg, October 2019, p. 2. URL: <https://statistiques.public.lu/catalogue-publications/logement-en-chiffres/2019/PDF-Logement-8.pdf>

⁶⁷ OGBL, Aktuell: Logement, état d'urgence. Au Luxembourg, n° 3, 2019, p.8. URL: http://www.ogbl.lu/wp-content/uploads/2019/11/dossier_logement_fr.pdf

⁶⁸ EMN Luxembourg, 2018, "Attracting and retaining international students in the EU", p. 35. URL: https://www.emnluxembourg.lu/wp-content/uploads/2018/12/LU-EMN-NCP_Attracting-and-Retaining-International-Students_2018.pdf

⁶⁹ Information provided by the University of Luxembourg on 1 April 2020.

⁷⁰ Article 67-4 (1) to (4) of the amended law of 29 August 2008.

⁷¹ *Ibidem*.

⁷² Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 22.

⁷³ Bill n°6992 amending 1) the amended law of 29 August 2008 on the free movement of people and immigration ; 2) the amended law of 28 May 2009 concerning detention; and 3) the law of 2 September 2011 regulating access to artisanal professions, merchants and industrial professionals, as well as, other liberal professions. « Exposé des motifs », p. 19. Introduced into Parliament on 18 May 2016. URL: https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=BBECD23AC2E11C35B6516C74C2DE788B51536CC4595C360C00E18C9F5985ED195&fn=BBECD23AC2E11C35B6516C74C2DE788B51536CC4595C360C00E18C9F5985ED195.pdf

⁷⁴ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2018 en matière d'asile et d'immigration », Luxembourg, 2019, p.24.

⁷⁵ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 19

⁷⁶ LU EMN NCP answer to LU & COM Ad-hoc query on investor schemes (golden passports), launched on 14 February 2019.

⁷⁷ Answer of the Ministry of Foreign Affairs and the Ministry of Finance of 11 February 2019 to the Parliamentary question n° 270 of 25 January 2019 on Golden Passports and Visas, and whether they conform to EU concerns on money laundering and the financing of terrorism. URL: [https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=4FA3EB89CA10F1F194EF131B3C430F49F41226978137667F082217044A673061AB2368878431AE29C5A44E060954B215\\$E51072C3CFAD62CA88BB25BA1F282C80](https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=4FA3EB89CA10F1F194EF131B3C430F49F41226978137667F082217044A673061AB2368878431AE29C5A44E060954B215$E51072C3CFAD62CA88BB25BA1F282C80)

⁷⁸ *Ibidem*.

⁷⁹ LU EMN NCP answer to LU & COM Ad-hoc query on investor schemes (golden passports), launched on 14 February 2019.

⁸⁰ Information provided by the Bureau des Passeports, visas et légalisations on 15 November 2019.

⁸¹ Bill n°7238 amending the amended law of 29 August 2008 on the free movement of people and immigration. Introduced in Parliament on 29 January, 2018. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=DD4F8D1CC8F07D0892CC03CC3E3952C53579D3E53416FB67C7288D723076D248E011D7116C354688B97F7CE50BBBDCF1\\$2F27274A5EDF6212C90338F91C1343FA](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=DD4F8D1CC8F07D0892CC03CC3E3952C53579D3E53416FB67C7288D723076D248E011D7116C354688B97F7CE50BBBDCF1$2F27274A5EDF6212C90338F91C1343FA)

⁸² Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p.24.

⁸³ Ministry of Foreign and European Affairs, 4 July 2019, « Signature d'un protocole d'entente entre le Luxembourg et le Canada sur la mobilité des jeunes ».

⁸⁴ Circular on the declaration of arrival at the municipality of young people residing in Luxembourg under a working holiday visa. 4 April 2019. URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2019/janvier-juin/3689.pdf>

⁸⁵ Information provided by the Ministry of Foreign and European Affairs on 27 September 2019.

⁸⁶ Law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration.

⁸⁷ According to the new Withdrawal Agreement, the transitional period started on 1 February 2020 and will end on 31 December 2020. The period can be prolonged up to two years if agreed jointly by the EU and the UK before 1 July 2020.

⁸⁸ Parliamentary Document N° 7412/04, « Rapport de commission(s) : Commission des Affaires étrangères et européennes, de la Coopération, de l'Immigration et de l'Asile ». Introduced into Parliament on 28 March 2019, pp. 2-3. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=2338C3CBAE8E8B3533621009197ED1274AE7AEB4C5DF0E97A79E982217C0949E379F3C73A74BC58047660F2FC13655E4\\$44EF83174ADED4F2E4F52743CD2106F5](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=2338C3CBAE8E8B3533621009197ED1274AE7AEB4C5DF0E97A79E982217C0949E379F3C73A74BC58047660F2FC13655E4$44EF83174ADED4F2E4F52743CD2106F5)

⁸⁹ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 24.

⁹⁰ Article 3 of the law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration.

⁹¹ Article 4 (3 and 4) of the law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration.

⁹² Article 4 (1) of the law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration.

⁹³ The Government of Luxembourg, n.d., Right of residence and right of permanent residence. URL: <https://gouvernement.lu/en/dossiers/2019/brexit.html#bloub-3>

⁹⁴ Article 7 of the law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration.

⁹⁵ Article 8 of the law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration.

⁹⁶ Circular N°3692, 4 April 2019. « Annex : Conséquences du « BREXIT » ». URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2019/janvier-juin/3692.pdf>

⁹⁷ Parliamentary Document N°7406/03 « Rapport de la Commission de la Fonction Publique ». Introduced into Parliament on 20 March 2019, pp. 1-2. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=39967685C11A4868355B2DBE0CE9600AB14EDB5935A5D1F6BB0818716C099C363AB4F995D8AA199FBBF67A1867B9EC0F\\$3E6A86AEC9FD992FC7D0913CA449F395](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=39967685C11A4868355B2DBE0CE9600AB14EDB5935A5D1F6BB0818716C099C363AB4F995D8AA199FBBF67A1867B9EC0F$3E6A86AEC9FD992FC7D0913CA449F395)

⁹⁸ *Ibidem*.

⁹⁹ Law of 8 April 2019 amending: 1) the amended law of 16 April 1979 laying down the general status of civil servants; and 2) the amended law of 24 December 1985 laying down the general status of municipal officials.

¹⁰⁰ Parliamentary Document N°7406/03 « Rapport de la Commission de la Fonction Publique ».

¹⁰¹ Bill n°7409 Bill n°7409 on the amended law of July 24, 2014 on financial assistance from the state for higher education; the law of 28 October 2016 on the recognition on professional qualifications; the amended law of June 27, 2018 relating to the organization of the University of Luxembourg. Introduced into Parliament on 19 February 2019. URL:

[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=2959904F5A7E7084527724A3EF9661801C74ED80EABFEE8B3DE2966710B9C85696447F585883401209A2C445E882E5FE\\$D62FD8221BD085798E9E1B766C458A06](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=2959904F5A7E7084527724A3EF9661801C74ED80EABFEE8B3DE2966710B9C85696447F585883401209A2C445E882E5FE$D62FD8221BD085798E9E1B766C458A06)

¹⁰² Law of 8 April 2019 amending the law of 28 October 2016 relating to the recognition of professional qualifications.

¹⁰³ Parliamentary Document N°7409/04, « Rapport de la Commission de l'Education Nationale, de l'Enfance, de la Jeunesse, de l'Enseignement Superieure et de la Recherche ». Introduced into Parliament on 19 March, 2019, p2. URL:

[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=608F1549DC93BCD6E97F34F22E7B191D1F33F00CA71FA268FD71FF3A3C55B9A85B14E79E8C2DEC24B44E7CAA6A86A698\\$9048C62A834CA1C38ABBB30F803A38D3](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=608F1549DC93BCD6E97F34F22E7B191D1F33F00CA71FA268FD71FF3A3C55B9A85B14E79E8C2DEC24B44E7CAA6A86A698$9048C62A834CA1C38ABBB30F803A38D3)

¹⁰⁴ Parliamentary Document N°7421/03, « Avis de la Chambre de Commerce ». Introduced into Parliament on 13 March 2019, p1. URL:

[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=05A384022B9A0FF733D9422C1F17633877E805F0638C8535DBC5EC32C36BC0E873EF08E84973A7C2E68530384CD87E44\\$4862526DB2670704D83664C6073B45D2](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServingServletImpl?path=05A384022B9A0FF733D9422C1F17633877E805F0638C8535DBC5EC32C36BC0E873EF08E84973A7C2E68530384CD87E44$4862526DB2670704D83664C6073B45D2)

¹⁰⁵ Law of 8 April 2019 amending: 1) the amended law of 12 September 2003 relating to disabled persons; and 2) the amended law of 28 July relative to the social inclusion income. Published in Memorial A 240 on 11 April 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/04/08/a240/jo>

¹⁰⁶ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2018 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2019, p. 31.

¹⁰⁷ National Statistics and Economic Studies Institute (Statec). "Population per sex and per nationality as of January 1st 1981-2020 (x 1 000)", Luxembourg 2020. URL: https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12853&IF_Language=fra&MainTheme=2&FldrName=1

¹⁰⁸ CNE, « Proposition du Conseil National pour Etrangers », 2 January 2019, p. 6. URL: <https://brill-luxembourg.org/component/osdownloads/routedownload/general/cne-proposition-brexit>

¹⁰⁹ *Ibidem*.

¹¹⁰ BRILL, n.d. Advocacy. Citizen's Rights. URL: <https://brill-luxembourg.org/advocacy/citizens-rights>

¹¹¹ BRILL, n.d. Advocacy. URL: <https://brill-luxembourg.org/advocacy>

¹¹² CNE, « Proposition du Conseil National pour Etrangers », 2 January 2019.

¹¹³ MyGuichet.lu, n.d., Brexit – Citizens. URL: <https://guichet.public.lu/en/citoyens/brexit.html>

¹¹⁴ Information provided by the Head of the Airport Police Unit of the Grand Ducal Police on 13 January 2020.

¹¹⁵ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 3.

¹¹⁶ *Ibidem*.

¹¹⁷ European Migration Network, National Contact Point Luxembourg, "Annual Report on Migration and Asylum 2018", Luxembourg 2019, p. 31.

¹¹⁸ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 3.

¹¹⁹ *Ibidem*.

¹²⁰ European Migration Network, National Contact Point Luxembourg, "Annual Report on Migration and Asylum 2018", Luxembourg, 2019, p. 31.

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- ¹²¹ This number takes into account all decisions taken with regards to international protection, including grant decisions, refusals, Dublin III transfer decisions, withdrawal of applications and revocations.
- ¹²² Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 3.
- ¹²³ Information provided by the CEFIS on 10 April 2020, based on figures provided by the Directorate of Immigration.
- ¹²⁴ Refusals comprehend the number of negative decisions taken during the normal procedure, accelerated procedure and decisions based on inadmissibility, but not implicit withdrawals of applications of international protection.
- ¹²⁵ Information provided by the CEFIS on 21 April 2020.
- ¹²⁶ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 3.
- ¹²⁷ *Ibidem*.
- ¹²⁸ DP, LSAP et déi gréng, « Accord de coalition 2018-2023 », in gouvernement.lu, 3 December 2018, p.234.
- ¹²⁹ Bill n°7403 on the establishing of a National Reception Office (ONA) and amending : 1) the amended law of 21 September 2006 on tenancy agreements and amending certain sections of Labour Code ; 2) the amended law of 16 December 2008 about the integration of strangers to the Grand Duchy of Luxembourg ; 3) the amended law 18 December 2015 relating to the reception of asylum-seekers and temporary protection. Introduced into Parliament on 5 February, 2019. URL:
[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=300A0BA4027FE350CB0AEE09FD28AD3B\\$04B45619C40D299C061E7A0442E51526&fn=300A0BA4027FE350CB0AEE09FD28AD3B\\$04B45619C40D299C061E7A0442E51526.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=300A0BA4027FE350CB0AEE09FD28AD3B$04B45619C40D299C061E7A0442E51526&fn=300A0BA4027FE350CB0AEE09FD28AD3B$04B45619C40D299C061E7A0442E51526.pdf)
- ¹³⁰ Law of 4 December on the establishing of a National Reception Office (ONA).
- ¹³¹ DP, LSAP et déi gréng, « Accord de coalition 2018-2023 », in gouvernement.lu, 3 December 2018, p.234.
- ¹³² Article 2 of law of 4 December on the establishing of a National Reception Office (ONA).
- ¹³³ Bill n°7450 concerning the budget for State revenues and spending for 2019, Volume 1. p. 55. Introduced into Parliament on 5 March 2019. URL:
[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2966A52E9987035500B539E90DCEB67B\\$6850687C70BCB99495113752A0D107CE&fn=2966A52E9987035500B539E90DCEB67B\\$6850687C70BCB99495113752A0D107CE.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2966A52E9987035500B539E90DCEB67B$6850687C70BCB99495113752A0D107CE&fn=2966A52E9987035500B539E90DCEB67B$6850687C70BCB99495113752A0D107CE.pdf)
- ¹³⁴ Law of 20 December 2019 concerning the budget of revenue and expenditure of the State for the financial year 2020. Published in Memorial A 886 on 23 December 2019. URL:
[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=748D61372C55842794B6EBCC86B93975\\$A66C8F8023FB0EF90BBB25B1F68E3403&fn=748D61372C55842794B6EBCC86B93975\\$A66C8F8023FB0EF90BBB25B1F68E3403.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=748D61372C55842794B6EBCC86B93975$A66C8F8023FB0EF90BBB25B1F68E3403&fn=748D61372C55842794B6EBCC86B93975$A66C8F8023FB0EF90BBB25B1F68E3403.pdf)
- ¹³⁵ Information provided by the Directorate of Immigration on 23 December 2019.
- ¹³⁶ Joint Parliamentary answer n°1098 of the Ministries of Finance, Family and Integration, and Foreign Affairs of 25 September 2019 on the National Budget. URL [URL :
\[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=6E8C45B2861663A65F51DC73821E138E8FF3506E29D9EFD5E52531E80CC43218D7379F66BA9DBC96FC6DC30EC9EF088\\\$F2DE096B104434B2B69D3CD77FC81FEE\]\(https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=6E8C45B2861663A65F51DC73821E138E8FF3506E29D9EFD5E52531E80CC43218D7379F66BA9DBC96FC6DC30EC9EF088\$F2DE096B104434B2B69D3CD77FC81FEE\)](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=6E8C45B2861663A65F51DC73821E138E8FF3506E29D9EFD5E52531E80CC43218D7379F66BA9DBC96FC6DC30EC9EF088$F2DE096B104434B2B69D3CD77FC81FEE)
- ¹³⁷ Article 2 (3) of the law of 4 December on the establishing of a National Reception Office (ONA).
- ¹³⁸ Article 3 of the law of 4 December on the establishing of a National Reception Office (ONA).
- ¹³⁹ Article 4 of the law of 4 December on the establishing of a National Reception Office (ONA).
- ¹⁴⁰ Article 7 of the law of 4 December on the establishing of a National Reception Office (ONA).
- ¹⁴¹ Parliamentary Document N°7403/03, « Avis du Conseil d'Etat ». Introduced into Parliament on 26 April 2019. URL :
[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=700BAA019F3E1CB35EFE021DF756B714A69C7AF1663F3C914FF34F9C95CDE6BE69C23BD68A7A75B59277200D4CAB170D\\$59565960279BF8444CE89409F265619](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=700BAA019F3E1CB35EFE021DF756B714A69C7AF1663F3C914FF34F9C95CDE6BE69C23BD68A7A75B59277200D4CAB170D$59565960279BF8444CE89409F265619)
- ¹⁴² *Ibid*, p. 3.
- ¹⁴³ Parliamentary Document N°7403/05, « Avis du Conseil d'Etat ». Introduced into Parliament on 17 June 2019, p. 3. URL :
[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=CB77FA018B28A7D9A5998EF3DBF721815949ECCBE3A24A32FC7A4E0596A25B68C32C1155F016E01E77873E2288E9A01\\$E8C438547D7FAF9B6139E3DA203B3226](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=CB77FA018B28A7D9A5998EF3DBF721815949ECCBE3A24A32FC7A4E0596A25B68C32C1155F016E01E77873E2288E9A01$E8C438547D7FAF9B6139E3DA203B3226)
- ¹⁴⁴ *Ibidem*.

- ¹⁴⁵ Parliamentary Document N°7403/06, « Avis du Conseil d'Etat ». Introduced into Parliament on 08 October 2019, p. 5. URL : [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=4D2836937C560F6CB3E9EB4C10D4EF3774EE12B6C5E04E94233780A0EEF75552AEDCC54E825A7000217B8BC9A835C773\\$DF733A0F45DB91FFF1707573B0ED0A7F](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=4D2836937C560F6CB3E9EB4C10D4EF3774EE12B6C5E04E94233780A0EEF75552AEDCC54E825A7000217B8BC9A835C773$DF733A0F45DB91FFF1707573B0ED0A7F)
- ¹⁴⁶ Parliamentary Document 7403/03, 26 April 2019, p. 5.
- ¹⁴⁷ Parliamentary Document 7403/06, 10 October 2019, p. 5.
- ¹⁴⁸ Parliamentary Document N°7403/03, 26 April 2019, p. 6.
- ¹⁴⁹ Parliamentary Document N°7403/05, 17 June 2019.
- ¹⁵⁰ Parliamentary Document N°7403/03, 26 April 2019, p. 2.
- ¹⁵¹ Parliamentary Document N°7403/05, 17 June 2019, p. 3.
- ¹⁵² Parliamentary Document N°7403/03, 26 April 2019, p. 7.
- ¹⁵³ Parliamentary Document N° 7403/01, « Avis de la Chambre de Commerce ». Introduced into Parliament on 26 February 2019, p. 2. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=FA46802CCC3D66B7BCD85C718CD917A1\\$1580D600E4E6CBCAE2A68C52COD016EB&fn=FA46802CCC3D66B7BCD85C718CD917A1\\$1580D600E4E6CBCAE2A68C52COD016EB.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=FA46802CCC3D66B7BCD85C718CD917A1$1580D600E4E6CBCAE2A68C52COD016EB&fn=FA46802CCC3D66B7BCD85C718CD917A1$1580D600E4E6CBCAE2A68C52COD016EB.pdf)
- ¹⁵⁴ *Ibidem*.
- ¹⁵⁵ The Consultative Commission on Human Rights (CCDH), 21 May 2019, « Communiqué sur la réforme de l'Office luxembourgeois de l'accueil et de l'intégration », p. 1. URL : https://ccdh.public.lu/fr/actualites/2019/20190521_Communique_Reforme_OLAI.html
- ¹⁵⁶ Information provided by the ONA on 31 January 2020.
- ¹⁵⁷ Information provided by the Directorate of Immigration on 23 December 2019.
- ¹⁵⁸ *Ibidem*.
- ¹⁵⁹ *Ibidem*.
- ¹⁶⁰ Ministry of Foreign and European Affairs. « Rapport d'activité 2019 » p. 105. URL : https://maee.gouvernement.lu/content/dam/gouv_maee/minist%C3%A8re/rapports-annuels/Rapport-annuel-2019.pdf
- ¹⁶¹ Information provided by the Directorate of Immigration on 23 December 2019.
- ¹⁶² Ministry of Foreign and European Affairs. « Rapport d'activité 2019 » p. 105.
- ¹⁶³ Schimizzi Ioanna, « Un constat mitigé sur les droits des réfugiés », in : Paperjam.lu, 1 Decembre 2019. URL: <https://paperjam.lu/article/constat-mitige-sur-droits-refu?fbclid=IwAR2gRO-nwzPZgoxz14CJ8rg-k5XCbb-An10uSi4DO7s1derMPRF3fZUoIW4>
- ¹⁶⁴ The Government of Luxembourg, « Réaction du ministre de l'Immigration et de l'Asile, Jean Asselborn, suite aux récentes préoccupations formulées quant aux transferts Dublin vers l'Italie », 26 October 2018. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2018/10-octobre/26-asselborn-transferts-dublin.html
- See also: Tessie Jakobs, Flüchtlingspolitik. « Theorie gut, Praxis nicht so », in. Woxx 14 February 2020.
- ¹⁶⁵ Ministry of Foreign and European Affairs, « Rapport d'activité 2019 », p. 123.
- ¹⁶⁶ *Ibidem*.
- ¹⁶⁷ *Ibidem*.
- ¹⁶⁸ *Ibid*, p. 125.
- ¹⁶⁹ *Ibid*, p. 123.
- ¹⁷⁰ *Ibidem*.
- ¹⁷¹ *Ibidem*.
- ¹⁷² Answer of the Minister of Immigration and Asylum of 26 July, 2019 to the Parliamentary question n°908 on alternatives to detention centres. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=BFA5753FBDB4DAAC5786E14F5CB870F6F50B7272D22BF7C2F3840509091D9D3CE3BC866CC3F6934AB146A1F6FD399048\\$3B99835CA38A825C31D12_465249AC480](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=BFA5753FBDB4DAAC5786E14F5CB870F6F50B7272D22BF7C2F3840509091D9D3CE3BC866CC3F6934AB146A1F6FD399048$3B99835CA38A825C31D12_465249AC480)
- ¹⁷³ Luxembourg Refugee Council (LFR), Press Release on the occasion of the World Refugee Day, 20 June 2019. URL: https://docs.wixstatic.com/ugd/a35505_09597ed3d37b48478b5897ef98b5b0da.pdf.
- ¹⁷⁴ Caritas, "SHUK: To prevent the provisional!", Press Release on the occasion of the World Refugee Day, 20 June 2019, URL: <https://www.caritas.lu/caritas-news/actualites/shuk-pour-que-le-provisoire-ne-dure-pas>.
- ¹⁷⁵ Luxembourg Refugee Council (LFR), « SHUK: Pour que le provisoire ne dure pas! », publication on the occasion of the World Refugee Day, 20 June 2019, URL: https://619010fd-b8ee-47c4-bc7d-18228604e533.filesusr.com/ugd/a35505_1a0729f442834b7bad30c051bb137053.pdf

¹⁷⁶ Answer of the Ministry of Foreign and European Affairs of 15 February 2019 to the parliamentary question n° 269 of 25 January 2019 on the list of safe countries of origin. Algeria, Morocco and Tunisia will not be added to the list of safe countries. URL: [https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=B2FDE87960E303CE517F8A9C0A0EFA412417386525F79B2A2BC60870366D6BC39C4629DC88AEF34CE521A6CC3D824DA8\\$7543A8F5B06363C7F171F9462051EC8E](https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=B2FDE87960E303CE517F8A9C0A0EFA412417386525F79B2A2BC60870366D6BC39C4629DC88AEF34CE521A6CC3D824DA8$7543A8F5B06363C7F171F9462051EC8E)

¹⁷⁷ Article 30 (2) of the law of 18 December 2015 relative to the reception of applicants of international, and temporary protection, and amending the law of 10 August 1991 on the profession of lawyer. Published in Memorial A 255 of 28 December 2015. URL: <http://legilux.public.lu/eli/etat/leg/loi/2015/12/18/n16/jo>

¹⁷⁸ Answer of the Ministry of Foreign and European Affairs of 15 February 2019 to the parliamentary question n° 269 of 25 January 2019 on the list of safe countries of origin. Algeria, Morocco and Tunisia will not be added to the list of safe countries.

¹⁷⁹ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 8.

¹⁸⁰ Answer of the Minister of Foreign and European Affairs to parliamentary question n°3088 of 12 July 2017 on possible temporary return of refugees to their country of origin. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=C27053B3F3EA566D5A86E527AE07F58F\\$02CA1AF6179D16F66FA90C536CEDCA6A&fn=C27053B3F3EA566D5A86E527AE07F58F\\$02CA1AF6179D16F66FA90C536CEDCA6A.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=C27053B3F3EA566D5A86E527AE07F58F$02CA1AF6179D16F66FA90C536CEDCA6A&fn=C27053B3F3EA566D5A86E527AE07F58F$02CA1AF6179D16F66FA90C536CEDCA6A.pdf)

¹⁸¹ *ibidem*.

¹⁸² Directorate of Immigration, Bilan de l'année 2019 en matière d'asile de d'immigration, p.5

¹⁸³ Article 2 of law of 4 December 2019 on the establishing of the National Reception Office (ONA).

¹⁸⁴ Article 7 of law of 4 December 2019 on the establishing of the National Reception Office (ONA).

¹⁸⁵ The OLAI housing system is organised in three phases: phases 1 and 2 correspond to the first reception while phase 3 corresponds to accommodation in long-lasting structures. The phase 1 housing facility, located in the former Logopédie de Strassen (308 beds), accommodates newcomers wishing to apply for international protection in Luxembourg. It has for this purpose a permanent reception centre (24h / 24h, 7d / 7d). The duration of stay varies from 24h to 48h (depending on the administrative steps and the remaining capacity in phase 2) before a transfer to phase 2. Phase 2 accommodation has 204 beds (120 permanent and 204 for emergencies). Here the specific needs of AIPs is determined (medical, physiological etc.), the person will then be reoriented accordingly. It is also here that AIPs take part in the first phase of the Guided Integration Trail (PIA 1). Those whose application goes through an ultra-accelerated procedure are also accommodated here during the whole duration of the process, as well as, families and vulnerable people awaiting a Dublin III transfer. Phase 3 facilities have 3,432 beds, AIPs are transferred here after last and stay there until the duration of their application process. Source : Ministry of Family Affairs, Integration and the Greater Region, «Rapport d'activité 2018», p. 159. URL:

<https://mfamigr.gouvernement.lu/fr/support/recherche.gouvernement%2Bfr%2Bpublications%2Brapport-activite%2Bminist-famille-integration-grande-region%2Bmfamigr%2B2018-rapport-activite.html>

See also: Ministry of Family Affairs, Integration and the Greater Region, «Rapport d'activité 2019», p. 166. URL:

<https://mfamigr.gouvernement.lu/fr/support/recherche.gouvernement%2Bfr%2Bpublications%2Brapport-activite%2Bminist-famille-integration-grande-region%2Bmfamigr%2B2019-rapport-activite-mfamigr.html>

¹⁸⁶ Information provided by the ONA on 31 January 2020.

See also: Answer of the Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign, and European Affairs of 28 May 2019 to the Parliamentary question n° 739 of 2019 on reception facilities. URL:

[https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=D7757C9E47D7E2D43E5D2B39149B6119\\$92BFC94882649945B25471EECE2F7F36&fn=D7757C9E47D7E2D43E5D2B39149B6119\\$92BFC94882649945B25471EECE2F7F36.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=D7757C9E47D7E2D43E5D2B39149B6119$92BFC94882649945B25471EECE2F7F36&fn=D7757C9E47D7E2D43E5D2B39149B6119$92BFC94882649945B25471EECE2F7F36.pdf)

¹⁸⁷ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », p. 166.

¹⁸⁸ An occupancy rate above 80% can hardly be reached in family and mixed structures since the use of the full capacity is impossible (a foreign person can hardly occupy a free bed in a family room). Added to this is the loss of beds associated with rooms being renovated or closed due to obsolescence. Source: Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », p. 167.

¹⁸⁹ Information provided by the ONA on 31 January 2020.

¹⁹⁰ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », p. 167.

¹⁹¹ Answer of the Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign, and European Affairs of 28 May 2019 to the Parliamentary question n°739.

- ¹⁹² Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », p. 167.
- ¹⁹³ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2018 », p. 159.
- ¹⁹⁴ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », p. 168.
- ¹⁹⁵ Answer of the Minister of Immigration and Asylum of 29 April, 2019 to the Parliamentary question n°550 of 2019 of 15 April 2019 on reception facilities. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=7B0168AFCD58A56CD1772E1F879FCD3D\\$46A240F166BD5A4EA2E8EA88AC7EB6CC&fn=7B0168AFCD58A56CD1772E1F879FCD3D\\$46A240F166BD5A4EA2E8EA88AC7EB6CC.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=7B0168AFCD58A56CD1772E1F879FCD3D$46A240F166BD5A4EA2E8EA88AC7EB6CC&fn=7B0168AFCD58A56CD1772E1F879FCD3D$46A240F166BD5A4EA2E8EA88AC7EB6CC.pdf)
- ¹⁹⁶ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 37.
- ¹⁹⁷ Circular N°3722, 28 June 2019. « Informations sur la construction de structures d'hébergement de type modulaire pour demandeurs de protection internationale (DPI) ». URL : <https://mint.gouvernement.lu/dam-assets/circulaires/2019/janvier-juin/3722.pdf>
- ¹⁹⁸ The Luxembourgish Government. Press Release, Council of State : « Résumé des travaux du 8 mai 2019 », 8 May 2019.
- ¹⁹⁹ Bill n°7495 on the establishing of a special fund to support the development of local housing. Introduced into Parliament on 6 November 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=5942A4E00168DDAB28A2C86C53AD4EAAD090AA3ED4330EC13E6AFB69FA421219E967DE87389F326564BC2F3A2BF32566\\$10D2070C1BF791E635AC3EC2B7800DEA](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=5942A4E00168DDAB28A2C86C53AD4EAAD090AA3ED4330EC13E6AFB69FA421219E967DE87389F326564BC2F3A2BF32566$10D2070C1BF791E635AC3EC2B7800DEA)
- ²⁰⁰ Answer of the Minister of Immigration and Asylum of 29 April, 2019 to the Parliamentary question n°550 of 2019 of 15 April 2019 on reception facilities.
- ²⁰¹ Information provided by the OLAI on 18 December 2019.
- ²⁰² DP, LSAP et déi gréng, « Accord de coalition 2018-2023 », in gouvernement.lu, 3 December 2018, p. 234. URL
- ²⁰³ Answer of the Ministry of Family Affairs, Integration and of the Greater Region and the Ministry of Foreign and European Affairs of 1 October 2019 to the Parliamentary question n°1137 on reception facilities. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=144A738B9F0721649A868B012A40D12E\\$F70F912F0F296DDD30C6B9C9CA6FAA5B&fn=144A738B9F0721649A868B012A40D12E\\$F70F912F0F296DDD30C6B9C9CA6FAA5B.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=144A738B9F0721649A868B012A40D12E$F70F912F0F296DDD30C6B9C9CA6FAA5B&fn=144A738B9F0721649A868B012A40D12E$F70F912F0F296DDD30C6B9C9CA6FAA5B.pdf)
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- ²⁰⁵ Answer of the Ministry of Family Affairs, Integration and of the Greater Region and the Ministry of Foreign and European Affairs of 1 October 2019 to the Parliamentary question n°1137 on reception facilities.
- ²⁰⁶ LFR, "L'accès au marché du travail des demandeurs/bénéficiaires de protection internationale", January 2019, URL : https://619010fd-b8ee-47c4-bc7d-18228604e533.filesusr.com/ugd/a35505_6038fb1f49c34db9bb9527c32c1e8728.pdf
- ²⁰⁷ *Ibid*, p.12.
- ²⁰⁸ Luxembourg Refugee Council (LFR), 12 March 2019, « Le ministre du Travail, de l'Emploi et de l'Economie sociale et solidaire a rencontré le Lëtzebuerger Flüchtlingsrot – Collectif Réfugiés Luxembourg (LFR) ». URL : https://619010fd-b8ee-47c4-bc7d-18228604e533.filesusr.com/ugd/a35505_fc6537952808405aab6bd7809372ad29.pdf
- ²⁰⁹ LFR, « L'accès au marché du travail des demandeurs/bénéficiaires de protection internationale », January 2019.
- ²¹⁰ Ronnen Dësch, n.d. Newsletter "UN NOUVEAU CADRE", p. 3. URL : <https://ronnendes.lu/wp-content/uploads/2019/05/news-9-.1.pdf> and see: <https://www.lifelong-learning.lu>
- ²¹¹ The Consultative Commission on Human Rights (CCDH), Press Release on the Reform of the OLAI « Communiqué de la Commission consultative des Droits de l'Homme du Grand Duché de Luxembourg par rapport à la réforme de l'OLAI », 21 May 2019. URL: <https://ccdh.public.lu/dam-assets/fr/avis/2019/20190517-Communique-Reforme-OLAI-Version-finale.pdf>
- ²¹² Answer of the Ministry of Labour, Employment and the Social and Solidarity Economy of 6 June 2019 to the Parliamentary Question n°670 on Temporary work permit. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=A3D51AF8348817B72BAA851E37E215E7\\$37346CD56F0DEFF6F69504CB3AB42348&fn=A3D51AF8348817B72BAA851E37E215E7\\$37346CD56F0DEFF6F69504CB3AB42348.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=A3D51AF8348817B72BAA851E37E215E7$37346CD56F0DEFF6F69504CB3AB42348&fn=A3D51AF8348817B72BAA851E37E215E7$37346CD56F0DEFF6F69504CB3AB42348.pdf)
- ²¹³ Law of 28 July 2018 related to the social inclusion income.
- ²¹⁴ Coordinated text of 22 June 2004 of the Law of 29 April 1999 creating a right to a guaranteed minimum income, as it has been amended, published in Memorial A 103 of 2 July 2004. URL: <http://legilux.public.lu/eli/etat/leg/tc/2004/06/22/n1/jo>

²¹⁵ Guichet.lu, n.d., Applying for social inclusion income (REVIS). URL: <https://guichet.public.lu/en/citoyens/sante-social/action-sociale/aide-financiere/revenu-inclusion-sociale-revis.html>

²¹⁶ Parliametry Document N°7113/14 relating to the social inclusion income (REVIS), Commentary of Article 2, p. 32. Published on 20 September 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=69BF147B0FAA2EB01F66E2229E6651F724B061FC4C6D0C45D9805D852327BDBCAB9D05C85D95C15F5007BF71A8AE53FD\\$BB90FF49F954EC0FDD951356DB5BFD71](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=69BF147B0FAA2EB01F66E2229E6651F724B061FC4C6D0C45D9805D852327BDBCAB9D05C85D95C15F5007BF71A8AE53FD$BB90FF49F954EC0FDD951356DB5BFD71)

²¹⁷ Article 2 (2) of the law of 28 July 2018 on the social inclusion income.

²¹⁸ Article 4 (3) of the law of 28 July 2018 on the social inclusion income.

²¹⁹ Guichet.lu, n.d., Applying for social inclusion income (REVIS). URL: <https://guichet.public.lu/en/citoyens/sante-social/action-sociale/aide-financiere/revenu-inclusion-sociale-revis.html>

²²⁰ Joint answer of the Minister of Family and Integration, the Minister of Immigration and Asylum, the Minister of Interior and the Minister of Housing of 10 December 2019 to the Parliamentary question n°1432 relating to the situation of beneficiaries of international protection seeking accommodation in Luxembourg. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=2705AB5A5446AA4ACCD780C1843272EDC51CA080CB18C7B06AA286A8D0E120EE52AF0D9E041CE5A2691B6F690A5A0261\\$256247A2C4F6595C7BE27ED0B9A742E7](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=2705AB5A5446AA4ACCD780C1843272EDC51CA080CB18C7B06AA286A8D0E120EE52AF0D9E041CE5A2691B6F690A5A0261$256247A2C4F6595C7BE27ED0B9A742E7)

²²¹ Ronnen Dësch, Newsletter « UN NOUVEAU CADRE », p. 5.

²²² The Consultative Commission on Human Rights (CCDH), Press Release on the Reform of the OLAI « Communiqué de la Commission consultative des Droits de l’Homme du Grand Duché de Luxembourg par rapport à la réforme de l’OLAI », 21 May 2019.

²²³ Information provided by the Luxembourgish Red Cross- LISKO on 31 December 2019.

²²⁴ European website on Integration, 21 May 2019. « Tout Savoir sur les DPI/BPI dans ma commune ». URL: <https://ec.europa.eu/migrant-integration/librarydoc/tout-savoir-sur-laccueil-de-dpi-et-de-bpi-dans-ma-commune?lang=en>

²²⁵ Information provided by the ONA on 31 January 2020.

²²⁶ Answer of the Ministry of Family Affairs, Integration and of the Greater Region of 16 September 2019 to the Parliamentary question n°925 on the budget provided for the implementation of the National Integration Plan. URL:

[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=415AC173EC92C70FE75B4A36ABB81B0804A56496AD68B647DECD77D1636D440BD5207A7F2248452BAFE0E421196D83C6\\$6A314950B09A37125290BE42AF0EB3BC](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=415AC173EC92C70FE75B4A36ABB81B0804A56496AD68B647DECD77D1636D440BD5207A7F2248452BAFE0E421196D83C6$6A314950B09A37125290BE42AF0EB3BC)

²²⁷ Information provided by the Directorate of Immigration on 20 December 2019.

²²⁸ Law of 15 December 2017 concerning the budget for State revenues and spending for 2018. Published in Memorial A1097 on December 2017. URL: <http://legilux.public.lu/eli/etat/leg/loi/2017/12/15/a1097/jo>

²²⁹ Article 12.000 of the expenditures budget 2019 under section 01.4 – Immigration of the law of 26 April 2019 concerning the budget for State revenues and spending for 2019 and amending: 1) the Social Security Code; 2) the Labour Code; 3) the general law on taxes, amended on 22 May 1931 (“Abgabenordnung”; 4) the amended law of 30 June 1947 on the organisation of the diplomatic service; 5) the amended law of 4 December 1967 on income tax; 7) the amended law of 10 December 1998 on the creation of the public institution called “Fonds d’assainissement de la Cité Syrdall”; 8) the amended law of 8 June 1999 on the budget, accounts and the State treasury; 9) the amended law of 24 December 1999 concerning the budget for State revenues and spending for 2000; 10) the amended law of 22 December 2006 concerning the budget for State revenues and spending for 2007; 11) the amended law of 14 December 2016 on the creation of a Fund for the overall allocation of municipalities. Published in Memorial A274 on 26 April 2019. URL : <http://legilux.public.lu/eli/etat/leg/loi/2019/04/26/a274/jo>

²³⁰ The Government of Luxembourg, 9 October 2019, Press Release, « Jean Asselborn au Conseil ‘Justice et affaires intérieures’ ». URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2019/10-octobre/09-asselborn-conseil.html

²³¹ Luxembourg participated in ad hoc relocation exercises in 2019 (following disembarkations in Italy and Malta) coordinated by the European Commission. Overall, Luxembourg relocated 42 persons in 2019, 23 from Italy, and 19 from Malta. Information provided by the Directorate of Immigration on 21 January 2020.

²³² Information provided by the Directorate of Immigration on 23 December 2019.

See also: Ministry of Foreign and European Affairs, 9 December 2019. Press Release, « Réinstallation de 35 réfugiés du Niger au Luxembourg ». URL:

https://maee.gouvernement.lu/fr/agenda.gouvernement%2Bfr%2Bactualites%2Btoutes_actualites%2Bcommunes%2B2019%2B12-decembre%2B09-reinstallation-refugies.html

²³³ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 12.

²³⁴ Information provided by the Directorate of Immigration on 10 March 2020.

²³⁵ Information provided by the Directorate of Immigration on 2 April 2020.

²³⁶ Information provided by the Directorate of Immigration on 23 December 2019.

²³⁷ Article 3 of the law of 4 December 2019 amending the law of 29 August 2008 on the free movement of persons and immigration.

²³⁸ European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018 », Luxembourg, 2019, pp. 47-48.

²³⁹ This is an ongoing discussion, please refer to the EMN Annual Report on Migration and Asylum 2018 for more details. European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018 », Luxembourg, 2019, p. 47-48.

²⁴⁰ Parliamentary Document N°7238/04, « Dépêche du Président de la Chambre des Députés au Président du Conseil d'Etat ». Introduced into Parliament on 11 February 2019, pp. 1-2. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2Fpdf&id=AF73A2710E061D03775AAC11BAE32E9F\\$3903EA3593A2B64F236DEE2BF417A2AF&fn=AF73A2710E061D03775AAC11BAE32E9F\\$3903EA3593A2B64F236DEE2BF417A2AF.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2Fpdf&id=AF73A2710E061D03775AAC11BAE32E9F$3903EA3593A2B64F236DEE2BF417A2AF&fn=AF73A2710E061D03775AAC11BAE32E9F$3903EA3593A2B64F236DEE2BF417A2AF.pdf)

²⁴¹ Government of Luxembourg, Council of Government, Press Release, « Résumé des travaux du 29 novembre 2019 », 29 November 2019. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2019/11-novembre/29-conseil-gouvernement.html

²⁴² Information provided by the Directorate of Immigration on 21 January 2020.

²⁴³ *Ibidem*.

²⁴⁴ Parliamentary Document N°7238/02, « Avis de la Commission Consultative des Droits de l'Homme ». Introduced into Parliament in September 2018, p. 2. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2Fpdf&id=A114ACC29F15F5947D4F5C1234FE4A20\\$AE5A738B36CED68E9DD14B11DB69723B&fn=A114ACC29F15F5947D4F5C1234FE4A20\\$AE5A738B36CED68E9DD14B11DB69723B.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2Fpdf&id=A114ACC29F15F5947D4F5C1234FE4A20$AE5A738B36CED68E9DD14B11DB69723B&fn=A114ACC29F15F5947D4F5C1234FE4A20$AE5A738B36CED68E9DD14B11DB69723B.pdf)

²⁴⁵ Ombuds-Committee for Children's Rights (ORK), "Report 2019 to the Government and the Chamber of Deputies", Luxembourg, November 2019, p. 133. URL: http://ork.lu/files/RapportsORK_pdf/RAPPORT_2019_ORK_Complet_WEB.pdf

²⁴⁶ *Ibid*, p. 133-134.

²⁴⁷ *Ibid*, p. 134.

²⁴⁸ See: *Centre psycho-social et d'accompagnement scolaire* – CePAS website. URL: <https://cepas.public.lu/fr.html>

²⁴⁹ Ombuds-Committee for Children's Rights (ORK), "Report 2019 to the Government and the Chamber of Deputies", Luxembourg, November 2019, p. 134.

²⁵⁰ Parliamentary Document N°7238/02 of 19 July 2018, p. 2.

²⁵¹ Ombuds-Committee for Children's Rights (ORK), "Report 2019 to the Government and the Chamber of Deputies", Luxembourg, November 2019, p. 134.

²⁵² European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018 », Luxembourg, 2019, p. 48.

²⁵³ The Consultative Commission on Human Rights (CCDH), « Rapport sur les conditions d'accueil des demandeurs et bénéficiaires de protection internationale au Luxembourg », Luxembourg, 2018, p. 4. URL: <https://ccdhdh.public.lu/dam-assets/fr/avis/2018/Rapport-Conditions-accueil-DPI-version-26112018-Version-finale.pdf>

²⁵⁴ Ombuds-Committee for Children's Rights (ORK), Report 2019 to the Government and the Chamber of Deputies, Luxembourg, November 2019, p. 129.

See also: Luxembourg Refugee Council (LFR), Press Release, 20 June 2019, p.1 URL: https://docs.wixstatic.com/ugd/a35505_09597ed3d37b48478b5897ef98b5b0da.pdf

²⁵⁵ Information provided by the Consultative Commission on Human Rights (CCDH) on 27 November 2019 and by the Ombuds-Committee for Children's Rights on 29 November 2019.

²⁵⁶ Ombuds-Committee for Children's Rights (ORK), "Report 2019 to the Government and the Chamber of Deputies", Luxembourg, November 2019, p. 129.

²⁵⁷ Ombuds-Committee for Children’s Rights (ORK), “Report 2017 to the Government and the Chamber of Deputies”, Luxembourg, November 2017. URL: http://ork.lu/files/RapportsORK_pdf/RAP2017Compil_AvecAnnexesVersionWeB.pdf

See also: Ombuds-Committee for Children’s Rights (ORK), “Report 2016 to the Government and the Chamber of Deputies”, Luxembourg, November 2016. URL: http://ork.lu/files/RapportsORK_pdf/RAPPORT_ORK_2016.pdf

²⁵⁸ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 125 and 135.

²⁵⁹ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 129 and 134.

²⁶⁰ Article 20 (3) of the Law of 18 December 2015 on international protection and temporary protection.

²⁶¹ Ombuds-Committee for Children’s Rights (ORK), “Rapport 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 134.

²⁶² The Consultative Commission on Human Rights (CCDH), “Report on trafficking in human beings in Luxembourg: Years 2017-2018”, Luxembourg, 2019, p. 59. URL: <https://ccdh.public.lu/dam-assets/fr/avis/2019/CCDH-2e-Rapport-sur-la-traite-des-etres-humains-FINAL-.pdf>

²⁶³ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 134.

See also: UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3. Available at: <https://www.refworld.org/docid/3ae6b38f0.html>

²⁶⁴ Bill n°7276 instituting a protection regime for youths and amending the amended law of 7 March 1980 on the judicial organisation. Introduced into Parliament on 13 April 2018. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2A8EDC8A8FC2D4E70C5275E6BDDFDCA8\\$CF1FDCBBD85765A7739050D2A4BF2792&fn=2A8EDC8A8FC2D4E70C5275E6BDDFDCA8\\$CF1FDCBBD85765A7739050D2A4BF2792.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2A8EDC8A8FC2D4E70C5275E6BDDFDCA8$CF1FDCBBD85765A7739050D2A4BF2792&fn=2A8EDC8A8FC2D4E70C5275E6BDDFDCA8$CF1FDCBBD85765A7739050D2A4BF2792.pdf)

²⁶⁵ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, pp. 134-135.

See also: Parliamentary Document N°7276/05, «Avis de l’Ombuds Comite Fir d’Rechter vum Kand ». Introduced into Parliament on 15 March 2019, p. 4. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=FEAC679369621DB263501419D72DC668\\$731C1EDED7AF8D1332A205EFEA76095&fn=FEAC679369621DB263501419D72DC668\\$731C1EDED7AF8D1332A205EFEA76095.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=FEAC679369621DB263501419D72DC668$731C1EDED7AF8D1332A205EFEA76095&fn=FEAC679369621DB263501419D72DC668$731C1EDED7AF8D1332A205EFEA76095.pdf)

²⁶⁶ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 125 and 129.

²⁶⁷ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 129.

²⁶⁸ Luxembourgish Council for Refugees (LFR), « L'accueil des réfugiés, une politique de longue haleine: propositions aux négociateurs d'un accord de coalition », Luxembourg, 23 October 2018, p. 2. URL: <https://gouvernement.lu/dam-assets/documents/actualites/2018/12-decembre/05-pv-plainieres/3-autres-documents/Letz-Fluchtlingsrot-Note.pdf>

²⁶⁹ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 128.

²⁷⁰ The Consultative Commission on Human Rights (CCDH), n.d. “Report on human trafficking in Luxembourg 2017-2018”. p. 85.

²⁷¹ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 128.

²⁷² For more information, see: European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2017 », Luxembourg, 2018, p. 55. URL: http://www.emnluxembourg.lu/wp-content/uploads/2018/10/Annual-Report-on-Migration-and-Asylum_EN_final.pdf

²⁷³ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 132.

²⁷⁴ *ibidem*.

²⁷⁵ Ministry of Foreign and European Affairs, « Rapport d’activité 2019 », p. 114.

²⁷⁶ Guichet.lu, n.d, Application for the status as a stateless person. URL: <https://guichet.public.lu/en/citoyens/immigration/cas-specifiques/apatriide/demande-statut-apatriide.html>

See also: European Migration Network (2020). “Statelessness in the European Union - EMN Inform”, p. 8. Brussels. URL : http://www.emnluxembourg.lu/wp-content/uploads/2020/01/00_eu_inform_statelessness_final_en.pdf

²⁷⁷ Ombuds-Committee for Children’s Rights (ORK), “Report 2019 to the Government and the Chamber of Deputies”, Luxembourg, November 2019, p. 63.

²⁷⁸ *Ibidem*.

See also: UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3. Available at: <https://www.refworld.org/docid/3ae6b38f0.html>

²⁷⁹ Ministry of Foreign and European Affairs, « Rapport d’activité 2019 », p. 115.

²⁸⁰ Draft Grand Ducal Regulation amending the amended Grand Ducal Regulation of 5 September 2008 on the execution of certain dispositions relative to administrative formalities provided by the law of 29 August 2008 on the free circulation of people and immigration. 11 February 2020. URL: <https://conseil-etat.public.lu/dam-assets/fr/avis/2020/11022020/60087-JUR-PRG,-Formalites-administratives-libre-circulation-des-personnes-et-l%E2%80%99immigration-.pdf>

²⁸¹ Law of 4 December 2019 on the establishing of the National Reception Office (ONA).

²⁸² OLAI, Ministry of Family Affairs, Integration and the Greater Region, « Plan d’action national d’intégration (PAN intégration) 2018 », 13 July 2018, p. 3. URL: <https://mfamigr.gouvernement.lu/fr/le-ministere/attributions/integration/niveau-national/pan1.html>

²⁸³ Article 6 of the law of 16 December 2008 concerning the integration of foreigners in the Grand Duchy of Luxembourg.

²⁸⁴ Article 8 (6) of the law of 4 December 2019 on the establishing of the National Reception Office (ONA).

²⁸⁵ European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018», Luxembourg, 2019, p. 39. URL: http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Rapport-annuel-sur-les-migrations-et-lasile_2018_FR.pdf

²⁸⁶ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d’activité 2019 », Luxembourg, 2020, p. 13.

²⁸⁷ Bill n°7500 concerning the budget for State revenues and spending for 2020, Volume 1. Introduced into Parliament on 14 October 2019. Volume 1. p36. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=CDC43110BD2B7CA457CF326C6088F33\\$7C9A69E1D1A769D45A76A603A8F6627A&fn=CDC43110BD2BF7CA457CF326C6088F33\\$7C9A69E1D1A769D45A76A603A8F6627A.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=CDC43110BD2B7CA457CF326C6088F33$7C9A69E1D1A769D45A76A603A8F6627A&fn=CDC43110BD2BF7CA457CF326C6088F33$7C9A69E1D1A769D45A76A603A8F6627A.pdf)

²⁸⁸ The Government of Luxembourg, Press Release: « Lancement de l’appel à manifestation d’intérêt pour le financement de projets pilotes de courte durée dans le cadre du Plan d’action national d’intégration », 21 May 2019. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2019/05-mai/21-pan-integration.html

²⁸⁹ The Government of Luxembourg, Press Release : « Lancement de l’appel à projets 2020 dans le cadre du Plan d’action national d’intégration », 8 November 2019. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2019/11-novembre/08-appel-projets-integration.html

²⁹⁰ Information provided by the Ministry of Family Affairs, Integration and the Greater Region on 9 December 2019.

²⁹¹ *Ibidem*.

²⁹² The Welcome and Integration Contract (CAI) is made available by the OLAI 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: My.Guichet, “Concluding a Welcome and Integration Contract (CAI) with the State of Luxembourg”, January 2020. URL: <https://guichet.public.lu/en/citoyens/immigration/nouveau-resident-luxembourg/arrivee-luxembourg/contrat-accueil-integration.html>

²⁹³ Grand Ducal Regulation of 12 December 2019 amending: 1 ° the amended Grand Ducal Regulation of 31 March 2000 having for object 1) to fix the terms of the contracts convening adult courses and the conditions of obtaining a quality label and a grant 2) to create an Advisory Commission on Adult Education; 2 ° the amended Grand Ducal regulation of 2 September 2011 1. Fixing the conditions of application and execution methods relating to the reception and integration contract 2. Amending the Grand Ducal regulation of May 15, 2001 fixing the amount the registration fee to be paid upon admission to an adult education course organised by the

Adult Training Service 3. Amending the Grand Ducal Regulation of 31 March 2000 having as its object 1) to fix the terms contracts agreeing courses for adults and the conditions for obtaining a quality label and a subsidy 2) to create a Consultative Commission for the Education of Adults 4. amending the Grand Ducal Regulation of 3 August 2010, fixing the amounts of the registration fees to be paid upon admission to a course organised by the National Institute of Languages; 3 ° the Grand Ducal Regulation 15 November 2011 relating to the organisation and operation of the municipal integration consultative committees; 4 ° the amended Grand Ducal Regulation of 15 November 2011 determining the procedures for appointing representatives of foreigners to the National Council for foreigners, as well as their distribution by nationality; 5 ° the Grand Ducal Regulation of 23 April 2013 having as its object 1. to fix the amount of the registration fee to be paid upon admission to a course of general interest organised by the Adult Training Service and 2. to amend the amended Grand Ducal Regulation of 31 March 2000 having for object 1) to fix the modalities of the contracts agreeing courses for adults and the conditions of obtaining a quality label and a subsidy 2) to create an Advisory Commission on Adult Education; 6 ° the Grand Ducal Regulation of 27 June 2018 fixing the amount of the registration fees for the courses organised by the National Languages Institute. Published on 28 December 2019 in Memorial A908. URL: <http://legilux.public.lu/eli/etat/leg/rgd/2019/12/12/a908/jo>

²⁹⁴ Ministry of Family Affairs, Integration and the Greater Region, «Rapport d'activité 2019 », p. 15.

²⁹⁵ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 71. URL: <http://www.men.public.lu/catalogue-publications/themes-transversaux/rapport-activites/ministere/2019/fr.pdf>

²⁹⁶ The Guided Integration Trail (PIA) aims to integrate AIPs in the first few weeks after their arrival in Luxembourg. It is based on the principle that successful integration mainly consists of two elements: 1. learning the national and administrative languages and 2. understanding how everyday life functions in Luxembourg. The PIA is currently divided into two phases (PIA I and PIA II). PIA I includes 17 hours of training on linguistic integration and information sessions on everyday life in Luxembourg. PIA II, launched in January 2018, targets candidates who have completed PIA I and focuses on two pillars: mandatory language courses and information sessions on everyday life in Luxembourg. Source: European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2017», Luxembourg, 2018.

²⁹⁷ Information provided by the Ministry of Family Affairs, Integration and the Greater Region on 3 December 2019

See also: Law of 4 December 2019 on the establishing of the National Reception Office (ONA).

²⁹⁸ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », 2020, p. 180.

²⁹⁹ Information provided by the Department of Adult Education (SFA) on 28 November 2019.

³⁰⁰ IL1: nine hours of class during which people receive a presentation of the Luxembourg's educational system and linguistic situation, as well as an introduction to the Luxembourgish language. Orientations are carried out individually at the end of the IL1 courses. People are then enrolled in literacy or in French as a foreign language classes;

IL2: at least 120 hours of literacy or French as a foreign language, beginners course.

Source: Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p.73.

³⁰¹ *ibid*, pp. 71 and 73.

³⁰² *ibid*, p. 67.

³⁰³ Parliamentary Answer of the Minister of Immigration and Asylum of the 15 April 2019 to the Parliamentary question n° 550 on the housing situation of AIPs.

³⁰⁴ The CNE is an advisory body responsible for studying, either on its own initiative or at the request of the Government, problems concerning foreigners and their integration. On all projects that the Government deems useful to submit to it, the CNE gives its opinion within the deadlines set by the Government. He has the right to present to the Government any proposal it deems useful for improving the situation of foreigners and their families. It will submit to the Government an annual report on the integration of foreigners in Luxembourg which is made public. Currently, the CNE comprises 34 members of which:

- 22 are foreign representatives;
- 12 are members, representing patron organisations (four), labour unions (four), the Luxembourgish town and municipal union (*Syndicats des villes et communes Luxembourgeoises* – SYVICOL) (one), two civil society parties (two) and refugees (1).

Source: The National Council for Foreigners (CNE), «Propositions sur la réforme du CNE», 14 June 2019. URL: https://mfamigr.gouvernement.lu/content/dam/gouv_mfamigr/le-minist%C3%A8re/attributions/int%C3%A9gration/cne/Version-finale-proposition-de-reforme-du-CNE-14062019.pdf

³⁰⁵ Answer from the Minister of Family Affairs, Integration and the Greater Region of 31 December 2019 to the Parliamentary question n°1575 on the National Council for Foreigners (CNE). URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=C1113EA02B9D27E5C3C7C14FC3AB8558DB0D59EDB621CD3928239D0AE259C3ED314B699A9AC23E9AD51D1E7937D1335E\\$023967EB281840DC5532B697F8F72149](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=C1113EA02B9D27E5C3C7C14FC3AB8558DB0D59EDB621CD3928239D0AE259C3ED314B699A9AC23E9AD51D1E7937D1335E$023967EB281840DC5532B697F8F72149)

³⁰⁶ The National Council for Foreigners, Proposal of the CNE on the translation of Parliamentary questions, 20 February 2019 URL: https://mfamigr.gouvernement.lu/content/dam/gouv_mfamigr/le-minist%C3%A8re/attributions/int%C3%A9gration/cne/Avis-CNE-sur-QP-langue-Lux.pdf

³⁰⁷ The National Council for Foreigners, Proposal of the CNE on cross-border commuters and teleworking, 3 April 2019. URL: https://mfamigr.gouvernement.lu/content/dam/gouv_mfamigr/le-minist%C3%A8re/attributions/int%C3%A9gration/cne/CNE-proposition-teletravail-20190403.pdf

³⁰⁸ The National Council for Foreigners, n.d, « Rapport d'activité 2018 ». Published in 2019. URL: https://mfamigr.gouvernement.lu/content/dam/gouv_mfamigr/le-minist%C3%A8re/attributions/int%C3%A9gration/cne/FR-Rapport-final-2018.pdf

³⁰⁹ Grand Ducal Regulation of 12 December 2019, see Memorial A908.

³¹⁰ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », p. 15.

³¹¹ DP, LSAP et déi gréng, « Accord de coalition 2018-2023 », in gouvernement.lu, 3 December 2018, p. 53.

³¹² In the EMN Annual report of 2018, it was reported that the ASTI and the CLAE called for a reform of the CNE. They proposed to completely change the CNE election procedures. Further the League of Human Rights believe that the CNE can be an effective tool all non-Luxembourgish residents take part in the elections. Source: European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018 », Luxembourg, 2019.

³¹³ CLAE, « Le CNE d'aujourd'hui et le CNE de demain – Comment réformer et valoriser le Conseil national pour étrangers? », 2 mars 2019. URL: <https://www.clae.lu/festival-des-migrations-samedi-2-mars-2019-a-17h/>

³¹⁴ The National Council for Foreigners (CNE), 14 June 2019, "Propositions sur la réforme du CNE".

³¹⁵ Parliamentary question n°1575 of the 5 December 2019 on the National Council for Foreigners (CNE). URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=8B124BDD4ECA5DC36124BF973FEB2ABE845E4EBE4F2A367830E256AEFC4A7BF65FFF59C96B90F17C557EE481AE077828\\$39CC2E910212DE7EC7AD2708B372C8AD](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=8B124BDD4ECA5DC36124BF973FEB2ABE845E4EBE4F2A367830E256AEFC4A7BF65FFF59C96B90F17C557EE481AE077828$39CC2E910212DE7EC7AD2708B372C8AD)

³¹⁶ *Ibidem.*

³¹⁷ *Ibidem.*

³¹⁸ Article 43.000 of the expenditures budget 2020 under section 12.2- Integration. In: Law of 20 December 2019 concerning the budget for State revenues and spending for 2019 and amending: 1) the general law on tax, amended on 1931 ("Abgabenordnung"); 2) the law of 27 July 1938 on the establishing of reserve crisis fund; 3) the amended law of 4 December 1967 on income tax; 4) the amended law of 10 March 1969 providing for a general inspection of finance;

5) the amended law of 12 February 1979 on VAT; 6) the amended law of 24 December 1996 on the introduction of a tax credit when hiring unemployed persons; 7) the amended law of 28 April 1998 on a) the harmonization of teaching music in the municipal sector; b) amendment of article 5 of the law of 24 May 1989 on work contracts; c) amending the amended law of 22 June 1963 fixing the salaries and benefits system; 8) the electoral law of 18 February 2003, amended a such; 9) the amended law of 17 December 2010 fixing the excise duties and taxes assimilated to energy products, electricity, manufactured products containing tobacco, alcohol and alcoholic beverages; 10) the amended law of 29 April 2014 the budget for State revenues and spending for 2014; 11) the amended law of 25 March 2015 fixing the salaries and benefits, and the conditions and modalities of promotions for civil servants; 12) the law of 27 March 2018 on the organisation of civilian security; 13) the law of 10 August 2018 on the organisation of the Registration Duties, Estates and VAT Authority. Published in Memorial A 886 on 23 December 2019, p 150. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/12/20/a886/jo>

³¹⁹ Bill n°7500 concerning the budget for State revenues and spending for 2020, Volume 1. Introduced into Parliament on 14 October 2019. Volume 1, p.36. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=CDC43110BD2B77CA457CF326C6088F33\\$7C9A69E1D1A769D45A76A603A8F6627A&fn=CDC43110BD2BF7CA457CF326C6088F33\\$7C9A69E1D1A769D45A76A603A8F6627A.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=CDC43110BD2B77CA457CF326C6088F33$7C9A69E1D1A769D45A76A603A8F6627A&fn=CDC43110BD2BF7CA457CF326C6088F33$7C9A69E1D1A769D45A76A603A8F6627A.pdf)

³²⁰ Subsidies for public entities within the municipal, intermunicipal and regional sector, initiating and supporting projects aimed at improving the integration and reception of foreigners.

³²¹ Information provided by the Ministry of Family Affairs, Integration and the Greater Region on 3 December 2019.

- ³²² Circular n° 3679 to Municipal Administrations, 6 March 2019. URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2019/janvier-juin/3679.pdf>
- ³²³ Circular n°3703 to Municipal Administrations, 17 May 2019. URL: <https://mint.gouvernement.lu/dam-assets/circulaires/2019/janvier-juin/3703.pdf>
- ³²⁴ Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », 2020, p. 20.
- ³²⁵ *Ibidem*.
- ³²⁶ European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018», Luxembourg, 2019, p. 77.
- ³²⁷ ASTI, « GRESIL: Quels acteurs pour votre stratégie d'intégration locale? », 5 July 2019. URL: <https://www.asti.lu/gresil-quels-acteurs-pour-votre-strategie-dintegration-locale/>
- ³²⁸ *Ibidem*. In the second part of the meeting, best practices were exchanged in which various challenges were shared and how they were overcome
- ³²⁹ SYVICOL, « GRESIL: La 4ème séance portait sur le thème « De la fête multiculturelle vers l'événement interculturel - Comment renforcer le vivre ensemble par des manifestations locales? », 5 December 2019. URL : <https://www.syvicol.lu/actualites/fiche-actu/2019/12/communiqu%C3%A9-gresil-4-de-la-fete-multiculturelle-vers-l-evenement-interculturel-comment-renforcer-le-vivre-ensemble-par-des-manifestations-locales>
- ³³⁰ *Ibidem*.
- ³³¹ In 2015, the Syndicate of Luxembourgish towns and municipalities (Syndicat des Villes et Communes Luxembourgeoises - SYVICOL), along with the Ministry of Family Affairs, Integration and the Greater Region and the Luxembourg Reception and Integration Agency (OLAI), launched a guide on how to create a local strategy in favour of integration (Plan Communal Intégration - PCI). This guide was updated in 2018 and is available under the following URL: <https://mfamigr.gouvernement.lu/dam-assets/le-minist%C3%A8re/attributions/int%C3%A9gration/pci/PCI-guide-pratique-FR.pdf>
- ³³² The Municipality of Hesperange. De Buet N°40, 12/2019, pp. 18-19. URL: https://www.hesperange.lu/fr/Documents/De%20Buet/de%20Buet%202019_12.pdf
- ³³³ Information provided by the Municipality of Schifflange on 26 April 2019.
- ³³⁴ Information provided by the Municipality of Strassen on 27 March 2019. See also: <https://www.strassen.lu/mediatheque/2019-03-27-f-d-gb>
See also: <https://www.strassen.lu/agenda/fiche/2019/11/04/workshops-thematiques-plan-communal-d-integration>
- ³³⁵ Circular n°13/2019 to Municipal Administrations. Sent on 15 October 2019 by SYVICOL. URL: <https://www.syvicol.lu/fr/mediatheque?media=318>
- ³³⁶ Information provided by the Ministry of Family Affairs, Integration and the Greater Region on 3 December 2019.
- ³³⁷ Information provided by the CEFIS on 1 December 2019.
- ³³⁸ The Municipality of Schuttrange. Gemengebuet N°03/2019, p. 4.
URL: https://www.schuttrange.lu/media/5d9ae7f3d2ac5_06721_schuttrange_gemengebuet_32019_web.pdf
- ³³⁹ The Municipality of Niederanven. Gemengeblat N°2/2019, p. 21.
URL: <http://www.niederanven.lu/sites/niederanven/files/buet%202019%20N2.pdf>
- ³⁴⁰ Steinfort Municipal Council of 14 February 2019, Gemengebuet N°8/März 2019, p.18. URL : https://www.steinfort.lu/media/5c7e8b08d5e7d_de-gemengebuet-n-8-maerz.pdf
- ³⁴¹ Law of 28 July 2018 related to the social inclusion income.
- ³⁴² Coordinated text of 22 June 2004 of the law of 29 April 1999 creating a right to a guaranteed minimum income, as it has been amended, published in Memorial A 103 of 2 July 2004. URL: <http://legilux.public.lu/eli/etat/leg/tc/2004/06/22/n1/jo>
- ³⁴³ Article 2 (1) of the law of 28 July 2018 on the social inclusion income.
- ³⁴⁴ Article 2, (2) in the law of 28 July 2018 on the social inclusion income.
- ³⁴⁵ Article 3 (1) of the law of 28 July 2018 on the social inclusion income
- ³⁴⁶ It is above all, teaching of the French language for specific trades with a shortage of manpower that is targeted. Through both theoretical and practical training, persons benefiting from international protection or migrants are introduced to the minimum linguistic requirements for specific trades, in this case the profession of polyvalent agent in catering and in the profession of polyvalent construction workers.
- ³⁴⁷ European Funds, Grand Duchy of Luxembourg, n.d. Connections4Work : « Présentation du projet». URL: <http://www.fonds-europeens.public.lu/fr/projets-cofinances/fse/2014-2020/1085/index.html>
See also: Ministry of Family Affairs, Integration and the Greater Region, « Rapport d'activité 2019 », Luxembourg, 2020, p. 182.

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- ³⁴⁸ European Funds, Grand Duchy of Luxembourg, n.d. Words4Work: «Présentation du projet». URL: <http://www.fonds-europeens.public.lu/fr/projets-cofinances/fse/2014-2020/1079/index.html>
- ³⁴⁹ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 65
- ³⁵⁰ Ministry of Education, Children and Youth, « Les chiffres de la Rentrée 2019/2020 », 12 September 2019. URL: <https://gouvernement.lu/dam-assets/documents/actualites/2019/09-septembre/Chiffres-rentree-2019.pdf>
- ³⁵¹ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 65
- ³⁵² Information provided by CASNA on 20 November, 2019.
- ³⁵³ At the level of fundamental education, newly arrived pupils generally speaking join a *classe d'attache* that corresponds to their age and their previous education – also known as reception class. Here they can follow intensive classes of languages used at school they do not master yet. Source: Ministry of Education, Children and Youth 2019.
- ³⁵⁴ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 66.
- ³⁵⁵ Information provided by SECAM on 20 November 2019.
- ³⁵⁶ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 42
- ³⁵⁷ *Ibidem*.
- ³⁵⁸ Ministry of Education, Children and Youth, « Chancë schafen, Kanner stäerken .Dossier de Presse. Rentrée 2019-2020. ZESUMME WUESSEN », 13 September 2019, p. 9.
- ³⁵⁹ *Ibid*, p. 10.
- ³⁶⁰ *Ibid*, p. 9.
- ³⁶¹ Intercultural mediators are part of a measure aimed at newly arrived parents and children. These mediators are trained to facilitate communication between families and school actors. Source: Ministry of Education, Youth and Children, 2019.
- ³⁶² Ministry of Education, Children and Youth, « Chancë schafen, Kanner stäerken .Dossier de Presse. Rentrée 2019-2020. ZESUMME WUESSEN », 13 September 2019, p. 67.
- ³⁶³ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 67.
- ³⁶⁴ Information provided by the Institut de Formation de l'Éducation Nationale (IFEN) on 7 November 2019. See also, original project name: Multikulturalität: Welche Herausforderungen birgt die interkulturelle Elternzusammenarbeit?.
- ³⁶⁵ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », March 2020, p. 68
- ³⁶⁶ Ministry of Education, Children and Youth, « Chancë schafen, Kanner stäerken. Dossier de Presse. Rentrée 2019-2020. ZESUMME WUESSEN », 13 September 2019, p. 25.
- ³⁶⁷ Article. 43.001 of the expenditures budget 2019 under section 10.8 – Department of Adult Education of the law of 26 April 2019 concerning the budget for State revenues and spending for 2019.
- ³⁶⁸ Section 11.2 – National Institute for Languages of the expenditures budget 2019 of the law 26 April 2019 concerning the budget for State revenues and spending for 2019.
- ³⁶⁹ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », Luxembourg, March 2020, p. 71
- ³⁷⁰ *Ibid*, p. 73.
- ³⁷¹ *Ibid* p. 71.
- ³⁷² The Government of Luxembourg, « Une stratégie pour promouvoir la langue luxembourgeoise », n.d, p. 5. URL: <https://gouvernement.lu/dam-assets/fr/actualites/articles/2017/03-mars/09-promotioun-sprooch/langue-sp.pdf>
- ³⁷³ The Grand Ducal Decree of 17 December 2018, establishing an inter-ministerial assistant to the commissioner of the Luxembourgish language. Published in Memorial A 4, 10 January 2019. URL: <http://legilux.public.lu/eli/etat/leg/amin/2018/12/17/a4/jo>
- ³⁷⁴ Grand Ducal Regulation of 26 October 2019 determining the organisational and functional modalities of Permanent Council on the Luxembourgish Language (Conseil permanent de la langue luxembourgeoise), the financial compensation of its members and abrogating the Grand Ducal Regulation of 30 July 1999 on the reform of the spelling of Luxembourgish. Published on 30 October 2019 in Memorial A 734. URL: <http://legilux.public.lu/eli/etat/leg/rgd/2019/10/26/a734/jo>
- ³⁷⁵ Article 3 paragraph 2 of the Grand Ducal Regulation of 26 October 2019.
- ³⁷⁶ Article. 32.013 of the expenditures budget 2019 under section 16.0 – Labour.-General Expenditures of the law 26 April 2019 concerning the budget for State revenues and spending for 2019.
- ³⁷⁷ Ministry of Education, Children and Youth, « Dossier de presse : Un dictionnaire français - tigrigna - luxembourgeois complété par un guide pratique sur le Luxembourg », June 2019. URL: <http://www.men.public.lu/catalogue-publications/themes-transversaux/dossiers-presse/2018-2019/190613-dictionnaire-tigrigna.pdf>

³⁷⁸ *Ibidem*.

³⁷⁹ Grand Ducal Regulation of 22 July 2019 on the evaluation exam of the Luxembourgish language organised in the framework of the procedures for acquiring Luxembourgish nationality. Published in Memorial A 547 on 14 August 2019. URL: <http://legilux.public.lu/eli/etat/leg/rgd/2019/07/22/a547/jo>

³⁸⁰ Frati Camille. « Acquisition de la nationalité: Les modalités du Sproochentest modifies », quote by the Director of the National Institute of Languages (INL), in: *paperjam.lu*, published on 5 September 2019. URL: <https://paperjam.lu/article/modalites-sproochentest-modifi>

³⁸¹ Article 6 (3) of the Grand ducal regulation of 22 July 2019.

³⁸² Article 8 paragraph 2 of the Grand Ducal Regulation of 22 July 2019 in regards to the article 8 paragraph 2 of the abrogated grand ducal regulation of 30 June 2017.

³⁸³ Article 13 (2) 8° to 10° of the Grand Ducal Regulation of 22 July 2019.

³⁸⁴ Article 15 (1) of the Grand Ducal Regulation of 22 July 2019.

³⁸⁵ Joint answer from the Prime Minister and Minister of State, the Minister of Family and Integration and the Ministry of Justice of 11 October 2019 to the Parliamentary question n°1212 concerning a welcome gesture for new holders of Luxembourgish nationality. URL: https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=4D55DF16CF173788965536FD03FDBE7853D55683651627406C4144199EBE8FE3A&fn=4D55DF16CF173788965536FD03FDBE7853D55683651627406C4144199EBE8FE3A.pdf

³⁸⁶ Joint answer from the Minister of Justice and the Minister of National Education, Children and Youth of 25 October 2019 to the Parliamentary question n°1253 concerning the documentation needed for the “Living together in the Grand Duchy of Luxembourg” course. URL: https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=ADBD39F16F0A29877DE33EF3179CF0F0590F9670E384CFB6D640F6E72F2C88B79&fn=ADBD39F16F0A29877DE33EF3179CF0F0590F9670E384CFB6D640F6E72F2C88B79.pdf

The dedicated website can be found under the following URL: <https://ssl.education.lu/ve-portal/#/home>

³⁸⁷ Ministry of Justice, « Procédures de nationalité luxembourgeoise clôturées – année 2019 », Luxembourg 2019. URL: http://mj.public.lu/chiffres_cles/Ind_Stat_2019.pdf

³⁸⁸ Information provided by the National Statistics and Economic Studies Institute (Statec) on 1 April 2020. 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.

³⁸⁹ 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>

³⁹⁰ Information provided by the National Statistics and Economic Studies Institute (Statec) on 1 April 2020.

³⁹¹ Articles 28, 86 and 27 of the amended Law of 8 March 2017 on Luxembourgish nationality, respectively.

Source: Ministry of Justice, « Procédures de nationalité luxembourgeoise clôturées – année 2019 ».

³⁹² In 2019, EMN Luxembourg drafted an EMN study entitled ‘Pathways to citizenship for third-country nationals in Luxembourg’, with a particular focus on the ordinary naturalisation procedure.

See: European Migration Network National Contact Point Luxembourg, « Pathways to citizenship for third-country nationals in Luxembourg », Luxembourg, 2019. URL http://www.emnluxembourg.lu/wp-content/uploads/2019/12/Pathways-to-citizenship-for-third-country-nationals-in-Luxembourg_2019.pdf

Furthermore, EMN Luxembourg also drafted a national inform (in French) about the aforementioned study in early 2020.

See: European Migration Network National Contact Point Luxembourg, « L'accès à la nationalité luxembourgeoise pour ressortissants de pays tiers », Luxembourg 2020. URL: <http://www.emnluxembourg.lu/wp-content/uploads/2020/02/Lacc%C3%A8s-%C3%A0-la-nationalit%C3%A9-luxembourgeoise-pour-ressortissants-de-pays-tiers.pdf>

³⁹³ Civic integration course.

³⁹⁴ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », Luxembourg, March 2020, p. 73.

³⁹⁵ Answer of the Minister of National Education, Children and the Youth of 30 September 2019 to the parliamentary question n° 926 of 19 July 2019 concerning the learning of the Luxembourgish language.

³⁹⁶ Ministry of Education, Children and Youth, « Rapport d'activités 2019 », Luxembourg, March 2020, p. 69.

³⁹⁷ *Ibidem*.

³⁹⁸ *Ibid*, p. 73.

³⁹⁹ Survey « Vivre ensemble au Luxembourg », TNS-ILRES, ASTI, Surveyed across 1119 residents in Luxembourg. See: ASTI, Press Release, « Les résidents veulent vivre ensemble tranquillement, au-delà des considérations politiques ou des contraintes juridiques, Luxembourg », 28 November 2019. URL: <https://www.asti.lu/sondage-particip-politique-nationalite/>

⁴⁰⁰ See website: <https://www.tns-ilres.com/>

⁴⁰¹ See: <https://www.asti.lu/sondage-particip-politique-nationalite/>

⁴⁰² Survey « Vivre ensemble au Luxembourg », TNS-ILRES, ASTI.

⁴⁰³ The reasons prompting foreign respondents to apply for Luxembourg nationality are:

- I already feel Luxembourgish (57%);
- Being able to vote in legislative elections (46%);
- Having children of Luxembourgish nationality (32%);
- Having the right to stay in Luxembourg (25%) and;
- Being able to access public services more easily (25%).

Source : TNS-ILRES, ASTI, November 2019, Survey : « Vivre ensemble au Luxembourg ».

⁴⁰⁴ The population was also asked about the importance of the conditions for access to Luxembourgish nationality: 79% of people declared that they agree with the statement that we must accept the Luxembourg way of life to gain nationality; 72% agreed that it is advisable to master one of the country's 3 languages; 66% said that it is necessary to master Luxembourgish; 61% believe that civic integration courses should be taken. However, only 15% agreed with the statement that to gain Luxembourgish nationality, one must be born in Luxembourg and 9% that one must have Luxembourgish parents. Source: TNS-ILRES, ASTI, November 2019, Survey : « Vivre ensemble au Luxembourg ».

⁴⁰⁵ 20% for a duration of 10 years, 13% for a duration of 3 years, 11% for a duration of 7 years and only 3% for a duration of 1 year.

⁴⁰⁶ ASTI, Press Release, « Les résidents veulent vivre ensemble tranquillement, au-delà des considérations politiques ou des contraintes juridiques, Luxembourg », 28 November 2019.

⁴⁰⁷ The National Council for Foreigners (CNE), « Proposal of the CNE on the translation of Parliamentary questions », 20 February 2019.

⁴⁰⁸ CLAE, « Résolution du 8e Congrès des associations issues et héritières de l'immigration Luxembourg », 7-8 December 2019. URL: <https://www.clae.lu/wp-content/uploads/2019/12/Resolution-8e-Congres-associations2019.pdf>

⁴⁰⁹ Survey « Vivre ensemble au Luxembourg », TNS-ILRES, ASTI. See also website : <https://www.tns-ilres.com/>

⁴¹⁰ 43% of people completely agreed or agreed with the idea that the right to vote in legislative elections should only be reserved to those that hold Luxembourgish nationality. 56% of the 43% are Luxembourgers without a second nationality, 32% are Luxembourgers that hold a second nationality and 26% are foreigners. 40% of respondents believe that foreigners should be able to participate in national referendums. Source: Survey « Vivre ensemble au Luxembourg », TNS-ILRES, ASTI.

⁴¹¹ ASTI, Press Release, « Les résidents veulent vivre ensemble tranquillement, au-delà des considérations politiques ou des contraintes juridiques, Luxembourg », 28 November 2019.

⁴¹² Schiffflange 100%, n.d. URL: https://schiffflange.lu/wp-content/uploads/2019/12/BRP_Schiffflange-100-002-1.pdf

⁴¹³ Strassen 100%, n.d. URL: <https://www.strassen.lu/mediatheque/strassen-100>

⁴¹⁴ The Government of the Grand Duchy of Luxembourg, « 9ème session de signature officielle de la Charte de la Diversité Lëtzebuerg », 26 September 2019. URL : https://gouvernement.lu/fr/actualites/toutes_actualites.gouv_mfamigr%2Bfr%2Bactualites%2B2019%2Bseptembre%2B26-septembre%2Bsignature-charte-diversite.html

⁴¹⁵ Inspiring More Sustainability (IMS), « Les entreprises luxembourgeoises agissent pour la diversité », n.d. URL: https://imslux.lu/fra/news/229_les-entreprises-luxembourgeoises-agissent-pour-la-diversite

⁴¹⁶ ASTI, « Où sont les instruments de lutte contre les phénomènes racistes et xénophobes ? », 21 March 2019. URL: <https://www.asti.lu/ou-sont-les-instruments-de-lutte-contre-les-phenomenes-racistes-et-xenophobes/>

⁴¹⁷ *Ibidem*.

⁴¹⁸ Fundamental Rights Agency (FRA), Second European Union Minorities and Discrimination Survey: Being Black in the EU. Luxembourg, 2018. URL: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-being-black-in-the-eu_en.pdf

⁴¹⁹ Answer of the Minister of Family Affairs and Integration to the Parliamentary question n°1239 of 22 October 2019 concerning the study « Being Black in the EU ». URL: https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2Fpdf&id=4E22F34045F2E

[E2333427A4158FFDF9\\$B419F87A068FCE823C02815433CFF907&fn=4E22F34045F2EE2333427A4158FFDF9\\$B419F87A068FCE823C02815433CFF907.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2D52BFFE6599A5343C785F1D78EB421C98FB135984B044715&fn=2D52BFFE6599A5343C785F1D78EB421C98FB135984B044715.pdf)

See also: Answer of the Minister of Family Affairs and Integration to the Parliamentary question n°1547 of 31 December 2019 relating to the measures used to fight against racism and xenophobia. URL: https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=2D52BFFE6599A5343C785F1D78EB421C98FB135984B044715&fn=2D52BFFE6599A5343C785F1D78EB421C98FB135984B044715.pdf

⁴²⁰ Answer of the Minister of Family Affairs and Integration to the Parliamentary question n°1239 of 22 October 2019 concerning the study « Being Black in the EU ».

⁴²¹ Answer of the Minister of Family Affairs and Integration to the Parliamentary question n°1547 of 31 December 2019 relating to the measures used to fight against racism and xenophobia.

⁴²² For example: Erang Gerry, RTL, Luxembourg among most racist countries in EU?, Luxembourg 2019. URL: <https://today.rtl.lu/news/luxembourg/a/1432886.html>

⁴²³ Directorate of Immigration, « Bilan de l'année 2019 en matière d'asile et d'immigration », Luxembourg, 2020, p. 26.

⁴²⁴ *Ibid*, p.27

⁴²⁵ Law of 4 December 2019 amending the law of 29 August 2009 on the free movement of persons and immigration.

⁴²⁶ Article 6 of the law of 4 December 2019 amending the law of 29 August 2009 on the free movement of persons and immigration.

⁴²⁷ Bill n°7238 amending the law of 29 August 2008 on the free movement of people and immigration, introduced to Parliament on 29 January 2018. Commentary on Article ad7°, p. 5 URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=DD4F8D1CC8F07D0892CC03C3E3952C53579D3E53416FB67C7288D723076D248E011D7116C354688B97F7CE50BBDCF1\\$2F27274A5EDF6212C90338F91C1343FA](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=DD4F8D1CC8F07D0892CC03C3E3952C53579D3E53416FB67C7288D723076D248E011D7116C354688B97F7CE50BBDCF1$2F27274A5EDF6212C90338F91C1343FA)

⁴²⁸ *Ibidem*.

⁴²⁹ Parliamentary Document N°7238/06, «Rapport de commission(s) : Commission des Affaires étrangères et européennes, de la Coopération, de l'Immigration et de l'Asile ». Introduced into Parliament on 30 September 2019, p. 5. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=5235252F98521C15CE7E4FCF2AF41241D709C149C370942FAB53E9BFD78220FE48688409301202B65F23FC893B3CC0F9\\$CEC095CA2AA10ACD78995E6CFFBFC969](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=5235252F98521C15CE7E4FCF2AF41241D709C149C370942FAB53E9BFD78220FE48688409301202B65F23FC893B3CC0F9$CEC095CA2AA10ACD78995E6CFFBFC969)

⁴³⁰ *Ibidem*.

⁴³¹ Article 7 of the law of 4 December 2019 amending the law of 29 August 2008 on the free movement of persons and immigration.

⁴³² Article 8 of the law of 4 December 2019 amending the law of 29 August 2008 on the free movement of persons and immigration.

⁴³³ Bill n°7429 on the protocol between the Governments of the Benelux States (Belgium, Luxembourg, Netherlands) and the Government of the Republic of Armenia on the application of the Agreement between the European Community and the Republic of Armenia about the readmission of persons in irregular stay, signed in Brussels, 20 June 2018. Introduced into Parliament on 26 March 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=67D6FDA75EC163EA83FBA18993CF4F432D138BA0A7DC96BDCC027EA45A32C718A3444AA11537C8277589432FF68F23C5\\$43BD6247C07B5FE5997072264644F3FA](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=67D6FDA75EC163EA83FBA18993CF4F432D138BA0A7DC96BDCC027EA45A32C718A3444AA11537C8277589432FF68F23C5$43BD6247C07B5FE5997072264644F3FA)

⁴³⁴ Bill n°7413 on the protocol between the Governments of the Benelux States (Belgium, Luxembourg, Netherlands) and the Government of the Ukraine on the application of the Agreement between the European Community and the Ukraine about the readmission of persons in irregular stay, signed in Brussels, 17 June 2018. Introduced into Parliament on 26 February 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=370BBD13B1E7AA6D60DBED491AE6A5570CD12644F79911A877DD970C6662ADEDAD5F9F1211911B458BE969CA50E4E166\\$BA3A9FFA97F7046480A70EFB451F5723](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=370BBD13B1E7AA6D60DBED491AE6A5570CD12644F79911A877DD970C6662ADEDAD5F9F1211911B458BE969CA50E4E166$BA3A9FFA97F7046480A70EFB451F5723)

⁴³⁵ Protocol between the Governments of the Benelux States (Belgium, Luxembourg, Netherlands) and the Government of the Republic of Serbia on the application of the Agreement between the European Community and the Republic of Serbia about the readmission of persons in irregular stay, signed in Brussels, 25 January 2013. Published in Memorial A18, 17 January 2019. URL: <http://legilux.public.lu/eli/etat/leg/div/2018/12/03/a18/jo>

⁴³⁶ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 30.

⁴³⁷ Answer of the Minister of Foreign and European Affairs of 6 September 2019 to the parliamentary question n°1045 on criticisms of Frontex and the protection of fundamental rights. The Minister of Immigration and Asylum; Jean Asselborn emphasizes that Frontex must work in accordance with the International Charter on Human Rights and that a system is in place to receive complaints and carry-out disciplinary action. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=61311CD471DE9823785AB773AD5C70263A3D0B3F123D842FA30479A06D7D0028DC2AC662FCDC60DE4F91B0FBCB43D9F2\\$88A5858EA8B6DBA6C683589E99825AC3](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=61311CD471DE9823785AB773AD5C70263A3D0B3F123D842FA30479A06D7D0028DC2AC662FCDC60DE4F91B0FBCB43D9F2$88A5858EA8B6DBA6C683589E99825AC3)

⁴³⁸ *Ibidem*.

⁴³⁹ Information provided by the Directorate of Immigration on 23 December 2019.

⁴⁴⁰ RTL, Live Interview Christian Steichen: « Um Findel gi reegelméisseg Passagéier mat falsche Pabeieren an d'Netz. D'Zuele klammen », 28 October 2019. URL: <https://www.rtl.lu/radio/journal/s/2877603.html>

⁴⁴¹ Information provided by the Airport Police Unit of the Grand Ducal Police on 5 December 2019.

⁴⁴² University of Luxembourg, Researchers uncover privacy flaw in e-passports, 25 September 2019. URL: https://www.uni.lu/university/news/slideshow/researchers_uncover_privacy_flaw_in_e_passports

⁴⁴³ Directorate of Immigration, Ministry of Foreign and European Affairs, « Bilan de l'année 2019 en matière d'asile, d'immigration et d'accueil », Luxembourg, 2020, p. 31.

⁴⁴⁴ *Ibidem*.

⁴⁴⁵ *Ibidem*.

⁴⁴⁶ Information provided by the Directorate of Immigration on 21 January 2020.

⁴⁴⁷ Luxembourg Refugee Council (LFR), 20 June 2019. Press Release. pp. 3-4.

⁴⁴⁸ Article 123 of the Immigration Law.

⁴⁴⁹ Parliamentary Document N°7238/04, 11 February 2019. pp. 2-3.

⁴⁵⁰ Parliamentary document 7238/05, 26 March 2019. « Avis complémentaire du Conseil d'État ». p.1. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=D94E843389902F40ED1D0F419138CF27717AFFBD0C5BD4DEE8CEA4BA67CBD763A4B24C49F2840DB029F2FCC13BC1FC5F\\$96A34BAC28C5C8E3D77CFFF5CD10DF42](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=D94E843389902F40ED1D0F419138CF27717AFFBD0C5BD4DEE8CEA4BA67CBD763A4B24C49F2840DB029F2FCC13BC1FC5F$96A34BAC28C5C8E3D77CFFF5CD10DF42)

⁴⁵¹ Parliamentary document 7238/01, 8 May 2018 « Avis Conseil d'État ». URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=3409312AD8D113647255E567E335586C\\$F2E75450DEE79A1D85BCE81C343CDB5E&fn=3409312AD8D113647255E567E335586C\\$F2E75450DEE79A1D85BCE81C343CDB5E.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=3409312AD8D113647255E567E335586C$F2E75450DEE79A1D85BCE81C343CDB5E&fn=3409312AD8D113647255E567E335586C$F2E75450DEE79A1D85BCE81C343CDB5E.pdf)

See also: Parliamentary document 7238/05, 26 March 2019. « Avis complémentaire du Conseil d'État ». p.1. URL:

[https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=D94E843389902F40ED1D0F419138CF27717AFFBD0C5BD4DEE8CEA4BA67CBD763A4B24C49F2840DB029F2FCC13BC1FC5F\\$96A34BAC28C5C8E3D77CFFF5CD10DF42](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=D94E843389902F40ED1D0F419138CF27717AFFBD0C5BD4DEE8CEA4BA67CBD763A4B24C49F2840DB029F2FCC13BC1FC5F$96A34BAC28C5C8E3D77CFFF5CD10DF42)

⁴⁵² Parliamentary document 7328/05, 26 March 2019. « Avis complémentaire du Conseil d'État ». p. 3.

⁴⁵³ This can happen when a removal operation takes longer, due to a lack of foreign cooperation or a delay in the provision of documents. See: Article 5 of the law of 4 December 2019 amending the law of 29 August 2008 on the free movement of persons and immigration.

⁴⁵⁴ Parliamentary Document n°7238/06 amending the law of 29 August 2008 on the free movement of people and immigration, introduced to Parliament on 29 January 2018. Article 5 (amendment to article 123).

⁴⁵⁵ Article 15, paragraph 3 of the Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals. URL: <http://data.europa.eu/eli/dir/2008/115/oj>

⁴⁵⁶ Information provided by the Ministry of Justice on 3 April 2020.

⁴⁵⁷ European Migration Network, National Contact Point Luxembourg, « Annual Report on Migration and Asylum 2018 », Luxembourg, 2019, p. 84.

⁴⁵⁸ Information provided by the Ministry of Justice on 3 April 2020.

⁴⁵⁹ The Consultative Commission on Human Rights (CCDH), "Report on human trafficking in Luxembourg 2017-2018", n.d.

⁴⁶⁰ Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L1919>

⁴⁶¹ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. URL: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32012L0029>

⁴⁶² Bill n°7442 transposing: 1) the Directive (UE) 2016/1919 of the European Parliament and Council of 26 October 2016 guaranteeing legal aid for suspects and accused persons in criminal proceedings; and 2) the Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. Also, amending the law of 10 August 1991 on legal professions. Introduced into Parliament on 27 May 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=9DA9FFD29D379D27BCBD8F1BE396891042D058A478034B1BCB7CC84BCBE1C322C6D16BEF7FB04B5681EA871F9470B57B\\$DA1D882B44D3D56BF79044FDF2E513D1](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=9DA9FFD29D379D27BCBD8F1BE396891042D058A478034B1BCB7CC84BCBE1C322C6D16BEF7FB04B5681EA871F9470B57B$DA1D882B44D3D56BF79044FDF2E513D1)

⁴⁶³ Bill n°7452 amending: 1) the Criminal Law; 2) the Code of Criminal Procedure; 3) the amended law of 7 March 1980 on the judicial organisation; 4) the amended law of 19 December 2008 on the interadministrative and judicial cooperation, and the strengthening of the means of the Administration of direct contributions, the Administration of registration and domains, and the Customs Administration; 5) The amended law of March 25 2015 fixing the treatment regime and conditions, and the promotion of conditions of civil servants – in light of the transposition of the Council decision of 2007/845/JAI relative to the cooperation between asset recovery offices in Member States to better identify products of crime or in relation to crime; and of the transposition of certain dispositions of EU Directive 2014/42 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union. Introduced into Parliament on 27 June 2019. URL: [https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=88937FDC49DB373FB280B7FCE6F67F17FCE2D3CD9DFDE60E15CAC29B3D70ED61689FD6FFE977B56A7065C8D9397E7C30\\$0655108FB619E6387D94C209FB398F10](https://www.chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=88937FDC49DB373FB280B7FCE6F67F17FCE2D3CD9DFDE60E15CAC29B3D70ED61689FD6FFE977B56A7065C8D9397E7C30$0655108FB619E6387D94C209FB398F10)

⁴⁶⁴ Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union In force: This act has been changed. Latest consolidated version: 19/05/2014. URL: <http://data.europa.eu/eli/dir/2014/42/oj>

⁴⁶⁵ Information provided by the Consultative Commission on Human Rights (CCDH) on 27 November 2019. See also: Parliamentary Document 7452/04 «Avis du Conseil d'Etat». Introduced into Parliament on 20 December 2019, pp. 2-3. URL: [https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=14B92DD631E34EAA331828DB7437929E\\$88E6C740EADB6CB297F679C7D40B26C8&fn=14B92DD631E34EAA331828DB7437929E\\$88E6C740EADB6CB297F679C7D40B26C8.pdf](https://www.chd.lu/wps/PA_ArchiveSolR/FTSShowAttachment?mime=application%2fpdf&id=14B92DD631E34EAA331828DB7437929E$88E6C740EADB6CB297F679C7D40B26C8&fn=14B92DD631E34EAA331828DB7437929E$88E6C740EADB6CB297F679C7D40B26C8.pdf)

⁴⁶⁶ Information provided by the Ministry of Justice on 6 December 2019.

⁴⁶⁷ Law of 13 January 2019 establishing a Register of Beneficial Owners and transposing the dispositions of article 30 of the directive (EU) 2015/849 of the European Parliament and the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC; 2. Amending the amended law of 19 December 2002 concerning the Trade and Companies Register and the accounting and annual accounts of companies, published in Memorial A 15 of 15 January 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/01/13/a15/jo>

⁴⁶⁸ Grand Ducal Regulation of 15 February 2019 relating to the enrolment modalities, payment of administrative fees, and the information submitted to the Effective Register of Beneficiaries. Published in Memorial A 73 on the 19 February 2019. URL: <http://legilux.public.lu/eli/etat/leg/rgd/2019/02/15/a73/jo>

⁴⁶⁹ Information provided by the Criminal Police on 10 December 2019.

⁴⁷⁰ Information provided by the Ministry of Equality Between Women and Men on 14 January 2020. See also: the National Promotion Program of Sexual and Emotional Health (Santé Affective et Sexuelle –SAS) 2019.

⁴⁷¹ Information provided by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁷² *Ibidem*.

⁴⁷³ The Government of Luxembourg, Press Release: « Le Luxembourg engagé dans la lutte contre la traite des êtres humains au niveau européen », 17 October 2019. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2019/10-octobre/17-traite-humains.html

⁴⁷⁴ Information provided by the Consultative Commission on Human Rights (CCDH) on 27 November 2019.

⁴⁷⁵ The Consultative Commission on Human Rights (CCDH), “Report on human trafficking in Luxembourg 2017-2018”, n.d., p. 81.

⁴⁷⁶ The Government of the Grand Duchy of Luxembourg, Stop Traite Campaign, 17 October 2019. URL: <https://stoptraite.lu>

⁴⁷⁷ Information provided by the Consultative Commission on Human Rights (CCDH) on 27 November 2019 and by the Directorate of Immigration on 23 December 2019.

⁴⁷⁸ The Consultative Commission on Human Rights (CCDH), "Report on human trafficking in Luxembourg 2017-2018", n.d., p. 80.

⁴⁷⁹ The Government of Luxembourg. « La Fonction Publique », Luxembourg 2020. URL: <https://fonction-publique.public.lu/fr.html>

⁴⁸⁰ Information provided by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁸¹ The Government of Luxembourg. n.d. « La Fonction Publique: Approche et Accompagnement des Victimes de la Traite des Etres Humains », Luxembourg 2020. URL: https://fonction-publique.public.lu/fr/formation-developpement/catalogue-formations/secteur-etatique/05admdroit/05-1-sujadm/et_05-1-1-34.html

⁴⁸² Information provided by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁸³ Information provided by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁸⁴ Information provided by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁸⁵ Information provided by the Ministry of Justice on 6 December 2019 and by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁸⁶ Information provided by the Ministry of Equality Between Women and Men on 14 January 2020.

⁴⁸⁷ The Consultative Commission on Human Rights (CCDH), "Report on human trafficking in Luxembourg 2017-2018", n.d., p. 81.

⁴⁸⁸ Information provided by the Consultative Commission on Human Rights (CCDH) on 27 November 2019.

⁴⁸⁹ The Government of Luxembourg, Press Release: « Les pays du Benelux coopèrent pour une meilleure protection des victimes de la traite des êtres humains dans l'Union européenne », 10 December 2019. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2019/12-decembre/10-benelux-protection.html

⁴⁹⁰ Information provided by the Directorate of Cooperation for Development and Humanitarian Action on 19 December 2019.

⁴⁹¹ Information provided by the Consultative Commission on Human Rights (CCDH) on 27 November 2019.

⁴⁹² The Consultative Commission on Human Rights (CCDH), "Report on human trafficking in Luxembourg 2017-2018", n.d., p. 80.

⁴⁹³ *Ibid*, pp.27-28.

⁴⁹⁴ *Ibid*, p.50.

⁴⁹⁵ Protocole of 2014 relative to the Forced Labour Convention, P029, 1930 (n.d.). URL: https://www.ilo.org/dyn/normlex/fr/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029

⁴⁹⁶ The Consultative Commission on Human Rights (CCDH), "Report on human trafficking in Luxembourg 2017-2018", n.d., pp.37-38.

⁴⁹⁷ Answer of the Ministry of Labour, Employment and the Social and Solidarity Economy of 12 December 2019 to the parliamentary question n° 1444 of 5 December 2019 on human trafficking in the labour market. URL: https://chd.lu/wps/PA_RoleDesAffaires/FTSByteServletImpl?path=37EAD625CBAFDB9CB845530F7DB68136E3C40FDBCCBC9BB6DC4964BEF0C3A1BB88E476DBDAD4BC411880C61CDE1E5E9C57F90572A892B1F9F9CE38CCB78052F70

See also: The Government of Luxembourg, «Résumé des travaux du 6 décembre 2019», 6 December 2019. URL: https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2019/12-decembre/06-conseil-gouvernement.html

⁴⁹⁸ The Consultative Commission on Human Rights (CCDH), n.d. Report on human trafficking in Luxembourg 2017-2018, pp. 52-53.

⁴⁹⁹ *Ibid*, p. 44.

⁵⁰⁰Parliament, « Traite des êtres humains: quel rôle pour l'ITM? », 28 November 2019. URL: https://chd.lu/wps/portal/public/Accueil/Actualite!/ut/p/z1/04_Sj9CPyKssy0xPLMnMz0vMAfIjo8ziXYxcwoI8TYwM_F2DzQyMjAOMHYOCjQwMDEz0wwkpiAJKG-AAjgZA_VFYIDgaOAUZORkbGLj7G2FVgGJGQW6EQaajoiIzGzGPSw!!/?1dmy&page=6_D2DVRI420G7Q402JEJ7U SN38D6&urile=wcm%3apath%3a%2Factualite.public.chd.lu%2Fst-www.chd.lu%2Fsa-actualites%2F2348c413-c1a7-46e2-adad-66778c7893a7

⁵⁰¹ The Consultative Commission on Human Rights (CCDH), "Report on human trafficking in Luxembourg 2017-2018", n.d., p. 82.

⁵⁰² Press articles concerning the second CCDH report on human trafficking, 12 November 2019. URL: https://ccdh.public.lu/dam-assets/fr/archives/2019/revue_de_presse/Revue-de-presse-rapport-traite.pdf

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