

Contribution to the Focus chapter of the Fundamental Rights Report 2022: Social rights and equality in light of the recovery from the COVID- 19 pandemic.

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1 Measures implemented to foster social rights and equal treatment in the recovery from the pandemic

- Table 1a	
Name of the measure in English	- Telemedicine solution for remote medical monitoring of patients
Name of the measure in the national language(s)	• Solution de télémédecine pour le suivi médical à distance de patients
Reference document for the measure <i>Include an url, where available</i>	• Luxembourg Recovery and Resilience Plan, pp. 40-43 (Plan pour la Reprise et la Résilience)
Social rights covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	• Right of access to preventive health care and to benefit from medical treatment (Article 35) •
Population group(s) covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	• The measure targets explicitly 'patients', which is most closely related to the option: people in need of care (home care or in residential settings). However, this measure refers to health care only. • Therefore, the measure targets the general public of patients without a further breakdown by population group. That said, one can infer that the following population groups will be positively impacted: • Older people; • People in need of care (home care or in residential settings);

	<ul style="list-style-type: none"> • Persons with disabilities; • People with a migrant background
Summary description of how the measure applies to the population group(s)	<ul style="list-style-type: none"> • The measure enables health care professionals to monitor COVID-19 patients' health situations remotely. During the initial stage of the pandemic, and before the availability of vaccination, this measure applied to population groups that were most vulnerable to COVID-19, namely older people, people with an underlying medical condition, people in need of care (elderly homes and others) and people with disabilities, in particular those with reduced mobility. The Ministry of Health measure ensures that the following features are present to increase accessibility and equal treatment for members of the population group(s) of interest, as follows: <ul style="list-style-type: none"> • Older people and people with less developed digital skills: the measure is available by phone and email to cater to the needs of this population group • People with a migrant background: the measure is available in five languages: Luxembourgish, French, German, English and Portuguese, making it more accessible to persons with a migrant background
Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery	<ul style="list-style-type: none"> • The measure is already in place, and it has been positively impacting the right to access preventive health care and benefit from medical treatment in March 2020. The remote monitoring of patients who test positive for COVID-19 helps limit the spread of the virus. It relieves congestion in healthcare structures while offering patients follow-up by qualified professionals in complete safety. The measure will continue to impact the right to health positively.
Summary description of the extent to which the measure foresees the provision of enabling social services	<ul style="list-style-type: none"> • The measure is an integrated public service provision also combining private health care providers.
Entity or organisation responsible to implement the measure	<ul style="list-style-type: none"> • Ministry of Health • National Agency for Shared Health Information e-Health Agency (Agence Nationale des informations partagées dans le domaine de la santé - Agence e-Santé)
Duration of the measure	<ul style="list-style-type: none"> • 2020 -2026, broken down as follows:

	<ul style="list-style-type: none"> • 23 March 2020 – 7 February 2021: development and use of the remote monitoring tool called 'MAELA' aimed at Covid-19 patients. • 2021-April 2022 – development of updated software platform "IdeoPHM¹" available on national E-Health platform "e-Sante." • 2023 – 2026 – use of new IdeoPHM software
Budget allocated to implement the measure	<ul style="list-style-type: none"> • EUR 829,200
Summary description of how any foreseen impact assessment of the measure will be carried out	<ul style="list-style-type: none"> • The e-Health Agency (e-Santé), linked to the Ministry of Health, defined indicators and targets for assessing the measure in 2020, when the measure was most active - in 2020 at the height of the pandemic in Luxembourg. The indicators were the number of users of the measure and the percentage of COVID-19 patients that use this remote service. E-santé discontinued using these indicators for the following reasons: it did not accurately capture the evolution of the pandemic, i.e. with the vaccination roll-out in 2021 and reduction in the number of cases of COVID, the number of telemedicine users declined abruptly to a halt. Also, whilst the measure had foreseen that older people and people who have less developed digital skills could access the service via phone or email, the fact is that this population group preferred being attended in person rather than remotely. As of early 2021, the measure has been on stand-by. It is ready to be re-activated and used again in case needed.²

¹ Luxembourg, note : [IdeoPHM](#) is a platform that covers all the uses of Population Health Management (PHM), which are: prevention, therapeutic education, clinical monitoring, management of complex cases.

² Information is based on telephone and email exchange with a representative from the National Agency for Shared Health Information - e-Health Agency (Agence Nationale des informations partagées dans le domaine de la santé - Agence e-Santé) in November 2021. Neither the Luxembourg Recovery and Resilience Plan, pp. 40-43 ([Plan pour la Reprise et la Résilience](#)) nor the Government of Luxembourg webpages of the Agence Nationale des informations partagées dans le domaine de la santé - Agence e-Santé or the Ministry of Health mention impact assessment or evaluation of the measure.

- Table 1b	
Name of the measure in English	- Digital Skills
Name of the measure in the national language(s)	• Digital Skills
Reference document for the measure <i>Include an url, where available</i>	<ul style="list-style-type: none"> • Luxembourg Recovery and Resilience Plan, pp. 29-34 (Plan pour la Reprise et la Résilience) • Government of Luxembourg webpage with Details of the measure for applicants of digital skills training voucher
Social rights covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	<ul style="list-style-type: none"> • Right to social security and social assistance (Article 34)
Population group(s) covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	<ul style="list-style-type: none"> • The measure directly targets the following population groups: • Individuals from disadvantaged socio-economic backgrounds (e.g., recipients of unemployment benefits) • People in precarious working conditions (part-time workers, who are recipients of unemployment benefits)

<p>Summary description of how the measure applies to the population group(s)</p>	<ul style="list-style-type: none"> The measure provides part-time workers recipients of unemployment income with additional social service, namely a voucher of up to EUR 500 for online digital skills training courses at accredited training centres. This measure ensures that individuals from disadvantaged socio-economic backgrounds or in precarious working conditions have equal opportunity to upskill themselves digitally, to increase their chances to continue being employed or increase their mobility in the labour market.
<p>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</p>	<ul style="list-style-type: none"> The measure will positively impact the right to social security of recipients of digital skills training vouchers, as the measure is a social service (lifelong learning/training). Furthermore, in light of the National Action Plan for Digital Inclusion 2021 approved after the Luxembourg Recovery and Resilience Plan, the Government of Luxembourg acknowledges the following population group(s) as vulnerable to digital exclusion: older population, persons with disabilities, unskilled workers, unemployed, low-income people, migrants, applicants of international protection, women and girls who often digitally lag behind men and some youth (who seek employment). Whilst documents regarding the measure (application details and the Luxembourg Recovery and Resilience Plan) do not explicitly mention these vulnerable groups, the underlying objective of the measure is to bridge the digital divide with a focus on these groups which are at risk of digital exclusion.
<p>Summary description of the extent to which the measure foresees the provision of enabling social services</p>	<ul style="list-style-type: none"> This measure is part of the Skilling, Reskilling and Upskilling component of the Luxembourg Recovery and Resilience plan. In addition, this measure is part of integrated service provision targeting the unemployed or people in precarious working conditions. This measure brings together training institutes (e.g. Chamber of Employees' training body 'Luxembourg Lifelong Learning Centre', and the non-profit training foundation 'House of Training', government bodies (national employment agency – ADEM and the Ministry of Labour, Employment and the Social and Solidarity Economy) and professional associations (Chamber of Commerce and Chamber of Employees).
<p>Entity or organisation responsible to implement the measure</p>	<ul style="list-style-type: none"> Ministry of Labour, Employment and the Social and Solidarity Economy
<p>Duration of the measure</p>	<ul style="list-style-type: none"> 1 January 2021 to 31 December 2021
<p>Budget allocated to implement the measure</p>	<ul style="list-style-type: none"> EUR 5,000,000

Summary description of how any foreseen impact assessment of the measure will be carried out

- The Ministry of Labour, Employment and the Social and Solidarity Economy is evaluating the measure based on the number of people registered online for a digital training programme.³

³ Information is based on email exchange with a representative from the Ministry of Labour, Employment and the Social and Solidarity Economy in November 2021. Neither the Luxembourg Recovery and Resilience Plan, pp. 29-34 ([Plan pour la Reprise et la Résilience](#)) nor the Government of Luxembourg webpage with [Details of the measure for applicants of digital skills training voucher](#) mention impact assessment or evaluation of the measure.

- Table 1c	
Name of the measure in English	- 'MyGuichet' update
Name of the measure in the national language(s)	<ul style="list-style-type: none"> • Evolution de 'MyGuichet'
Reference document for the measure <i>Include an url, where available</i>	<ul style="list-style-type: none"> • Luxembourg Recovery and Resilience Plan, pp. 85-89 (Plan pour la Reprise et la Résilience) • Electronic Governance Strategy 2021-2025 (Stratégie "Gouvernance électronique 2021-2025")
Social rights covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	<ul style="list-style-type: none"> • Right to social security and social assistance (Article 34) • However, this right is covered only indirectly. The measure allows citizens to digitally access a wide array of public services, including requests for social protection benefits, such as family grants, study grants and other benefits. The update of MyGuichet will increase the types of services digitally available and improve functionality and accessibility (including video appointments and access from mobile devices).
Population group(s) covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	<ul style="list-style-type: none"> • The measure applies to the general public. • In practice, the updated MyGuichet with increased availability of digital services, video-conferencing for appointments and mobile app will be particularly beneficial to the following groups for the following reasons: <ul style="list-style-type: none"> • Youth, when applying for study grants (mobile app version) • Individuals from disadvantaged socio-economic backgrounds (i.e. recipients of minimum income or unemployment benefits) will benefit from the mobile app version, as many do not own computers or laptops. In addition, video-conferencing and increased types of services available online will help this group reduce time spent on travelling to in-person appointments. • Older people, people in need of care (home care or in residential settings), and persons with disabilities, particularly those with reduced mobility, will benefit from video-

	<p>conferencing and the availability of services (including claiming health insurance bills). They will solve their administrative issues without the need to travel to public services.</p> <ul style="list-style-type: none"> • People in precarious working conditions, including those who have working hours that are not compatible with public administration, will benefit from the increase in the number of online services. In addition, they will benefit from the mobile app, as many people do not own computers or laptops. • People in need of care (home care or in residential settings); • Women with small children may find the measure helpful when applying for family benefits (child grant, maternity allowances (prenatal, birth and postnatal). • People with a migrant background, especially if they do not speak the Luxembourg official languages, may find it easier to access the services online, as it allows, for example, for digital translation tools.
<p>Summary description of how the measure applies to the population group(s)</p>	<ul style="list-style-type: none"> - The measure applies to the general public. However, the policies related to digitalisation approved in September/October 2021 - National Action Plan for Digital Inclusion 2021 and the Electronic Governance Strategy 2021-2025 refer to specific population groups mentioned below: - - Electronic Governance Strategy 2021-2025 includes the population groups of <u>people with reduced mobility</u> (either due to disability or age) in two conflicting ways. On the one hand, this population group will benefit from the measure. It would enable them to access services remotely without physically going to public services or post offices. However, on the other hand, this group has limited access to this measure for several reasons, including lack of motivation/interest, lack of capacity, and fear of data protection violation (mainly related to e-banking). In addition, the strategy foresees that services will strive to be multilingual, use simple language, and be adapted to meet the needs of the older population and persons with disabilities. - - The National Action Plan for Digital Inclusion 2021 acknowledges the following population group(s) as vulnerable to digital exclusion: <u>older population, persons with disabilities, unskilled workers, unemployed, low-income population, migrants, applicants of international protection, women and girls who often digitally lag behind men and some youth</u>. The plan outlines initiatives to ensure equal treatment of some of these population groups:

	<ul style="list-style-type: none"> - e-power of attorney feature: is useful especially for older and disabled persons that can delegate another person to carry out the digital public service; - e-banking training in multiple languages is helpful for the migrant population and older population.⁴ The Financial Sector Surveillance Commission (CSSF), a public institution that supervises the professionals and products of the Luxembourg financial sector and the non-profit organisation "Adult education" (<i>Erwuessebildung</i>) are part of this training initiative.
Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery	<ul style="list-style-type: none"> - This measure will positively impact: <ul style="list-style-type: none"> • Right to good administration (Art. 41) • Right of access to documents (Art. 42) • Right to social security and social assistance (Article 34) - Potentially the right to access services of general economic interest (Art. 36), as these services will be more easily and quickly accessible to the citizen on MyGuichet. - Moreover, a positive impact on citizens' rights related to participation (voting, petition and other forms of digital citizenship) is likely.
Summary description of the extent to which the measure foresees the provision of enabling social services	<ul style="list-style-type: none"> - This measure is part of a national effort to digitalise the public administration, which has the broader aim of ensuring citizens have increased access to fast and high-quality public services, including digital citizenship.
Entity or organisation responsible to implement the measure	<ul style="list-style-type: none"> • Ministry of Digitalisation.
Duration of the measure	<ul style="list-style-type: none"> • 2021 - 2023
Budget allocated to implement the measure	<ul style="list-style-type: none"> • EUR 866,500 • Sum of three subcomponents: EUR 172,000 (video-conferencing), EUR 360,000 availability of new services related to Business-to-Government (B2G) and Customer-to-Government (C2G) and EUR 334,500 (mobile app)

Summary description of how any foreseen impact assessment of the measure will be carried out	<ul style="list-style-type: none">• Ministry of Digitalisation evaluates the measure based on the number of cases attended through My Guichet to see the uptake of online services.⁵
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⁵ Information is based on email exchange with a representative from the Ministry of Digitalisation in November 2021. Neither the Luxembourg Recovery and Resilience Plan, pp. 85-89 ([Plan pour la Reprise et la Résilience](#)), the Electronic Governance Strategy 2021-2025 nor the National Action Plan for Digital Inclusion 2021 mention an impact assessment or evaluation of the measure.

2 Tools or mechanisms to monitor the effectiveness of national schemes to foster social rights and equal treatment in the recovery from the pandemic

Table 2.a.

Name of the monitoring tool or mechanism in English	the Tripartite Coordination Committee
Name of the monitoring tool or mechanism in the national language(s)	le Comité de coordination tripartite (dit "tripartite")
Reference document for the monitoring tool or mechanism <i>Include an url, where available</i>	<ul style="list-style-type: none"> Luxembourg, Grand Ducal decree of 26 January 1978 determining the functions of the Tripartite coordination committee (Règlement grand-ducal du 26 janvier 1978 déterminant le fonctionnement du comité de coordination tripartite).⁶

⁶ Luxembourg, official page of the Luxembourgish Government, [Tripartite coordination committee: a social dialogue with a focus on maintaining employment and combating unemployment](#) (*Comité de coordination tripartite: un dialogue social avec focus sur le maintien dans l'emploi et la lutte contre le chômage*), Press release 03.07.2020.

<p>Organisation (s) involved in the monitoring tool or mechanism</p> <p><i>Delete as appropriate</i></p> <p><i>Multiple answers possible</i></p>	<p>Other</p> <p>The tripartite coordination committee was created in the late 1970s as an instrument for managing crises. It includes:</p> <ol style="list-style-type: none"> 1. four members of the Government including the Minister of State who assumes the Presidency, the Minister of National Economy, the Minister of Labor and Social Security, and the Minister of Finance; 2. four employers' delegates, two of whom are to be appointed by the Chamber of commerce, one by the Chamber of trade and o the Chamber of agriculture; 3. four delegates to be appointed by trade unions at the national level, including a public service representative. <p>The four ministers may be represented by another member of the Government (Art.1). In addition, there may be an alternate member for each of the employers' and union representatives.</p>
<p>Summary description of how these organisation (s) are involved in the monitoring tool or mechanism</p>	<p>The Tripartite Coordination Committee developed social measures for the recovery of the country. However, the plan does not mention how the Committee monitors and evaluates the social measures.</p>
<p>Summary description of the functioning of the tool or mechanism used to monitor the effectiveness of schemes adopted to</p>	<p>During the first meeting in 2020, the Committee members agreed on the following measures:</p> <ul style="list-style-type: none"> • Help with hiring older unemployed people

<p>foster social rights and equal treatment in the recovery</p>	<ul style="list-style-type: none"> • Professionalisation internship • Reintegration-employment contract (CRE) • Learning • Business creation assistance • Government recruitments • Compensated temporary occupation (OTI) • Creation of a task force to talk about the development of "skills." • Strengthening of the ADEM Monitoring Committee to ensure effective placement with companies and to optimise "matchmaking" between open positions and job seekers • Establishment of an investment taskforce
<p>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</p>	<p>Not available.</p>
<p>Summary description of what the tool or mechanism foresees when non-compliance with obligations and standards is identified, with a particular emphasis on enforcement and remedial action</p>	<p>Not available.</p>

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Table 2.b.

Name of the monitoring tool or mechanism in English	System for continuous performance and measuring the plan of the Recovery and Resilience Facility
Name of the monitoring tool or mechanism in the national language(s)	Système permettant de mesurer en continu la performance du plan RRF (Facilité pour la reprise et la résilience)
Reference document for the monitoring tool or mechanism <i>Include an url, where available</i>	Luxembourg, Ministry of Finance (2021). Recovery and resilience plan of the Grand-Duchy of Luxembourg (Plan pour la reprise and résilience du Grand-Duché du Luxembourg), p.120
Organisation (s) involved in the monitoring tool or mechanism <i>Delete as appropriate</i> <i>Multiple answers possible</i>	Other The Directorate of Economic and Budgetary Affairs within the Ministry of Finance (La Direction des affaires économiques et budgétaires au sein du Ministère des Finances) It is the "coordinator of the plan and has the overall responsibility for the RRP. The coordinator is responsible for implementing the RRP and ensuring coordination with other national authorities, monitoring progress achieved on milestones and objectives, supervision and implementation of control and audit measures, delivery of necessary reports, payment requests and the accompanying management declaration. ⁷ The Directorate of Economic and Budgetary Affairs management service within the Ministry of Finance manages and coordinates the funds.
Summary description of how these organisation (s) are	The managing service is responsible for implementing the PRR, monitoring progress made concerning milestones and targets, and, as such, drawing up this report.

⁷ Luxembourg, Ministry of Finance (2021). [Recovery and resilience plan of the Grand-Duchy of Luxembourg](#) (*Plan pour la reprise and résilience du Grand-Duché du Luxembourg*), p.130

<p>involved in the monitoring tool or mechanism</p>	<p>National actors provide qualitative and quantitative data to the managing service. In addition, representatives of the managing service visit and perform control of the projects.</p> <p>Reporting is developed every year for each project before submitting payment requests. The following information is provided to the service by the beneficiaries (project partners): report on the project's progress, financial data, milestones and targets of the project.</p>
<p>Summary description of the functioning of the tool or mechanism used to monitor the effectiveness of schemes adopted to foster social rights and equal treatment in the recovery</p>	<p>It is not specified explicitly.</p> <p>In 2021 the Ministry of Finance met with the representatives of civil society organisations on several occasions to discuss the plan and social aspects.</p> <p>The Recovery and Resilience Facility is referenced. The facility should promote a European model based on social inclusion, the creation and support of quality jobs, and the green and digital transition acceleration. In particular, the Luxembourg plan should help workers adapt to the transition to a green and digital economy.⁸</p>
<p>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</p>	<p>It is not specified.</p>
<p>Summary description of what the tool or mechanism foresees when non-compliance with obligations and standards is identified, with a particular</p>	<p>They are not mentioned.</p> <p>The report ensures that the management service has sufficient administrative capacity for implementing the PRR and a relevant set of measures/procedures and provisions required to ensure compliance with the main principles identified by the Commission within the framework. Among central tenets, it ensures that it</p>

⁸Luxembourg, Ministry of Finance (2021). [Recovery and resilience plan of the Grand-Duchy of Luxembourg](#) (*Plan pour la reprise and résilience du Grand-Duché du Luxembourg*), p.132.

emphasis on enforcement and remedial action	guarantees "compliance with the rules relating to public procurement, the protection of the Union's financial interests, the prevention, detection and fight against fraud, corruption and conflicts of interest, at the risk of double financing". ⁹
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⁹ Luxembourg, Ministry of Finance (2021). [Recovery and resilience plan of the Grand-Duchy of Luxembourg](#) (*Plan pour la reprise and résilience du Grand-Duché du Luxembourg*), p.130.