



General Assembly

Distr.: Limited
28 January 2013

Original: English/French

Human Rights Council
Working Group on the Universal Periodic Review
Fifteenth session
Geneva, 21 January – 1 February 2012

Draft report of the Working Group on the Universal Periodic Review*

Luxembourg

* The final document will be issued under the symbol A/HRC/23/10. The annex to the present report is circulated as received.

Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1–4	3
I Summary of the proceedings of the review process	5–115	3
A. Presentation by the State under review	5–31	3
B. Interactive dialogue and responses by the State under review	32–115	3
II. Conclusions and/or recommendations.....	116–120	15
III. Voluntary pledges and commitments	121–121	23
Annex		
Composition of the delegation		23

Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifteenth session from 21 January to 1 February 2013. The review of Luxembourg was held at the 8th meeting on 24 January 2013. The delegation of Luxembourg was headed by Mr. Nicolas Schmit, Minister of Labour, Employment and Immigration. At its 13th meeting held on 29 January 2013, the Working Group adopted the report on Luxembourg.
2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Luxembourg: Japan, Peru and Romania.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Luxembourg:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/15/LUX/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/LUX/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/LUX/3).
4. A list of questions prepared in advance by Czech Republic, Slovenia, United Kingdom of Great Britain and North Ireland was transmitted to Luxembourg through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. La délégation a rappelé que le Luxembourg a toujours attaché une importance particulière au mécanisme de l'EPU, lequel contribue à renforcer la promotion et la protection des droits de l'homme partout dans le monde. Le Luxembourg apprécie particulièrement le fait que l'EPU permette un échange de vues ouvert et critique sur la situation des droits de l'homme au sein de chaque pays. Le Luxembourg n'a ménagé aucun effort dans la mise en œuvre et le suivi des recommandations reçues lors du premier cycle.
6. En tant que défenseur fervent du multilatéralisme avec les Nations Unies en son cœur, le Luxembourg souhaite apporter sa pleine contribution pour renforcer mutuellement les trois piliers principaux de l'organisation : la paix et la sécurité, le développement et les droits de l'homme.
7. Depuis le 1^{er} janvier dernier, le Luxembourg siège en tant que membre non permanent au Conseil de sécurité. En cette qualité, il s'engage à contribuer pendant les deux années à venir de façon active aux travaux du Conseil de sécurité, dans l'exercice de la responsabilité principale que lui ont conférée les Etats membres en vertu de la Charte des Nations Unies : le maintien de la paix et de la sécurité internationales. A cet égard, le Luxembourg reste convaincu qu'il ne saurait y avoir de développement sans sécurité, ni de sécurité sans développement, avec le respect des droits de l'homme et la préservation de l'Etat de droit comme exigence essentielle.

8. Afin que son engagement international soit crédible, le Luxembourg est conscient que son action nationale doit témoigner du même engagement en faveur de la promotion et protection des droits de l'homme et de l'Etat de droit.

9. C'est dans cet esprit que le Luxembourg a préparé son EPU. Son rapport national est le fruit d'une large consultation des administrations concernées, d'une part, et de la société civile, d'autre part. C'est ainsi que le Luxembourg a organisé deux réunions de consultations dédiées au 2^e cycle de l'EPU en mai 2012. La première réunion s'adressait aux organisations non gouvernementales et à la société civile, la seconde aux institutions indépendantes ayant une compétence dans le domaine des droits de l'homme. Le gouvernement a veillé à apporter dans son rapport une attention particulière à leurs prises de position. Afin de poursuivre ce dialogue, le Ministère des Affaires étrangères se tient à leur disposition et les invite notamment à lui communiquer leurs observations sur la mise en œuvre des recommandations adressées lors du présent EPU.

10. Le Luxembourg compte remettre un rapport à mi-parcours durant ce cycle. Les observations recueillies auprès de la société civile et des institutions indépendantes alimenteront utilement la préparation de ce rapport.

11. Le rapport national du Luxembourg décrit en détail les progrès réalisés sur base des recommandations reçues en 2008. Le Luxembourg a souligné la qualité de questions posées à l'avance par un certain nombre d'Etats membres et les a remerciés pour leur engagement au sein du Conseil des droits de l'homme.

12. En réponse à la question sur la prévention des risques d'exploitation sexuelle de mineurs réfugiés ou demandeurs de protection internationale non accompagnés, le Luxembourg a indiqué qu'il garantit leur protection par la désignation d'un tuteur. En règle générale, en cas d'absence au Luxembourg d'un membre de la famille élargie du mineur pouvant assurer la charge du tuteur, ce dernier est nommé par le juge de la Jeunesse parmi le personnel socio-éducatif travaillant dans le domaine de l'asile dans deux ONG.

13. Concernant les mesures prises pour protéger le lien entre une mère emprisonnée et son enfant né avant ou durant son incarcération, le Luxembourg a indiqué que, afin de veiller au lien entre la mère et l'enfant, le juge peut décider que l'enfant reste avec la mère en prison jusqu'à un âge à fixer au cas par cas, au-delà duquel le développement psychologique normal de l'enfant serait compromis. Le ministère de la Famille dispose des structures d'accueil nécessaires pour des enfants de chaque type d'âge, dans lesquelles le juge peut décider de placer l'enfant de la mère incarcérée. Les éducateurs du centre d'accueil concerné peuvent amener et accompagner l'enfant pour les visites en prison. Les juridictions veillent en outre par tous les moyens à éviter d'incarcérer des femmes enceintes ou avec un enfant en bas âge.

14. En répondant à une autre question, le Luxembourg a indiqué que la condition d'âge de 25 ans est une condition générale pour pouvoir bénéficier du revenu minimum garanti et ne s'adresse pas aux réfugiés en particulier. La loi fait une exception pour les personnes n'ayant pas atteint l'âge de 25 ans élevant un enfant pour lequel elles touchent des allocations familiales.

15. Le Luxembourg a informé qu'il venait de remettre en décembre dernier au Comité pour l'élimination de la discrimination raciale les rapports en souffrance. S'agissant des trois autres rapports en souffrance, le Luxembourg s'engage à les faire parvenir au Comité des droits de l'homme, au Comité des droits économiques, sociaux et culturels (CDESC) et au Comité contre la torture dans les meilleurs délais. Les travaux de rédaction du rapport au CDESC serviront également à relancer la procédure de ratification du Protocole facultatif relatif au PIDESC, qui sera menée à bien dans les meilleurs délais.

16. En ce qui concerne la Convention internationale sur la protection des droits de tous les travailleurs migrants et des membres de leur famille, il existe des obstacles juridiques importants liés à l'existence au niveau de l'Union européenne de compétences communautaires en matière de travailleurs migrants. Ces compétences résultent du fait que le Conseil de l'UE est compétent pour arrêter les règles en matière d'immigration et de protection des droits des ressortissants des pays tiers, par exemple en matière de conditions de séjour.

17. Concernant le 3e Protocole facultatif à la Convention relative aux droits de l'enfant, le Luxembourg a indiqué que la procédure législative pourra être démarrée au courant de l'année 2013 et le vote au Parlement et le dépôt des instruments pourront avoir lieu fin 2013, voire début 2014.

18. Quant à la protection des droits de l'homme des demandeurs d'asile et le non-refoulement, le Luxembourg a ratifié la Convention de Genève de 1951 relative au statut des réfugiés et il applique le principe de non-refoulement inscrit à l'article 33. En outre, la loi luxembourgeoise relative au droit d'asile et aux formes complémentaires de protection dispose même que le demandeur de protection internationale a l'obligation de demeurer sur le territoire. Cette même loi prévoit des exceptions, afin qu'en vertu d'obligations internationales, le demandeur puisse être livré à ou extradé vers un autre Etat membre de l'Union européenne, un pays tiers ou une cour ou un tribunal pénal international.

19. Concernant les projets de loi ayant trait à la modification de l'âge légal du mariage, à la suppression du délai de viduité et au mariage pour deux personnes du même sexe, le Conseil d'Etat vient de rendre ses avis et les textes sont en cours de discussion à la Commission juridique de la Chambre des députés.

20. Le Luxembourg a indiqué que son rapport national s'est concentré sur les difficultés, voire les critiques évoquées par les organes d'expertise internationaux et la société civile.

21. S'agissant de la liberté de religion ou de conviction, un rapport d'un groupe d'experts sur l'évolution des relations entre l'Etat et les communautés culturelles ou philosophiques a été rendu public le 4 octobre 2012. Les parties intéressées ont été invitées à présenter leurs contributions en vue d'alimenter un grand débat public dans les prochaines semaines. Les parties concernées par ce débat sont notamment les communautés culturelles conventionnées ou non, ainsi que les associations laïques, laïcistes, humanistes, agnostiques ou philosophiques.

22. Le Luxembourg a été confronté par le passé au problème ayant trait aux conditions dans lesquelles un étranger qui fait l'objet d'une mesure d'éloignement ou d'une décision de refus d'entrée sur le territoire luxembourgeois, peut être placé en rétention dans une structure fermée. Différentes mesures ont été prises pour remédier à cette situation. Tout d'abord, avant qu'une personne ne soit placée en rétention, l'accent est largement mis sur le retour volontaire. Ensuite, un centre de rétention a été mis en service en septembre 2011. Depuis son ouverture, seules 444 personnes y ont été placées, alors qu'en 2011 et 2012, 2078 personnes ont fait l'objet d'un retour volontaire dans leur pays d'origine. La durée moyenne de rétention des 444 retenus placés au Centre depuis septembre 2011 s'élève à 28 jours, étant toutefois précisé que la loi organique du Centre de rétention dispose que les familles accompagnées d'enfants mineurs ne peuvent séjourner au Centre plus de 72 heures. Seuls 17 personnes, soit 3,9%, ont été placés durant 4 mois ou plus au Centre.

23. Le Luxembourg a aussi relevé l'introduction depuis 2011 de l'assignation à résidence comme alternative à la rétention.

24. Un autre point d'attention a concerné la situation des personnes en séjour irrégulier, mais employées sur le territoire luxembourgeois. A cet égard, une mesure de régularisation exceptionnelle et unique vient d'être prise en leur faveur. Les ressortissants de pays tiers en

séjour irrégulier peuvent, sous certaines conditions, obtenir un titre de séjour en qualité de travailleur salarié. Cette mesure s'inscrit dans le cadre de la modification de la législation sur la libre circulation des personnes et l'immigration.

25. En ce qui concerne sa coopération avec les Nations unies, le Luxembourg met actuellement tout en œuvre pour ratifier les instruments juridiques auxquels il a souscrit. Ainsi, depuis l'examen précédent, il a ratifié la Convention internationale sur les droits des personnes handicapées et son protocole facultatif, ainsi que le Protocole facultatif à la Convention contre la torture ; et le Protocole facultatif concernant la vente d'enfants, la prostitution des enfants et la pornographie mettant en scène des enfants. De même, les procédures de ratification sont engagées concernant la Convention internationale sur les disparitions forcées.

26. Par ailleurs, le Ministre des Affaires étrangères a déposé les instruments de ratification des amendements apportés au Statut de Rome de la Cour pénale internationale par la Conférence de révision de Kampala. Profondément attaché à la lutte contre l'impunité, le Luxembourg est ainsi devenu le quatrième Etat partie à avoir ratifié l'ensemble des amendements apportés au Statut de Rome par la Conférence de révision de Kampala. De même, l'ensemble de ces dispositions ont d'ores et déjà été intégrées dans le droit pénal national. Le Luxembourg espère que sa ratification pourra encourager d'autres Etats parties à faire rapidement de même.

27. Sur une population totale d'environ 525.000 habitants, le Luxembourg compte quelque 44% d'étrangers, et les travailleurs frontaliers qui franchissent tous les jours la frontière avoisinent les 160.000. Des ressortissants de plus de 170 nationalités différentes vivent au Luxembourg. Le Luxembourg reconnaît à la fois un défi, mais également une source essentielle d'enrichissement culturel. Au cours des dernières décennies, le Luxembourg est devenu un Etat où des peuples du monde entier vivent ensemble. Les manifestations d'intolérance ou de racisme y sont rares.

28. Afin de faciliter l'intégration dans la communauté nationale, une mesure d'envergure a été l'instauration en 2008 de la double nationalité. Cette démarche permet à ceux et celles qui ont décidé de s'établir définitivement au Luxembourg d'acquérir la nationalité luxembourgeoise, de témoigner de leur attachement au Luxembourg et de leur volonté d'intégration, tout en gardant, à travers leur nationalité d'origine, un lien avec leur patrie et leur culture d'origine.

29. Le Luxembourg a souligné que les efforts axés sur la promotion de l'égalité des femmes et des hommes et la lutte contre les discriminations entre les sexes portent leurs fruits: le taux de participation des femmes aux mandats politiques et au marché de l'emploi augmente constamment, tandis que l'écart de salaire entre hommes et femmes diminue.

30. En outre, le Luxembourg poursuit résolument son engagement international pour les droits de l'homme et sur les liens entre droits de l'homme et coopération au développement en consacrant 1% de son RNB à l'aide publique au développement, en dépit d'une conjoncture financière difficile. Cet effort contribue à la jouissance effective des droits de l'homme dans les pays en développement, en particulier dans le domaine des droits économiques, sociaux et culturels.

31. Le Luxembourg a indiqué qu'il n'est - pas plus qu'un autre Etat membre de l'ONU - au-dessus de la critique, et son engagement international en faveur de la promotion et la protection des droits de l'homme ne lui dispense pas d'accomplir chez soi les efforts qu'il attend des autres.

B. Interactive dialogue and responses by the State under review

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

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

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

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

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

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

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

39. Argentina congratulated the amendments to the Act on freedom of expression and the media. It also commended the country on the enactment of the Act on assistance, protection and security for victims of trafficking which provided for, among others, the establishment of a mechanism to monitor the fight against trafficking in persons. It made recommendations.

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

41. Bangladesh appreciated the various actions to promote and protect human rights and commended the country for actions taken to sensitize children to peace and different

aspects of poverty. It was concerned at the decrease of developmental assistance and noted that UNHCR expressed concerns about the family reunification procedure. It made recommendations.

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

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

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

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

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

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

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

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

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

51. Congo commended Luxembourg's efforts in areas such as participation in political life, rights regarding voting and nationality, freedom of conscience and religion, and the promotion of gender equality throughout society. It also noted efforts to strengthen the

legislative framework to combat trafficking in persons and the numerous measures taken concerning the rights of children and persons with disabilities.

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

53. Cuba noted with satisfaction the progress achieved in the fields of gender equality, which was reflected in the current political framework. It also acknowledged progress made regarding the rights of the child. It thanked Luxembourg for the detailed information provided on measures being taken to guarantee the rights of foreign nationals in an irregular situation. It made recommendations.

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

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

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

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

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

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

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

61. France congratulated Luxembourg on ratifying the Optional Protocol to the CAT and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child

Pornography. It asked what concrete measures Luxembourg has planned to guarantee decent living conditions for asylum seekers. It made recommendations.

62. Le Luxembourg, s'agissant du droit de vote des étrangers, a souligné qu'en ce qui concerne les élections communales, les ressortissants de l'UE et des Etats tiers jouissent des mêmes droits tant pour le droit de vote actif que passif.

63. Concernant les droits de l'enfant, le Luxembourg partage les soucis de certaines délégations notamment dans la lutte contre les abus sexuels, la prostitution infantile et la pédopornographie. Il appelle à la coopération pour lutter contre les réseaux criminels internationaux. Au niveau national, le Luxembourg rappelle qu'il a ratifié les principaux instruments internationaux et que sa législation prévoyait de lourdes peines contre les infractions.

64. S'agissant des mesures de mise en œuvre pour lutter contre la traite des êtres humains, la délégation s'est référé aux trois lois y afférentes adoptées en 2009 et 2012. Elle a souligné aussi que le code pénal prévoit des peines extrêmement sévères en la matière.

65. Le Luxembourg a aussi indiqué que son effort concernant l'aide publique au développement sera maintenu, en dépit des circonstances budgétaires difficiles. Il a par ailleurs invité la communauté internationale à redoubler d'efforts, afin de porter l'APD à 0,7%, voire 1% du RNB, en rappelant qu'il y allait aussi de la réalisation des OMD.

66. En réponse aux questions concernant le taux d'acceptation des demandes d'asile, le Luxembourg a expliqué avoir été confronté au cours des 18 derniers mois à un flux important et exceptionnel de demandeurs en provenance de pays européens qui ne sont pas considérés comme pays à risque. En faisant abstraction de ce flux, le taux d'acceptation des demandeurs d'asile du Luxembourg est habituellement supérieur à la moyenne européenne.

67. S'agissant de programmes de réinstallations de réfugiés, le Luxembourg a rappelé ses expériences passées dans ce domaine et a aussi fait état de son intention de réaliser de nouveaux projets en 2013, en collaboration avec le HCR et des pays européens.

68. Le Luxembourg a reconnu certains retards concernant la présentation de rapports aux organes conventionnels et s'est engagé à faire le nécessaire pour soumettre à l'avenir les rapports dans les délais impartis.

69. En réponse à une question concernant l'organisation d'éventuelles visites de rapporteurs spéciaux au Luxembourg, la délégation a rappelé qu'une invitation permanente a été adressée à tous les rapporteurs spéciaux chargés de questions thématiques. Tout rapporteur spécial désireux de se rendre au Luxembourg est le bienvenu.

70. En réponse aux questions relatives à la discrimination des femmes sur le marché du travail, la délégation a rappelé que la législation nationale interdit toute différence de rémunération entre hommes et femmes. L'application de cette mesure est l'une des priorités des autorités luxembourgeoises.

71. En ce qui concerne les droits des personnes handicapées et leur accès au marché du travail, la délégation a spécifié qu'un quota de cinq pour cent est imposé aux entreprises et aux administrations. Cet objectif n'est malheureusement pas encore atteint à l'heure actuelle, mais le Luxembourg a indiqué qu'une série d'initiatives seraient prises en 2013, afin de l'atteindre.

72. En réponse à une question concernant l'accès aux services d'un avocat en cas d'arrestation, la délégation a précisé que toute personne arrêtée a droit à l'assistance d'un avocat. Un service de permanence vingt-quatre heures sur vingt-quatre est organisé à cet effet par l'Ordre des Avocats.

73. S'agissant de l'aide financière accordée aux demandeurs d'asile, la délégation a expliqué que ces derniers sont intégralement pris en charge par le Luxembourg. Ils sont logés et bénéficient d'un accès aux services de santé. Les enfants sont par ailleurs intégrés au système scolaire luxembourgeois. L'aide financière directe accordée aux réfugiés a été récemment alignée sur les montants proposés par les pays voisins.

74. En matière de mariage, le Luxembourg a confirmé que la législation est en cours de modification, afin d'assurer une égalité parfaite entre homme et femme, notamment par l'abolition du délai de viduité. Le Gouvernement étudie aussi la possibilité d'ouvrir le mariage aux couples de même sexe.

75. En matière d'apatridie, le Luxembourg entend se mettre en conformité sa législation avec la Convention de 1961 sur la réduction des cas d'apatridie.

76. Au sujet du regroupement familial, le Luxembourg s'est référé à l'application des règles communautaires en la matière. Ces règles seront prochainement étendues aux demandeurs d'asile. La directive européenne sur le sujet précise que les décisions en la matière doivent être rendues dans les neuf mois suivant la demande de regroupement, ce qui est le cas de l'immense majorité des dossiers traités par le Luxembourg. Les rares exceptions sont dues au délai nécessaire à la production de la preuve des liens familiaux dans certains dossiers.

77. The Holy See congratulated Luxembourg for its resolute promotion and enforcement of respect for the human rights of its citizens and foreign nationals residing in the country, which had had a significant outcome, including international recognition. It made recommendations.

78. Hungary welcomed Luxembourg's efforts in implementing the regulations of the CRPD, including the adoption of an action plan. It requested further information on Luxembourg's phasing of the de-institutionalisation of persons with disabilities. It noted that some members of the large number of migrants arriving in Luxembourg come from communities, in which FGM continues to be practised, and this seriously infringes on women's right to integrity. It made recommendations.

79. Indonesia considered that Luxembourg's noteworthy efforts to promote and protect human rights should be complemented by, inter alia, strengthening its legal framework. Indonesia also noted the Luxembourg Government's efforts to promote respect for cultural diversity, considering that conservation of identity should not be in conflict therewith. It made recommendations.

80. Iran (Islamic Republic of) wished to draw the attention of the Working Group to reports by treaty bodies, Special Procedures and the Office of the High Commissioner, which have raised concerns about human right violations in Luxembourg, in particular racist and xenophobic acts, increasing child prostitution and pornography. It made recommendations.

81. Italy asked how Luxembourg intended to react to concerns on the family reunification procedure, what measures it envisaged to enhance compliance with international instruments and standards on stateless persons, and what obstacles still remained to transmitting its national reports to CERD.

82. Jordan appreciated Luxembourg's efforts to strengthen its legislation, including its amendments of the Act on Freedom of Expression, the Act on Assistance for Children and Families and three new laws complementing its legislative instruments to combat human trafficking. It commended Luxembourg for bringing its legislation into line with the provisions of the Rome Statute. It made recommendations.

83. Kuwait commended Luxembourg's efforts deployed in education, the rights of women and children and the social integration of foreigners. It asked about measures taken to combat discrimination against Muslim migrants and their integration. It made recommendations.

84. The Lao People's Democratic Republic wished to encourage Luxembourg to continue cooperating with the United Nations and other international organizations and stakeholders to overcome the constraints and challenges in ensuring fulfillment of all its citizen's rights.

85. Libya welcomed the progress made by Luxembourg in gender equality and its policy framework. It also welcomed Luxembourg's adoption of additional laws for combatting human trafficking, and the establishment of an independent commission on the rights of the child. It welcomed efforts to combat rape and exploitation of children, all forms of racial discrimination, and financing of terrorism, and to promote cultural tolerance and coexistence. It made recommendations.

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

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

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

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

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

91. The Netherlands thanked Luxembourg for its clear presentation of some commendable achievements in human rights. Examples include amendment of its law on freedom of speech in the media, efforts in favour of gender equality and measures to combat domestic violence. However, while homosexuality is generally accepted in Luxembourg, same sex couples cannot yet get legally married. It made a recommendation.

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

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

94. The State of Palestine welcomed Luxembourg's political changes in the area of gender equality and the fight against sexual discrimination, including in the media and communication, the labour market and other spheres of society. It also welcomed Luxembourg's adoption of the law on the right to asylum and complementary protection. It made recommendations.

95. The Philippines noted that Luxembourg had signed or ratified all of the core international human rights instruments. However, despite the fact that nearly half its population is foreign, it had yet to accede to conventions on migrant workers, specifically the ICRMW and ILO Convention 189. It made recommendations.

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

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

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

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

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

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

102. Slovenia welcomed Luxembourg's decision to enshrine gender equality in the order of succession to the throne and its measures to increase de facto equality in the workplace. It further welcomed Luxembourg's ratifications of the CRPD and its Optional Protocol, among others. It commended its efforts to ensure human rights education in schools and teacher training. It made recommendations.

103. Spain thanked Luxembourg for its participation in the UPR process and its presentation. It congratulated Luxembourg for its ratification of the CRPD and its Optional Protocol and for all actions taken to promote and protect human rights since its first review. It also welcomed Luxembourg's recent ratification of the amendments to the Rome Statute. It made recommendations.

104. Sri Lanka acknowledged the positive results of Luxembourg's measures to combat gender discrimination, reduce the wage gap and facilitate women taking up decision-making positions. It noted the steps taken to ensure access to schooling for all children, including those older than 3 years, regardless of their parents' status. It also noted Luxembourg's efforts to combat human trafficking, money laundering and financing of terrorism. It made recommendations.

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

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

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

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

109. En réponse à une question sur les mutilations génitales faites aux femmes, le Luxembourg a rappelé que la législation nationale prévoit des peines sévères pour les auteurs de telles pratiques, qui peuvent aller de cinq à sept ans d'emprisonnement.

110. En ce qui concerne les relations avec les communautés religieuses, la délégation a spécifié que la législation luxembourgeoise prévoit la liberté de culte et de conscience. Les autorités ont ouvert un dialogue avec la communauté musulmane et des pourparlers qui devraient déboucher sur une convention avec cette communauté sont en cours.

111. En réponse aux questions relatives à l'intégration des résidents non ressortissants, la délégation a affirmé que le sujet est une priorité majeure pour le pays. Une série de réformes est en cours pour contrer les difficultés particulières en raison du caractère plurilingue du pays (luxembourgeois, français, allemand). Par ailleurs, tous les enfants ont accès au système scolaire luxembourgeois, quel que soit le statut des parents. La délégation a souligné qu'au Luxembourg le droit à l'éducation était non seulement un droit, mais également une obligation, et que ce droit est garanti sans discrimination aucune.

112. Au sujet de la rétention des enfants et des mineurs, la délégation a rappelé que la rétention de ces derniers n'est pas autorisée, sauf pour des périodes inférieures à 72 heures. Au-delà, ils sont pris en charge au sein de structures spécialisées.

113. Quant à la question du racisme et de la xénophobie, la délégation a déploré l'existence de certaines manifestations de ce phénomène. Elle met l'accent sur l'importance de la sensibilisation dans les écoles et des campagnes d'information dans les médias. En matière de répression, les auteurs de discours ou diffusion d'articles xénophobes ou de haine raciale, y compris sur internet, sont poursuivis par les tribunaux. Les condamnations peuvent aller jusqu'à deux ans d'emprisonnement

114. S'agissant des traitements concernant les maladies psychiatriques, une grande réforme a été mise en place. L'enfermement des personnes souffrant de maladie psychiatrique est désormais l'exception et n'est appliqué qu'aux personnes qui représentent un danger pour autrui.

115. En conclusion, la délégation a remercié les participants pour l'occasion qui lui a été donné de s'exprimer sur l'importance que le Luxembourg attache aux droits de l'homme et de s'étendre sur les voies et moyens employés, afin de poursuivre son engagement dans le domaine des droits de l'homme, au bénéfice de chacun au Luxembourg.

II. Conclusions and/or recommendations

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

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

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

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

116.4. Transmit its overdue reports to the Human Rights Committee, CESCR, CERD and CAT in order to share experience and progress in these domains (Czech Republic);

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

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

116.7. Explicitly punish, by legal provisions, persons practicing FGM, as well as parents or holders of parental authority, who consented to the practice of FGM (Hungary);

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

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

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

- 117.7. Accelerate the process of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Tunisia);
- 117.8. Ratify the Optional Protocol of the Convention on the Rights of the Child on a communications procedure (Thailand);
- 117.9. Ratify the Optional Protocol to the CRC on a communications procedure and the Optional Protocol to ICESCR (Portugal);
- 117.10. Consider signing and/or ratifying the Rome Statute to the ICC (Ecuador);
- 117.11. Take necessary measures to hand in its national reports to CERD on time (Iran (Islamic Republic of));
- 117.12. Review its legislation in order to enact a law that criminalizes child pornography and child prostitution, in accordance with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Uruguay);
- 117.13. Address gaps in the legislation on the sexual exploitation of children (Norway);
- 117.14. Address the gaps in the legislation on sexual exploitation of children, including the lack of a clear definition of “child pornography” and “child prostitution” in Luxemburgish legislation (Canada);
- 117.15. Take the necessary measures to adapt its asylum system to the new requirements of international protection (Mexico);
- 117.16. Take the necessary measures to ensure that all persons born in Luxembourg obtain a nationality if otherwise they would become stateless, and regardless of the immigration status of their parents (Mexico);
- 117.17. Update the 1996 Action Plan to combat sexual exploitation of children and ensure its effective implementation, including monitoring and evaluation (Hungary);
- 117.18. Further promote education and training in the area of human rights (Nepal);
- 117.19. Bring the Official Development Assistance (ODA) up to the internationally committed 0.7 per cent of the Gross Domestic Product (GDP) (Bangladesh);
- 117.20. Maintain its ODA contributions up to the internationally-agreed level of 0.7 per cent (Egypt);
118. The following recommendations will be examined by Luxembourg which will provide responses in due time, but no later than the 23rd session of the Human Rights Council in June 2013:
- 118.1. Step up efforts to consider acceding to ILO Convention 189 (Philippines);
- 118.2. Consider reviewing its declaration regarding article 20 (2) of the International Covenant on Civil and Political Rights (Egypt);
- 118.3. Withdraw all its reservations to the Convention on the Rights of the Child (Slovakia);

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

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

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

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

118.73. Continue to take all necessary measures to preserve an overall positive image of refugees and asylum-seekers (State of Palestine);

118.74. Take the measures necessary to accelerate the application of the law on the reception and integration of foreigners (Togo);

118.75. Consider the possibility of increasing the rate of accepted asylum applications, reducing the administrative and regulatory obstacles that prevent the acceptance of a higher number of asylum applications; and also consider increasing the acceptance of applications for solidarity resettlement of refugees recognized as entitled to this status, in particular those who arrive from the South. (Ecuador);

118.76. Continue its efforts in combating money laundering and financing of terrorism (Sri Lanka);

119. The recommendations below were noted by Luxembourg:

119.1. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Cambodia, Indonesia, Sri Lanka, Turkey);

119.2. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Belarus, Cape Verde, Chile Egypt, Guatemala);

119.3. Step up efforts to consider acceding to ICRMW (Philippines);

119.4. Consider signing and/or ratifying the ICRMW (Ecuador);

120. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

III. Voluntary pledges and commitments

121. Le Luxembourg s'engage à présenter un rapport intérimaire sur les progrès accomplis dans la mise en œuvre des recommandations de l'Examen périodique universel au Conseil des droits de l'homme en 2015.

Annex

Composition of the delegation

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

- Monsieur Jean-Marc Hoscheit, Ambassadeur, Représentant Permanent du Grand-Duché de Luxembourg auprès de l'Office des Nations Unies à Genève;
 - Monsieur Claude Janizzi, Conseiller de Direction 1^{ère} classe, Coordinateur des droits de l'enfant, Ministère de la Famille et de l'Intégration, Luxembourg;
 - Monsieur Jean-Paul Reiter, Conseiller de Direction 1^{ère} classe, Ministère des Affaires Etrangères, Luxembourg;
 - Monsieur Vincent Sybertz, Directeur f.f., Centre de rétention, Luxembourg;
 - Monsieur Daniel Da Cruz, Représentant Permanent adjoint du Grand-Duché de Luxembourg auprès de l'Office des Nations Unies à Genève;
 - Monsieur Laurent Thyès, Attaché de Gouvernement, Ministère de la Justice, Luxembourg;
 - Monsieur Alex Riechert, Secrétaire de Légation, Ministère des Affaires Etrangères, Luxembourg;
 - Madame Louise Bonneville, Stagiaire, Mission permanente du Grand-Duché de Luxembourg auprès de l'Office des Nations Unies à Genève.
-