

FRANET

**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

Luxembourg, 2015

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Executive summary

Introduction

In 100 years, the population of the Grand Duchy of Luxembourg has doubled from nearly 260 000 in 1910 to over 563 000 in 2015¹. Such exceptional demographic growth is solely due to mass immigration flows provoked by a rapid economic development of the country since the late 19th century. By luring the foreign labour force, the Luxembourgish government intended to provide the poor agricultural country with a new workforce for its expanding steel industry (in particular). As far as the country of origin is concerned, the first waves of the foreign labour force were essentially from Germany and Italy. The traditional composition of the foreign workforce began to change significantly in 1972 when the government signed a new labour agreement with Portugal. At this particular moment, numerous Cape Verdeans holding Portuguese passports left Portugal for the Grand Duchy of Luxembourg². These Portuguese workers were lured by Luxembourg's demand for cheap and unskilled labour in the industrial sector. In comparison with the Italian labour force holding only temporary work contracts (the duration of which hardly exceeded one year), the new wave of Portuguese could settle in the Grand Duchy of Luxembourg (after the adoption of favourable policy measures on family reunification) permanently. In recent times, the Portuguese migrants represent almost 40% of all 240,000 foreigners living in the Luxembourgish territory out of whom between 2500 and 8000 are of Cape Verdean origin (data obtained from the STATEC Luxembourg and the Embassy of the Republic of Cape Verde in Luxembourg differ significantly). It is difficult to give exact numbers of TCN because many of immigrants might have already obtained the Luxembourgish nationality or hold nationality of other EU Member State³. However, official statistics show that only 6%⁴ out of all registered immigrants are in fact third country nationals. For the past two decades, Cape Verdean immigrants – together with 15 000 to 30 000 ex-Yugoslav immigrants (estimations based on RGPP data) who came to Luxembourg in 1990s during the Balkan wars – constitute the most numerous foreign communities coming into the country from outside the European Union.

1. Legislation and policy instruments

National strategy on migrant integration

- The first National Action Plan on Integration and against Discrimination - NAP (2010-2014) identifies integration as: "a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States". Furthermore, it specifies that "integration process involves adaptation, not only by foreigners, but also the host society".
- Respecting the basic values of the European Union, raising awareness of the

¹ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*), 2015, available at : http://www.statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=384&IF_Language=fra&MainTheme=2&FldrName=1&RFPath=68

² Luxembourg, Kollwelter. S. (2007), Immigration in Luxembourg: new challenges for an old country. In: Migration Information Source. 1 March 2007.

³ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), (p.128), available at: www.cefis.lu/page10/files/red14.pdf

⁴ Luxembourg, STATEC, 2012

European Union's fundamental values are set among the areas of focus of the NAP (key areas of focus are based on the Common Basic Principles of the European Union's integration policy for immigrants). However, Luxembourg Reception and Integration Agency is "aware that the work in raising awareness and informing the public must go further than the strict framework of the integration of foreigners. It must address the diversity as a whole by fighting against the discrimination based on ethnic origin, disability, sexual orientation, age, religion, or beliefs".

Drivers & barriers in developing, implementing and assessing legal and policy instruments

- Despite the fact that the interculturality takes part of the everyday life of the Luxembourgish society, people are living "next to each other rather than with each other"(Declaration made in the Action Plan for Social Development of the city of Luxembourg).
- At the local level, there is a lack of structural discussion between representatives of public authorities that are supposed to promote the intercultural dialogue and active citizenship with representatives of migrants.
- However, Consultative committees for integration (Commissions consultatives d'intégration - CCI). CCIs start to develop strategies to improve contacts with migrant associations (notably in the pre-election period for conveying electoral information).
- In Luxembourg, there is a clear lack of synergy between different stakeholders operating at the local level as well as at the national level. Actions taken by different organizations to improve integration of TCN are not always in concordance with each other. Moreover, important stakeholders that may help to raise the impact of applied policies are often missing.
- However, Luxembourg Reception and Integration Agency (OLAI) has recently taken steps to encourage strategic partnerships of various organizations dealing with the same specific issue at a locality. OLAI approach goes hand in hand with the framework of the National Action Plan on Integration and against Discrimination (2010-2014) that aims to mobilise all the stakeholders who are directly or indirectly involved in the implementation of integration policies.
- Although the mobilization of the appropriate local actors is undoubtedly very good strategy in the process of the implementation of integration policies, there are no indicators that would measure the real impact of applied policies on target groups.
- Measuring the impact of integration policies on TCN would also demand a transformation of statistical data collection. In general, TCN communities are embraced in one group "others" regardless of big socioeconomic differences between EEA/EU citizens and nationals of developing countries.
- In Luxembourg, there is a clear lack of measures that would help third country immigrants to valorize their education or their professional experience obtained in their country of origin that increases their vulnerability on the labour market. If we count one white collar worker for two blue collar workers in the general Luxembourgish population (aged 15-35 years), the score is one white collar worker for five blue collar workers in case of ex-Yugoslav and one white collar worker for 17 blue collar workers in the case of Cape Verdean immigrants.

2. Equal treatment and discrimination

Implementation of equal treatment of various permit holders

- Third-country nationals can submit an application for a long-term residence permit after 5 years of a continuous lawful stay in Luxembourg. The application has to be

submitted to the Immigration department of the Ministry of Foreign Affairs. The application must be accompanied by a large list of documents⁵. For some of the documents (proof of stable, regular and sufficient financial resources, proof of suitable housing, document proving the applicant's integration in the Luxembourg society, etc.) no specification are provided and there are rather vague formulations which might leave wide discretionary powers to public officials (our opinion).

3. Political and societal participation

Citizenship acquisition

- Citizenship acquisition that is often considered as the final step in the integration process is proposed to immigrants who have been living in Luxembourg for at least 7 years without interruption and passed a Luxembourgish language test and attended civic education courses. It should be noted that the success rate in acquisition of the Luxembourgish nationality is not the same for the two most numerous groups of TCN (ex-Yugoslav and Cap-Verdean immigrants).

National/regional/local level election

- While the third country nationals are usually very active in the migrant associative life, they are very little active in a political life. Recent studies show that migrants (EU nationals and TCN counting together) do not exceed 10% of political party members - which is considered to be a very little proportion in a population that counts 46% of foreigners.
- In municipality elections organised in 2011, third country nationals represented only 11% of registered voters – the majority of them were ex-Yugoslav and Cap-Verdeans.
- It should be noted that the majority of foreign political candidates have been members of local consultative commissions. That is why the membership in local consultative commissions might be considered as a stepping stone for active party politics.
- The absence of TCN in national party politics may be explained by the fact that they are not eligible to vote or to stand as a candidate in national elections.

Membership and participation of migrants in civil society organisations and voluntary work

- In case of the two biggest TCN communities residing in Luxembourg (ex-Yugoslav and Cap-Verdean), there are about 80 ex-Yugoslav associations and 30 sub-Saharan associations (including Cap-Verdean associations – it should be noted that in 2014, two-thirds of sub-Saharan immigrants were Cape Verdeans in the Grand Duchy of Luxembourg).
- In the last two decades, a number of associations of sub-Saharan and ex-Yugoslav migrants were created to deal with the most pressing concerns of their community members (accommodation, unemployment, papers, accidents of their family members in the country of origin, etc.). While the sub-Saharan associations continue to solve existential socio-economic problems, the ex-Yugoslav associations have taken a different direction and transformed themselves into cultural identity holders.
- CCI offers subsidies and facilities in view of the promotion of the intercultural activities organized by migrant associations. Registered migrant associations may obtain up to 1500 Euros (from local authorities) for their elaborated projects

⁵ Luxembourg, Long-term residence status for third country nationals forms, March 2015, Guichet.lu, available at: <http://www.guichet.public.lu/entreprises/en/ressources-humaines/recrutement/ressortissant-pays-tiers/resident-longue-duree/index.html>

encouraging the intercultural dialogue and integration of foreigners.

Participation of migrants and their descendants (with a distinct linguistic, cultural background) in education

- Rather exhaustive multilingual educational system to some extent predetermines a precarious situation on the labour market of those immigrants who cannot cope with the linguistic requirements. In reality, only 19.2% of immigrants (EU nationals and TCN) attend the most rewarding general education (*lycée classique*). The majority of immigrants (EU nationals and TCN) attend the technical vocational education that prepares immigrants for a blue collar carrier: 75% of Cap-Verdean immigrants educated in Luxembourg and 43% of ex-Yugoslav immigrants find only a manual work after their studies”.
- The Luxemburgish trilingual system also contributes to segmentation of the society and the labour market. Some economic sectors are occupied by particular immigrant communities that are speaking at work their native languages (for example, in the construction sector). According to Manço et al. (2014), not practicing the Luxembourgish official languages at work limits considerably the real integration of those immigrants into the major society. By doing so, they also hamper the possibility of the creation of a cohesive society.

4. Social cohesion and intolerance

Combating racism and intolerance

- Muslim religion was officially recognised in January 2015 after 8 years' negotiations between Shura (official representant of the Muslim community in Luxembourg) and the Luxembourgish government. The official recognition of Islam will change the proportion of public funding of religions, maintenance of church buildings and other places of worship as well as the content of moral values courses.

Building trust in public institutions

- One of the “building trust” activity that is worth mentioning is in fact the concept of National Integration meetings at the local level (*Assises nationales de l'intégration*) uniting public authorities CCCIs and Union of Towns and Municipalities (*Syndicat des villes et communes, SYVICOL*), on the one hand, and civic associations (ASTI, etc.), on the other hand. These meetings put in place discussions and exchanges of opinions on integration and good practices between local politicians and representatives of target groups.
- Other example of “building trust” activities may be the intention of Luxembourg Reception and Integration Agency (OLAI) to encourage through its programs and actions plans building a synergy between different stakeholders operating at the local level. Recently, OLAI has opened a call for projects proposals on Asylum, Migration and Integration in which OLAI prioritizes strategic partnerships of several organizations dealing with the particular issue at a locality. These large and mixed partnerships may not only evoke the interest within migrant associations to contribute to the implementation of public integration policies, but they may also help migrant associations to find their role in the implementation of public integration policies.

Mixed marriages

- Although marriage with a Luxembourgish citizen indirectly helps with the socioeconomic integration of his/her TCN spouse, a lot of TCN residing in Luxembourg prefer to marry each other out of respect to their parents and to the community (CEFIS, 2011). However, a marriage between TCN themselves does not always constitute a hurdle to the integration process. Especially, in the time of economic crisis, TCN immigrants tend to reunite their community forces and the

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| | marriage may sometimes help them to put in place some ethnic-based integration strategies (ethnic businesses, etc.). |
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1. Legal and policy instruments for migrant integration

1.1. Description of existing instruments and target groups

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| | <p>This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the template in Annex 2.⁶</p> <p>Please make sure the brief information you provide in the table includes the following aspects:</p> |
| <p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p> | <p>The first National Action Plan on Integration and against Discrimination - NAP (2010-2014)⁷ identifies integration as: "a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States". Furthermore, it specifies that "integration process involves adaptation, not only by foreigners, but also the host society". This is to consider and involve both non-citizens and the receiving society while ensuring that everyone's rights and responsibilities are clear. «<i>L'intégration est un processus dynamique, à double sens, de compromis réciproque entre tous les immigrants et résidents des États membres</i>». <i>Le processus d'intégration implique une adaptation, non seulement de la part des étrangers, mais également de la société d'accueil. Il s'agit de prendre en compte et d'associer à la fois allochtones et autochtones tout en s'assurant que les droits et responsabilités de chacun soient clairement établis</i> (p.3)⁸</p> |
| <p>Are there specific references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p> | <p>Yes, promotion of fundamental rights is included in the framework of the National Action Plan for integration and against Discrimination 2010-2014 (p.19)⁹ Respecting the basic values of the European Union, raising awareness of the European Union's fundamental</p> |

⁶ You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp.62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc., provided this level of detail is specifically mentioned in the relevant policy instruments.

⁷ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

⁸ Luxembourg, Luxembourg Reception and Integration Agency (*Office luxembourgeois de l'accueil et de l'intégration*), (2014), Priorities 2014 Multi-annual National Action Plan on integration and against discrimination (2010 - 2014) (*Priorités 2014 Plan d'action national d'intégration et de lutte contre les discriminations* (2010 – 2014), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/priorites-2014-fr1.pdf all hyperlinks were accessed on 27 of March 2015.

⁹ Luxembourg, Luxembourg Reception and Integration Agency (*Office luxembourgeois de l'accueil et de l'intégration*), Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

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| | | <p>values are set among the areas of focus of the NAP (key areas of focus are based on the Common Basic Principles of the European Union's integration policy for immigrants).¹⁰</p> <p>However, Luxembourg Reception and Integration Agency is "aware that the work in raising awareness and informing the public must go further than the strict framework of the integration of foreigners. It must address the diversity as a whole by fighting against the discrimination based on ethnic origin, disability, sexual orientation, age, religion, or beliefs" (p.42)¹¹.</p> |
| | <p>Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for "legally residing third country nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.</p> | <p>The National Action Plan on Integration and against Discrimination (2010-2014) includes the following groups of persons who are legally residing on the territory of the Grand Duchy. They are:</p> <ul style="list-style-type: none"> >European Union citizens; >third country nationals; >newcomers; >foreigners residing legally in the Grand Duchy of Luxembourg and wishing to remain on a permanent basis; >cross border workers; >refugees; >the host society: native and foreign-born people who need to be better informed and made aware of the benefits of integration and all its facets (p.28)¹² |

¹⁰ Luxembourg, Luxembourg Reception and Integration Agency (*Office luxembourgeois de l'accueil et de l'intégration*), Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, (p.33) available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

¹¹ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, (p.42) available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

¹² Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

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| | <p>In reference to the CBP 1¹³ <i>'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States'</i>: please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p> | <p>The Law of 16 December 2008 specifies that the integration is a task that the State, the municipalities, and the civil society should accomplish together. As such, the NAP aims to mobilise all the stakeholders who are directly or indirectly involved in the integration process of foreigners in the Grand Duchy of Luxembourg by:</p> <ul style="list-style-type: none"> > mainstreaming integration in all national policy areas > engaging local and national authorities to work together along with civil society > evaluating the results and progress of mainstreaming based on predefined benchmarks (p. 29 NAP)¹⁴ <p>National Action Plan on Integration and against Discrimination (2010-2014)¹⁵, with respect to relevant needs of different target groups, offers specific actions (for more details, please see Objectives of NAP 2010-2014, NAP, p.33-38).</p> <ul style="list-style-type: none"> • provide training on diversity and intercultural skills to key actors of the administration, of Luxembourgish and foreign collective organisations, and in social, education, and youth sectors • raise housing owners' awareness to the importance of establishing harmonious intercultural relations • raise public awareness on the issues of integration and the fight against discrimination • support migrant and namely migrant women's entrepreneurship • promote the employability of target groups • create an inclusive environment that respects diversity and human rights. <p>Objectives of NAP for 2010-2014:</p> <ul style="list-style-type: none"> • diversity training and intercultural skills of key players in the administration, the Luxembourg and foreign associations, as well as in social, education and youth (e.g. Implementation of a cross-cultural skills training). • raising public awareness on the issues of integration and fight against discrimination (e.g. reflection on the diversity within the emergency services; support of cultural activities with grants) |
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¹³ Common Basic Principles for Migrant Integration Policy in the EU (2004) available at: www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf

¹⁴ Luxembourg, Luxembourg Reception and Integration Agency (*Office luxembourgeois de l'accueil et de l'intégration*), Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, (p. 29) available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

¹⁵ Luxembourg, Multi-annual National Action Plan on Integration and against Discrimination 2010-2014, OLAI, available at : http://www.olai.public.lu/fr/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

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| | | <ul style="list-style-type: none"> • support and implementation of integration strategies at local level (e.g. willingness to provide best practices to local cultural associations and societies to better promote cross-cultural exchange) • promoting the employability of target groups(e.g. Individualised support of recognised refugees and third country nationals (EIF, REF projects) • promoting the principle of equal treatment in companies (e.g. Collaboration with companies in the positive actions of the program to raise awareness of the theme of equality between men and women at all levels of an associate living (continuation and deepening of a previous action) • promotion of entrepreneurship and women entrepreneurs with a migration background (e.g. Support the actions of the Federation Cheffes Business Women of Luxembourg, creative women with a migrant background) • information and raising awareness for the signatories of the WAI for business creation (continuation and deepening of a previous action). <p>The achievement of NAP objectives were evaluated in a first 5-year report elaborated by OLAI¹⁶. Article 7 of the act the reception and integration of foreigners requests the minister in charge to deliver every five years a report to the Parliament on the situation of migration, integration and anti-discrimination¹⁷</p> |
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1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments

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| | <p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies in</p> | <p>Based on the evaluations of recent research studies we identified the following barriers and drivers (explained in more detail in sections 1.2.1. and 1.2.2.).</p> <p>Identified barriers:</p> <ul style="list-style-type: none"> -lack of statistics, quantitative data concerning different communities of third country nationals (third country nationals are often embraced in one group “others” regardless of big socioeconomic differences between EEA / EU citizens and nationals of developing countries ¹⁸); - low participation of municipalities in implementing |
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¹⁶Luxembourg, 5-year report on the National Action Plan OLAI, available at:

http://www.olai.public.lu/fr/publications/rapports/rapports_5ennal/rapport-quinquennal-2014.pdf

¹⁷ Luxembourg, Act of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg (*Loi du 16 décembre 2008 concernant l'accueil et l'intégration des étrangers au Grand-Duché de Luxembourg*), 24 December 2008.

¹⁸ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 48). ISBN: 978-2-343-02297-0.

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| | <p>general. Please mention also any important differences at regional level. A more detailed outline of specific drivers and barriers for specific policy areas will be required in the following sections.</p> | <p>national integration strategies;</p> <ul style="list-style-type: none"> -lack of structural discussion between representatives of local authorities that are supposed to promote the intercultural dialogue and active citizenship; - lack of indicators of integration that would evaluate the impact of public policies and analyze the feedback of target groups; - lack of migrant participation in the implementation of local integration strategies; - lack of linguistic and management skills of numerous migrant associations to become real partners for the public sector to participate in the implementation of integration strategies or to ask for available public subsidies¹⁹; - unofficial character of migrant associations; - lack of interest in participation in politics;- lack of measures that would help immigrants to valorize their education or their professional experience obtained in the third country; -country specifics with three official languages contribute to some extent to segmentation of the society and especially the labour market by languages spoken; -unclear management of integration issues inside public bodies and lacking synergy between different implemented policies and projects. <p>-Identified drivers:</p> <ul style="list-style-type: none"> - Consultative committees for integration (CCI) established obligatorily in every municipality start to develop strategies to improve contacts with their target groups. - Liaison Committee of associations of foreigners (<i>Comité de liaison des associations d'étrangers - CLAE</i>) offers courses to improve project management and accounting skills of representatives of migrant associations. - Agency for Employment Development – ADEM implements new services in the framework of the European Youth Gurantee Programme. - Luxembourg Acceptance and Integration Office (<i>Office luxembourgeois de l'accueil et de l'intégration, OLAI</i>) participates through its programmes and actions plans in building synergy between different stakeholders operating at the local level. |
| <h3>1.2.1.Drivers</h3> | | |
| | <p>The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment</p> | <p>Various stakeholders are active in tackling the barriers hampering the implementation of integration policies, the economic insertion of immigrants and the creation of a cohesive society:</p> <p>Consultative committees for integration (Commissions</p> |

¹⁹ Luxembourg, Gerstnerova A. (2014), Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe), Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 55). ISBN: 978-2-343-02297-0.

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| | <p>and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?</p> | <p>consultatives d'intégration - CCI) established obligatorily in every municipality²⁰ start to develop strategies to improve contacts with their target groups (notably in the pre-election period, when they use migrant associations as mediators for conveying electoral information)²¹. CCI offers also subsidies and facilities in view of the promotion of the intercultural activities organized by migrant associations. In general, these subsidies do not exceed 1500 euro per year²².</p> <p>- CLAE (<i>Comité de liaison des associations d'étrangers</i>) offers regularly courses for third-country nationals (leaders and members of migrant associations)²³ to improve their project management and accounting skills as well as networking capacities.</p> <p>- Agency for Employment Development - ADEM (<i>Agence pour le développement de l'emploi</i>) implements new services in the framework of the European Youth Guarantee Programme²⁴ to tackle specific need of migrants (including third-country nationals) registered as job seekers.</p> <p>- Luxembourg Reception and Integration Agency (OLAI) participates through its programs and actions plans in building synergy between different stakeholders operating at the local level. Recently, OLAI has opened a call for projects proposals on Asylum, Migration and Integration in which OLAI prioritizes strategic partnerships of several organizations dealing with the particular issue at a locality²⁵. Particular attention is paid to establishing partnerships in order to reinforce the integration capacities of Cap-Verdean immigrants in Luxembourg²⁶</p> |
| <h3>1.2.2. Barriers</h3> | | |
| | <p>Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore</p> | <p>Identified barriers, limitations in designing and implementing integration strategies:</p> <p>-Lack of statistics, quantitative data concerning different communities of third country nationals (third country</p> |

²⁰ The creation of CCI in every municipality is based on the 23rd article of the Law of 16th December 2008 relative to the reception and integration of foreigners (l'article 23 de la loi du 16 décembre 2008 concernant l'accueil et l'intégration des étrangers).

²¹ Luxembourg, Interview with Marc Limpach, CCI Secretary in Esch-sur-Alzette, 2013.

²² Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 183). ISBN: 978-2-343-02297-0.

²³ Courses are called in French: Formations à destination des réalisateurs associatifs, Liaison Committee of associations of foreigners (Comité de liaison des associations d'étrangers - CLAE), available at : <http://www.clae.lu/formations/>

²⁴ Luxembourg, National Youth Guarantee Implementation Plan (*Plan national de mise en oeuvre de la Garantie pour la Jeunesse*), 2014, (p.10, 32), available at: <http://www.adem.public.lu/publications/communiqués/Garantie-pour-la-Jeunesse---Luxembourg---FR.pdf>

²⁵ Luxembourg, Presentation of the program Asylum, Migration and Integration to the public, OLAI, 2nd April 2015, Luxembourg. <http://www.olai.public.lu/en/fonds-programmes/amif/appel-projets/index.html>

²⁶ Luxembourg, Asylum, Migration and Integration Fund (Asile, Migration et Integration Fonds- AMIF) – Call for project proposals 2014-2020, Specific part (Appel à projets 2014-2020, Partie spécifique); OLAI document, 27th March 2015 available at: http://www.olai.public.lu/fr/formulaires/amif/Appel-a-projets_AMIF_2014-2020_partie-specifique.pdf

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| | <p>factors that may hinder their effectiveness and influence negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p> | <p>nationals are often embraced in one group "others" regardless of big differences between EEA / EU citizens and nationals of developing countries²⁷). This hampers the elaboration of effective local integration strategies based on real need of third country nationals.</p> <ul style="list-style-type: none"> - Low participation of municipalities in implementing national integration strategies. In the evaluation report of the National action plan on Integration and against Discrimination (2010-2014), Economic and Social Council (<i>Conseil économique et social</i>) stresses that the greater involvement of the communes, and the local government²⁸. Thus, Welcome and Integration Contract (a complex package with language, civil training parts), should be divided and the local communes who should address them to migrants in regions²⁹. -Lack of structural discussion between representatives of local authorities that are suppose to promote the intercultural dialogue and active citizenship³⁰ at the local level – that are Consultative committees for integration (<i>Commissions consultatives d'intégration - CCI</i>)³¹ with representatives of migrant associations. Migrant associations rarely participate in activities organized by CCI³². - Lack of indicators of integration that would evaluate the impact of public policies³³ and analyze the feedback of target groups³⁴. - Lack of migrant participation in the implementation of local integration strategies. Despite the fact that the "<i>interculturality takes part of the everyday life of the Luxembourgish society, people are living next to each other rather than with each other</i>"(Declaration made in the Action Plan for Social Development of the city of Luxembourg)³⁵. Examples: a) The involvement of the |
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²⁷ Luxembourg, Gerstnerova A. (2014), Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe), Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 48). ISBN: 978-2-343-02297-0.

²⁸ Luxembourg, Economic and Social Council, Evaluation Politiques Integration, 2014, available at: <http://www.ces.public.lu/fr/avis/educ-forma/2014-integration.pdf>

²⁹ Luxembourg, Economic and Social Council, Evaluation Politiques Integration, 2014, available at: <http://www.ces.public.lu/fr/avis/educ-forma/2014-integration.pdf>

³⁰ Luxembourg, Grand Ducal Regulation of 16 November 2000 concerning the organisation and functioning of the Consultative committees for integration (Règlement grand-ducal du 15 novembre 2011 relatif à l'organisation et au fonctionnement des Commissions Consultatives d'Intégration-CCI.

³¹ The creation of CCI in every municipality is based on the 23rd article of the Law of 16th December 2008 relative to the reception and integration of foreigners (l'article 23 de la loi du 16 décembre 2008 concernant l'accueil et l'intégration des étrangers).

³² Luxembourg, Interview with Marc Limpach, CCI Secretary in Esch-sur-Alzette, 2013.

³³ Luxembourg, Local integration strategy (Stratégie d'intégration locale), OLAI, Union of Towns and Municipalities (Syndicat des villes et communes - Syvicol), Ministry of interior, available at: http://www.olai.public.lu/fr/publications/etude/strategie_integration_locale.pdf

³⁴ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'intégration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : RED no.14, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), available at: www.cefis.lu/page10/files/red14.pdf

³⁵ "Au Luxembourg, l'interculturalité fait partie du quotidien dans toutes les communes. Cependant, souvent il s'agit plutôt d'e l'un à côté de l'autre que d'un ensemble" déclaration du Plan-cadre de développement social de la Ville de Luxembourg, 2012.

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| | | <p>Capverdean community should be considered in order to improve their economic integration in Differdange, due to the fact that 20% of job-seekers in Differdange are Cap-Verdeans” (Job centre Differdange representative).</p> <p>B) The dialog between policy makers in charge of social and political integration of immigrants and representatives of religious cults could be used to facilitate integration of immigrants³⁶. Current research results of the Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD) show that social contacts created and maintained within religious cults are rather important among TCN from developing countries.</p> <ul style="list-style-type: none"> - Lack of linguistic and management skills of numerous migrant associations to become real partners for the public sector to participate in the implementation of integration strategies or to ask for available public subsidies³⁷. - Unofficial character of migrant associations. High number of migrant associations that are not registered at the Registry of Commerce and Companies of the Grand Duchy of Luxembourg (Registre de Commerce et des Sociétés - RCSL) subsequently complicates the identification of a real potential in existing solidarity NGOs to collaborate in integration issues³⁸. - Lack of interest in participation in politics³⁹ (particularly, cross border workers who do not live in Luxembourg⁴⁰ do not participate in the political and socio-cultural life of Grand-Duchy (even though some instruments of NAP, for instance, includes this group). - Lack of measures that would help immigrants to valorize their education or their professional experience obtained in the third country. That is why (apart from the inadequate linguistic skills of official languages) they often find themselves in the “secondary labour market (a labor market consisting of high-turnover, low-pay, and usually part-time or temporary work). According to Hartung (researcher at the University of Luxembourg), 98% of Cap-Verdean immigrants and 95% of ex- |
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³⁶ Luxembourg, Valentova M. and Alieva A. (2015), Social and structural integration of TCN and other immigrants in Luxembourg (*Intégration structurelle et sociale des ressortissants de pays tiers et d'autres immigrants au Luxembourg*), (p.92)

³⁷ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 55). ISBN: 978-2-343-02297-0.

³⁸ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 48). ISBN: 978-2-343-02297-0.

³⁹ Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (*La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014*), CEFIS.

⁴⁰ Out of the 371 580 individuals having a paid employment in the Grand Duchy in 2014, only 28.3 percent were Luxembourgish nationals living in the country. Altogether 44.3% represent cross-border workers. Reference: National Institute of Statistics and Economic Studies (Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg – STATEC), 2015, available at: <http://www.lesfrontaliers.lu/societe/emploi-au-luxembourg-il-faut-etre-raisonnablement-optimiste>

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| | | <p>Yugoslav immigrants aged between 15 and 35 occupy blue-collar jobs⁴¹.</p> <ul style="list-style-type: none"> - Country specifics with three official languages contribute to some extent to segmentation of the society and the labour market by languages spoken. Concerning the labour market, some economic sectors are occupied by particular immigrant communities that are speaking at work their native languages (for example, in the construction sector)⁴². According to Manço et al. (2014)⁴³, not practicing the Luxembourgish official languages at work limits considerably the real integration of those immigrants into the major society. By doing so, they also hamper the possibility of the creation of a cohesive society. Rather exhaustive quadrilingual educational system may also predetermine a precarious situation on the labour market (in particular a blue collar carrier) of those immigrants who cannot cope with the linguistic requirements (please see the next section 1.2.3.). - Unclear management of integration issues inside public bodies and lacking synergy between different implemented policies and projects. In 2014, OLAI was audited⁴⁴ and received harsh critic for bad organisation structure⁴⁵⁴⁶. OLAI is now undergoing a reorganisation reform. |
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1.2.3. Language learning and integration tests

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| Please provide information about: | | |
| | Main language learning support programmes and courses. Provide details about | Language courses are offered to everyone. Through the Welcome and integration contract (WIC, <i>Contrat d'accueil et d'intégration</i> , CAI), developed by the |

⁴¹ Luxembourg, Hartung A. (2010), Structural Integration of Immigrants and the Second Generation in Europe : A Study of Unemployment Durations and Job Destinations in Luxembourg, Belgium and Germany, Louvain: KUL.

⁴² Luxembourg, Manço, A. et al. (2014), Work and Integration of Migrants; Recruitment, Recognition and Social Relations (Travail et intégration des migrants. Recrutement, reconnaissance et relations sociales), In : RED no.18, Luxembourg: Centre for Intercultural and Social Education and Training (Centre d'étude et de formation interculturelles et sociales - CEFIS).

⁴³ Luxembourg, Manço, A. et al. (2014), Work and Integration of Migrants; Recruitment, Recognition and Social Relations (Travail et intégration des migrants. Recrutement, reconnaissance et relations sociales), In : RED no.18, Luxembourg: Centre for Intercultural and Social Education and Training (Centre d'étude et de formation interculturelles et sociales - CEFIS).

⁴⁴ Luxembourg, Objectives of the audit, Chamber of deputies (Chambre des députés), Question No. 145, 10 April 2014, available at:

http://chd.lu/wps/portal/public/lut/p/b1/04_SjzQ0MDYyNDEyMjTWj9CPyKssy0xPLMnMz0vMAfGjzOKNDNzCwtyM3B2DQo2MDBzdTcOCgzzNjA28DYEKIkEKLcYc9wdfV0tLUOdDDwNnA2DXQOdjAw8jYjTb4ADBoQ0u_nkZ-bqp8bleNm4aioCACmxhuD/dl4/d5/L0IDU0IKSWdrbUEhIS9JRFJBQUlpQ2dBek15cXchLzRKQ2IEb01OdEJqdEJIZmxDRUEhL1o3XzIwRIZWRjJHQVJVMjIwQUc1VINSSTYzMFQ3LzA1/?PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_action=doQuestpaDetails&id=12187&filter_action=doQuestpaDetails&PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_displayLink=true&PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_numPage=1&PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_positionInHistory=&PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_display=13&PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_numPageTop=1&PC_Z7_20FVVF2GARU220AG5VSRI630T7019404_numPageBottom=1#Z7_20FVVF2GARU220AG5VSRI630T7

⁴⁵ Luxembourg, Foundings of OLAI audit, webpage of Commission européenne, available at: <https://ec.europa.eu/migrant-integration/index.cfm?action=furl.go&go=/news/lu-audit-critical-of-the-integration-body-olai?lang=fr>

⁴⁶ Luxembourg, Financial and organizational analysis of OLAI (Rapport sur l'analyse organisationnelle et financière de l'Office luxembourgeois de l'accueil et de l'intégration - OLAI), Gouvernement portal, 15 April 2014, available at: <http://www.gouvernement.lu/3853045/15-olai>, Any detailed audit report was been published.

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| | <p>organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p> | <p>Luxembourg Reception and Integration Agency (<i>Office luxembourgeois de l'accueil et de l'intégration</i>, OLAI) in cooperation with the Luxembourg Ministry of Education and Vocational Training, newly arrived non-Luxembourgers or long-term residents have access to language courses⁴⁷ in one of the 3 official languages (LU, FR, DE) at a reduced price. The courses for beginners as well as advanced learners are implemented by the National language Institute (<i>Institut national des langues</i>), as well as by accredited schools, communes and organisations. An average course has duration of 100 hours at a frequency from 1 to 5 times a week. The WIC signatories and everyone who benefits from a reduced price have to assure an 80% monthly presence and can only apply for courses between 8h-12h and 14h-16h (criteria specified for the National language Institute).</p> <p>There is support from the state for learning official languages. A reduction to language courses is offered to the following group of people:</p> <ul style="list-style-type: none"> • job seekers registered with the Agency for the development of employment (<i>Agence pour le développement de l'emploi</i>, ADEM) that are assigned to a language course by their Agent • beneficiaries of the guaranteed minimum income (<i>Revenu minimum garanti</i>, RMG) • recognised needy people by the Luxembourg Reception and Integration Agency (OLAI) or by the Social Office • Candidates' signatories of the Welcome and Integration Contract (WIC). They pay 10 euros for a course (as described above). <p>Non-governmental organisations also offer Luxembourgish and French courses free of charge (i.e. under EIF project for third country nationals) or at a reduced price. There is also a free online learning course developed by the Quattropole city network in cooperation with the University of Luxembourg and the Luxembourg Ministry of Education and Vocational Training with already over 39.000 registered learners⁴⁸. Courses cost from 100 Euros for 110 hours. There is a platform www.elearning.lu for learning Luxembourgish developed by the state.⁴⁹</p> <p>The act of 17 February 2009 introduced an opportunity of a language leave (<i>congé linguistique</i>) to allow persons (residing in Luxembourg) who are engaged in an</p> |
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⁴⁷ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'éducation nationale, de l'enfance et de la jeunesse*), On adult education and general courses of interests, available at: www.men.public.lu/fr/formation-adultes/cours-interet-general/150130-langues.pdf

⁴⁸ Luxembourg, official website of the luxembourgish language online platform, available at: www.quattropole.org/fr/e_learning

⁴⁹ Luxembourg, City of Luxembourg (*Ville de Luxembourg*), Learning Luxembourgish with MP3 (*Lëtzebuergesch léieren mat MP3*), available at: http://villeluxembourg.lu/Culture+et+Loisirs/Cours+organisés+par+la+Ville/Lëtzebuergesch+léiere+mat+MP3+_Fichiers+audio.html

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| | | <p>occupation or profession to participate in Luxembourgish language courses. Persons who have worked for at least 6 months can ask for the language leave. For persons who are engaged in an occupation or profession with a fixed compensation, based on the income used for the past year as a contribution base for pension insurance, the state reimburses the amount of compensation and social security contributions (Art.4)⁵⁰</p> |
| | <p>Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>)</p> | <p>Knowledge levels can be achieved from A1 to C2. Welcome and Integration Contract (WIC) requires to achieve at least level A1 in at least one of the three official languages.</p> <p>In order to access citizenship, a B1 level in oral understanding and A2 in oral expression is required National language Institute organises Luxembourgish language exam (<i>Sproochentest</i>), which consists of these two parts. The Institute announces the dates of the examination well in advance; they are scheduled during semester breaks in winter and in summer. The level of oral expression corresponds to level A2 of the European Framework of Reference for languages in oral expression and interaction. For the test, the candidate must prove that he/she is able to speak about the family, other people, about living conditions, training or his/her profession. He/she should be able to describe and compare people, things and activities in a simple way.⁵¹ The level of oral comprehension corresponds to level B1 of the Common European Framework of Reference for Languages in oral comprehension. At this level, the candidate must prove he/she can understand the main points of clear standard speech about work, school, leisure, etc. In addition, he /she should be able to get the gist of radio or TV programs on current affairs or topics of interest⁵².</p> <p>In 2013, 942 candidates took the test. The average success rate is 66%⁵³. The success rate slightly drops each year. (68% in 2011, 78% in 2010)⁵⁴. For the previous years, the Ministry of Justice explained that</p> |

⁵⁰ Luxembourg, Act of 17 february 2009 on language leave (*Loi du 17 février 2009 portant introduction du congé linguistique*), 29 February 2009.

⁵¹ Luxembourg, criteria for Luxembourgish language test are regulated by the Grand Ducal Regulation of 31 October 2008 on the organisation of tests and certification of communicative competence in spoken Luxembourgish for admission to naturalization (*Règlement grand-ducal du 31 octobre 2008 concernant l'organisation des épreuves et l'attestation de la compétence de communication en langue luxembourgeoise parlée pour être admis à la naturalisation*), 7 November 2008.

⁵² Luxembourg, criteria for Luxembourgish language test are regulated by the Grand Ducal Regulation of 31 October 2008 on the organisation of tests and certification of communicative competence in spoken Luxembourgish for admission to naturalization (*Règlement grand-ducal du 31 octobre 2008 concernant l'organisation des épreuves et l'attestation de la compétence de communication en langue luxembourgeoise parlée pour être admis à la naturalisation*), 7 November 2008.

⁵³ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) (2014), Activity Report 2013 (Rapport d'activités 2013) (p.62), available at: www.men.public.lu/catalogue-publications/systeme-educatif/rapport-activites-ministere/2013/fr.pdf

⁵⁴ Luxembourg, Ministry of Justice (*Ministère de la Justice*) (2012), Assessment Report of the Ministry of Justice (*Rapport d'évaluation du Ministère de la Justice*), available at: www.mj.public.lu/nationalite/reforme/Rapport_evaluation_nat_2012.pdf

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| | | 10% or those who fail do so because of stress, and 20% because of being not enough prepared. ^{55 56} |
| | Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure | There is no mandatory language test to access residence. |
| | Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure. | There is no integration test to access residence. |
| | Mother tongue learning programmes for children of migrants | Portuguese make up the biggest nationality group in the country. In this group we can also find Cap-Verdean immigrants, the biggest group of immigrants outside the European Union living in Luxembourg ⁵⁷ . It is estimated that one out of two Cap-Verdean immigrants holds a Portuguese nationality ⁵⁸ . That is why for Portuguese-speaking children there are integrated Portuguese courses in primary school (2h/week science, geography and history in Portuguese attended by 1471 children for the academic year 2014-15), extracurricular Portuguese courses attended by 1208 children. ⁵⁹ In some primary schools there are Mother tongue assistants ⁶⁰ (<i>assistants en langue maternelle</i>) ⁶¹ . Children of Cap-Verdean immigrants encounter a lot of |

⁵⁵ Luxembourg, Ministry of Justice (*Ministère de la Justice*) (2013), The adaptation of the law on Luxembourg nationality (*L'adaptation de la loi sur la nationalité luxembourgeoise*) (p.8), available at: www.mj.public.lu/actualites/2013/03/Projet_de_loi_nat/Dossier_de_presse_Projet_de_loi_nationalites_21-3-13_pdf.pdf

⁵⁶ Luxembourg, Ministry of Justice (*Ministère de la Justice*) (2012), Assessment Report of the Ministry of Justice (*Rapport d'évaluation du Ministère de la Justice*), available at: www.mj.public.lu/nationalite/reforme/Rapport_evaluation_nat_2012.pdf

⁵⁷ Luxembourg, -General Register of Natural Persons (Répertoire Général des Personnes Physiques – RGPP), 2013

⁵⁸ Luxembourg, Gerstnerova A. et Rodriguez F. (2015), Guide for socioeconomic re-integration of Cap-Verdeans from Luxembourg (*Manuel de réinsertion socio-professionnelle pour les Capverdiens du Luxembourg*), elaborated within the framework of the project named “Reinforcement of Cap-Verdean capacities in the management of migrations and business opportunities in Cap-Vert (Renforcement des capacités du Cap-Vert dans la gestion des migrations et des opportunités d'affaires au Cap-Vert). Project No.: DCI-MIGR/2010/258-612.

⁵⁹ Luxembourg, Parliament of the Grand Duchy of Luxembourg (*Chambre des Députés*) (2014), Response of the Minister of National Education, Children and Youth in your laquestion Parliamentary No. 692 of MP Claude Adam (*Réponse du Ministre de l'Éducation nationale, de l'Enfance et de ta Jeunesse à laquestion parlementaire N° 692 du Député Claude Adam*), available at: www.men.public.lu/fr/actualites/questions-parlementaires/2014/12/15-qp-692/adam.pdf

⁶⁰ Luxembourg, Mother tongue assistants profile, Ministry of education, available at: <http://www.men.public.lu/fr/systeme-educatif/scolarisation-eleves-etranangers/informations-enseignants/enseignement-fondamental/140103-cahier-charges-proposition.pdf>

⁶¹ Luxembourg, Mother tongue assistants (*assistants en langue maternelle*), Ministry of Education – Primary school education (enseignement fondamental), available at : <http://www.men.public.lu/fr/systeme-educatif/scolarisation-eleves-etranangers/enseignement-fondamental/index.html>

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| | | <p>problems and half of them are lagging behind (one or two years) in their schooling⁶². The number of “drops out” among Cap-Verdean immigrants at the primary education level are higher than is the case of other immigrants⁶³.</p> <p>In Luxembourg, vocational training courses are tailored to offer courses in specific language regime (<i>Régime linguistique spécifique, RLS</i>) in order to respond to the difficulties that a growing number of students experience. However, students might experience difficulties in German since in these specific language regime classes, all the lessons – with the exception of the language lessons – are taught in French. As part of the “Form’actif” project, Caritas provides “bridging classes” for applicants for international protection and migrants who cannot be integrated into the Luxembourg education system. Courses are provided on the following subjects: French, Luxembourgish, civics, IT, music and sports education, as well specialised courses (e.g. literacy). The class consists of two five- month modules, with 30 hours per week. Since their creation in 2001 until mid-2012, over 600 young people took part in the courses. On 13 July 2012, 53 young Luxembourg residents of 20 different nationalities were awarded their certificates for passing the courses.⁶⁴ ⁶⁵ In 2013, in one of the lyceums a program in English was launched due to its rising demand in the country.⁶⁶</p> <p>The complex quadrilingual school system is also stated as one of the reasons for dropouts: 3.7% of the dropouts say that the linguistic problems were the reason they dropped out and 5.4% of them stated that they were unsatisfied with the Luxembourgish system.⁶⁷ In case of young “drops out”, they still have a chance to obtain a secondary school diploma and vocational training in the framework of the governmental program Second Chance School (École de deuxième chance)⁶⁸. This program is largely attended by immigrants and children of immigrants (between 16 and</p> |
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⁶² Luxembourg, Elèves capverdiens dans l'école luxembourgeoise; Des chiffres qui interpellent (2002), Schulle. http://www.forum.lu/pdf/artikel/4725_213_TonnarMeyer.pdf

⁶³ Luxembourg, Elèves capverdiens dans l'école luxembourgeoise; Des chiffres qui interpellent (2002), Schulle. http://www.forum.lu/pdf/artikel/4725_213_TonnarMeyer.pdf

⁶⁴ Luxembourg, European Migration Network, National Contact Point Luxembourg (2013), 2012 Policy report on migration and asylum, (p.72), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-emn-2013.pdf

⁶⁵ Luxembourg, European Migration Network, National Contact Point Luxembourg (2013), 2012 Policy report on migration and asylum, (p.72), available at: ⁶⁵ Luxembourg, European Migration Network, National Contact Point Luxembourg (2013), 2012 Policy report on migration and asylum, (p.72), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-emn-2013.pdf

⁶⁶ Luxembourg, European Migration Network, National Contact Point Luxembourg (2014), 2013 Policy report on migration and asylum, (p.18), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-emn-2013.pdf

⁶⁷ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), available at: www.men.public.lu/catalogue-publications/secondaire/statistiques-analyses/decrochage-scolaire/decrochage-11-12/fr.pdf

⁶⁸ Luxembourg, Second Chance School (École de deuxième chance), available at: <http://www.e2c.lu/>

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| | | <p>30 years old) having linguistic difficulties at an ordinary school. The program has been in place since 2011⁶⁹.</p> <p>According to the EMN report of 2012, the government agreed with the need to adapt language teaching to the demographic reality of the country from primary school level upwards; thus it proposed giving students a choice of a main language (German or French) and a secondary language (depending on the previous choice), from primary level onwards. It also urges the teaching of English at an earlier age.⁷⁰ Currently, the government develops several projects on the diversification on teaching languages in schools. There is a project (at the stage of development) in the European Public school in Differdange for 2016, where children could choose from French-speaking or English-speaking branch and chose French, English, German or Portuguese as their second language. Since then several proactive steps have been taken to improve language diversity in schools.</p> <p>From the beginning of the school year 2012-2013, a pilot project on teaching in Portuguese was under way in reception classes in two primary schools: one in Esch-sur-Alzette (second largest city; the largest proportion of Portuguese residents) and one in Luxembourg city.</p> |
| | <p>Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9).</p> | <p>In 2012 PISA report⁷¹ stated: "Luxembourg has the largest percentage of students aged 15 years old with a migration background. In the first cycle of basic education, 62.6% of the children do not speak Luxembourgish as their first language at home. Yet, the report stresses the fact "that the school system remains designed for having a homogeneous population whose mother tongue is Luxembourgish". Currently, Luxembourg is drafting an education reform; concrete measures on difficulties of multilingual education are discussed below.</p> <p>In 2012, the Ministry of Justice opened a public debate on the nationality reform. Having signed European Convention on Nationality in 2008 but not yet ratified, Luxembourg opened a new chapter in the naturalisation legislation. The Ministry of Justice prepared several documents for opening the debate. It stressed the importance of keeping Luxembourgish language as a criterion for the new law.⁷² However, non-governmental organisations point out at the fact that Luxembourgish</p> |

⁶⁹ Luxembourg, Second Chance School (École de deuxième chance), available at: <http://www.e2c.lu/>

⁷⁰ Luxembourg, European Migration Network, National Contact Point Luxembourg (2013), 2012 Policy report on migration and asylum ⁷¹ The Organisation for Economic Co-operation and Development (OECD) (*Organisation de coopération et de développement économiques, OCDE*) (2013), Main results of the PISA 2012 survey (*Principaux résultats de l'Enquête PISA 2012*), available at: www.oecd.org/pisa/keyfindings/PISA-2012-results-overview-FR.pdf

⁷¹ The Organisation for Economic Co-operation and Development (OECD) (*Organisation de coopération et de développement économiques, OCDE*) (2013), Main results of the PISA 2012 survey (*Principaux résultats de l'Enquête PISA 2012*), available at: www.oecd.org/pisa/keyfindings/PISA-2012-results-overview-FR.pdf

⁷² Luxembourg, Ministry of Justice (*Ministère de la Justice*) (2013), The adaptation of the law on Luxembourg nationality (*L'adaptation de la loi sur la nationalité luxembourgeoise*) (p.8), available at: www.mj.public.lu/actualites/2013/03/Projet_de_loi_nat/Dossier_de_presse_Projet_de_loi_nationalites_21-3-13_pdf.pdf

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| | | test it too difficult as it is not a widely spoken language in the country and foreigners do not have many occasions to practice it and thus be motivated to learn. |
| 1.2.4. Monitoring and assessment – Use of indicators | | |
| | <p>In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.</p> | <p>Regarding integration indicators, there are no officially recognised indicators; nor is there any systematic evaluation of integration mechanisms.</p> <p>National Action Plan (NAP) (2010-2014) was composed in line with common basic principles (CBP) for immigrant integration policy in the European Union as they were adopted by the Council “Justice and Home Affairs” in 2004. Common Basic Principles are considered the closest to integration indicators for the country.</p> <ol style="list-style-type: none"> 1. In 2014, OLAI provided a 5-year report on the National Action Plan on Integration and against Discrimination⁷³. It analysed common basic principles of the plan⁷⁴, which include analysis of common basic principles (CBP). Common basic principles specified respect of fundamental values of the EU. PBS is set as democratic process. 2. In 2014 Economic and Social Council (ESC, <i>Conseil économique et social - CES</i>) provided an evaluation of the National Action Plan 2010-2014, however, no review of the impact on fundamental rights is given.⁷⁵ <p>There are several studies on the potential implementation of integration indicators. In 2014, ESC referred to the analysis of National Action Plan 2010-2014 done by the university. The university of Luxembourg regrettably admitted that lack of indicators is a miss to help reflect the situation on immigration and integration in the country.⁷⁶ Centre for Intercultural and Social Education and Training (<i>Centre d'Etude et de Formation Interculturelles et Sociales - CEFIS</i>) published a qualitative study⁷⁷ with a description of different existing concepts of integration (Europe-wide) as well as analysis integration of a group of third country nationals.</p> |

⁷³Luxembourg, 5-year report on the National Action Plan OLAI, available at:

http://www.olai.public.lu/fr/publications/rapports/rapports_5ennal/rapport-quinquennal-2014.pdf

⁷⁴ Luxembourg, Description of common basic principles, Multi-annual National Action Plan on Integration and Against Discrimination 2010 – 2014, OLAI, (p. 19-20), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

⁷⁵ Luxembourg, Economic and Social Council ESC, *Conseil économique et social, CES* (2014), The policy of intergration in Luxembourg (*La politique d'intergration au Luxembourg*), available at: www.ces.public.lu/fr/avis/educ-forma/2014-integration.pdf

⁷⁶ Luxembourg, Economic and Social Council ESC, *Conseil économique et social, CES* (2014), The policy of intergration in Luxembourg (*La politique d'intergration au Luxembourg*), (p.19), available at: www.ces.public.lu/fr/avis/educ-forma/2014-integration.pdf

⁷⁷ Luxembourg, Jacobs, A., Mertz, F., (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'intergration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (p. 9 – 38), available at: www.cefis.lu/page10/files/red14.pdf

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| | <p>Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the).</p> |
| <p>Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication Using EU Indicators of Immigrant Integration (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.</p> | <p>In their report, EMN Luxembourg⁷⁸ stated that there is no systematic evaluation of integration for Luxembourg. The only time Zaragoza indicators was the subject of discussion was in 2011, after their implementation. It was only discussed and no follow up actions were introduced. There is one study by Centre for Intercultural and Social Education and Training (CEFIS)⁷⁹, which provides an outline (see above section on indicators of integration) of existing European indicators. No evaluation of the indicators is provided.</p> <p>In 2014 CEFIS published a feasibility study on the establishment of Zaragoza indicators in Luxembourg. The purpose of the study was to check the availability of data for 14 indicators of integration and to analyse their relevance. The study identified sources from where indicators could be extracted (EU sources). The only indicator unavailable in European databases is the indicator on the percentage of immigrants among elected representatives; it is available from national sources: CEFIS collects such data. The study further indicated national databases, which could also be used in indicators extraction (Zaragoza indicators potentially applicable for Luxembourg are available in the publication of CEFIS⁸⁰).</p> <p>The study provided valuable conclusions to be considered when implementing indicators on the national level. They may also explain the specifics of the country and provide an answer to why Luxembourg is still in the process of setting up a monitoring scheme of indicators. For instance: the study stressed the fact that the choice of target groups was crucial- depending on the choices, differences may increase or decrease. Similarly, the choice of the reference population influences the magnitude of the differences observed in the comparison. More importantly, specifics of the country should be considered due to a large proportion of non-residents and cross border workers in the labour market and the impact on indicators (unemployment rate, job). Also, the % of EU members as well as % of third country nationals might have a different impact on the outcomes. Lastly, the study suggested adding the variable "length of residence" and disaggregation of</p> |

⁷⁸ Luxembourg, European Migration Network, National Contact Point Luxembourg (2012), Conference Come – Stay – Go / Schengen – Luxembourg – Europe, available at:

www.emnluxembourg.lu/sites/default/files/Schengen%20Conference%20EN%20final.pdf

⁷⁹ Luxembourg, Jacobs, A., Mertz, F., (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (p. 9 – 38), available at: www.cefis.lu/page10/files/red14.pdf

⁸⁰ Luxembourg, Centre for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS* (2014), Report on indicators of integration from the conclusions of the Zaragoza Ministerial Conference (*Rapport sur les indicateurs d'intégration issus des conclusions de la Conférence ministérielle de Saragosse*), CEFIS, available at: www.olai.public.lu/fr/publications/rapports/rapports_divers/rapport_indicateurs-saragosse.pdf

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| | | indicators according to the latter. The longer the residence of a migrant life is, the higher the integration potential. ⁸¹ |
| 1.2.5 Funding integration policies (EIF, ERF, EMIF) | | |
| | Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5). | <p>Regarding EIF projects, most of them focused on social cohesion, active citizenship and participation. The project offered by the Support Association for Immigrant Workers (Association de Soutien aux Travailleurs Immigrés-ASTI) is on-going and focuses on welcoming newly arrived migrants in the society. Other organisations, provide language courses, which is an essential criterion, especially for TCN (for whom EIF is specified).</p> <p>Regarding ERF, most of the project fall in the category of "others; projects were used to build housing for applicant of international protection, as well as for the organisation of their leisure activities. Over last years, more budget of the fond was allocated to these two aspects due to growing number of applicants for international protection.</p> <p>Over the year, EIF has diversified the topics of projects due to attracting a various number of smaller migrant organisations (such as: Russian club, American chamber of commerce) that promote integration in their associations.</p> |

2.Promoting equal treatment and non-discrimination

2.1.The implementation of anti-discrimination legislation and equal treatment

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| | Briefly provide information on the following: | |
| | Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national | Every year the Centre for Equal Treatment (CET, <i>Centre pour l'Égalité de Traitement, CET</i>) presents a stand with information and support at various meetings for migrants. For instance, they are present at the orientation day (<i>journée d'orientation</i>) of the Welcome and Integration Contract (WIC, <i>Contrat d'accueil et d'intégration, CAI</i>). Also, they are present at migration fairs and expositions, which are organised annually. The |

⁸¹ Luxembourg, Centre for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS*) (2014), Report on indicators of integration from the conclusions of the Zaragoza Ministerial Conference (*Rapport sur les indicateurs d'intégration issus des conclusions de la Conférence ministérielle de Saragosse*) (p.33), CEFIS, available at: www.olai.public.lu/fr/publications/rapports/rapports_divers/rapport_indicateurs-saragosse.pdf

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| <p>anti-discrimination legal framework.</p> | <p>CET presents practical information on the rights, campaigns, organises interactive games for migrants as well as for Luxembourgers on the topic of anti-discrimination.</p> <p>OLAI organises courses for trainers ⁸²in the framework of the Welcome and Integration Contract. Concerning the profile of the trainers⁸³, they may be of foreign origin, but legally residing in the Grand-Duchy of Luxembourg. They should have at least Bachelor degree and experience in teaching. They should also prove a profound knowledge of the Luxembourgish history, political and economic situation and have to speak fluently French and at least one of the following languages: Portuguese, Spanish, Serbo-Croatian/Bosnian/Montenegrin, etc. The courses are part of citizenship unit of the Welcome and Integration Contract (WIC) and include themes on history of the country, migration, citizens' rights and duties, Luxembourg's values, languages and traditions, as well as communication in an intercultural society.^{84 85}</p> <p>In 2014, Centre for Equal Treatment (CET, <i>Centre pour l'Egalité de Traitement, CET</i>) together with the Service for equal opportunities between women and men of the City of Differdange (<i>Service à l'égalité des chances entre femmes et hommes de la Ville de Differdange</i>) organised a series of raising awareness evenings. One of them presented testimonials of people (experiences) after their arrival in Luxembourg. The discussions were supervised by experts. The aim of the event was to bring together citizens of the country and people from other countries together.</p> <p>In 2014, the Centre for Equal Treatment (CET), together with the Committee on the Diversity Charter Lëtzebuerg launched a national project named Promotion of the Diversity in Luxembourg 2014-2015 (Promotion de la diversité au Luxembourg 2014-2015)⁸⁶. It is a multidisciplinary project that brings together partners specialising in diversity issues in the Grand Duchy. The</p> |
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⁸² Luxembourg, Courses for trainers in the framework of the WIC (*Formation de formateurs en instruction civique dans le cadre du CAI*), Five-yearly report of OLAI, 2014, available at:

http://www.olai.public.lu/fr/publications/rapports/rapports_5ennal/rapport-quinquennal-2014.pdf

⁸³ Luxembourg, Call for trainers for the execution of Welcome and Integration Contract classes (Appel aux Formateurs/pédagogues/facilitateurs d'instruction civique dans le cadre du Contrat d'accueil et d'intégration), OLAI, 2012, available at: http://www.olai.public.lu/fr/actualites/2012/12/appel-formation-cai/appel_formation12.pdf

⁸⁴ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*) (2012), Call to training "trainers / instructors civics as part of the host contract and integration" (*Appel à la formation "Formateurs/formatrices d'instruction civique dans le cadre du Contrat d'accueil et d'intégration"*), available at: www.olai.public.lu/fr/actualites/2012/12/appel-formation-cai/index.html

⁸⁵ Luxembourg, European Migration Network, National Contact Point Luxembourg (2013), 2012 Policy report on migration and asylum, (p.60), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-emn-2012.pdf

⁸⁶ Luxembourg, Promotion of the Diversity in Luxembourg (Promotion de la diversité au Luxembourg), Centre for Equal Treatment (CET), 2014-2015, available at: <http://cet.lu/wp-content/uploads/2015/01/Promotion-de-la-Diversité-au-Luxembourg-Progress-DP.pdf>

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| | | <p>initiative focuses primarily on diversity in the workplace and seeks to answer the following three objectives: develop an inventory, identify good practice and raise awareness. More specifically, the goal of the project is to measure the evolution of discrimination in Luxembourg, with regard to the lack of studies on the topic of diversity in enterprises and disseminate good practices.</p> <p>In addition, the National Institute for Public Administration (<i>Institut national d'administration publique</i>) organizes a training session for public servants. The objective of the regular training session is to improve the awareness of public servants about the diversity and equal opportunity issues. The training session is called Diversity in Public Service (<i>Diversitéit an der Fonction Publique</i>)⁸⁷.</p> |
| | <p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p> | <p>Nothing found.⁸⁸</p> |
| | <p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups, geographic areas, gender and age, as well as trends in time.</p> | <p>The CET does not cover complaints on the basis of the discrimination based on nationality. It gathers complaints on the following grounds: sexual orientation, age, religion, gender, race, disability, multiple discrimination, other.⁸⁹ Moreover, it includes statistics on the nationality of those who filed complaints (by not disclosing the nature of their complaints). Also harassment is not used as a motive either by the CET. The CET states that usually, it is misunderstood and used in a very different sense by people who file a complaint.⁹⁰</p> <p>In 2013, the CET published statistics on complaints lodged by people with different nationalities. The total number of complaints is 96; 4 complaints were filed on the basis of discrimination of religion; 16 – on race. Regarding nationality of people who filed complaints, CET stated that “in some cases (19) (19.8%), applicants did not mention their nationality. Most cases, 35 (36.5%) come from Luxembourgers. 68 cases (70.8%)</p> |

⁸⁷ Luxembourg, Diversity in Public Service (*Diversitéit an der Fonction Publique*), National Institute for Public Administration (*Institut national d'administration publique*), 2015, available at : <http://www.fonction-publique.public.lu/fr/formations/catalogue/secteur-etatique/04ORGANISAT/04-6-EGALCH/04-6-3-03/index.html>

⁸⁸ Luxembourg, we searched National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg – STATEC*) Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), ministry reports, EMN reports, CET reports. no information could be found.

⁸⁹ Luxembourg, Centre for equal treatment (*CET, Centre pour l'égalité de traitement*)(2014), Activity report 2013 (*Rapport d'activités 2013*) (p.33), available at: <http://cet.lu/wp-content/uploads/2014/03/Rapport-annuel-2013-version-finale.pdf>

⁹⁰ Luxembourg, Centre for equal treatment (*CET, Centre pour l'égalité de traitement*)(2014), Activity report 2013 (*Rapport d'activités 2013*) (p.31), available at: <http://cet.lu/wp-content/uploads/2014/03/Rapport-annuel-2013-version-finale.pdf>

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| | | <p>were introduced by the citizens of the European Union against 9 cases (9.4%) by persons from third countries.⁹¹ The statistics provides a general picture of the composition of non citizens in the country: most complaints come from the largest group – EU migrants, third country nationals, who are about 13% of the non citizen population correspond to the same percentage of complaints lodged by them. In 2013, CET resolved 50 complaint cases out of 96.</p> |
| | <p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p> | <p>There are different ways to lodge a complaint. For instance, a victim of discrimination can lodge a complaint to:</p> <ul style="list-style-type: none"> a) the Centre for Equal Treatment (CET); b) the prosecutor to file a complaint; c) an association that has a license to go to court. NGOs that have such licences are, ASTI, CLAE, European Association for the Defense of Human Rights (<i>Action européenne pour la défense des droits de l'home- ALOS-LDH</i>) and National Centre for Information and Encounter with Disability (<i>Centre national d'information et de rencontre du handicapé - Info-Handicap sable</i>).⁹² ASTI provides interpretative services. In 2013 Red Cross took this initiative called Intercultural Interpreting. Depending on the needs, interpretation is available in up to 24 languages. Services include help in public administrative affairs, medical institutions, aid agencies.⁹³ |
| | <p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,⁹⁴ but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of</p> | <p>The equality law (act of 28 November 2006⁹⁵) “does not apply to differences of treatment based on nationality and is without prejudice to provisions and conditions relating to the entry, residence and employment of third country nationals and stateless persons in the country and any treatment related to the legal status of third country nationals and concerned stateless persons” (Art.2.2.)⁹⁶ with an exception of state civil servants (<i>les employés de l’Etat et les stagiaires-fonctionnaires</i>).</p> |

⁹¹ Luxembourg, Centre for equal treatment (*CET, Centre pour l'égalité de traitement*)(2014), Activity report 2013 (*Rapport d'activités 2013*), available at: <http://cet.lu/wp-content/uploads/2014/03/Rapport-annuel-2013-version-finale.pdf>

⁹² Luxembourg, Parliament of the Grand Duchy of Luxembourg (*Chambre des Députés*) (2009), Response to Parliamentary Question No. 0087 of 21 September 2009 Mr Deputy André Hoffmann (*Réponse à la question parlementaire Nr 0087 du 21 septembre 2009 de Monsieur le Député André Hoffmann*), available at: www.chd.lu/wps/PA_Archive/FTSShowAttachment?mime=application%2fpdf&id=1013431&fn=1013431.pdf

⁹³ Luxembourg, European Migration Network, National Contact Point Luxembourg (2014), 2013 Policy report on migration and asylum, available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-enn-2013.pdf

⁹⁴ As of Art. 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. (2) La présente loi ne vise pas les différences de traitement fondées sur la nationalité et s'entend sans préjudice des dispositions et conditions relatives à l'entrée, au séjour et à l'emploi des ressortissants de pays tiers et des personnes apatrides sur le territoire national et de tout traitement lié au statut juridique des ressortissants de pays tiers et personnes apatrides concernés.

⁹⁵ Luxembourg, The act of 28 November 2006 on equal treatment (*Loi sur égalité de traitement du 28 Novembre 2006*), 6 December 2006.

⁹⁶ Luxembourg, The act of 28 November 2006 on equal treatment (*Loi sur égalité de traitement du 28 Novembre 2006*), 6 December 2006.

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| <p>nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9)</p> | <p>Article 454 of the Criminal Code⁹⁷ states that any distinction on the grounds of belonging, or not, to a nation amounts to discrimination ("<i>constitue une discrimination toute distinction opérée entre les personnes physiques à raison [...] de leur appartenance ou de leur non-appartenance, vraie ou supposée, à [...] une nation [...]</i>").</p> |
| <p>Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.⁹⁸</p> | <p>Article 5 (1) of the Equality Law⁹⁹ refers to civil or administrative procedures available when a person considers to have been wronged by failure to apply the principle of equal treatment to him/her. According to this provision, if a person in such a situation proves, in a civil or administrative procedure, facts from which it may be inferred that there has been direct or indirect discrimination, it shall be for the respondent to prove that there has been no violation of the principle of equal treatment. In the same law¹⁰⁰, Article 7 stipulates that any association whose activities consist, as defined in Article 1, of fighting discrimination may engage (in accordance with certain laid down criteria) in the judicial procedures ("<i>[...] peut exercer devant les juridictions civiles ou administratives, les droits reconnus à la victime d'une discrimination en ce qui concerne des faits constituant une violation de l'article 1^{er} et portant un préjudice direct ou indirect aux intérêts collectifs qu'elle a pour objet de défendre en vertu de leur objet statutaire [...]</i>").</p> <p>However, one should note that Luxembourg's Equality Body, the Centre for Equal Treatment (CET), does not address differences of treatment based on nationality because it was created by the equality law - which does not itself include such differences of treatment (see previous sub-section for the details of the legal provision). Moreover, the CET only has consultative powers. According to Article 10 of the mentioned law, the CET can publish reports, issue opinions and recommendations, and carry out studies; produce and supply information and documentation; and provide people who feel that they have been victims of discrimination with an advisory and orientation service. Article 12(3) of the same law furthermore clarifies that CET's members shall perform their duties without intervening in ongoing legal proceedings ("<i>Les membres du Centre exercent leurs fonctions sans intervenir dans les procédures judiciaires en cours</i>").</p> |
| <p>Please provide statistical data about numbers of discrimination cases/complaints</p> | |

⁹⁷ Luxembourg, Criminal code (*Code criminel*), available at:

www.legilux.public.lu/leg/textescoordonnes/codes/code_penal/CodePenal_PageAccueil.pdf

⁹⁸ Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

⁹⁹ Luxembourg, The act of 28 November 2006 on equal treatment (*Loi sur égalité de traitement du 28 Novembre 2006*), 6 December 2006.

¹⁰⁰ Luxembourg, The act of 28 November 2006 on equal treatment (*Loi sur égalité de traitement du 28 Novembre 2006*), 6 December 2006.

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| | submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8) |
| 2.2.Implementation of equal treatment of various permit holders | |
| | <p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, <u>administrative delays</u>, coordination and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (use template in Annex 9). Please bear in mind that no assessment of the legal transposition process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. (use annex 3)</p> |
| <p>2.2.1. <u>Long Term Residence</u> (LTR) status holders (Art.11 of the Directive 2003/109/EC)</p> | <p>In 2011, ASTI expressed its opinion of the progress of the immigration law 2008. It was due to the release of the publication Migrant Integration Policy Index III. The president of ASTI stated that in terms of long-term residence, Luxembourg was in 21st position. In this area, in fact, the impact of the migration law of 2008 was significantly less positive than for family reunification. The law is more restrictive to third-country nationals who qualify for long-term residence than that of other countries; and the law is more favourable to temporary migrants and students, for example.¹⁰¹</p> <p>Third-country nationals can submit an application for a long-term residence permit after 5 years of a continuous lawful stay in Luxembourg. The application has to be submitted to the Immigration department of the Ministry of Foreign Affairs.</p> <p>The application must be accompanied by a large list of documents¹⁰².</p> <p>For some of the documents (proof of stable, regular and sufficient financial resources, proof of suitable housing, document proving the applicant's integration in the Luxembourg society, etc.) no specification are provided and there are rather vague formulations which might leave wide discretionary powers to public officials (our opinion).</p> |
| <p>2.2.2. <u>Single-permit procedure</u> permit holders (Art.12 and 13 of the</p> | <p>In a case described in the 2013 Ombudsman Activity Report¹⁰³, a deadlock situation required the Ombudsman's informal contacts with two Ministries in</p> |

¹⁰¹ Luxembourg, Europaplatform.lu press release (2011), While progress is slow in all the countries analyzed, Luxembourg managed to reach 11th in the overall ranking MIPEX, the index of integration policies (*Alors que les progrès sont lents dans l'ensemble des pays analysés, le Luxembourg parvient à gagner la 11e place du classement global du MIPEX, l'indice des politiques d'intégration*) (28.03.2011), available at: www.europaforum.public.lu/fr/actualites/2011/03/mipex/

¹⁰² Luxembourg, Long-term residence status for third country nationals forms, March 2015, Guichet.lu, available at: <http://www.guichet.public.lu/entreprises/en/ressources-humaines/recrutement/ressortissant-pays-tiers/resident-longue-duree/index.html>

¹⁰³ Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2014), Activity Report 2013 (*Rapport d'activités 2013*), available at: www.ombudsman.lu/doc/doc_accueil_151.pdf

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| <p>Directive 2011/98/EU)</p> | <p>order to be solved. A third-country national with a residence permit of unlimited validity in another EU Member State submitted an application for a residence permit in Luxembourg with a purpose to work. In the first stage, the Immigration Directorate (<i>Direction de l'Immigration</i>) of the Ministry for Foreign Affairs asked the third-country national to provide them with his/her recognised diplomas, which s/he tried to obtain. However, the Ministry of Higher Education could not proceed to this recognition without first obtaining his/her certificate proving that s/he had a residence in Luxembourg. In another report (2011/2012 Ombudsman Activity Report¹⁰⁴), the Ombudsman pointed out that foreign nationals should ask for the renewal of their permits in due time and the Ministry should be faster in its reactions in cases in which a working position has been offered to the applicant. In a specific case, a third-country national whose permit had expired was dismissed before having asked for the permit renewal. He then obtained a binding offer of work, which he sent to the Immigration Directorate (<i>Direction de l'Immigration</i>). Despite two reminders received from the applicant's lawyer, the Immigration Directorate did not renew the permit within the validity of the binding offer, leaving the applicant with no other solution but to look for another employment opportunity. Finally, in the 2009/2010 Report¹⁰⁵, the Ombudsman underlined that some complaints were received concerning slow procedures in the Foreigners' Service ("<i>Service des étrangers</i>"). One example was that of a foreign national who had a working contract for an undetermined period of time and asked for the renewal of his permit. The procedure took a long time and he was more than once warned by his employer that if he would not have the renewal, his employment contract would be terminated. This foreign national permit renewal came only after the Ombudsman intervention.</p> |
| <p>2.2.3. <u>Blue card holders</u> (Art.14 and 12 of the Directive 2009/50/EC)</p> | <p>Nothing found¹⁰⁶</p> |
| <p>2.2.4. <u>Family reunification permit holders</u> (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC)</p> | <p>The law reforming the Employment Agency foresees that holders of a family member residence permit may register as job seekers. In order to access the labour market, third- country nationals arriving within the framework of family reunification schemes, have to pass a labour market test during their first year of residence. After one year, the market test is no longer carried out.¹⁰⁷</p> <p>Luxembourg's legislator has provided for the possibility</p> |

¹⁰⁴ Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2011-2012), Activity Report 2013 (*Rapport d'activités 2013*), available at: http://www.ombudsman.lu/doc/doc_accueil_143.pdf

¹⁰⁵ Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2011), Activity Report 2009-2010 (*Rapport d'activités 2009-2010*), available at: www.ombudsman.lu/doc/doc_accueil_124.pdf

¹⁰⁶ Luxembourg, we searched STATEC reports, Ombudsman reports, EMN report, no information was identified.

¹⁰⁷ European Commission, European Migration Network, Luxembourg fact sheet, available at: www.emnluxembourg.lu/sites/default/files/documents/luxembourg-emn-country-factsheet_en.pdf

of authorising the entry and residence of first-degree relatives in the direct ascending line of the sponsor or of his or her spouse, where they are dependent on them and do not¹⁰⁸ enjoy proper family support in the country of origin (Article 70(5)a) of the amended act of 29 August 2008¹⁰⁹). This authorisation is to be given by the Minister in charge of Foreign Affairs. The 2014 Activity Report of the Ombudsman¹¹⁰ underlines that many cases in which this authorisation was refused came to its knowledge and it underlines that evidence of the two mentioned conditions is at times not easy to provide for, giving two examples of such situations in which the Ombudsman has intervened. Already in 2013, a similar example had been reported by the Ombudsman¹¹¹.

In the 2011/2012 Activity Report of the Ombudsman,¹¹² a situation of a third-country national previously holding a family reunification permit was described. In this situation, a person who divorced applied for another residence permit and she was notified to return her family reunification permit (which would be valid until 2015) in order to receive her new residence permit. After several renewals and in the process of trying to obtain it once more, she was again notified to return her old family reunification permit, which she alleged to have already done.

In an even earlier report (2009/2010 Activity Report)¹¹³, in the context of a situation in which the holder of a family reunification permit was denied authorisation to work, the Ombudsman raised questions concerning the assessment of the "State's economic interest" (condition to obtain such authorisation).

Finally, it is worth mentioning in this section a judicial case concerning the right of the family members of a national to reside in the territory of Grand-Duchy, where that national has never exercised his or her right of freedom of movement as a Union citizen. This case is detailed in Annex 9.

¹⁰⁸ Luxembourg, The act of 28 November 2006 on equal treatment (*Loi sur égalité de traitement du 28 Novembre 2006*), 6 December 2006.

¹⁰⁹ Luxembourg, Act of 29 August 2008 on the free movement of persons and immigration (*Loi du 29 août 2008 portant sur la libre circulation des personnes et l'immigration*), 10 September 2008

¹¹⁰ Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2015), Activity Report 2014 (*Rapport d'activités 2014*), available at: www.ombudsman.lu/doc/doc_downloads_210.pdf

¹¹¹ Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2015), Activity Report 2014 (*Rapport d'activités 2014*), available at: www.ombudsman.lu/doc/doc_downloads_210.pdf

¹¹² Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2015), Activity Report 2014 (*Rapport d'activités 2014*), available at: www.ombudsman.lu/doc/doc_downloads_210.pdf

¹¹³ Luxembourg, Ombudsman of Luxembourg (*la Médiateure du Grand-Duché de Luxembourg*) (2011), Activity report 2009/2010 (*Rapport d'activité 2009-2010*, Luxembourg, available at: www.ombudsman.lu/doc/doc_accueil_124.pdf)

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| <p>2.2.5. Beneficiaries of international protection long term residence status holders¹¹⁴</p> | <p>Even though there were no general structural issues affecting equal treatment of beneficiaries of international protection long-term residence status holders pointed out in reports or studies, two judicial cases concerned accommodation of beneficiaries of or applicants for international protection. Details on both cases are mentioned in Annex 9 (Decisions of the Administrative Tribunal in case N° 31363 and N° 29233, respectively).</p> |
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2.3. Key developments and trends

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| | <p>Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants (for presentation of case law, use template in Annex 9). Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p> | <p>The act of 21 December 2012 transposes Employers' Sanctions Directive regarding recruitment for some workers¹¹⁵.</p> <p>The Administrative Court, in its decree No 29416C of 15 March 2012, confirmed the judgment of 28 September 2011 by the Administrative Tribunal revoking a decision by the Minister of Labour, Employment and Immigration to refuse a residence permit for a salaried worker to a third country national on the basis of the "priority of recruitment for certain workers under EU or national law. The Administrative Court ruled that the referral to other "EU or national law" did not necessarily entail a right to prioritise the recruitment of Luxembourg nationals or European Union citizens"¹¹⁶. After this decision has been taken, Luxembourg's Government has proposed amendments to the law on free movement of persons and immigration, as well as to the Labour Code, with the intent of providing for such a priority rule. These changes were approved and exist nowadays in national legislation – act of 21 December 2012 transposing Employers' Sanctions Directive regarding recruitment for some workers¹¹⁷. In the explanatory statement of the corresponding bill, it was expressly mentioned that in view of the lack of such a rule, the Government then suggested amendments to the existing provisions (<i>afin de parier à cette situation</i>)¹¹⁸</p> <p>Following the act of 21 December 2012, in 2013 the Support Association for Immigrant Workers (<i>Association</i></p> |
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¹¹⁴ As per recitals 6 and 7 of Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance

¹¹⁵ Luxembourg, Act of 21 December 2012 (*Loi du 21 décembre 2012*), 31 December 2012, available at: www.legilux.public.lu/leg/a/archives/2012/0296/a296.pdf#page=2

¹¹⁶ Luxembourg, European Migration Network, National Contact Point Luxembourg (2013), 2012 Policy report on migration and asylum, (p.60), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-emn-2012.pdf

¹¹⁷ Luxembourg, Act of 21 December 2012 (*Loi du 21 décembre 2012*), 31 December 2012, available at: www.legilux.public.lu/leg/a/archives/2012/0296/a296.pdf#page=2

¹¹⁸ Luxembourg, Parliament (Chambre des Députés), Amendments to Bill No 6404, Document 6404/03 (Amendements au Projet de Loi No 6404, Document 6404/03), 9 May 2012, available at: www.chd.lu/wps/PA_RoleEtenduEuro/FTSByteServletImpl/?path=/export/exped/sexpdata/Mag/106/193/110952.pdf

de Soutien aux Travailleurs Immigrés, ASTI) together with the Ministry of Foreign Affairs provided a unique action for the regularisation of illegal workers in the country. The action lasted for three months: from 2 January 2013 until 30 March 2013. The action aimed at two groups: 1) employers who wished to regularise illegally employed workers; and 2) third-country nationals who wished to regularise their residency status in Luxembourg. ¹¹⁹ 663 applications¹²⁰ were made under the single measure of regularisation. On 1 June 2014, 543 residence permits were granted, 103 refusals were reported and 17 cases are currently pending or have been qualified to be moot. In case of a favourable decision, a temporary residence permit was issued in accordance with the amended act of August 29, 2008 on the free movement of persons and immigration law. Applicants were from a hotel and restaurant sector; private households; crafts; Construction Sector. With regard to nationality of the applicants, they are of a Chinese, Brazilian, Montenegrin and Cape Verdean Nationality. Workers had to prove they had worked nine months, 40 hours / week in 2012.

In case C-86/12, the Court of Justice of the European Union (CJEU) has expressed its opinion on a Member State's refusal of residence to a third-country national (TCN) who was the only person with sole responsibility for the infants who are citizens of the Union (nationals of another Member State). Replying to the question referred by Luxembourg's second instance administrative court, the CJEU stated that when a Union citizen was born in the host Member State and has not made use of the right to free movement, the expression 'have' sufficient resources (Article 7(1)(b) of Directive 2004/38) must be interpreted as meaning that the resources are available to the children, independently of the origin of such resources (e.g. a national of a non-Member State). It is for the national court to decide if in the present case the children comply with this condition.¹²¹

The Court also pointed out that the right of residence cannot be refused if it undermines the effectiveness of the Union citizenship, a matter that would be for the national court to assess.¹²²

¹¹⁹ Luxembourg, Association for the Support of Immigrant Workers (*Association de Soutien aux Travailleurs Immigrés, ASTI*), News release (20.01.2013), Regularisation: advance to confirm in practice (*Régularisation : une avancée à confirmer dans la pratique*) available at: www.asti.lu/wpcontent/uploads/2013/01/communiqu_e_conference_presse_08012013.pdf 12 September 2014.

¹²⁰ Luxembourg, information was obtained from the Ministry of Foreign Affairs upon request via electronic mail, 17 October 2014.

¹²¹ Court of Justice of the European Union (CJEU), C-86/12, Adzo Domenyo Alokpa, Jarel Moudoulou, Eja Moudoulou v. Ministre du Travail, de l'Emploi et de l'Immigration, 10 October 2013.

¹²² CJEU, C-86/12, Adzo Domenyo Alokpa, Jarel Moudoulou, Eja Moudoulou v. Ministre du Travail, de l'Emploi et de l'Immigration, 10 October 2013.

3. Participation of migrants and their descendants in society

3.1. Political rights at national level

3.1.1. Citizenship acquisition

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| | <p>In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')</p> | <p>In order to acquire Luxembourgish citizenship according to the act of 23 October 2008 on nationality¹²³ an applicant has to be aged 18 or more, having lived in Luxembourg for at least 7 years without interruption as well as pass a Luxembourgish language test (B1 understanding A2 expression) and attend civic education courses (the attendance of at least 3 civic education courses is obligatory¹²⁴ but there no tests at the end, the applicant receives only the participation certificate)¹²⁵. Two civic education courses are imposed to applicants: 1) fundamental rights of citizens and public life (<i>droits fondamentaux des citoyens et la vie publique</i>) and 2) state-level institutions in Luxembourg (<i>institutions étatiques luxembourgeoises</i>). The applicant has to choose one other course from the established list (history of Luxembourg, Luxembourg and European unification, local administration, labour law, social security system, economic structures in Luxembourg, and media)¹²⁶. Courses are available in Luxembourgish, French, German, Portuguese, and English¹²⁷.</p> <p>People are exempt from the language test and the civic education courses:</p> <ul style="list-style-type: none"> - if they accomplished at least 7 years of education in a Luxembourgish school (as could be in the case for 1,5 and the 2nd generation) -or have a permanent residence permit and have been living in Luxembourg since at least before 31/12/1984 |
| | <p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children (so-called '1,5 generation')</p> | |

¹²³ Luxembourg, the act of 23 October 2008 on the Luxembourg nationality (*Loi du 23 octobre 2008 sur la nationalité luxembourgeoise*), 27 October 2008.

¹²⁴ Luxembourg, Obtenir the Luxembourgish nationality (Acquérir la nationalité luxembourgeoise par voie de naturalisation), Guichet.lu, available at: <http://www.guichet.public.lu/citoyens/fr/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/naturalisation/index.html>

¹²⁵ Luxembourg, Civic education courses (Les cours d'instruction civique), Ministère de la Justice, available at: http://www.mj.public.lu/nationalite/cours_civique.html

¹²⁶ Luxembourg, Civic education courses (Les cours d'instruction civique), Ministère de la Justice, available at: http://www.mj.public.lu/nationalite/cours_civique.html

¹²⁷ Luxembourg, Civic education courses (Les cours d'instruction civique), Ministère de la Justice, available at: http://www.mj.public.lu/nationalite/cours_civique.html

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| | | <p>(as could be in the case of 1st generation, but also in case of 1,5, and 2nd generation) regarding genuine links to the country, two rules apply:</p> <ul style="list-style-type: none"> -a direct, even foreign-born, descendant of a Luxembourgish ancestor (1/1/1900) and his descendants who might have lost their Luxembourgish citizenship, can re-acquire the Luxembourgish citizenship with a declaration within the 10 years following the Citizenship Law 2008 (meaning until 2018). -a Luxembourgish woman who because of her marriage had to take another citizenship and lost therefore had to give up the Luxembourgish one¹²⁸ can re-acquire the Luxembourgish citizenship with a declaration (art.31 of the Law).¹²⁹ |
| | <p>Debates, issues and challenges concerning the implementation of citizenship policies</p> | <p>On 26 May 2008, prior to several months of the adoption of the Immigration Law of 2008¹³⁰, the parliament signed the European Convention on Nationality. In April 2013, draft bill N°6561¹³¹ approving the European Convention on Nationality, done at Strasbourg on 6 November 1997, and amendment of the Act of 23 October 2008 on Luxembourg nationality was submitted to the parliament. The draft bill seeks to reduce from 7 to 5 years of residency requirement necessary for a naturalisation; facilitate naturalisation process for spouses of citizens of Luxembourg (a clause, which was dropped by the Immigration Law 2008). The bill also amends uninterrupted clause necessary for the naturalisation: accordingly, a resident needs to live on the territory of Luxembourg only for the last year prior to naturalisation. Lastly, a Luxembourgish language competence clause is to be amended as well for residents, who have been living in the country for over than 20 years would not need to prove Luxembourgish language competences.</p> <p>More than 200 suggestions were sent to the ministry, which were considered for drafting bill N°6561 on nationality. Evaluation report on nationality law of 2008 submitted by the Ministry of Justice provided to the public dynamics of the naturalisation process throughout the time period 2009-2011. The report provided an analysis of the effect of the 2008 Law on the naturalisation. While in 2008 only 1129 people</p> |

¹²⁸ Luxembourg, Explanation: until 1975 a Luxembourg national woman who married and non luxembourger, had to follow the nationality of her husband.

¹²⁹ Luxembourg, the act of 23 October 2008 on the luxembourg nationality (*Loi du 23 octobre 2008 sur la nationalité luxembourgeoise*), 27 October 2008.

¹³⁰ Luxembourg, Act of 29 August 2008 on the free movement of persons and immigration (*Loi du 29 août 2008 sur la libre circulation des personnes et l'immigration*), 10 September 2008.

¹³¹ Luxembourg, Draft bill N°6561 approving the European Convention on Nationality, done at Strasbourg on 6 November 1997, and amending the Act of 23 October 2008 on the Luxembourg nationality (*Projet de loi N° 6561 portant approbation de la Convention européenne sur la nationalité, faite à Strasbourg le 6 novembre 1997, et modification de la loi du 23 octobre 2008 sur la nationalité luxembourgeoise*) deposited: 11 April 2013, available at: www.chd.lu/wps/portal/public/RoleEtendu?action=doDocpaDetails&backto=/wps/portal/public&id=6561#

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| | | <p>acquired naturalisation, in 2009 – the number rose up to 4022¹³². The reports outlined that with high numbers of naturalisation in 2009 and 2010, 2010 saw a decline. Also success rate of language test dropped by 10 %. Within the period 2009-2011, the composition of naturalised people was quite homogeneous: 10 countries whose citizens acquired or recovered Luxembourgish nationality make up almost 90% of the total nationals of Portugal (31.3%) of the 3 neighbouring countries of the Grand Duchy (23.2%) of the former Yugoslav republics (17.1%) and Italy (12.5%) account alone almost 85% of the total.</p> <p>In 2010, in total 710 ex-Yugoslav migrants obtained the Luxembourgish nationality and 49 Cap-Verdeans (data from General Register of Natural Persons (<i>Répertoire Général des Personnes Physiques – RGPP</i>) and CEFIS, 2011). Ex-Yugoslav and Cap-Verdean migrants constitute the largest communities originally from outside the European Union. It should be noted that the success rate in acquisition of the Luxembourgish nationality is not the same for those two groups of immigrants. In 2009, the success rate for the applicants submitted by ex-Yugoslav immigrants was 76% and for Cap-Verdean immigrants 40% (analysis of data from RGPP and CEFIS).</p> |
| | <p>Key developments and trends – case law (please use the template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p> | <p>As far as new draft bill N°6561 on nationality is regarded, it foresees a reduction from 7 to 5 years of residency. Also important changes are foreseen regarding the abolition of the period of residence for :</p> <ul style="list-style-type: none"> -a person who is married to a Luxembourgish national and have a child of a Luxembourgish nationality; -a person has Luxembourgish ancestors (of 1900). <p>More than that, the draft bill foresees facilitation of nationality (residence of 3 years) in case of a completion Welcome and Integration Contract (language acquisition and civil training).</p> <p>By the end of 2015, the parliament will have a second session on the constitutional reform. Currently, the draft includes Article 65, which provides that “a law adopted by a qualified majority, may, under the conditions it determines, grant qualified elector status to people not having Luxembourg nationality”¹³³</p> |
| | <p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship</p> | <p>Act of 29 August 2008 on immigration¹³⁴: Basic rule for citizenship acquisition: 7 years of uninterrupted residence, plus Luxembourgish language competences,</p> |

¹³² Luxembourg, Ministry of Justice (*Ministère de la Justice*) (2012), Assessment Report of the Ministry of Justice (*Rapport d'évaluation du Ministère de la Justice*), (p.8), available at: www.mj.public.lu/nationalite/reforme/Rapport_evaluation_nat_2012.pdf

¹³³ Luxembourg, European Migration Network, National Contact Point Luxembourg (2014), 2013 Policy report on migration and asylum, available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-enn-2013.pdf

¹³⁴ Luxembourg, Act of 29 August 2008 on the free movement of persons and immigration (Loi du 29 août 2008 portant sur la libre circulation des personnes et l'immigration), 10 September 2008.

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| <p>acquisition for migrants and/or their descendants.</p> | <p>plus civic instruction courses. Under the law of 2008, a relaxed rule of a faster citizen acquisition was abolished for spouses of Luxembourgish nationals.</p> <p>In April 2013, draft bill N°6561¹³⁵ approving the European Convention on Nationality, done at Strasbourg on 6 November 1997, and amendment of the Act of 23 October 2008 on Luxembourg nationality was submitted to the parliament. The draft bill seeks to reduce residency necessary for a naturalisation from 7 to 5 years; facilitate naturalisation process for spouses of citizens of Luxembourg (a clause, which was dropped by the Immigration Law of 2008). The draft bill was discussed by the Parliament and recommendations by stakeholders were provided by end of 2013. Since then, the file was not reopened due to political changes at the end of 2013. The new government of 2014 has been preparing the country for the national referendum in June 2015, which would discuss the right to vote for foreigners in the national legislation. The Minister of Justice underlined that the reform and the draft bill on the nationality is the components of one process and are mutually exclusive; one cannot be without the other.¹³⁶</p> |
| <p>Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age group if available. Please provide the latest available data. The most recent data provided by Eurostat concern the year 2012.</p> | <p>In 2013¹³⁷ the total population comprised 537,000 persons living in Luxembourg. 248,000 (44%) are non-citizens. For the year 2013, 4412 persons got Luxembourgish nationality, which makes 1,78% compared to migration stock and 0,8% to the general population.^{138 139}</p> |

¹³⁵Luxembourg, Draft bill N°6561 approving the European Convention on Nationality, done at Strasbourg on 6 November 1997, and amending the Act of 23 October 2008 on the Luxembourg nationality (*Projet de loi N° 6561 portant approbation de la Convention européenne sur la nationalité, faite à Strasbourg le 6 novembre 1997, et modification de la loi du 23 octobre 2008 sur la nationalité luxembourgeoise*) deposited: 11 April 2013, available at:

www.chd.lu/wps/portal/public/RoleEtendu?action=doDocpaDetails&backto=/wps/portal/public&id=6561#

¹³⁶ Luxembourg, Le Quotidien, Felix Braz referendum will not solve the issue of coexistence (*Pour Felix Braz le référendum ne résoudra pas la question du vivre ensemble*), available at: www.lequotidien.lu/pour-felix-braz-le-referendum-ne-resoudra-pas-la-question-du-vivre-ensemble/

¹³⁷ Luxembourg, Ministry of Justice (*Ministère de la Justice*) (2013), Luxembourg nationality procedures, Year 2013 (*Procédures de nationalité luxembourgeoise évacuées – Année 2013*), available at:

www.mj.public.lu/chiffres_cles/ind_stat_2013.pdf

¹³⁸ Luxembourg, The National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*), Population of the Grand Duchy of Luxembourg for the year 2014, available at:

www.statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=384&IF_Language=fra&MainTheme=2&FldrName=1

¹³⁹ Luxembourg, data on general population of Luxembourg is available for 2014, However number of naturalised people for 2014 has not been published yet.

3.1.2. National elections voting rights - turnout

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| | <p>Third country nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p> | <p>Third country nationals are not allowed to vote in Luxembourgish national elections¹⁴⁰. Only holders of Luxembourgish nationality, of at least 18 years of age on the election day, who enjoy full civil and political rights, can vote in Luxembourgish national elections¹⁴¹. However, recently, the Luxembourgish government calls upon the eligible voters to express their opinion at the referendum planned for the 7th June 2015 on three questions (one of those is the right for vote in the national elections for non-Luxembourgish residents – EU and non-EU citizens – provided that they have been residing in the Grand-Duchy of Luxembourg for at least 10 years and they have at least once participated in municipal and European elections)¹⁴².</p> |
| | <p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p> | <p>In 2011, a voting campaign I can vote (<i>Je peux voter</i>) was launched to ensure a high registration turnout of foreigners in municipal elections. It provided information in 5 languages on the platform (print material in more languages), included work of multipliers who went door to door in their communities, published information on various platforms (a particular emphasis was laid on English ones).¹⁴³ Since then it increased its campaign for the European elections in 2014.</p> <p>The campaign provides:</p> <ul style="list-style-type: none"> • information leaflet translated into 9 languages (French, German, Portuguese, English, Albanian, Arabic, Serbo-Croatian, Russian and Chinese); • a guide in the form of website available in 4 |

¹⁴⁰ Luxembourg, Volume 4 of Administrative Code (Code Administratif, Volume 4), available at:

http://www.legilux.public.lu/leg/textescoordonnes/compilation/code_administratif/VOL_4/PLAN_GEN_VOL_4.pdf

¹⁴¹ Luxembourg, Register on the electoral roll for national elections (S'inscrire sur les listes électorales pour les élections législatives), Guichet.lu, available at: <http://www.guichet.public.lu/citoyens/fr/citoyennete/elections/elections-legislatives/inscription-listes-electorales-legislatives/index.html>

¹⁴² Luxembourg, Referendum 2015 questions, Luxembourgish government, available at:

<http://www.elections.public.lu/fr/actualites/2015/27-02-questions/index.html>

¹⁴³ Luxembourg, Official platform of the voting campaign I can vote, available at: www.jepeuxvoter.lu/fr/

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| | | <p>languages (French, German, Portuguese and English);</p> <ul style="list-style-type: none"> • posters for some local events; • a label to make visible the actions of various partners; • T-shirts for institutions and multipliers who set up information booths; • presentations to diverse audiences and nationalities; • commercials broadcast on radio stations with a primarily non-Luxembourg audience • and training for multipliers. <p>Similar to an European platform, which is launched prior to EU elections to help voters to define their political preferences, in Luxembourg, there is a questionnaire platform smartvote.lu¹⁴⁴ in French, German, Luxembourgish and Portuguese. It is financed by the National Research Fund (Funds de la Recherche Nationale) and aims at helping voters (many of them are “new Luxembourgers” voting for the first time) to identify which party their opinions in a series of topics is closest to.</p> <p>ASTI developed an interactive information platform on elections in Luxembourg; it is available in 3 languages and includes information on 3 types of elections and a quiz afterwards ¹⁴⁵</p> <p>OLAI developed a national registration awareness campaign on electoral lists, which informs the non-Luxembourg citizens of the Union residing in Luxembourg, on the right and the conditions for voting in the European elections. ¹⁴⁶</p> |
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3.1.3. National level election – representation

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| | <p>The number of candidates with migrant background (where available, specify own or parent’s country of birth) at the latest national level elections (specify date)</p> | <p>Latest national elections took place on 20 October 2013 (there were 540 candidates, 354 men and 186 women, for 60 seats available)¹⁴⁷. No information on the background of candidates is available. We checked political parties platforms and no information on the migration background of</p> |
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¹⁴⁴ Luxembourg (2013), Guide for the European elections, available at: www.luxembourg.public.lu/fr/actualites/2013/10/04-smartvote/index.html

¹⁴⁵ Luxembourg, Association for the Support of Immigrant Workers (*Association de Soutien aux Travailleurs Immigrés*, ASTI, Information platform for the national elections, available at: www.asti.lu/media/je-vote/

¹⁴⁶ Luxembourg, Luxembourg Reception and Integration Agency (*L’Office luxembourgeois de l’accueil et de l’intégration*) (2013), Listing of good practices, stands and exhibitions (*Listing des stand des bonnes pratiques et des expositions*), available at: www.olai.public.lu/fr/actualites/2013/10/invitation-assises/liste-exposants.pdf

¹⁴⁷ Luxembourg, Chamber of Deputies, latest elections, 20 October 2013, available at: http://www.ipu.org/parline-f/reports/1191_E.htm and <http://www.elections.public.lu/fr/elections-legislatives/2013/index.html>

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| | | <p>candidates is mentioned. It could be explained that 61%¹⁴⁸ of Luxembourgers have a migration background, which is added to the fact that 45 % of residents are non-nationals. Such a migration mix is taken as such in national political campaigns. Although when it comes to migration associations, as, for instance, Portuguese, information is streamed down according to national, Portuguese in this case, particularities. Roberto Traversini was one of the candidates with a clearly identified migrant background.</p> <p>Some analytical information about the TCN candidates is only available for the municipality elections (please see the section 3.2.2.). However, recent studies (CEFIS, 2015) show the predominant political position of "centre" of third-country nationals residing in Luxembourg (82% of Bosnians, 81% of Montenegrins, 79% of Serbians and 71% of Cap-Verdeans)¹⁴⁹. Out of all third country nationals, the left political thinkers are mostly represented within the Serbian community (18%) and the right political thinkers within the Cap-Verdean community (15%)¹⁵⁰. While the third country nationals are usually very active in the migrant associative life (almost 90% of them regularly participate in associative activities¹⁵¹), they are very little active in a political life.¹⁵² National Institute of Statistics and Economic Studies (<i>Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg</i>, STATEC) estimated that only 3% of foreigners – EU nationals and TCN counting together are active in political parties and movements¹⁵³. According to CEFIS, migrants (EU and TCN) constitute between 4 and 10% of the political party membership.¹⁵⁴ Even if the available data do not fit completely each other; they show that migrants (EU nationals and TCN counting together) do not exceed 10% of political party members - which is considered</p> |
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¹⁴⁸ Luxembourg, STATEC (2013), *The migration background of the population of the Grand Duchy of Luxembourg (L'arrière-plan migratoire de la population du Grand-Duché de Luxembourg)*, available at: www.statistiques.public.lu/catalogue-publications/RP2011-premiers-resultats/2013/12-13.pdf

¹⁴⁹ Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014), CEFIS, (p.41)

¹⁵⁰ Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014), CEFIS, (p.41)

¹⁵¹ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 52). ISBN: 978-2-343-02297-0.

¹⁵² Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014), CEFIS.

¹⁵³ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg*, STATEC) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.183), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

¹⁵⁴ Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014), CEFIS.

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| | | to be a very little proportion in a population that counts 46% of foreigners ¹⁵⁵ . |
| | The number of elected representatives with migrant background at national level (e.g. parliament, senate) | Roberto Traversini, who was born in Italy to Italian parents, was elected in parliament in December 2013 (Mr Traversini took the place of Felix Braz after the latter was appointed Minister of Justice). He is the first elected foreign-born Luxembourgish deputy. ¹⁵⁶ In the latest national elections (20 October 2013), there were 540 candidates for 60 seats available ¹⁵⁷ . |
| | Those appointed to public office (e.g. ministers, secretaries of state, etc.) by end of 2014. | Since 2013 the Minister of Justice is Mr Braz. He is the first member of the government of Portuguese origin. ¹⁵⁸ He was born in Luxembourg to Portuguese parents. In total, 15 persons were appointed to public office in the latest national elections (to represent 20 ministries) ¹⁵⁹ . |

3.2. Political rights at regional/local level

3.2.1. Regional/Local elections voting rights – turnout

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| | Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc. | Third country nationals are eligible to vote after having lived in the country for 5 years and have a residence permit/ or and visa in the country for the entire period. (Art.2) ¹⁶⁰ When voting for the first time, they have to fill in a request to be registered as an elector (Luxembourgish citizens are automatically registered). Once they are registered their participation in local elections is mandatory ¹⁶¹ unless they ask to be deleted from the lists. The voting in local as well as national elections is mandatory for Luxembourgish citizens ¹⁶² . |
| | Key and/or milestone dates regarding the voting and/or election rights for migrants | The act 2011 – TCN can vote after 5 years of residency in local elections The act of 13 February 2011: every non-Luxembourgish resident can stand in local election |

¹⁵⁵ STATEC, 2015; Luxembourg, Political parties and foreigners in Luxembourg (Les partis politiques et les étrangers au Luxembourg), In: *RED 13*, CEFIS, 2009, (p.58), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

¹⁵⁶ Luxembourg, Biography of Roberto Traversini, available at: <http://guide.paperjam.lu/biographie-roberto-traversini-12250> and www.chd.lu/wps/portal/public/FicheDepute?ref=24006

¹⁵⁷ Luxembourg, Chamber of Deputies, latest elections, 20 October 2013, available at: http://www.ipu.org/parline-f/reports/1191_E.htm and <http://www.elections.public.lu/fr/elections-legislatives/2013/index.html>

¹⁵⁸ Luxembourg, Official page of the Gouvernement of the Grand Duchy, Official visit of the Prime Minister Xavier Bettel Portuguese Republic (*Visite officielle du Premier ministre Xavier Bettel en République portugaise*) (03.03.2014), available at: www.gouvernement.lu/3542226/03-bettel-portugal?context=3317017

¹⁵⁹ Luxembourg, Luxembourgish gouvernement, appointed ministres, name of 20 ministries, available at: <http://www.gouvernement.lu/4876654/22-conseil-gouvernement?context=3596944>

¹⁶⁰ Luxembourg, Act of 20 December 2013 on the modification of the election law (*Loi du 20 décembre 2013 portant modification de la loi électorale modifiée*) 24 December 2013.

¹⁶¹ Luxembourg, Volume 4 of Administrative Code (Code Administratif, Volume 4), available at: http://www.legilux.public.lu/leg/textescoordonnes/compilation/code_administratif/VOL_4/PLAN_GEN_VOL_4.pdf

¹⁶² Luxembourg, Register on the electoral roll for national élections (S'inscrire sur les listes électorales pour les élections législatives), Guichet.lu, available at: <http://www.guichet.public.lu/citoyens/fr/citoyennete/elections/elections-legislatives/inscription-listes-electorales-legislatives/index.html>, Register on the electoral roll for national élections (S'inscrire sur les listes électorales pour les élections communales), Guichet.lu, available at: <http://www.guichet.public.lu/citoyens/fr/citoyennete/elections/elections-communales/inscription-listes-electorales-communales/index.html>

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| | and/or their descendants at regional/local level | <p>(until then only Luxembourgish and EU-nationals could stand in local elections)</p> <p>2011 first voting campaign I can vote for municipal elections, which targeted non-citizens as well. Law of 20 December 2013 modifying the Electoral Law 2013–EU citizens, who reside in Luxembourg, can vote for the Luxembourgish candidates for the European Parliament. Previously, a requirement of a 2-year residency had been in place (EMN 2013 p.40). ¹⁶³</p> |
| | Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote. | <p>In 2011, a voting campaign I can vote was launched to ensure a high registering turnout of foreigners in municipal elections. It provided information in 5 languages, included work of multipliers who went door to door in their communities, published information on various platforms (a particular emphasis was laid on English ones). ¹⁶⁴ Since then it increased its campaign for the European elections in 2014.</p> <p>A platform MINTÉ¹⁶⁵ was launched in 2014 to provide debates, pro and cons, information, interviews, etc. on the foreigners’ right to vote in national elections. It was launched as a preparation to the referendum in June 2015 where a question on the foreigners’ right to vote will be provided to the nationals (please see the section 3.1.2.).</p> <p>Consultative commission on integration (<i>Commission consultative d’intégration, CCI</i>) provided a module (6) on the implementation of awareness campaign with the aim to encourage foreigners to enjoy their right to participate in local and European elections in Luxembourg.</p> <p>CEFIS together with CLAE developed a user manual for Consultative commission on integration (<i>CCI, Commission consultative d’intégration, CCI</i>). This guide is intended for members of CCI to raise awareness among foreigners regarding registration on the electoral rolls and participation in local elections in Luxembourg. They also prolonged opening hours in majority of towns just before the deadline so people could register last minute for elections.</p> |
| | In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the | <p>A joint publication by Center for Intercultural and Social Education and Training (<i>Centre d’Etude et de Formation Interculturelles et Sociales, CEFIS</i>) (2015)¹⁶⁶ provides an overview of EU and municipal elections in Luxembourg, Authors state that “from 1999 (elections of 1999, 2005 and 2011) to 2011, registration for local elections increased from 13 835 to</p> |

¹⁶³ Luxembourg, Act of 20 December 2013 on the modification of the election law (*Loi du 20 décembre 2013 portant modification de la loi électorale modifiée*) 24 December 2013.

¹⁶⁴ Luxembourg, Official platform of the voting campaign I can vote, available at: www.jepeuxvoter.lu/fr/

¹⁶⁵ Luxembourg, Official platform Minté on the right for vote for non nationals, available at: www.minte.lu

¹⁶⁶ Luxembourg, Center for Intercultural and Social Education and Training (*Centre d’Etude et de Formation Interculturelles et Sociales, CEFIS*) (2015), Voting rights of foreign nationals in Luxembourg (Droit de vote des ressortissants de nationalité étrangère au Luxembourg) www.cefis.lu/resources/Droit-de-vote.pdf

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| <p>right to vote and related drivers and barriers.</p> | <p>30 937, an increase of 124% in twelve years, with a significant increase from 1999 to 2005 (73%) and a smaller increase between 2005 and 2011 (29%). Among drivers, the study emphasises that the changes into the law on nationality, "introducing the principle of multiple nationality, have significantly transformed the electorate (the act of 23 October 2008 on Luxembourg nationality), as many foreign voters became Luxembourg voters. The enrolment rate increased from 12% to 17% and the weight of non-citizen voters from 6% to 12%)¹⁶⁷ the authors also point out at the fact that over the past years, the participation of non-citizens in local elections has been growing, slowly, but at a stable path¹⁶⁸.</p> <p>One of the important observations is that over the last three elections, restrictions to elections have been continuously torn down; the number of residence years has been reduced, electing and standing in elections was offered to a wider group of migrants. This study also states that community vote remains a marginalised phenomenon and candidates of foreign nationality even if they are sensitive to the issue of integration they turn to the defence of the interests of the general public.</p> <p>In 2009 Center for Intercultural and Social Education and Training (<i>Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS</i>) conducted a study on political participation; authors then concluded that "all political parties admit as evidence the need for a policy of openness to non-Luxembourgers, with a downside, however for setting in accordance with their ideas". According to the latest study of CEFIS of 2015 little progress has been done and their conclusion is that political parties need to work tighter with non Luxembourgish residents (p.18)¹⁶⁹</p> <p>A study of Dumont, et al. (2010)¹⁷⁰ provides with a political candidate profiling in local elections: it is male, in mid 40s (no detail information about the nationality of the candidates is available). Thus, women, non-citizens and younger/older people are underrepresented in active politics. In case of voters, the profiles are different. There are more female voters</p> |
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¹⁶⁷ Luxembourg, Center for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS*) (p.10-11), available at: www.cefis.lu/resources/Droit-de-vote.pdf

¹⁶⁸ Luxembourg, Center for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS*) (p.12), available at: www.cefis.lu/resources/Droit-de-vote.pdf

¹⁶⁹ Luxembourg, Center for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS*) (p.12), available at: www.cefis.lu/resources/Droit-de-vote.pdf

¹⁷⁰ Luxembourg, Dumont, P. et al. (2010) Legislative and European elections in 2009 in the Grand Duchy of Luxembourg. Report prepared for the Chamber of Deputies (*Les élections législatives et européennes de 2009 au Grand-Duché de Luxembourg. Rapport élaboré pour la chambre des Députés*), University of Luxembourg.

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| | | <p>than male voters and voters in their fifties and sixties represent almost 60% of all voters¹⁷¹ (please see the section 3.2.2.).</p> <p>In March 2013, the parliament of Luxembourg held a conference on the right to vote. Mr Kies Research Chair for Parliamentary Studies at the University of Luxembourg, presented results of 2 projects: project Civex and project Elect¹⁷². Accordingly, 84 percent of foreigners (both EU and TCNs) participating in a survey said they were very happy with the democratic process in Luxembourg, more so even than in their countries of origin (42 percent). However, non-nationals are not interested to vote in Luxembourg and are “happy” to delegate their powers to others. More than half (56 percent) said they were interested in politics in general. However, they demonstrated limited knowledge of the political institutions and figures in Luxembourg.¹⁷³ Mr. Kies emphasized “a lot of foreigners are professionally engaged in Luxembourg, so they are not interested in political life here. They say politicians don't communicate with them. There's a disinterest in politics.”</p> <p>Despite, citing that yet 68 percent of foreigners polled said they wanted to vote in all elections, the academic suggested that foreigners themselves were not sending out a strong message that they wanted to vote in legislative elections”.¹⁷⁴</p> |
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3.2.2.Regional/local level election – representation

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| | <p>The number of candidates that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)</p> | <p>In 2011, 30.937 (16.9%)¹⁷⁵ foreigners (EU citizens and third country nationals) residing in Luxembourg were registered to participate in municipal elections (8th October 2011). In municipality elections organised in 2005, third country nationals represented 6% of registered voters and in municipality elections organised in 2011 they represented 11% of registered voters (in 2005, there were in total 1251 registered voters with non-EU background – the majority of them were ex-Yugoslav and Cap-Verdeans and in municipal elections organised in 2011 there were 2595 registered voters with non-EU background)¹⁷⁶. The majority of ex-Yugoslav and Cap-Verdean voters (in 2011 municipality elections) were secondary school diploma</p> |
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¹⁷¹ Luxembourg, Besch S., Dubajic N, Manço A. et Schimidt M. (2012), Municipality elections of October 2011 (Les élections communales d’octobre 2011), In: *RED*, n° 17. CEFIS, (p. 34), available at:

<http://www.statistiques.public.lu/fr/actualites/conditions-sociales/politique/2013/05/20130130/red17.pdf>

¹⁷² Luxembourg, data are not yet publicly available.

¹⁷³ Luxembourg, Luxembourg wort, Do foreigners want to vote in Luxembourg? (21.03.2015), available at:

www.wort.lu/en/politics/uni-lu-debate-do-foreigners-want-to-vote-in-luxembourg-550d9f530c88b46a8ce55e18

¹⁷⁴ Luxembourg, Luxembourg wort, Do foreigners want to vote in Luxembourg? (21.03.2015), available at:

www.wort.lu/en/politics/uni-lu-debate-do-foreigners-want-to-vote-in-luxembourg-550d9f530c88b46a8ce55e18

¹⁷⁵ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*) (2011): Review of registration on the electoral districts: Some landmarks (*Bilan des inscriptions sur les listes électorales communales : Quelques repères*) (26.11.2011), available at:

www.olai.public.lu/fr/actualites/2011/09/je_peux_voter/flash_elections.pdf

¹⁷⁶ Luxembourg, Besch S., Dubajic N, Manço A. et Schimidt M. (2012), Municipality elections of October 2011 (Les élections communales d’octobre 2011), In: *RED*, n° 17. CEFIS, (p. 24-25), available at:

<http://www.statistiques.public.lu/fr/actualites/conditions-sociales/politique/2013/05/20130130/red17.pdf>

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| | | <p>holders (66% in case of ex-Yugoslavs and 55% in case of Cap-Verdeans) earning less than 3000 Euros/months (the less in comparison with other groups of TCN or EU foreigners)¹⁷⁷.</p> <p>In general, registered foreign female voters exceed in numbers registered male voters¹⁷⁸. Concerning the length of residency, 20% of eligible voters of foreign origin who have been residing in Luxembourg for at least 10 years tend to register themselves for the municipality elections. In case of those who have been residing in Luxembourg for more than 20 years the number exceeds 30%¹⁷⁹. Among 3.309 candidates in municipal elections in 2011, 236 were non-national EU citizens (7%; in 2008 it was 6%). 69 are Portuguese, followed by Italians and Germans (39), French (24), Belgians (18), Dutch (13) and other EU member countries (20). For the first time, third country nationals could be candidates as well: 11 candidates: 3 Montenegrins, 1 Albanian, 1 American, 1 Bosnian, 1 Ivorian, Mauritanian, 1 Norwegian, 1 Serbian and 1 Swiss. Parties with the highest share of foreign candidates in their lists are in descending order: Déi Gréng (60), LSAP (42), DP (37), CSV (19), KPL Dei Lenk (14) and ADR (6). (CEFIS 2011)¹⁸⁰</p> <p>57% foreign political candidates have been members of local consultative commissions (the largest part, more than 10% have been members of consultative commissions for integration¹⁸¹. According to CEFIS studies, membership in local consultative commissions is often a stepping stone for active party politics¹⁸².</p> |
| | <p>The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)</p> | <p>In 2011, 17 candidates with a migrant background were elected. 1.5% of the total; among them are: 5 Germans, 3 French, 3 Dutch, 3 Portuguese, 1 Austrian, 1 Belgian. None of the TCN candidates was elected.¹⁸³</p> |
| | <p>Those who were elected or appointed to a high public</p> | <p>Roberto Traversini became mayor in 2014 succeeding Claude Meisch who became Minister in 2013.</p> |

¹⁷⁷ Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014), CEFIS, (p.40)

¹⁷⁸ Luxembourg, Besch S., Dubajic N, Manço A. et Schmidt M. (2012), Municipality elections of October 2011 (Les élections communales d'octobre 2011), In: *RED*, n° 17. CEFIS, (p. 24-25), available at: <http://www.statistiques.public.lu/fr/actualites/conditions-sociales/politique/2013/05/20130130/red17.pdf>

¹⁷⁹ Luxembourg, Besch S., Dubajic N, Manço A. et Schmidt M. (2012), Municipality elections of October 2011 (Les élections communales d'octobre 2011), In: *RED*, n° 17. CEFIS, (p. 24-25), available at: <http://www.statistiques.public.lu/fr/actualites/conditions-sociales/politique/2013/05/20130130/red17.pdf>

¹⁸⁰ Luxembourg, Center for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales*, CEFIS) CEFIS news release (11.10.2011), available at: www.cefis.lu/files/c319e5f9db1da04ea2c32df02d7d1093-10.html; CEFIS press conference (26.09.2011), available at : http://cefis.lu/files/confe0301rence-presse-2011_mise-en-page.pdf.

¹⁸¹ Luxembourg, Political parties and foreigners in Luxembourg (Les partis politiques et les étrangers au Luxembourg), In: *RED 13*, CEFIS, 2009, (p.28), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

¹⁸² Luxembourg, Political parties and foreigners in Luxembourg (Les partis politiques et les étrangers au Luxembourg), In: *RED 13*, CEFIS, 2009, (p.28), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

¹⁸³ Luxembourg, Candidats et élus étrangers aux élections communales de 2011, CEFIS, available at: <http://www.alliance2013.lu/documents/>

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| | <p>office (e.g. mayor, vice mayor etc.) by end of 2014.</p> | <p>Recently, there are 105 municipalities in Luxembourg¹⁸⁴. Each commune has an elected Communal Council. The mayors (<i>bourgmestres</i>) as well as vice mayors (<i>échevins</i>) of cities are not directly elected in municipal elections. They are appointed by the Grand Duke of Luxembourg. Other vice-mayors are appointed by the Ministry of the Interior¹⁸⁵. No public sources identified a number of communal counsellors and vice mayors: Ministry of the Interior, CEFIS do not include this information. However, in every municipality, there is one mayor and at least two vice-mayors (in big cities, the number of vice-mayors raises up to 6 as it is the case of the capital city of Luxembourg)¹⁸⁶.</p> |
| | <p>Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.</p> | <p>CEFIS study of 2015 points at the fact that the representation of non-Luxembourgish applicants is extremely low compared to candidates and size in the society. However, the study does not provide with explanations to the situation, nor any recommendations.¹⁸⁷</p> <p>The study also presents some data on which parties have non-citizens; it states "the distribution of foreign candidates according to political party shows a certain asymmetry between the voting system, with a proportional representation in communes (200 candidates) and under-representation in small towns with a majority vote in only 36 candidates (out all 236 foreign applicants)." There is "a strong presence of foreign candidates within the Greens, the Socialist Party and to a lesser extent in the Democratic Party"(p.16).</p> <p>This study also states that community vote remains a marginalized phenomenon and candidates of foreign nationality even if they are sensitive to the issue of integration they turn to the defence of the interests of the general public.</p> <p>In 2014 following heated debates in the country, the government announced a referendum on the right to vote for non-nationals in national elections (under the condition of residence in the country for 10 years and having taken part in EU or municipal elections.)¹⁸⁸ This has divided the country in half: a number of organisations started a petition to prohibit it. As a</p> |

¹⁸⁴ Luxembourg, Luxembourgish government website, Municipalities, 2015, available at:

<http://www.luxembourg.public.lu/fr/le-grand-duche-se-presente/systeme-politique/territoire/communes/index.html>

¹⁸⁵ Luxembourg, Luxembourgish government website, Municipalities, 2015, available at:

<http://www.luxembourg.public.lu/fr/le-grand-duche-se-presente/systeme-politique/territoire/communes/index.html>

¹⁸⁶ Luxembourg, Ministry of the Interior, Elected local officials, available at:

http://www.mi.public.lu/relations_communes/electcomm/rc_220_elusloc/index.html

¹⁸⁷ Luxembourg, Center for Intercultural and Social Education and Training (*Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS*) (p.12), available at: www.cefis.lu/resources/Droit-de-vote.pdf

¹⁸⁸ Luxembourg, the question on the right to vote is formulated as follows: L'ouverture du droit de vote actif à toute personne non-luxembourgeoise (UE et hors UE), à condition que celle-ci réside au Luxembourg depuis déjà au moins 10 ans et qu'elle ait déjà participé au moins une fois aux élections communales ou européennes au Luxembourg, available at: www.gouvernement.lu/4030316/22-pp-conseil

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| | | <p>counter response, a petition to grant the right to vote to non-nationals was started¹⁸⁹. Neither of the petitions, however, accumulated the necessary number of signatures. Christian Democratic Party, which lost the majority seats in the parliament after the elections in 2013, officially announced that they disapprove¹⁹⁰ the participation of foreigners at the national election discussed at the referendum¹⁹¹. For the last months opinion polls gather are held and information changes each time. Currently, over 53% of Luxembourgers are against the right to vote for non-nationals and 7% are undecided – 91% of survey participants consider their decision on this question definitive (Survey by TNS-ILRES National branding, conducted on February 4th, 2015)¹⁹².</p> <p>Another important aspect to consider in Luxembourgish national elections is the language. In a multilingual country, 3 official languages are used for different purposes. If French is officially the language of judicial and legal proceedings, German is the language used in national election campaigns, election programmes, information on candidates is often in Luxembourgish. Political parties rarely provide translation in French. For instance, one of the coalition parties of the parliament published a detailed programme in German and a short translated version in French and Luxembourgish¹⁹³. Official results and reports are published in French.</p> |
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3.3.Consultation

3.3.1.Consultative bodies at national/regional/local level

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| | <p>Are there any migrants’ consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether law or other type of normative regulation, policy or practice establishes</p> | <p>National Council for Foreigners (NCF, <i>Le Conseil national pour étrangers, CNE</i>) is an advisory body to study on his own initiative or at the request of the government the problems concerning foreigners and integration. It was created by the act of 27 July 1993 regarding integration of foreigners in the Grand Duchy (art. 21).¹⁹⁴</p> <p>The act of 16 December 2008 on the welcoming and integration of foreigners in the Grand Duchy of Luxembourg changed the composition of this body; the</p> |
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¹⁸⁹ Luxembourg, petition in favour of the right to vote of non-nationals, available at: <http://us8.campaign-archive2.com/?u=567e2159c506fa7910f81d1f1&id=5e042136eb>

¹⁹⁰ Luxembourg, Christian Democratic Party, Position referendum, available at: <https://csv.lu/files/2015/03/Vote-correspondance-brochure-2015-20032015.pdf>

¹⁹¹ Luxembourg, Referendum 2015 questions, Luxembourgish government, available at: <http://www.elections.public.lu/fr/actualites/2015/27-02-questions/index.html>

¹⁹² TNS-ILRES National branding survey, conducted on February 4th, 2015, on rights to vote for foreigners, available at: <https://www.tns-ilres.com/cms/Home/News/Publications/2015/TNS-ILRES--PolitMonitor-RTL-LW-Referendum-IV-Mee->

¹⁹³ Luxembourg, campaign programme of Socialist Party (*Lëtzebuurger Sozialistesche Aarbechterpartei, LSAP*) for national elections 2013, available at: <http://wahlen.lsap.lu/lu/programm/>

¹⁹⁴ Luxembourg, Act of 27 July 1993 on the integration of foreigners (la loi du 27 juillet 1993 concernant l’intégration des étrangers au Grand-Duché de Luxembourg), 28 July 1993.

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| <p>migrants' consultative/advisory/representative bodies.</p> | <p>CNF is composed of 34 members who are representatives of foreigners, refugees, the Union of Towns and Municipalities (<i>Syndicat des villes et communes - Syvicol</i>), employers' organisations, representatives of trade unions and civil society. 15, members are EU nationals; seven members are third country nationals (Art.1).¹⁹⁵ Grand Ducal Regulation of 15 November 2011¹⁹⁶ designated foreign representatives to the national council for foreigners based on nationality. In 2011, there were 3 Portuguese representatives, 2-French, 1- Italian, etc. (Art.2).¹⁹⁷ Members are elected for 5 years, but their mandate finishes if they acquire Luxembourgish nationality or move to another country.</p> <p>The act of 29 August 2008 established the local consultative bodies on integration (<i>Commission consultative communale d' integration, CCIC</i>). Local consultative bodies on integration (<i>commission consultative communale à l'intégration</i>) became mandatory with the Integration Law of 16 December 2008¹⁹⁸. Grand Ducal Decree of 15 November 2011 199 established their functions. In practice, each commune has to set up a local consultative body on integration. However, it is not clear whether they all have already implemented their local consultative bodies on integration. There are 106 communes in Luxembourg; on OLAI website, one can identify 10 activity reports from 10 different local consultative bodies on integration²⁰⁰. However, no formal procedure on their submission has been established yet and reports are submitted at any time.</p> <p>There is an inter-ministerial committee that coordinates integration policies in the Grand Duchy. It is chaired by the Minister who coordinates actions of the various ministries in the area of integration of foreigners. The Interdepartmental Committee develops and implements the National Action Plan on Integration</p> |
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¹⁹⁵ Luxembourg, Grand Ducal Regulation of 15 November 2011 on determining the terms of appointment of representatives of the National Council for foreign aliens and their breakdown by nationality (Règlement grand-ducal du 15 novembre 2011 portant détermination des modalités de désignation des représentants des étrangers au Conseil national pour étrangers, ainsi que leur répartition par nationalités), 22 November 2011.

¹⁹⁶ Luxembourg, Grand Ducal Regulation of 15 November 2011 on determining the terms of appointment of representatives of the National Council for foreign aliens and their breakdown by nationality (Règlement grand-ducal du 15 novembre 2011 portant détermination des modalités de désignation des représentants des étrangers au Conseil national pour étrangers, ainsi que leur répartition par nationalités), 22 November 2011.

¹⁹⁷ Luxembourg, Luxembourg Reception and Integration Agency (L'Office luxembourgeois de l'accueil et de l'intégration) on National Council for Foreigners (Conseil national pour étrangers), available at: [www.olai.public.lu/fr/relations-nationales/organismes_consultation/conseil-nat-etrangers/](http://www.olai.public.lu/fr/rerelations-nationales/organismes_consultation/conseil-nat-etrangers/)

¹⁹⁸ Luxembourg, Act of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg (Loi du 16 décembre 2008 concernant l'accueil et l'intégration des étrangers au Grand-Duché de Luxembourg), 24 December 2008.

¹⁹⁹ Luxembourg, Grand Ducal Regulation of 15 November 2011 on determining the terms of appointment of representatives of the National Council for foreign aliens and their breakdown by nationality (Règlement grand-ducal du 15 novembre 2011 portant détermination des modalités de désignation des représentants des étrangers au Conseil national pour étrangers, ainsi que leur répartition par nationalités), 22 November 2011.

²⁰⁰ Luxembourg, Advisory Committees on Integration reports, OLAI, available at: http://www.olai.public.lu/en/publications/rapports/rapports_ccci/index.html

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| | | <p>and against Discrimination, under the act of 16 December 2008 (Art.6)²⁰¹. The committee is composed of representatives of nearly each ministry (Ministry of Culture, Economy and Foreign Trade, Ministry of Education and Vocational Training, Ministry for Equal Opportunities, Ministry of Higher Education and Research, Ministry of State, Ministry of Public Service and administrative reform of the Interior and the Greater Region, Ministry of Justice, Ministry of Housing, Ministry of Labour and Employment, Ministry of Health and Ministry of Family and the integration).²⁰² No migrant representatives are in this committee.</p> |
| | <p>What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p> | <p>National Council for Foreigners (NCF, <i>Le Conseil national pour étrangers, CNE</i>) is responsible for studying all matters concerning foreigners and their integration (either on own initiative or at the request of the government). Members of the NCF are elected for 5 years, but their mandate finishes if they acquire Luxembourgish nationality or move to another country. For the period 2013-2017 special commissions were put in place. Each commission has another main focus:</p> <ul style="list-style-type: none"> <input type="checkbox"/> cross-border workers; <input type="checkbox"/> racial discrimination; <input type="checkbox"/> consultative Communal Commissions on Integration (previously called Communal Commissions for Foreigners – Commissions communales pour étrangers - created in municipalities exceeding 20% of foreigners in 1989²⁰³); <input type="checkbox"/> third-country nationals and refugees; <input type="checkbox"/> and education.²⁰⁴ <p>Local consultative bodies on integration guarantee cohesion among all residents of a commune and in particular represent the interests of non-Luxembourgish residents.²⁰⁵ They advise the commune on integration measures, on awareness raising campaigns on elections and right to vote as well as on access to sport and cultural infrastructures. They also advise, and sometimes assist the communes with facilitating social, economic, political and cultural integration of the residents, with promoting a dialogue and exchanges, with facilitating the relations between</p> |

²⁰¹ Luxembourg, Act of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg (*Loi du 16 décembre 2008 concernant l'accueil et l'intégration des étrangers au Grand-Duché de Luxembourg*), 24 December 2008.

²⁰² Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*), Interministerial Committee on Integration (Comité interministériel à l'intégration), available at: www.olai.public.lu/fr/relations-nationales/organismes_consultation/comite-interministeriel-integration/index.html

²⁰³ Luxembourg, Political parties and foreigners in Luxembourg (*Les partis politiques et les étrangers au Luxembourg*), In: *RED 13*, CEFIS, (p.117), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

²⁰⁴ Luxembourg, European Migration Network, National Contact Point Luxembourg (2014), 2013 Policy report on migration and asylum, (p.38), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/programme_rem/rapport-emn-2013.pdf

²⁰⁵ Luxembourg, Act of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg (*Loi du 16 décembre 2008 concernant l'accueil et l'intégration des étrangers au Grand-Duché de Luxembourg*), 24 December 2008.

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| | | <p>local administrative services and non-Luxembourgish residents, with proposing concrete solutions to specific problems of non-Luxembourgish residents and with informing the residents about the commune's work as well as the commune on the situation of the non-Luxembourgish residents.</p> <p>There should be at least 6 Members -Luxembourgish and non-Luxembourgish nationals (Art.2.2). The same article stipulates that among foreign committee members there must be at least one-third country national, unless no one applied. The members are elected for 6 years.</p> |
| | <p>Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?</p> | <p>Local consultative bodies on integration have to meet at least 4 times a year (art. 7)²⁰⁶. No official information is available in case of the minimum number of meetings of NCF. In practice, according to the annual reports local consultative bodies on integration submitted to OLAI, they meet between 3 and 11 times a year, depending on the commune²⁰⁷. No meetings with public authorities are mandatory. However, National Integration meetings at the local level (<i>Assises nationales de l'intégration</i>) uniting public authorities CCCIs and Union of Towns and Municipalities (<i>Syndicat des villes et communes, SYVICOL</i>), on the one hand, and civic associations (ASTI, etc.), on the other hand put in place discussions and exchanges of opinions on integration and good practices (e.g. in November 2013²⁰⁸ and February 2015)²⁰⁹. CCCI also invites for these National integration meetings local representatives of TCN migrant associations (CCCI disposes of contact details of all official associations of the particular locality) to voice their opinion on a treated subject²¹⁰. Note also that when a particular interesting initiative is launched by one of the local consultative bodies on integration, the Minister is present to give it a national impact²¹¹.</p> |
| | <p>Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other</p> | <p>Most bodies meet in average 5 times a year on the events they organise. Collaboration with local authorities is seen on the example with the voting campaign <i>Je peux voter</i>, when administrative services</p> |

²⁰⁶ Luxembourg, Grand Ducal Regulation of 15 November 2011 on determining the terms of appointment of representatives of the National Council for foreign aliens and their breakdown by nationality (*Règlement grand-ducal du 15 novembre 2011 portant détermination des modalités de désignation des représentants des étrangers au Conseil national pour étrangers, ainsi que leur répartition par nationalités*), 22 November 2011.

²⁰⁷ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*), Reports of the communal Consultative Commissions integration (*Rapports des Commissions consultatives communales d'intégration*), available at: www.olai.public.lu/fr/publications/rapports/rapports_ccci/index.html

²⁰⁸ Luxembourg, Press Release of the National Integration meetings at the local level (*Communiqué de presse des Assises nationales de l'intégration au niveau local*), available at: www.asti.lu/wp-content/uploads/2013/11/comm_final.pdf

²⁰⁹ Luxembourg, Official page of the Gouvernement of the Grand Duchy, on the Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*), available at: www.gouvernement.lu/971516/office-luxembourgeois-de-l-accueil-et-de-l-integration-olai

²¹⁰ Luxembourg, Interview with Marc Limpach, CCI Secretary in Esch-sur-Alzette, 2013.

²¹¹ Luxembourg, Official page of the Gouvernement of the Grand Duchy, Neighborhood ambassadors: An innovative project to facilitate the integration of newcomers in the municipality of Junglinster (*Ambassadeurs de voisinage: Un projet novateur visant à faciliter l'intégration des nouveaux arrivants dans la commune de Junglinster*) (14.07.2014), available at: www.gouvernement.lu/3851026/14-cahen-voisinage?context=971516

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| | <p>public or private stakeholders foreseen? How is this implemented in practice?</p> | <p>were opened for a longer period of time so that more non-Luxembourgish people could register. Most of the events are organised in collaboration with other organisations: national (e.g. CEDIES, ASTI, other national organisations like <i>Frère des Hommes</i> or local , such as Youth Houses, CIGL, local retirement homes, other consultative commissions like cultural consultative commission, local sports or cultural organisations, local non-Luxembourgish organisations or other neighbouring local consultative bodies on integration depending on the communes) ²¹². CLAE and/or CEFIS offered vocational training as well as exchanges with commune services on diverse topics (integration in schools) for members of local consultative bodies on integration depending on the communes. ²¹³</p> |
| | <p>Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?</p> | <p>Local consultative body on integration is an advisory body²¹⁴; it does not participate in decision-making per se, although they can give advice on local level regarding the design and implementation of integration-specific measures. No participation in funding of policies, measures or programmes at national level.</p> |
| | <p>What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?</p> | <p>Luxembourgish and non-Luxembourgish members of the local consultative bodies on integration are nominated/designated by the communal Council based on the list of candidates established by the College of Mayor and aldermen following a call for applicants published in the commune at least 30 days before the nomination. In the communes with a non-Luxembourgish resident rate of over 50%, the communal council can decide upon a proportional representation of the Luxembourgish and non-Luxembourgish members</p> |

²¹² Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*), Reports of the communal Consultative Commissions integration (*Rapports des Commissions consultatives communales d'intégration*), available at: www.olai.public.lu/fr/publications/rapports/rapports_ccci/index.html

²¹³ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*), Reports of the communal Consultative Commissions integration (*Rapports des Commissions consultatives communales d'intégration*), available at: www.olai.public.lu/fr/publications/rapports/rapports_ccci/index.html

²¹⁴ Luxembourg, Political parties and foreigners in Luxembourg (*Les partis politiques et les étrangers au Luxembourg*), In: *RED 13*, CEFIS, (p.28), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

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| | | according to their percentage in number of residents. At least one person should be TCN, unless there is no candidate ²¹⁵ . |
| | On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice? | Representation of foreign nationality, with at least one TCN. No compulsory instructions. Representation depends on the applications, i.e. if, for instance no TCN applied, then there will be no TCN representation in the committee. Immigrants (EU nationals and TCN) are scarcely present in local consultative committees (in general no more than 6% of local consultative committees represent foreigners) with one exception and that is the Consultative commission for integration counting 65% of all immigrants active in existing local consultative commissions (out of whom 6% represent TCN) ²¹⁶ . |
| | Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public? | No research could be found. ²¹⁷ |

3.4. Participation in trade-unions and professional association

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| | In this section based on available data, research, surveys, studies, etc. please provide information about: | |
| | Membership and participation of migrant workers in <u>workers' unions and craft associations</u> : | |
| | Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations? | No legal barrier: every employee in Luxembourg has the right to join a trade union. Statuses of the Independent Trade Union Confederation of Luxembourg (<i>Onofhängege Gewerkschaftsbond Lëtzebuerg (OGB-L Confédération syndicale indépendante du Luxembourg, OGBL)</i> and Luxembourg Confederation of Christian Trade Unions (<i>Lëtzebuenger Chrëschtliche Gewerkschaftsbond - Confédération luxembourgeoise des syndicats chrétiens, LCGB</i>) states anyone can become a member without a restriction of race, nationality, gender. ^{218 219} |

²¹⁵ Luxembourg, Luxembourg, Grand Ducal Regulation of 16 November 2000 concerning the organisation and functioning of the Consultative committees for integration (Règlement grand-ducal du 15 novembre 2011 relatif à l'organisation et au fonctionnement des Commissions Consultatives d'Intégration-CCI, Article 2, available at: <http://eli.legilux.public.lu/eli/etat/leg/rgd/2011/11/15/n2>

²¹⁶ Luxembourg, Political parties and foreigners in Luxembourg (Les partis politiques et les étrangers au Luxembourg), In: *RED 13*, CEFIS, (p.26, 59), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

²¹⁷ Luxembourg, we searched Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, but no information could be identified.

²¹⁸ Luxembourg, Status of the Independent Trade Union Confederation of Luxembourg (*Onofhängege Gewerkschaftsbond Lëtzebuerg (OGB-L Confédération syndicale indépendante du Luxembourg, OGBL)* of 23 September 2009, available at: www.ogbl.lu/wp-content/uploads/2011/08/statuts_FR.pdf

²¹⁹ Luxembourg, Luxembourg Confederation of Christian Trade Unions (*Lëtzebuenger Chrëschtliche Gewerkschaftsbond - Confédération luxembourgeoise des syndicats chrétiens, LCGB*) available at: http://lcgb.lu/wp-content/uploads/2014/10/Statuts_2014_FR.pdf

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| | <p>Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p> | <p>Yes, given the fact that there are 43.7% of non-resident workers in paid employment in Luxembourg, 26.8% of resident workers are non-Luxembourgish, trade unions encourage migrants become members of unions. 70.5% of the country's workforce is non-national (migrant or cross-border) trade unions are actively engaged in working with non-citizens. For instance, trade unions set up specific structures to recruit and regroup non-Luxembourgish workers and cross-border workers. OGBL has lawyers, consultants working in French, German, Luxembourgish, English and Portuguese. They are ready to assist with information in these languages. Also they organise regular information sessions in official languages, as well as Portuguese²²⁰.</p> <p>OGBL has a dedicated Immigrant department (<i>Département des immigrés</i>)²²¹, has recruited Portuguese, Italian, French, Belgian permanent syndicalist in cooperation with migrant organisations and through exchanges with trade unions of their countries of origin in order to boost migrant workers' membership. OGBL publications are available in French, German, English, Portuguese and sometimes Italian.</p> <p>On April 11th 2013, LCGB created a Portuguese section (<i>Section portugaise</i>)²²² in order to focus on the specific interests of the Portuguese-speaking members with information sessions in Portuguese on current topics and collaboration with the medias from Portuguese community (Radio Latina, Contacto newspaper). This trade union also has a dedicated commission for foreign residents and also has dedicated commissions for French, Belgian and German cross-border members. Between 2010 and 2014, LCGB has assured its presence at migrant events such as the Migration Festival and has collaborated with migrant organisations (like ASTI)²²³. OGBL supports and consults ASTI, CLAE and Confederation of the Portuguese community in Luxembourg (<i>Confédération de la communauté portugaise au Luxembourg, CCPL</i>) on the questions of immigration and migrant rights. Most recently LCGB has supported the MİNTE</p> |
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²²⁰ Luxembourg, Luxembourg Confederation of Christian Trade Unions (*Lëtzebuenger Chrëschtliche Gewerkschaftsbond - Confédération luxembourgeoise des syndicats chrétiens, LCGB*) Portuguese language briefing for Belgian frontier (*Réunion d'information en langue portugaise pour les frontaliers belges*) (03.02.2015), <http://frontaliersbelges.lu/2015/02/03/reunion-dinformation-en-langue-portugaise-pour-les-frontaliers-belges/>

²²¹ Luxembourg, OGBL Immigrant department (*Département des immigrés*), available at: <http://www.ogbl.lu/departement-des-immigres/>

²²² Luxembourg, Luxembourg Confederation of Christian Trade Unions (*Lëtzebuenger Chrëschtliche Gewerkschaftsbond - Confédération luxembourgeoise des syndicats chrétiens, LCGB*), Creation of a Portuguese section, 2013, available at: <http://lrgb.lu/2013/09/04/rencontre-entre-le-lrgb-et-son-excellence-monsieur-le-consul-general-du-portugal/>

²²³ Luxembourg, Luxembourg Confederation of Christian Trade Unions (*Lëtzebuenger Chrëschtliche Gewerkschaftsbond - Confédération luxembourgeoise des syndicats chrétiens, LCGB*), Activity report 2010-2014 (Rapport d'activités 2010-2014), available at: http://lrgb.lu/wp-content/uploads/2014/12/LCGB_aktivitaets_bericht_combined_FRZ_low.pdf

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| | | <p>platform's right to vote campaign (Platform Migration & Integration)²²⁴ for the upcoming referendum in June 2015 on voting rights for non-citizens in legislative elections.²²⁵</p> <p>For social elections, the campaign was extended outside the national borders: information sessions and billboards were seen in France, Belgium, Germany, campaign pamphlet were offered in several languages.</p> <p>In 2013 OGBL translated a brochure on the rights of workers and pensioners who travel in Europe, entitled "Passport rights", in collaboration with Italian trade union into 5 languages ²²⁶. Reports and other brochures are often available in French and also Portuguese.</p> <p>Members of Immigrants department of the OGBL participate in the work of the Chamber of Employees, the National Council for Foreigners and the Working Group of the ETUC Migration (European Trade Union Confederation) and Advisory Committees on free movement of workers and social security of the European Union.²²⁷</p> |
| | <p>What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers</p> | <p>In 2010 a STATEC survey of the labour force (<i>enquête sur les forces de travail</i>) provided with the following information: employees born in Luxembourg make up 53% of membership. For employees born in Portugal the percentage is 35%, for Belgians- 28%, for Germans – 23, for French -19. ²²⁸</p> <p>According to the OGBL Immigrant department, the majority of registered TCN syndicalists are of ex-Yugoslav and Cap-Verdean origin (altogether 3000 persons out of 63 500 syndicalists)²²⁹. They are essentially present in economic sectors like construction, hotel and hospitality industry and cleaning services.</p> |

²²⁴ Luxembourg, Platform Migration&Integration (Plate-forme Migration&Integration), Statement in favour of voting rights for all Luxembourg residents. available at: http://www.asti.lu/wp-content/uploads/2015/02/argumentaire_resume_en.pdf

²²⁵ Luxembourg, Luxembourg Confederation of Christian Trade Unions (Lëtzebuurger Chrëschtliche Gewerkschaftsbond - Confédération luxembourgeoise des syndicats chrétiens, LCGB), LCGB supports the initiative of the Migration and Integration platform minte "Yes" to voting (Le LCGB soutient l'initiative de la plateforme Migration et Intégration MINTE : « Oui » au droit de vote) (10.02.2015), available at: <http://lrgb.lu/2015/02/10/le-lrgb-soutient-linitiative-de-la-plateforme-migration-et-integration-minte-oui-au-droit-de-vote/>

²²⁶ Luxembourg, Independent Trade Union Confederation of Luxembourg (Onofhängege Gewerkschaftsbond Lëtzebuerg (OGB-L Confédération syndicale indépendante du Luxembourg, OGBL), Passport of Rights, www.ogbl.lu/passeport-des-droits/

²²⁷ Luxembourg, Independent Trade Union Confederation of Luxembourg (Onofhängege Gewerkschaftsbond Lëtzebuerg (OGB-L Confédération syndicale indépendante du Luxembourg, OGBL), Activity Report 2009-2013 (Rapport d'activité 2009-2013) available at: www.ogbl.lu/rapport-dactivite-2009-2013/

²²⁸ Luxembourg, The National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2011), Economic notebook 2012; Work Report and 2011 Social Cohesion (*Cahier économique 2012, Rapport Travail et Cohésion sociale 2011*), available at: www.statistiques.public.lu/catalogue-publications/cahiers-economiques/2011/PDF-Cahier-112-2011.pdf

²²⁹ Luxembourg, Gerstnerova A. et Rodriguez F. (2014), semi-structured interviews with representatives of OGBL Immigrant department within the framework of the project named "Reinforcement of Cap-Verdean capacities in the management of migrations and business opportunities in Cap-Vert (Renforcement des capacités du Cap-Vert dans la gestion des migrations et des opportunités d'affaires au Cap-Vert). Project No.: DCI-MIGR/2010/258-612.

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| | represented and degree of association). | |
| | trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers. | Yes OGBL ²³⁰ : 2 delegates of the Immigrant department in their national congress, 1 representative in the National committee, 1 in the executive committee. Manuel da Silva Bento, Portuguese, is elected representative and vice-president in the Chamber of employees (<i>Chambre de salariés</i>) ²³¹ |
| | Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender? | According to a study, marital status of employees has an impact on the rate of unionisation. The unmarried are less likely to be members of unions (35%) than married workers (44%) and those who were married (45%). ²³² Among managers, union density is particularly low, i.e. 16%. For other groups, the rates vary between 37% and 52%. The largest union density is among registered artisans and drivers. ²³³ According to another study ²³⁴ , persons over 35 year olds are more likely to be members of a trade union than younger workers. Workers with a middle-school degree are more likely to be members than workers with a high or low education. Luxembourg's work market is very segmented: Luxembourgish workers mainly work in the public sector, public establishments or public companies (88% have Luxembourgish nationality). Immigrant residents work mainly in construction, domestic services, National Federation of hotel, restaurant and bar owners (Fédération Nationale des Hôteliers, Restaurateurs et Cafetiers – Horesca) ²³⁵ whereas cross-border workers work in industry, company services and commerce. 63% of civil servants are members of a trade union, 61% of workers in transportation, 60% in education, 48% in industry, 39% in construction, whereas only 25% in commerce and only 24% in Horesca 53% of Luxembourgish-born residents are members of a trade union, 35% of Portuguese, 27% of Belgians, 24% of Germans, 19% of French, 30% of all the other nationalities in 2010 ²³⁶ . |

²³⁰ Luxembourg, OGBL composition of the Executive board, available at: <http://www.ogbl.lu/composition-de-lactuel-bureau-executif/>

²³¹ Luxembourg, Chamber of employees Committee (*Comité de la Chambre de salaries*), available at: <http://www.csl.lu/fonctionnement/comite>

²³² Luxembourg, The National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2011), Economic notebook 2012; Work Report and 2011 Social Cohesion (*Cahier économique 2012, Rapport Travail et Cohésion sociale 2011*), (p.131), available at: www.statistiques.public.lu/catalogue-publications/cahiers-economiques/2011/PDF-Cahier-112-2011.pdf

²³³ Luxembourg, The National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2011), Economic notebook 2012; Work Report and 2011 Social Cohesion (*Cahier économique 2012, Rapport Travail et Cohésion sociale 2011*), (p.131), available at: www.statistiques.public.lu/catalogue-publications/cahiers-economiques/2011/PDF-Cahier-112-2011.pdf

²³⁴ Luxembourg, Adrien, T., (2015), The borders of solidarity; trade unions and immigrants in the heart of Europe (*Les frontières de la solidarité Les syndicats et les immigrés au cœur de l'Europe*), Res Public, available at: www.pur-editions.fr/couvertures/1420727208_doc.pdf

²³⁵ Luxembourg, National Federation of hotel, restaurant and bar owners (*Fédération Nationale des Hôteliers, Restaurateurs et Cafetiers*), available at: <http://www.horesca.lu/>

²³⁶ Luxembourg, Ries, J., (2011), Look at Syndicalisation in Luxembourg, (*Regards sur la syndicalisation au Luxembourg*), STATEC, available at: www.statistiques.public.lu/catalogue-publications/regards/2011/PDF-12-2011.pdf

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| | | Luxembourgish born are most likely to work in the public sector, which has the most members in trade unions. One reason can be that this trade union has lower subscription fees than the other trade unions. ²³⁷ |
| | Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations: | |
| Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)? | | <p>No. According to one of the reports, in the previous decade, the recruitment of EU nationals in socio-economic sector was silenced down²³⁸. The Economic and Social Council (ESC, <i>le Conseil économique et social, CES</i>) of the Grand Duchy of Luxembourg, was among first institutions to draw attention to this. The Economic and Social Council, which is the permanent advisory body of the government in economic and social policy of the country is the central organ of reflection and permanent tripartite social dialogue and social and professional consultation at national level. ESC is under the authority of the Prime Minister and is funded through the budget of the Ministry of State. It was established by the Act of 21 March 1966²³⁹ and amended the act of 15 June 2004. ²⁴⁰</p> <p>One of the biggest changes happened with the adoption of the act of 10 March 2014. The law repealed Art.10, which stated that " the full and alternate members and the Secretary-General and the Secretariat staff must be of Luxembourg nationality"²⁴¹.</p> <p>No information on the limitations or barriers for the membership of migrant workers in professional, employer and scientific associations could be found.²⁴²</p> |
| Do professional associations encourage and support membership and participation of migrant professionals? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc. | | <p>Yes. Information is provided in various languages, besides official ones to attract non-citizens. Contacts and collaboration with countries of origin of migrants (in particular with Portugal, Cape-Vert and Italy) are highlighted. OGBL also founded its NGO called: OGBL – Trade Union Solidarity (<i>l’OGBL Solidarité Syndicale A.S.B.L</i>)²⁴³. For example, in Cap-Vert, OGBL-Trade Union Solidarity works with the Cap-Verdean main trade Union UNTC-CS (<i>l’UNTC-CS – Centrale Syndicale du Cap-Vert</i>) in order to ease the access to information</p> |

²³⁷ Luxembourg, Adrien, T., (2015), The borders of solidarity Trade unions and immigrants in the heart of Europe (*Les frontières de la solidarité Les syndicats et les immigrés au cœur de l’Europe*), Res Public, available at: www.pur-editions.fr/couvertures/1420727208_doc.pdf

²³⁸ Luxembourg, Luxembourg, Economic and Social Council ESC, *Conseil économique et social, CES*) Activity Report 2011-2013 (*Rapport d’activité 2011-2013*), (p.13), available at: www.ces.public.lu/fr/ces/historique/loi-2004.pdf

²³⁹ Luxembourg, available at: www.ces.public.lu/fr/ces/historique/loi-1966.pdf

²⁴⁰ Luxembourg, Economic and Social Council ESC, *Conseil économique et social, CES*) Activity Report 2011-2013 (*Rapport d’activité 2011-2013* available at: www.ces.public.lu/fr/ces/historique/loi-2004.pdf

²⁴¹ Luxembourg, Act of 10 March 2014 amending the amended Act of 21 March 1966 on the establishment of an Economic and Social Council) *Loi du 10 mars 2014 modifiant la loi modifiée du 21 mars 1966 portant institution d’un Conseil économique et social*), 18 March 2014.

²⁴² Luxembourg, we searched STATEC, Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, but no information could be identified.

²⁴³ OGBL – Trade Union Solidarity (*l’OGBL Solidarité Syndicale A.S.B.L*), description of undergoing activities available at: <http://www.solidaritesyndicale.lu/> and <https://www.facebook.com/solidaritesyndicale.lu>

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| | | about labour rights and social security to isolated populations in Cap-Vert. ²⁴⁴ In case of both OGBL and LCGB, special attention is paid to cross border workers and there is continuous work in that direction ²⁴⁵ . |
| | What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association) | Some information is available through European Values Study (EVS) database of 2008. Accordingly, 13% of Luxembourgers are involved in professional associations (type of professional associations is not specified). For non-luxembourgers (EU nationals and TCN counting together), it is 8%. ²⁴⁶ No information about the TCN themselves are available. |
| | Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced. | We could not find any limitations for migrants ²⁴⁷ /descendants as representatives of professional /scientific associations. |
| | Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender? | We checked a number of associations of different type, their status, and could not identify any specific regulations for migrants ²⁴⁸ . No research study could be identified to analyses differences of migrants' involvement in associations. ²⁴⁹ |

²⁴⁴ OGBL – Trade Union Solidarity (l'OGBL Solidarité Syndicale A.S.B.L), Project realized with Cap-Verdean main trade Union UNTC-CS called Access to information about labour rights and social security to isolated population in Cap-Vert through new technologies (Accès à l'information par le biais des nouvelles technologies à des populations isolées, sur la sécurité sociale et le droit du travail au Cap-Vert).

²⁴⁵ OGBL as well as LCGB provide special services for Belgian, French and German cross-border workers, available at: <http://www.ogbl.lu/fr/?pagename=blogs&tvar=frontalier> and <http://lcgb.lu/>

²⁴⁶ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.183), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

²⁴⁷ Luxembourg, we searched EMN Luxembourg, Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, but no information could be identified.

²⁴⁸ Luxembourg, The Association of Doctors and Dentists (L'Association des Médecins et Médecins-Dentistes), available at: www.ammd.lu/documentation, Luxembourg Federation of Independent Professional Workers (*Fédération Luxembourgeoise des Travailleurs Intellectuels indépendants*) www.fti.lu/index.php/presentation/organe-conseil-d-administration

²⁴⁹ Luxembourg, we searched EMN Luxembourg, Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, but no information could be identified.

3.5. Participation in social, cultural and public life

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| | <p>In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:</p> |
| <p>Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?</p> | <p>There are no limitations.²⁵⁰</p> <p>We checked a number of websites of media associations. For instance, all associations of Journalist²⁵¹ do not mention any legal limitation on the basis of nationality for members of journalist in their statuts: Access is given to anybody who is recognized as a journalist by the Press Council. The Press Council accredits as a journalist any person working as a journalist for a media company, not having been deprived of some of his/her civic rights (listed in Article 11 of the Criminal Code) and not having been convicted abroad for an offence that would, in Luxembourg, result in the deprivation of those same rights.²⁵² Even if there is no study or research to confirm this desk research about media associations, it is reasonable to assume that for organisations, that are particularly language specific (e.g. journalism, media, etc.) where competences in French, German languages are requested, nationals of these countries would be employed.</p> <p>In case of sport associations (e.g. cyclist²⁵³ or athletes' federation²⁵⁴), the Luxembourg Olympic Committee (regroups the sports federations) does not mention any legal barriers either: Is considered a "Luxembourgish athlete" an athlete who is qualified to represent Luxembourg or his/her federation in world championships/ European championships or international high-level competitions.²⁵⁵</p> <p>Luxembourg Football Federation (<i>Fédération Luxembourgeoise de Football</i>): Art 36-2 For official competitions (Fifa/Uefa) only players holding the</p> |

²⁵⁰ Luxembourg, We researched information on main immigration platforms of Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, but no information could be identified.

²⁵¹ Luxembourg, available at: , official page of the Luxembourg Association of Journalists (*Association Luxembourgeoise des Journalistes*), www.journalist.lu/index.php/statuts, Union of Journalists Luxembourg (Union des Journalistes du Luxembourg), available at: <http://www.etat.lu/memorial/1998/C/Pdf/c7772610.pdf#Page=43> and Syndicate of Journalists Luxembourg (Syndicat des Journalistes Luxembourg), available at: <http://www.etat.lu/memorial/2005/C/Pdf/c0215103.pdf#Page=42>

²⁵² Luxembourg, official page of the Luxembourg Press Council (Conseil de presse) available at: http://www.press.lu/informations/demande_carte_journaliste/

²⁵³ Luxembourg, official page of the Luxembourg Cycling Sports Federation (*Fédération du Sport Cycliste Luxembourgeois*) , available at: www.fscl.lu/comites/

²⁵⁴ Luxembourg, official page of the Luxembourg Athletics Federation (*Fédération Luxembourgeoise d'Athlétisme*), available at: www.fla.lu

²⁵⁵ Luxembourg, *Luxembourg Olympic and Sports Committee (Comité Olympique et Sportif Luxembourgeois)* (2014), Luxembourg Promotion of elite sport (*La promotion du sport d'élite*) available at: <http://teamletzebuerg.lu/wp-content/uploads/2014/08/COSL-Promotion-du-Sport-Elite-Conditions-générales.pdf>

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| | | <p>national citizenship can be nominated. For any other selection players holding a foreign nationality can also be nominated²⁵⁶.</p> <p>Since 2011, after being proceeded by the European Commission (which has been stopped for compliance) non-nationals are not obliged to reside in Luxembourg for a year as well as being covered (by health insurance) before joining a football club. However, they still have to prove that they are legally residing in an EU-country (Art.3)²⁵⁷</p> |
| | <p>Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p> | <p>No such information is available. ²⁵⁸</p> <p>RTL news bulletin subtitled in French and German, five minutes news summary in French available since 2008</p> <p>National Council on Programmes, National Council on Press and National Council on Advertisement do not mention anything related to third country nationals</p> |
| | <p>What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available)</p> | <p>There are no statistics on the percentage of migrant professional in sports association. On the website one can find a list of members and deduce origin from last name/country of origin.²⁵⁹</p> <p>No such specific information is available. There has not been done any such research on attracting migrants. Again, most of these professions are tied to language competences. TCN may be confronted with it as an obstacle. TCN comprise a small proportion of migrants (13%). This probably explains why there is low involvement of TCN in the society and small number of campaigns to attract their attention.</p> <p>The quantitative study of Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD) analysed a survey (data from 2009-2010) and found out that that non-nationals do not watch national TV. The reasons are: language and too specific topics of programmes : as in other cases, with such a high presence of foreigners living in the country, few speak Luxembourgish and thus are not interested in watching the channels in this language. Second, even though to most popular programmes (such as news) subtitles are offered in German or French, other programmes are either on Parliament debate (<i>Chambre des députés</i>) or regional programmes.</p> <p>The study underlines, that Italians and Portuguese</p> |

²⁵⁶ Luxembourg, Luxembourg Football Federation (*Fédération Luxembourgeoise de Football*) Workbook (*Classeur*), available at: www.flf.lu/getattachment/93470a42-4155-4453-a49a-6f0a11974663/Statuts_et_Reglements_classeur_2.aspx

²⁵⁷ Luxembourg, Football Federation (*Fédération Luxembourgeoise de Football*) Workbook (*Classeur*), available at: www.flf.lu/getattachment/2b72ebcd-78bc-46ce-b047-454da62ba9f7/Statuts_et_Reglements_classeur_1.aspx

²⁵⁸ Luxembourg, We researched information on main immigration platforms of Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, EMN Luxembourg, but no information could be identified.

²⁵⁹ Luxembourg, available at: <http://teamletzebuerg.lu/wp-content/uploads/2014/08/Composition-cadres-COSL-2015.pdf> ; <http://teamletzebuerg.lu/athletes/>

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| | watch national TV. They do so because "maintenance of diaspora groups in their respective national communities. People who watch channels targeting the national group to which they belong, are more often connected to their compatriots and have more chance to speak their native language in Luxembourg as those that have the same nationality but favouring others chains. They are also usually the native country of issue of popular channels." Also, people who watch Luxembourgish TV have Luxembourgish friends. ²⁶⁰ |
| Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced. | No such information is available. ²⁶¹ Ines Kurschat, secretary general of press council is of German origin. Artists may apply for the recognition of their status after 2 years of residency in the country (which would allow them to ask for social benefits) with no restriction on nationality. ²⁶² |
| Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals? | We could not identify such information ²⁶³ Migrant background of media professionals is not put forward so it is quite difficult to acknowledge a notable presence. Concerning TV presence, Luxembourg has a particular situation of only having one national channel where one TV Host is particularly known for her migrant background Monica Semedo, from Cap-Verdian origin ²⁶⁴ . Nonetheless there is no exact data on migrant background of media professionals |
| Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible | Activity Report of Ministry of Culture in 2013 ²⁶⁵ states as one of its priorities to avoid exclusion to events for financial, social or other reasons. It aims at integrating non-Luxembourgish residents in the cultural life through positive actions such as promoting cultural minorities, foster exchanges and raise awareness among the audience. It subsidises a number of intercultural events/artists with migrant background although no concrete data is available. Nonetheless a list with the beneficiaries in 2014 and 2015 is available where we found that a certain number of artists with migrant background and/or intercultural organizations |

²⁶⁰ Luxembourg Lamour, Ch., Lorentz, N. (2013), Nationalities and television practice in Luxembourg: an approach of "living together" in the mosaic (*Nationalités et pratiques télévisuelles au Luxembourg : une approche du "vivre ensemble" dans la mosaïque européenne*) CEPS/INSTEAD, 2013, Les Cahiers du CEPS/INSTEAD n°2013-07, (p.24), available at: www.ceps.lu/publi_viewer.cfm?tmp=2534

²⁶¹ Luxembourg, We researched information on main immigration platforms of Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD), OLAI, CEFIS, but no information could be identified.

²⁶² Luxembourg, Ministry of Culture (*Ministère de la culture*), Guide to artists, available at: www.mc.public.lu/soutien-activites-culturelles/guide1/pdf.pdf

²⁶³ Luxembourg, we searched Ceps, Statec, no such research has been done.

²⁶⁴ Luxembourg, Telecran magazine, Partly sunny (*Heiter bis wolkig*), available at: www.telecran.lu/index.php?load=Artikel&id=599&nav=TV&nav1=Monica%20Semedo:%20Die%20Wetterfee

²⁶⁵ Luxembourg, Activity Report of Ministry of Culture (Rapport d'activité 2013 du ministère de la Culture), available at: [https://www.gouvernement.lu/4279698/publications/?utf8=%E2%9C%93&publication_search\[page\]=1&publication_search\[object_ids\]=3982936&search_class=publication_search&publication_search\[facet_filter\]\[department\]\[\]=Minist%C3%A8re+de+la+Culture](https://www.gouvernement.lu/4279698/publications/?utf8=%E2%9C%93&publication_search[page]=1&publication_search[object_ids]=3982936&search_class=publication_search&publication_search[facet_filter][department][]=Minist%C3%A8re+de+la+Culture)

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| | objective information. | <p>are regularly subsidised (with no concrete data though)²⁶⁶.</p> <p>L'essentiel, a French-language newspaper, has 25 employees, 4 of them are of Luxembourgish nationals. 19 are French, either residing in Luxembourg or cross border workers.²⁶⁷</p> |
| | <p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.)</p> | <p>The single national TV channel broadcasts exclusively in Luxembourgish.</p> <p>Radio is predominantly Luxembourgish with the exception of Radio Latina Luxembourg²⁶⁸ that broadcasts in Portuguese for the most numerous migrant community (Portuguese nationals) and other Portuguese speaking migrants (originally from former Portuguese colonies in Africa including Cap-Vert). Newspapers are essentially German/French. However, some migrant associations produce their own newspapers for association members in their native languages - for example magazine Diwan²⁶⁹. Magazine DIWAN is for the most part written in Bosnian language. It is run by the Islamic Cultural Centre of the North - <i>Centre Culturel Islamique du Nord a.s.bl</i> and aims to present Luxembourgish society to the ex-Yugoslav community. The edition of the magazine DIWAN has been financially supported by OLAI²⁷⁰).</p> |
| | <p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?</p> | <p>1991 liberalisation of radio: since then, creation of some migrant media: Radio Latina²⁷¹, Radio Ara²⁷². (Programmes in various languages, such as Luxembourgish, Germany, French, Portuguese, English, Serbian, Bosnian, Russian, etc.)</p> <p>Written press: Portuguese newspaper Contacto, English Magazine Delano</p> <p>We specifically looked up information on broadcasting channels since it's the government who, on basis of public calls, attributes this frequenc bands and can specify certain criteria. The last official call for a radio frequency explicitly mentioned that broadcasting has to be in French ²⁷³The new radio licence has been recently attributed to initiators of a project "L'essentiel Radio" comprised of representatives of a Luxembourgish journal L'essentiel (Edita SA, L'essentiel) and owners of a Belgian radio "Must FM".The new radio station calls"RadioLux" (107.7 FM) and will broadcast primarily in French language²⁷⁴.</p> |

²⁶⁶ Luxembourg, Natural cultural fund, available at: www.focuna.lu/fr/Beneficiaires-2014; www.focuna.lu/fr/Beneficiaire-2014-suite; www.focuna.lu/fr/Beneficiaires-2015

²⁶⁷ Luxembourg, interview with an editor of the L'essentiel newspaper, a meeting on 27 March 2015.

²⁶⁸ Luxembourg, Radio Latina - 101.2 FM Luxembourg, available at: <http://www.radiolatina.lu/>

²⁶⁹ Luxembourg, Bosnian magazine Diwan, http://www.clae.lu/wp-content/uploads/2014/09/horizon_diwan.pdf

²⁷⁰ Luxembourg, Islamic Cultural Centre of the North - Centre Culturel Islamique du Nord a.s.bl, editor of magazine DIWAN, 2013.

²⁷¹ Luxembourg, Radio Latina - 101.2 FM Luxembourg, available at: <http://www.radiolatina.lu/>

²⁷² Luxembourg, Radio Ara, available at: <http://www.ara.lu/>

²⁷³ Luxembourg, Public call for the attribution of Broadcasting license, available at <http://www.legilux.public.lu/adm/b/archives/2015/0006/b006.pdf>, page 8 (304) sub B

²⁷⁴ Luxembourg, Attribution of a new licence to a French-language radio, available at: <http://www.gouvernement.lu/4798390/08-conseil-gouvernement>

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| <p>Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?)</p> | <p>Specific Portuguese newspapers (Contacto –weekly- and Correio – twice a month-) and radio station (Radio Latina) feature news with focus on the Portuguese-speaking community in Luxembourg, allowing them to be informed on the national topics as well as keeping the link with Portugal and other Portuguese-speaking countries. According to a 2013 survey by TNS-Ilres 13% of the respondents read Contacto and 5.3% listen to Radio Latina²⁷⁵.</p> <p>As Contacto is part of the same editorial group than Luxembourger Wort, the leading national newspaper, an online collaboration between the 2 newspapers has emerged: indeed wort.lu has developed a Portuguese edition of its website "Contacto por Luxembourger Wort"²⁷⁶ following Contacto's example in putting forward national topics with a focus on the Portuguese-speaking community (interview with Portuguese Ambassador, specific problematics faced by the Portuguese community, news from Portugal) but also promoting Luxembourgish events.</p> <p>Wort.lu also has its English edition. Moreover "Delano" is an English magazine, which has an impact especially on the expats living in Luxembourg. Among others it promotes Luxembourg's cultural life with its section "10 things to do this week"²⁷⁷ Radio Ara is an English-speaking radio station reaching 30,000 every week. Museums often try to reflect the diversity in society, with diversity-themed exhibitions like the French artist Sylvie Blocher's exhibition "s'inventer autrement"²⁷⁸ or by regularly honouring Portuguese/ with migrant background artists (Rui Moreira, Marco Godinho, Su-Mei Tse etc.). The Forum of Contemporary Art organizes "made-to-measure" guided tours²⁷⁹ in Portuguese and Spanish in order to attract the communities.</p> <p>Cultural centres and/or organisations regularly organize cultural weeks/events like for instance: Cultural weeks in Neimenster (Neumünster Abbey Cultural Centre - <i>Centre Culturel de Rencontre Abbaye de Neumünster</i>)²⁸⁰. Rocking Integration on Futuristic Festival (RIFF Festival)²⁸¹ and annual Festival of migrations, cultures and citizenship (<i>Festival des migrations, des cultures et de la citoyenneté</i>)²⁸² that promote the cultural diversity.</p> |
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²⁷⁵ Luxembourg, TNS (2013), Study TNS ILRES Plurimedia (*L'étude TNS ILRES PLURIMEDIA*) available at: www.tns-ilres.com/cms/tnsNewsAttachments/Communique_de_presse_etudeplurimedia_2013.pdf

²⁷⁶ Luxembourg, official page of Wort.lu newspaper, available at: www.wort.lu/pt

²⁷⁷ Luxembourg, official page of Delano magazine, available at: <http://delano.lu>

²⁷⁸ Luxembourg, Sylvie Blocher's exhibition "s'inventer autrement", available at: <http://www.mudam.lu/fr/expositions/details/exposition/sylvie-blocher-1/>

²⁷⁹ Luxembourg, "Made-to-measure" guided tours, Forum of Contemporary Art, available at: <http://www.casino-luxembourg.lu/en/Made-to-measure-guided-tours>

²⁸⁰ Luxembourg, Neumünster Abbey Cultural Centre - *Centre Culturel de Rencontre Abbaye de Neumünster*, available at: <https://www.neimenster.lu/>

²⁸¹ Luxembourg, Rocking Integration on Futuristic Festival (RIFF Festival), available at: https://europa.eu/youth/lu/article/43/12936_fr

²⁸² Luxembourg, Festival of migrations, cultures and citizenship (*Festival des migrations, des cultures et de la citoyenneté*), CLAE, available at: <http://www.clae.lu/festival/festival-des-migrations-des-cultures-et-de-la-citoyennete/>

3.5.1. Diversity in the public sector

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| | <p>In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:</p> <p>Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if and how these provisions are applied in practice.</p> | <p>Third country nationals can only be contracted employees in the public sector. Contracted employee (<i>salarie</i>) could be any national, i.e. Luxembourgish or EU member, or a third country national with a working permit.</p> <p>He/she needs to prove that he/she:</p> <ul style="list-style-type: none"> • enjoys civil and political rights • meets the conditions of study and professional training required • meets the conditions of physical and mental ability required for the performance of employment • has the necessary language skills <p>If public policy permits and all legal requirements are met, foreign employees may be hired.²⁸³</p> <p>State employees (<i>employé/e de l'état</i>) could be of a Luxembourg nationality or a national of a Member State who successfully passed the admission exam (<i>examen-concours</i>) composed of a language test in the 3 official languages and a general knowledge exam (general knowledge, Luxembourgish history and culture, functioning of the State). Indeed to become a State employee, the applicant has to speak all the 3 official languages²⁸⁴.</p> <p>Candidates for positions in public administration as civil servants (<i>fonctionnaire</i>) could be of a Luxembourg nationality or a national of a Member State. Candidates for civil servants' positions (<i>fonctionnaires</i>) in public administration must undergo a competition test²⁸⁵.</p> |
| | <p>Please indicate if citizens of migrant descent can also be affected by limitation – e.g. on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.</p> | <p>There is a general rule that applies: in addition to special conditions determined by the laws and regulations, an applicant to state service should:²⁸⁶</p> <ul style="list-style-type: none"> • be a national of a Member State of the European Union, • enjoy civil and political rights, • offer the character requirements, • satisfy the conditions of study and training, <p>Also, the applicant, prior to an admission course, should demonstrate proven knowledge of three</p> |

²⁸³ Luxembourg, Government Order in Council of 19 December 2008 approving the collective contract of state workers of 19 December 2008 (*Arrêté du Gouvernement en Conseil du 19 décembre 2008 portant approbation du contrat collectif des ouvriers de l'Etat du 19 décembre 2008*), 27 December 2008.

²⁸⁴ Luxembourg, Government Order in Council of 19 December 2008 approving the collective contract of state workers of 19 December 2008 (*Arrêté du Gouvernement en Conseil du 19 décembre 2008 portant approbation du contrat collectif des ouvriers de l'Etat du 19 décembre 2008*), 27 December 2008.

²⁸⁵ Luxembourg, Government Order in Council of 19 December 2008 approving the collective contract of state workers of 19 December 2008 (*Arrêté du Gouvernement en Conseil du 19 décembre 2008 portant approbation du contrat collectif des ouvriers de l'Etat du 19 décembre 2008*), 27 December 2008.

²⁸⁶ Luxembourg, Act of 18 December 2009 (*Loi du 18 décembre 2009*), 22 December, 2009.

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| | | <p>administrative languages as defined by the act of 24 February 1984²⁸⁷ on the language regime, except for jobs to be determined by Grand Ducal Regulation²⁸⁸, for which the knowledge of one or the other of these languages is not considered necessary because of the nature and level of responsibility of those jobs. Half of the questions for the examination for admission to the course of the administrative and scientific functions are in the Luxembourgish language.²⁸⁹</p> <p>However, there are limitations in certain cases, when "a Luxembourgish nationality is required for jobs that involve direct or indirect participation in the exercise of public power and duties designed to safeguard the general interests of the State or other persons corporations under public law" (Art.2.3)²⁹⁰</p> <p>The act of 13 February 2011 on elections, which opened access to municipal mandates for non-EU nationals, also allows a municipally elected non-Luxembourger to be mayor and aldermen (<i>bourgmestre et échevin</i>).²⁹¹</p> <p>Grand Ducal regulation of 14 July 2003 specifies that police executive (<i>cadre supérieur policier</i>) (Art.2) police sergeants (<i>des inspecteurs de police</i>) (art 8), and police inspectors (<i>brigadiers de police</i>) (art 29) should be of a Luxembourgish nationality.²⁹²</p> <p>Judges, bailiff professionals should have a Luxembourgish nationality.²⁹³ Additionally, language requirements are laid as well; they should speak official languages and English. The act of 16 December 2011²⁹⁴ amended the law by stating that notary could be of Luxembourg nationality or a national of a Member State of the European Union and have the</p> |
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²⁸⁷ Luxembourg, Act of 24 February 1984 on the language regime (Loi du 24 février 1984 sur Le régime des langues), 27 February 1984.

²⁸⁸ Luxembourg, Grand Ducal Regulation of 12 May 2010 amending the Grand-Ducal regulation of 30 January 2004 on the organisation of exam-competition for admission to the course of the administrative and scientific functions of state administrations and public institutions (*Règlement grand-ducal du 12 mai 2010 modifiant le règlement grand-ducal modifié du 30 janvier 2004 portant organisation des examens-concours pour l'admission au stage des fonctions administratives et scientifiques de la carrière supérieure des administrations de l'Etat et des établissements publics*), 25 May 2010.

²⁸⁹ Luxembourg, Grand Ducal Regulation of 12 May 2010 amending the Grand-Ducal regulation of 30 January 2004 on the organisation of exam-competition for admission to the course of the administrative and scientific functions of state administrations and public institutions (*Règlement grand-ducal du 12 mai 2010 modifiant le règlement grand-ducal modifié du 30 janvier 2004 portant organisation des examens-concours pour l'admission au stage des fonctions administratives et scientifiques de la carrière supérieure des administrations de l'Etat et des établissements publics*), 25 May 2010.

²⁹⁰ Luxembourg, Act of 18 December 2009 (*Loi du 18 décembre 2009*), 22 December, 2009.

²⁹¹ Luxembourg, Act of 18 February 2003 on elections (*Loi électorale du 18 février 2003*).

²⁹² Luxembourg, Grand Ducal Regulation of 14 July 2003 laying down the conditions and terms of career changes policeman framework (*Règlement grand-ducal du 14 juillet 2003 fixant les conditions et les modalités des changements de carrière du cadre policier*).

²⁹³ Luxembourg, Ministry of Justice (*Ministère de la Justice*), On notary, available at:

www.mj.public.lu/professions/notaire/index.html

²⁹⁴ Luxembourg, Act of 16 December 2011 amending the Act of 9 December 1976 on the organisation of notary (*Loi du 16 décembre 2011 portant modification de la loi modifiée du 9 décembre 1976 relative à l'organisation du notariat*), 27 December 2011.

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| | | enjoyment of civil rights and the exercise of political rights (Art.2). |
| | Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any. | No such information is available for TCN. There is a recent study on employees (<i>salariés</i>) in the country. Accordingly, A study (2015) provided analysis of employees in the private sector. Accordingly among employees (<i>salariés</i>), 27% are non-citizens working and living in Luxembourg; 28% are Luxembourg nationals living in Luxembourg and 44% are cross border workers. ²⁹⁵ No % of TCN could be identified. Some information is available, such as: 88% of the Luxembourgger workers in public administration, 8.1% non-citizens, 3.5% cross border workers. In education, - about 85.5% are Luxembourgers; about 10% are non-citizens, about 4.5% are cross border workers (2008) ²⁹⁶ . |
| | Please indicate any affirmative action and positive action either for third country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education. | Third country nationals, wishing to work in Luxembourg (contracted employees) must undergo Labour market test. There are, moreover, groups, that are exempts for LMT, they are: sports professionals, interoperate transfers, posted workers and highly skilled workers (EMN 2013) ²⁹⁷ |

3.6. Political activity – active citizenship

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| | Membership and participation of migrants in migrant and/or diaspora organisations and associations: | |
| | Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations? | No. as it is seen in the information developed in detail below, there are a lot of organisations with migrants/ migration background including third country nationals. |
| | Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative | A.Organisations <u>FOR</u> promoting migrants' rights, including work <u>with</u> national stakeholders. 1. Support Association for immigrant workers |

²⁹⁵ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques*) (2015), Information on recent statistics (*Information statistiques récentes*) , STATEC, 7-2015, available at: www.statistiques.public.lu/fr/actualites/population/travail/2015/03/20150316/20150316.pdf

²⁹⁶ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques*) (2015), Information on recent statistics (*Information statistiques récentes*) (2009), Puclic Sector, (*Le secteur public*), Working papers STATEC No. 34 Working papers du STATEC N° 34, available at: http://orbi.uni.lu/bitstream/10993/7034/1/34_2009.pdf

²⁹⁷ European Commission, European Migration Network, Approaches and tools used by Member States to identify labour market needs, available at: www.emnbelgium.be/sites/default/files/publications/emn_inform_to_summarse_ahq_lmt_final.pdf

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| <p>ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p> | <p>(<i>Association de Soutien aux Travailleurs Immigrés, ASTI</i>)²⁹⁸, a nongovernmental organisation that fights for equal rights of non citizens. ASTI supports people with a range of problems, such as with a work permit, residence permit, visa, etc. They are active in working on the legislative level (giving their opinion), realising integration projects, working with stakeholders at national level (OLAI) as well as on local level (working with Consultative Commissions on Integration (<i>Commissions consultatives d'intégration</i>) in communes). ASTI has several projects within it, including the Information for Migrants Desk (<i>Guichet Info-Migrants</i>)²⁹⁹, where two social workers are engaged, provides information procedural immigration applications. ASTI developed a platform www.bienvenue.lu which is a searchable web platform in 9 languages. They also provide leaflets on Luxembourg and fact sheets on the procedures³⁰⁰. ASTI works with OLAI on the National Action Plan on Integration and against Discrimination, as well as on the Welcome and Integration Contract; it organises training seminars³⁰¹. ASTI is run by Luxembourgers with a migration background, migrants and Luxembourgish nationals. There is a president and 9-19 members in the organisation.</p> <p>2. Liaison Committee of Associations of Foreigners (<i>Comité de Liaison des Associations d'Etrangers, CLAE</i>)³⁰² is an associative platform created in 1985, is campaigning for a residence citizenship for the recognition and appreciation of the cultures of migrants. CLAE works intensively with almost all ministries for the questions of immigration. The committee, composed of community representatives meets once a month to monitor the activity carried out both at the political level and in services of the associations. The organisation has 6 activity directions:</p> <ul style="list-style-type: none"> • intercultural projects (Festival of migrations, cultures and citizenship, cultures and citizenship, Book and |
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²⁹⁸ Luxembourg, Support Association for immigrant workers (*Association de Soutien aux Travailleurs Immigrés, ASTI*), available at: <http://www.asti.lu/>

²⁹⁹ Luxembourg, Information for Migrants Desk (*Guichet Info-Migrants*), ASTI, available at: <http://www.asti.lu/2010/03/07/guichet-dinformation-www-bienvenue-lu/>

³⁰⁰ Luxembourg, Newsletters, ASTI, available at: <http://www.asti.lu/newsletters/>

³⁰¹ Luxembourg, Welcome and Integration Contract, ASTI, available at: <http://www.asti.lu/bienvenue/accueil-et-integration/contrat-daccueil-et-dintegration/>

³⁰² Luxembourg, Liaison Committee of Associations of Foreigners (*Comité de Liaison des Associations d'Etrangers, CLAE*), available at:

http://www.google.be/url?url=http://www.clae.lu/&rct=j&q=&esrc=s&sa=U&ei=pc5EVZD0LtD5as_qgYgP&ved=0CBcQFjAA&sig2=4Z-p2f9J0HoY6KRpb2VZiQ&usg=AFQjCNFQLFzaLbWiGqT3GNO9719tnZb-ZQ

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| | | <p>Culture Fair, Salon of Cultures and Contemporary Arts, Music Festival and Cultures, Meeting Without Borders, etc.);</p> <ul style="list-style-type: none"> • training (associative training, leadership training, French language courses); • information (Website, Horizon, radio programs, newsletter, promotion of community activities, etc.); • support for associations (statutes, administrative guidance and procedures, promotion of associations activities, project monitoring, etc.); • reception, information, support; • managing Internet platform on computer literacy, group classes, referrals to other services, working area of work with the youth.³⁰³ <p>CLAE works with OLAI on the National Action Plan on Integration and against Discrimination, as well as on the Welcome and Integration Contract (WIC); it organises training seminars. CLAE is run by Luxembourg nationals with a migration background, migrants and Luxembourg nationals. It includes 16 members in the organisation and 90 associated members from other organisations. It is approved by the Ministry of Family and Integration.</p> <p>B. Organisations that aim to create network and collaboration with similar organisations.</p> <ul style="list-style-type: none"> • House of associations (<i>Maison des associations</i>)³⁰⁴ is a project of diverse federations of migrant associations (Portuguese, Cap-Verdean, African, Spanish, etc.)³⁰⁵. Its aim is to strengthen migrant associations and assist them in their intercultural projects and thus contribute to social cohesion of the Luxembourgish society. <p>Some projects are realized in the name of the House of association itself like Millefeuilles - Intercultural Literary Evening (<i>Millefeuilles – Soirées littéraires interculturelles</i>)³⁰⁶ that is financially supported by OLAI This projet aims to promote intercultural meetings between TCN and Luxembourgers via creative cultural</p> |
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³⁰³ Luxembourg, Liaison Committee of Foreign Associations (*Comité de Liaison des Associations d'Etranger*) (2014), Activity Report 2013 (*Rapport d'activités 2013*) available at: http://paperjam.lu/sites/default/files/old-files/fichiers_contenus/rapports_annuels/2014/clae_fr_2013.pdf

³⁰⁴ Luxembourg, House of associations (*Maison des associations*), available at: <http://www.google.be/url?url=http://www.maisondesassociations.lu/&rct=j&q=&esrc=s&sa=U&ei=q89EVYbQHdLZas62gbAB&ved=0CBQQFjAA&sig2=Er9fZ12OwFuuYJtfG-SyJg&usg=AFQjCNGV8UpiDr-K1lxUt4HNI2HzFJ-Fig>

³⁰⁵ Luxembourg, Members of House of associations (*Maison des associations*), available at: <http://www.maisondesassociations.lu/associationslux.html>

³⁰⁶ Luxembourg, Millefeuilles - Intercultural Literary Evening (*Millefeuilles – Soirées littéraires interculturelles*), House of associations (*Maison des associations*), available at: <http://www.maisondesassociations.lu/millefeuillesfei.html>

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| | | <p>evenings. House of associations also organizes World Cuisine displaying 46 participants, eager to go to discover the gastronomic delights of the various cultures. The organization relies on the work of volunteers. Via European Volunteer Service, they are able to invite up to 2 volunteers per year³⁰⁷.</p> <p>C. National/ethnic/geographic/religious organisations:</p> <ul style="list-style-type: none"> • Confederation of the Portuguese Community in Luxembourg (<i>Confédération de la communauté portugaise au Luxembourg, CCPL</i>)³⁰⁸ united people of Portuguese origin. Their activities include the aim to integrate the Portuguese and their organizations as legal entities in the Luxembourg society. • Russian Club of Luxembourg³⁰⁹ is a cultural and social networking platform; the club organises events for Russian-speaking expats, as well as establishing a Russian school and helping compatriots settle in the Grand Duchy. It includes 20 members from former Soviet Union Republics, who speak Russian. • African house (<i>Maison d'Afrique</i>)³¹⁰ counting more than a 100 members works on different projects that improve integration of African immigrants and other TCN communities in the Luxembourgish labour market (project United for employment – <i>Unis vers l'emploi</i> focusing the TCN unemployed youth)³¹¹ and into the Luxembourgish society. One of the principal activities of the African house is the realization of language courses (they cost 3 Euros per hour or they are free of charge for people in financial difficulties). Once a week, there are courses of Luxembourgish, German, and English and twice a week there are courses of French³¹². African house realizes also educational projects in countries of origin, especially in Cap-Vert (Solidarity trainers - <i>Formateurs solidaires</i> - focusing on the reinforcement of entrepreneurial and linguistic skills of Cap-Verdeans in Cap-Vert)³¹³. • Shura (<i>Shoura</i>), official representant of the |
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³⁰⁷ Luxembourg, European Volunteer Service, House of associations (*Maison des associations*), available at : <http://www.maisondesassociations.lu/Sve.html>

³⁰⁸ Luxembourg, Confederation of the Portuguese Community in Luxembourg (*Confédération de la communauté portugaise au Luxembourg, CCPL*), available at: http://www.ccpl.lu/index.php?option=com_content&view=article&id=13&Itemid=28&lang=fr

³⁰⁹ Luxembourg, Russian Club of Luxembourg, available at: <http://club.russki.lu/>

³¹⁰ Luxembourg, African house (*Maison d'Afrique*), available at: <http://www.maisondafrique.lu/site23/>

³¹¹ Luxembourg, United for employment – *Unis vers l'emploi*, African house (*Maison d'Afrique*), Financial support offered by Delhaize Fund, Realization: 2nd 2015- 31st May 2015, available at: <http://www.maisondafrique.lu/site23/index.php/projets/unis-vers-l-emploi>

³¹² Luxembourg, African house language courses, information available at: <http://www.maisondafrique.lu/site23/index.php/cours>

³¹³ Luxembourg, African house (*Maison d'Afrique*), Presentation of the project Solidarity trainers - *Formateurs solidaires*, available at: <http://www.maisondafrique.lu/site23/index.php/projets/formateur-solidaire>

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| | | <p>Muslim community in Luxembourg, joins people of Muslim faith (especially from former Yugoslav countries as well as Marocco) and represents their interests at the national level (vis-à-vis the Luxembourg authorities). Among others, since 2007 Shura helped to get recognized the religion of Islam in the Grand-Duchy of Luxembourg (Islam has been officially recognized by the Luxembourgish gouvernement in January 2015)³¹⁴. Shura has 12 members representing 6 cultural centres and mosques (2 members per institution)³¹⁵, all of a migrant origin.</p> <ul style="list-style-type: none"> • Islamic Cultural Centre of the North - <i>Centre Culturel Islamique du Nord a.s.bl.</i> unites in particular Bosnian believers. It offers religious education for children, organises prayers and cultural events in the country. Islamic Cultural Centre of the North also promotes the intercultural understanding between the Bosnian community and representatives of the Luxembourgish society (magazine DIWAN³¹⁶ – see the section 3.5.). It collaborates with CLAE and OLAI. The main office is located in the city Mamer, other offices are located across the country. Their workers are volunteers and have a migration background. Luxembourg Institute of Socio-Economic Research – LISER (former CEPS/INSTEAD) current research results show that social contacts created and maintained within religious cults are rather important among TCN from developing countries³¹⁷. • There are migrant associations for a big number of nationalities in Luxembourg that are grouped on the geographical proximity basis (Anglo Saxon, Scandinavian, Spanish, French, Italian, and Dutch).³¹⁸ <p>D. Professional activities associations</p> <ul style="list-style-type: none"> • American Chamber of Commerce in the Grand Duchy is the main actor for promoting integration measures, activities in the business sector among foreigners. Besides having national and international business partners by the side, they disseminate integration measures of the state in the business sector; they work with OLAI (projects on the perception of the |
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³¹⁴ Luxembourg, Recognition of religion of Islam in Luxembourg, available at: <http://www.librairie-boutique-musulmane.com/blog/2015/01/27/communique-l-islam-enfin-reconnu-au-luxembourg.html>

³¹⁵ Luxembourg, Shura member associations: Centre Islamique au Luxembourg (CIL) à Luxembourg-ville, Association Islamique Culturelle du Sud (AICS) à Esch-sur-Alzette, Association Islamique de Luxembourg à Bonnevoie, Centre Culturel Islamique « Nordstad », à Diekirch, Association Islamique le Juste Milieu (LJM) à Bonnevoie, Centre Culturel Islamique de Luxembourg (CCIL) à Mamer (reference : vice-president of Shura, Jean-Luc Karleskind, 2012).

³¹⁶ Luxembourg, Bosnian magazine Diwan, http://www.clae.lu/wp-content/uploads/2014/09/horizon_diwan.pdf

³¹⁷ Luxembourg, Valentova M. and Alieva A. (2015), Social and structural integration of TCN and other immigrants in Luxembourg (*Intégration structurelle et sociale des ressortissants de pays tiers et d'autres immigrants au Luxembourg*), (p.92)

³¹⁸ Luxembourg, Just arrived: practical guide for residents, available at: www.justarrived.lu/en/i-am-in-luxembourg/practical-and-useful/associations-2

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| | | <p>politicians in the foreign community realise projects under EIF (through OLAI). They have 3 full time employees, some have a migrant background.³¹⁹</p> |
| | <p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p> | <p>There are no data on the participation of migrants and their descendants.³²⁰ After having looked at the available information about the associations (their statuses, member biographies, their participation with other organisations, etc.) it is possible to state that all organisations have migrants/ migrant descendants as their members. For instance, ASTI is run by Luxembourgish nationals with a migration background (Asti president has an Italian background). Employees of CLAE also have a number of employees with a migration background.³²¹ Employees from Russian Club are of Russian/ Ukrainian origin (1st generation migrants). Shura members have a migration background. The majority of the Shura board members (12 persons) are either born in Bosnia, Serbia, Kosovo, Croatia or to parents of that origin³²². Members of 6 cultural centres and mosques (that take part of Shura) count also essentially migrants of ex-Yugoslav origin. However, we can find among their members also numerous Muslim from the North African Arab countries (Reference: Vice-president of Shura, Jean-Luc Karleskind, 2012).</p> <p>On 13-15 March 2015, CLAE organised an annual Festival of migrations, cultures and citizenship (<i>Festival des migrations, des cultures et de la citoyenneté</i>)³²³, during which a number of conferences, panel debates took place. Most of the presenters were from migrant organisations, trade unions. During these events, presenters related to their personal migrant background too (CLAE, Caritas, ASTI, and two trade unions) Such an observation confirms the work of migrations, citizens with a migration background in migrant associations.</p> |
| | <p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level?</p> | <p>All organisations comprise a network /or they related to each other to some extent. ASTI/CLAE are in tight cooperation with OLAI (under the Ministry of Family and Integration). OLAI recommends, ask for consultations, cooperates with most of these organisations; they realised European and national projects (EIF, or ERF) which is managed by OLAI. Even if these organisations are non governmental</p> |

³¹⁹ Luxembourg, Information was provided upon request via telephone, 18 of March, 2015.

³²⁰ Luxembourg, However, some information is discernable. Those organisation, that provide information on their memebers, include names, languages spoken, educational background, that allows us to follow, without going into too much indepth research, the cases when memebers have a distincs migration bacground, even though such information does nto tell us which generation they belong to, or whether they are luxembourgish nationals.

³²¹ Luxembourg, We can only describe it by the names of Italian and Portuguese origin, we cannot say whether they are of 1 or 1,5 or 2 generation., available at: www.wort.lu/fr/luxembourg/furio-berardi-confirme-a-la-tete-du-clae-50587c85e4b0ce68cbde6d4b

³²² Luxembourg, such informaiton again is inderect as it was obtained from the biorgaphies of the memebers; the languages they regard as their mother tongues, and the competences in 3 official languages of Luxembourg.

³²³ Luxembourg, Festival of migrations, cultures and citizenship (Festival des migrations, des cultures et de la citoyenneté), CLAE, available at: <http://www.clae.lu/festival/festival-des-migrations-des-cultures-et-de-la-citoyennete/>

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| | (e.g. network of migrant associations.) | <p>ones, their functioning is largely linked to national request and projects realisation (especially ASTI and CLAE, CEFIS).</p> <p>As has been mentioned above, CLAE is an associative platform; it includes virtually all migration organisations. Every 5 years, CLAE organises Congress of 70 organisations to develop insights, develop practices on immigration issues in the society.³²⁴</p> <p>For various projects, ASTI joins a pool of organisations to maximise the reachability and targeted aims of projects. For instance, their project Partner for Intercultural Integration (<i>Partenaire pour l'intégration interculturelle</i>) includes more than 40 organisations.³²⁵ Other, smaller organisations join each other for cooperation on certain projects too (e.g. CCPL joins for the project Millefeuilles realised by House of associations).</p> |
| Membership and participation of migrants in civil society organisations and voluntary work: | | |
| | Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations? | <p>No legal limitation.</p> <p>In the Grand-Duchy of Luxembourg in order to formalize the creation of a non-profit association (<i>associations sans but lucratif – ASBL</i>), it has to be registered at the Registry of Commerce and Companies of the Grand Duchy of Luxembourg (Registre de Commerce et des Sociétés - RCSL)³²⁶. The registration counts between 38 and 78 Euros³²⁷. However, high number of migrant associations is not registered³²⁸. Within some migrant communities (as sub-Saharan Africans), the majority of associations have unofficial character³²⁹.</p> |
| | Do civil society organisations encourage and support membership and participation of migrants and/or their | While the third country nationals are very little active in a political life ³³⁰ , they are usually very active in the migrant associative life (almost 90% of them regularly participate in associative activities ³³¹). Interviews with |

³²⁴ Luxembourg, Liaison Committee of Foreign Associations (*Comité de Liaison des Associations d'Etranger*) (2011), Congress and associations from heirs of immigration (Congrès des associations issues et héritières de l'immigration) available at: www.clae.lu/claе/#congres

³²⁵ Luxembourg, Association for the Support of Immigrant Workers (*Association de Soutien aux Travailleurs Immigrés, ASTI* partners, available at: www.bienvenue.lu/page.php?url=partenaires

³²⁶ Luxembourg, Registry of Commerce and Companies of the Grand Duchy of Luxembourg (Registre de Commerce et des Sociétés - RCSL), available at: <https://www.rcsl.lu/mjrscs/jsp/IndexActionNotSecured.action?time=1430565222420&loop=2>

³²⁷ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 182-184). ISBN: 978-2-343-02297-0.

³²⁸ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 182-184). ISBN: 978-2-343-02297-0.

³²⁹ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 182-184). ISBN: 978-2-343-02297-0.

³³⁰ Luxembourg, Manço A., Gillen I., Mertz F. (2015), *Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014)*, CEFIS.

³³¹ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 52). ISBN: 978-2-343-02297-0.

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| | <p>descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p> | <p>associative members (ASTI, African house) and CEFIS show that TCN migrants tend to join each other according to their cultural, ethnic or religious background in order to overcome some existential difficulties as well as to enjoy their origins³³². To some extent, migrant associations work as "self-help groups"³³³ and do not need any special publicity to draw attention of their members. Word-of-mouth advertising works the best (Reference: President of African House).</p> |
| | <p>Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).</p> | <p>In case of the two biggest TCN communities residing in Luxembourg (ex-Yugoslav and Cap-Verdean), there are about 80 ex-Yugoslav associations and 30 sub-Saharan associations (including Cap-Verdean associations – it should be noted that in 2014, two-thirds of sub-Saharan immigrants were Cape Verdeans in the Grand Duchy of Luxembourg)³³⁴. In the last two decades, a number of associations of sub-Saharan and ex-Yugoslav migrants were created to deal with the most pressing concerns of their community members (accommodation, unemployment, papers, accidents of their family members in the country of origin, etc.)³³⁵. While the sub-Saharan associations continue to solve existential socio-economic problems, the ex-Yugoslav associations have taken a different direction and transformed themselves into cultural identity holders³³⁶. Registered migrant associations may obtain up to 1500 Euros (from local authorities) for their elaborated projects encouraging the intercultural dialogue and integration of foreigners³³⁷.</p> <p>Luxembourg does not have official national statistics on volunteering nor permanent inquiries on residents' contributions to the civil society. Available studies show that 80% of civil society organisation founders are Luxembourgish, 3% are French, 3% Belgian, 2% German, less than 1.5% English and less than 1.5% Portuguese. Among volunteers, 87% are Luxembourgish. 10% are non-Luxembourgish and 3% are cross-border³³⁸.</p> |

³³² Luxembourg, Kollwelter S. (2012), We have to encourage the mixity of associations (Il faudrait favoriser la mixité des associations), In: *L'essentiel*, Luxembourg, 16 mars 2012, p. 7.

³³³ ³³³ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 20, 107, 131). ISBN: 978-2-343-02297-0.

³³⁴ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 182-184). ISBN: 978-2-343-02297-0.

³³⁵ Luxembourg, Gerstnerova A. (2014), Migrant associations' dynamics in Luxembourg, In: *Ethnicities Journal*. DOI: 10.1177/1468796814564627, (p.7), available at: <http://etn.sagepub.com/content/early/2014/12/24/1468796814564627.full.pdf+html>

³³⁶ Luxembourg, Gerstnerova A. (2014), Migrant associations' dynamics in Luxembourg, In: *Ethnicities Journal*. DOI: 10.1177/1468796814564627, (p.7), available at: <http://etn.sagepub.com/content/early/2014/12/24/1468796814564627.full.pdf+html>

³³⁷ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l'Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L'Harmattan, (p. 182-184). ISBN: 978-2-343-02297-0.

³³⁸ Luxembourg, available at: www.benevolat.public.lu/fr/publications/etudes-enquetes/etude-ons/secteur-associatif-aux-luxembourg.pdf

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| | | <p>Statec does not hold any data on voluntary participation³³⁹. Moreover, some information is available from the European Values Study (2008). In 2008, 54.2% in Luxembourg and 29.0% of non-national residents (EU nationals and TCN counting together) reported doing volunteer work for at least one association.³⁴⁰ Comparing to data with 1999 were 37.5% and 17.9% respectively. Thus, there is a growth of the number of persons doing voluntary service, both among nationals and non-nationals. The study highlights, that Belgians (34 hrs.) and Italians (32 hrs.) residents engage more in the voluntary work.³⁴¹ Regarding the type of voluntary service, except for religious organisations and unions, there is no difference between nationals and non nationals According the EVS 2008, 75% of Luxembourgers were engaged in some associations, contrary to 53% among non-citizens. The most preferred type of association is sports (40% for Luxembourgers and 28% for non citizens), charitable organisations (22 and 11%), ecological, animal protection (19 and 8), cultural ones (16 and 8).³⁴²</p> <p>The study concludes by stating that non-nationals have a probability of belonging to an organisation that is 22% below that of Luxembourgers. There is also a gender difference: the probability of belonging to associations among women is 5% lower than that among men. Lastly, it is 12% higher for pensioners /retired to be involved in voluntary work.³⁴³</p> |
| <p>Membership and participation of migrants in political parties:</p> | | |
| | <p>Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections)</p> | <p>Any resident of Luxembourg could sign petitions and signature collections. The main political parties state that they are open to any person sharing their ideas to join the party, independently from their origin/nationality.³⁴⁴</p> |

³³⁹ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.180), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

³⁴⁰ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.183), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

³⁴¹ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.185), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

³⁴² Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.183), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

³⁴³ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.188), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

³⁴⁴ Luxembourg, Intercommunity center of Luxembourg (*Centre Intercommunautaire de Luxembourg, SESOPI*) (2009), Political parties and foreigners in Luxembourg (les partis politiques et les étrangers au Luxembourg) www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf

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| | <p>and movements?</p> <p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p> <p>Please provide any data on the</p> | <p>According to a SESOPI (now CEFIS) study from 2009, political parties have no particular strategy to encourage participation of migrants. They state that they are open to anyone willing to join but do not put any special effort in recruiting migrant members. However, they state that most new members come via personal contacts and/or their local sections. Channels, such as collaboration with political parties from the same political family in other countries and organising political theme nights with migrant organisations have proven to be successful to recruit migrant members. Christian Social People's Party (<i>Chrëschtlech Sozial Vollekspartei, CSV</i>)³⁴⁵ developed a communication strategy directed towards French-speaking residents and created "CSV International" for non-Luxembourgish-speaking members³⁴⁶. The Socialist Party (<i>Lëtzebuenger Sozialistesche Aarbechterpartei, LSAP</i>)³⁴⁷ has created a working group on integration and citizenship, which includes all the non-Luxembourgish and naturalised Luxembourgish members as well as any other member who is interested by the topic. The working group's main priority is to get non-Luxembourgish residents to participate in the political life and to vote³⁴⁸. The dominating language is Luxembourgish and German, however French translation is provided for status and basic political programme as well as for election campaigns. Simultaneous translation is sometimes used. Different parties' sub-organisations (youth, women) are more flexible as they do not require becoming member (which might motivate more migrants to join their working groups). Platform "Refresh Democracy!"³⁴⁹ (created in 2007) unites the Youth sections of political parties as well as ASTI. Among other priorities, they seek to have their structures more open to non-Luxembourgish youth and their political family to take the same road. In fact it is believed that young generations' audacity and idealism can bring more change that is why the youth sections welcome militants of all nationalities in their sections.</p> <p>350</p> <p>There is no more current data/study available.</p> <p>While the National Institute of Statistics and Economic</p> |
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³⁴⁵ Luxembourg, Christian Social People's Party (*Chrëschtlech Sozial Vollekspartei, CSV*), available at: <https://csv.lu/>

³⁴⁶ Luxembourg, CSV International" for non-Luxembourgish-speaking members, available at: <https://csv.lu/eis-partei/csv-international/>

³⁴⁷ Luxembourg, Socialist Party (*Lëtzebuenger Sozialistesche Aarbechterpartei, LSAP*), available at: http://www.google.be/url?url=http://www.pes.eu/l_tzebuenger_sozialistesche_aarbechterpartei_fr&rct=j&q=&esrc=s&sa=U&ei=VuhEVajpN8_laLj7gNAD&ved=0CBMQFjAA&sig2=txLh1WfYTmUs-A4y6GAJ_Q&usg=AFQjCNEfK419a2lzavEaQKC5ptgPR9z0g

³⁴⁸ Luxembourgish Social Democratic Party, The working group Socialists for Integration and Citizenship (*Le groupe de travail Socialistes pour l'Intégration et la Citoyenneté*), available at: www.lsap.lu/lsap_Spic--socialistes-pour-l-integration-et-la-citoyennete-96-2.html

³⁴⁹ Luxembourg, Refresh Democracy!, project description, available at: <http://www.asti.lu/2007/12/10/refresh-democracy/>

³⁵⁰ Luxembourg, Association for the Support of Immigrant Workers (*Association de Soutien aux Travailleurs Immigrés, ASTI, Refresh democracy!*), available at: www.asti.lu/media/asti/pdf/101207refresh.pdf

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| | <p>participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)</p> | <p>Studies (<i>Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC</i>) in its 2012 annual report estimated that only 3% of foreigners (EU national and TCN counting together) are active in politics³⁵¹, CEFIS in its former study estimated that migrants constitute between 4 and 10% of the political party membership.³⁵² Even if the available data do not fit each other completely; they show that migrants (EU nationals and TCN counting together) do not exceed 10% of political party members - that is considered to be a very little proportion in a population that counts 46% of foreigners³⁵³.</p> <p>Adr: 5% of 1850 members, Christian Social People's party (<i>Chrëschtlech Sozial Vollekspartei, CSV</i>) 4% of 10 000 members, The Green Party (<i>Déi Gréng</i>) 9% of 550 members, Democratic Party (<i>Demokratesch Partei, DP</i>): 10% of 6 500 members and The Socialist Party (<i>Lëtzebuenger Sozialistesche Aarbechterpartei, LSAP</i>) : 7% of 6 000 members</p> <p>The Green Party counts 10 active migrant members in 27 local sections.³⁵⁴</p> |
| | <p>Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p> | <p>In 2009 there were:</p> <ul style="list-style-type: none"> - no migrant in high responsibility position in the parties - no statistics on evolution of migrant participation in decision-making process in the parties - no or little targets on migrant representation in parties' decision-making bodies - no or little concrete mechanisms to promote and increase migrant presence in parties and decision-making bodies. Exception: the Communist Party where 24% of members of its main decision-making body are migrants.³⁵⁵ <p>The main political parties are against quotas for migrants in order to assure a better representation. They also acknowledge that language can be barriers to potential migrant members and those themselves have difficulties to approach some migrant communities (Portuguese for instance).³⁵⁶</p> |

³⁵¹ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché du Luxembourg, STATEC*) (2013), Economic notebook 114; Work Report and Social Cohesion 2012 (*Cahier économique 114, Rapport Travail et Cohésion sociale 2012*), (p.183), available at: www.interlycees.lu/site/wp-content/uploads/2012/10/Statec-lu-Rapport-travail-et-cohesion-sociale-2012-FR-212p.pdf

³⁵² Luxembourg, Manço A., Gillen I., Mertz F. (2015), Political participation of foreigners in Luxembourg : research MIGRALUX 2014 (La participation politique des étrangers au Luxembourg; recherche MIGRALUX 2014), CEFIS.

³⁵³ STATEC, 2015; Luxembourg, Political parties and foreigners in Luxembourg (Les partis politiques et les étrangers au Luxembourg), In: *RED 13*, CEFIS, 2009, (p.58), available at: <http://www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf>

³⁵⁴ Luxembourg, Adrien, T., (2015), The borders of solidarity Trade unions and immigrants in the heart of Europe (*Les frontières de la solidarité Les syndicats et les immigrés au cœur de l'Europe*), Res Public.

³⁵⁵ Luxembourg, Intercommunity center of Luxembourg (*Centre Intercommunautaire de Luxembourg, SESOPI*) (2009), Political parties and foreigners in Luxembourg (les partis politiques et les étrangers au Luxembourg) www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf, here page 15

³⁵⁶ Luxembourg, Intercommunity center of Luxembourg (*Centre Intercommunautaire de Luxembourg, SESOPI*) (2009), Political parties and foreigners in Luxembourg (les partis politiques et les étrangers au Luxembourg) www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf, here page 50 and following

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| | | <p>The political parties' priority is on active political participation through voting turnout rather than recruiting migrant members for now.³⁵⁷</p> <p>Furthermore the study has shown that a weak social-political index (member or volunteer of organisation or public structure, member of local consultative commission, already candidate in elections, already in office, active member of the party, having a function in the party), which most likely applies to migrant members, might influence the chances of the ones to be elected.³⁵⁸</p> |
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3.7.Civic and citizenship education

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| | <p>The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:</p> <p>Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations, challenges and promising practice.</p> | <p>Teachers are recruited on a competitive examination following a public call for participants in various fields (each year there is a call for applicants and a number of recruitments in each field may vary from year to year). This competitive examination is open to everyone who has:</p> <ul style="list-style-type: none"> - the required diploma - national or EU citizenship - knowledge of French, Luxembourgish and German - physical and psychic aptitude to exercise the function - guarantees required moralities - enjoys all civic and political rights <p>Candidates have to pass a language exam in the official administrative languages prior to passing the competitive examination, where only the best classified (depending on the number of slots available) enter a two-year internship³⁵⁹</p> <p>No data available on the migrant background of the candidates.</p> <p>As for the representation in professional teachers' associations, there is no statistics on the number of teachers with a migrant background who are part of the teachers' associations. A look at the Committee of Secondary school teachers' association³⁶⁰ Association</p> |
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³⁵⁷ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Teacher recruitment as public servants (Recrutement des enseignants-fonctionnaires), available at: www.men.public.lu/fr/secondaire/personnel-ecoles/recrutement-enseignant-fonctionnaire/index.html

³⁵⁸ Luxembourg, Intercommunity center of Luxembourg (*Centre Intercommunautaire de Luxembourg*, SESOPI) (2009), Political parties and foreigners in Luxembourg (les partis politiques et les étrangers au Luxembourg) www.olai.public.lu/fr/publications/etude/2009-partis-politiques.pdf, here page 21 and following

³⁵⁹ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Teacher recruitment as public servants (Recrutement des enseignants-fonctionnaires), available at: www.men.public.lu/fr/secondaire/personnel-ecoles/recrutement-enseignant-fonctionnaire/index.html

³⁶⁰ Luxembourg, Association of Teachers of Secondary and Higher Education the Grand Duchy of Luxembourg (*Association des Professeurs de l'Enseignement secondaire et supérieur du Grand-Duché de Luxembourg*), The Central Committee is composed of members of the Executive Committee and a delegate from each high school public education (*Le Comité*

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| | | <p>of Teachers of Secondary and Higher Education (<i>Association des Professeurs de l'Enseignement secondaire et supérieur, APESS</i>) and General Federation of Luxembourgish teachers General Federation of Luxembourg teachers (<i>Fédération générale des instituteurs luxembourgeois, FGIL</i>)³⁶¹ allows to recognise a certain number of last names which suggest a migrant background, thus concluding that there is a certain representation. However, specific interest teachers with a migrant background do not seem to be considered. FGIL states as one of its priorities the reinforcement of social integration in education.</p> |
| | <p>Are there any particular gender issues?</p> | <p>In general, women are overrepresented in primary schools: 97.5% in préscolaire and 74.5% in fundamental. In secondary school the gap is smaller: 51.2% women and 48,8% men for the academic period 2012-2013³⁶². There are no data on gender according to nationality so no particular gender issues according to migrant background can be stated.</p> |
| | <p>Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc.</p> | <p>The act of 6 February 2009 on fundamental education³⁶³ Art. 47 foresees that regular information sessions are to be organised during the academic year in the 3 official languages as the cooperation between parents and school is seen as one of the major keys of success for the children. Thus, all parents have to attend at least 3 evaluation sessions during the year. Furthermore, in each school there have to be at least 2 parents' representatives. However, there are no compiled data on the origin of the elected representatives or of the members of the parents associations on the website of the Ministry of Education nor on the website of the Federation of parents associations (<i>FAPEL</i>).</p> <p>In the study from 2012³⁶⁴ on the evaluation of the learning quality in fundamental school for instance, no data on the migrant background of the parents are provided, thus we are not able to deduce an active participation of parents of migrant background in this consultation. Nonetheless, from the percentage of the participants / respondents who speak Luxembourgish as the first language (51,7%) we can deduce that parents of migrant background were 48,3% to answer</p> |

central se compose des membres du Comité exécutif et d'un délégué de chaque lycée de l'enseignement public), available at: www.apess.lu/Apess/Presentation - le Comite central.html

³⁶¹ General federation of teachers of Luxembourg (*Federation generale des instituteurs luxembourgeois*), available at: www.fgil.lu/?com=015I0I0I

³⁶² Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Key figures of Education - Statistics and Indicators 2012/2013 (Chiffres Clés de l'Éducation nationale – statistiques et indicateurs 2012/2013), available at: www.men.public.lu/catalogue-publications/systeme-educatif/statistiques-analyses/chiffres-cles/2012-2013/fr.pdf

³⁶³ Act of 6 February 2009 on basic education organisation (*Loi du 6 février 2009 portant organisation enseignement fondamental*), 16 February 2009

³⁶⁴ Luxembourg, Fundamental teaching of Service Agency for the development of the second school quality assessment survey and documentation of learning in primary school (*Service de l'enseignement fondamental Agence pour le développement de la qualité scolaire*) (2012), 2nd assessment survey and documentation of learning in primary school (*2e enquête sur l'évaluation et la documentation des apprentissages à l'école fondamentale*), available at: www.men.public.lu/catalogue-publications/fondamental/evaluation/documents-complementaires/evaluation-ef/fr.pdf

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| | | <p>the questionnaire (assuming that they do not speak Luxembourgish as first language at home), and thus are not that far behind in this particular study. All in all data, concerning participation of parents with a migrant background is very limited.</p> |
| | <p>Are their extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p> | <p>The guidelines to the Transversal language learning (<i>ouverture aux langues</i>) recommend punctual collaboration with parents with a plurilingual and multicultural approach.</p> <p>One promising project is <i>CAP Futur</i>, carried out in technical lyceum (<i>Lycée technique d'Esch-sur-Alzette</i>) in Esch (second city in Luxembourg with a non-Luxembourgish population of 51.88% census 2011) and thus having many students with a migrant background. This project, which was launched in 2011/2012, foresees that every student who takes part in the project commits to an NGO of his/her choice outside the class, with an adapted schedule. Students are encouraged to take responsibility as active citizens by collaborating with an NGO. All the participants have a tutor who is the NGO's but also the parents' contact person. Indeed parents are actively involved in the project and are invited to events three times a year at least (last one taking place in the Museum of Modern Art (MUDAM) in February 2015). This project promotes cultural and social exchanges in cooperation with cultural and social actors.³⁶⁵</p> <p>Other schools organise punctual events (visiting an exhibition on immigration for instance), but they are less integrated in the school curriculum and take place on a voluntary basis.</p> <p>No limitations could be identified.</p> |
| | <p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p> | <p>Luxembourg public school system is multilingual (more precisely, quadrilingual): Luxembourgish is the communication language, German is the alphabetisation language, French is learned from age 7 on and English from age 13, with correspondent school manuals and books. Subjects such as maths, science, and history etc. are studied in German with school manuals and books in primary school. In upper secondary school (<i>lycée classique</i>) these topics will be taught in French, with corresponding manuals and books).</p> <p>It should be noted that 60.2% of the children in primary school in 2012-2013 did not have Luxembourgish as their mother tongue. 23.9% of the children are Portuguese-speaking. In order to respond to this particular situation the Luxembourgish Ministry of Education has foreseen some specific measures starting with the guidelines on Transversal language learning (<i>Overture aux langues</i>) which encourage teachers in primary school to adopt a transversal approach on linguistic education (going beyond the languages learned at school, approaching linguistic</p> |

³⁶⁵ Luxembourg, official page of CapFutur, available at: www.lte.lu/initiatives/capfutur/

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| | | <p>facts in maths, science etc.) and to set up a language portfolio.</p> <p>Some schools also offer integrated classes in Portuguese, meaning that the Portuguese-speaking children can attend some subjects in Portuguese in order to keep the link with their mother tongue. In the Portuguese speaking group we can also find Cap-Verdean immigrants, the biggest group of immigrants outside the European Union³⁶⁶. It is estimated that one out of two Cap-Verdean immigrants holds a Portuguese nationality³⁶⁷. Children of Cap-Verdean immigrants encounter a lot of problems and half of them are lagging behind (one or two years) in their schooling³⁶⁸. The number of “drops out” among Cap-Verdean immigrants at the primary education level are higher that is the case of other immigrants³⁶⁹.</p> <p>A pilot project with Mother tongue assistants³⁷⁰ (<i>assistants en langue maternelle</i>) has been launched in primary schools³⁷¹.</p> <p>In addition, parents, teachers and the school authorities can ask for free assistance by an intercultural mediator who speaks Albanian, Arab, Cape Verdean Creole, Chinese, Italian, Portuguese, Serbo-Croat or Russian, as well as any other languages commonly used in Luxembourg (further languages are available on special request only)³⁷².</p> <p>Primary school prepares children for either general education –grammar school (<i>lycée classique</i>), or technical vocational education (<i>lycée technique</i>). The general education (<i>lycée classique</i>) is the most rewarding. However, in reality, only 19.2% of immigrants (EU nationals and TCN) attend the general education³⁷³. 30.8% of immigrants (EU nationals and</p> |
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³⁶⁶ Luxembourg, -General Register of Natural Persons (Répertoire Général des Personnes Physiques – RGPP), 2013

³⁶⁷ Luxembourg, Gerstnerova A. et Rodriguez F. (2015), Guide for socioeconomic re-integration of Cap-Verdeans from Luxembourg (*Manuel de réinsertion socio-professionnelle pour les Capverdiens du Luxembourg*), elaborated within the framework of the project named “Reinforcement of Cap-Verdean capacities in the management of migrations and business opportunities in Cap-Vert (Renforcement des capacités du Cap-Vert dans la gestion des migrations et des opportunités d'affaires au Cap-Vert). Project No.: DCI-MIGR/2010/258-612.

³⁶⁸ Luxembourg, Elèves capverdiens dans l'école luxembourgeoise; Des chiffres qui interpellent (2002), Schulle. http://www.forum.lu/pdf/artikel/4725_213_TonnarMeyer.pdf

³⁶⁹ Luxembourg, Elèves capverdiens dans l'école luxembourgeoise; Des chiffres qui interpellent (2002), Schulle. http://www.forum.lu/pdf/artikel/4725_213_TonnarMeyer.pdf

³⁷⁰ Luxembourg, Mother tongue assistants profile, Ministry of education, available at: <http://www.men.public.lu/fr/systeme-educatif/scolarisation-eleves-et-rangers/informations-enseignants/enseignement-fondamental/140103-cahier-charges-proposition.pdf>

³⁷¹ Luxembourg, Mother tongue assistants (*assistants en langue maternelle*), Ministry of Education – Primary school education (enseignement fondamental), available at : <http://www.men.public.lu/fr/systeme-educatif/scolarisation-eleves-et-rangers/enseignement-fondamental/index.html>

³⁷² Luxembourg, Intercultural mediation, Assistance of newcomers at their elementary school (*Cellule d'accueil scolaire pour nouveaux-arrivants - CASNA*), (p. 7), available at: <http://www.men.public.lu/catalogue-publications/systeme-educatif/scolarisation-eleves-et-rangers/brochure-parents-en/welcome/en.pdf>

³⁷³ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), (p.100), available at: www.cefis.lu/page10/files/red14.pdf

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| | <p>TCN) attend the technical vocational education³⁷⁴. According to CEFIS (2011)³⁷⁵, parents of foreign origin do not understand the scholar system and even less the importance of the selection of orientation for their children (general vs. technical).</p> <p>At high schools, children with good French knowledge can enter a German insertion class for 3 years before accessing grammar school (<i>lycée classique</i>). Those with good French and maths knowledge but difficulties with German can enter a class where German is taught as a foreign language. There is also a possibility to choose an international branch in high school (French or English) or to have a dedicated English curriculum, which prepares to the A-Levels.</p> <p>At technical schools (<i>lycées techniques</i>), there are welcoming classes (for the newly arrived students who don't speak French nor German) and insertion classes (for the newly arrived students who speak r one of the languages and get intensive courses in the other).³⁷⁶ It should be noted, the technical vocational education prepares their students for blue-collar jobs. According to Hartung (researcher University of Luxembourg), "75% of Cap-Verdean immigrants educated in Luxembourg and 43% of ex-Yugoslav immigrants find only a manual work after their studies"³⁷⁷. In other words, "if we count one white collar worker for two blue collar workers in the general Luxembourgish population aged 15–35 years, the score is one white collar worker for five blue collar workers in case of ex-Yugoslav immigrants and one white collar worker for 17 blue collar workers in case of Cape Verdean immigrants"³⁷⁸. In that respect, the Luxembourgish multilingual educational system may to some extent predetermine a precarious situation of some groups of immigrants³⁷⁹. Talking about the two groups of the most numerous third-country nationals, it is estimated that 30% of ex-Yugoslavs and 45% of Cape-Verdeans</p> |
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³⁷⁴ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), (p.100), available at: www.cefis.lu/page10/files/red14.pdf

³⁷⁵ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), (p.53), available at: www.cefis.lu/page10/files/red14.pdf

³⁷⁶ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), available at: www.men.public.lu/fr/systeme-educatif/scolarisation-eleves-etrangers/index.html

³⁷⁷ Luxembourg, Hartung A. (2010), *Structural Integration of Immigrants and the Second Generation in Europe : A Study of Unemployment Durations and Job Destinations in Luxembourg, Belgium and Germany*, Louvain : KUL.

³⁷⁸ Luxembourg, Hartung A. (2010), *Structural Integration of Immigrants and the Second Generation in Europe : A Study of Unemployment Durations and Job Destinations in Luxembourg, Belgium and Germany*, Louvain : KUL.

³⁷⁹ Luxembourg, Manço, A. et al. (2014), Work and Integration of Migrants; Recruitment, Recognition and Social Relations (Travail et intégration des migrants. Recrutement, reconnaissance et relations sociales), In : *RED no.18*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales).

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| | | <p>are living on minimal wages in the Grand Duchy of Luxembourg³⁸⁰.</p> <p>The complex quadrilingual school system is also stated as one of the reasons for dropouts: 3.7% of the dropouts say that the linguistic problems were the reason they dropped out and 5.4% of them stated that they were unsatisfied with the Luxembourgish system.³⁸¹</p> <p>In case of young “drops out”, they still have a chance to obtain a secondary school diploma and vocational training in the framework of the governmental program Second Chance School (École de deuxième chance)³⁸². This program is largely attended by immigrants and children of immigrants (between 16 and 30 years old) having linguistic difficulties at an ordinary school. The program has been in place since 2011.</p> |
| | <p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p> | <p>In theory students of all origins get equal chances and there is no school segregation as the public education system is considered one of the main pillars for social cohesion³⁸³.</p> <p>In practice, once children get to high school there is a substantial differentiation between Luxembourgish and non-Luxembourgish children which could be considered as some form of “segregation”. In reality, only 19.2% of immigrants (EU nationals and TCN) attend the general education³⁸⁴. 30.8% of immigrants (EU nationals and TCN) attend the technical vocational education³⁸⁵. For the academic year of 2012-2013, 80% of Luxembourgish children went to classical ones as opposed to 20% of non-Luxembourgish. 44.2% of non-Luxembourgers went to a technical lyceum (55.8% of Luxembourgish students). In the technical lyceum, which is split into technical and professional school (modular): 59.8% of non-Luxembourgish students were in professional schools (comparing to 40.2% of Luxembourgish students)³⁸⁶.</p> |

³⁸⁰ Luxembourg, Manço, A. et al. (2014), Work and Integration of Migrants; Recruitment, Recognition and Social Relations (Travail et intégration des migrants. Recrutement, reconnaissance et relations sociales), In : *RED no.18*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales).

³⁸¹ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), available at: www.men.public.lu/catalogue-publications/secondaire/statistiques-analyses/decrochage-scolaire/decrochage-11-12/fr.pdf

³⁸² Luxembourg, Second Chance School (École de deuxième chance), available at: <http://www.e2c.lu/>

³⁸³ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Education of foreign students (*Scolarisation des élèves étrangers*), available at: www.men.public.lu/fr/systeme-educatif/scolarisation-eleves-etrangers/index.html

³⁸⁴ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), (p.100), available at: www.cefis.lu/page10/files/red14.pdf

³⁸⁵ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales), (p.100), available at: www.cefis.lu/page10/files/red14.pdf

³⁸⁶ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Key figures of Education - Statistics and Indicators 2012/2013 (*ChiffresClés de l'éducation nationale –*

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| | | <p>In that respect, the Luxembourgish multilingual educational system may to some extent predetermine a blue collar carrier for those who have not sufficient linguistic background³⁸⁷.</p> |
| | <p>Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?</p> | <p>The act of 6 February 2009 on the fundamental education³⁸⁸ includes transversal language learning (<i>ouverture aux langues</i>) in the official school curriculum.</p> <p>Teachers are regularly invited to conferences such as on 9 October 2014 on the topic of plurilingual and pluricultural education³⁸⁹ and have access to documentation such as Welcome and integrate (<i>Accueillir et intégrer</i>)³⁹⁰ or Guidelines for non-formal education in childhood and adolescence (<i>Leitlinien zur non-formalen Bildung im Kindes- und Jugendalter</i>)³⁹¹ which guide teachers in charge of welcome classes as well as every other teacher to learn how to integrate diversity of origin and mother tongues into learning activities.</p> <p>Also there are trainings offered to teachers:</p> <ul style="list-style-type: none"> • training in instructional learning cycles in a perspective of development of language skills basis (<i>Formation à la pédagogie des cycles d'apprentissage dans une perspective de développement des socles de compétences langagières</i> (Code C-c-51)³⁹² • training support for teachers and personnel (the Diversity4Kids³⁹³) that aims at raising awareness on equal opportunities in education and diversity among teachers guiding them on how to implement diversity and equal treatment in the classroom. • Intercultural documentation centre (<i>Centre d'animation et documentation interculturelle, IKL</i>) has developed some projects for school children focusing on migration and |

statistiques et indicateurs 2012/2013), available at: www.men.public.lu/catalogue-publications/systeme-educatif/statistiques-analyses/chiffres-cles/2012-2013/fr.pdf

³⁸⁷ Luxembourg, Manço, A. et al. (2014), Work and Integration of Migrants; Recruitment, Recognition and Social Relations (Travail et intégration des migrants. Recrutement, reconnaissance et relations sociales), In : *RED no.18*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales).

³⁸⁸ Act of 6 February 2009 on basic education organisation (*Loi du 6 février 2009 portant organisation enseignement fondamental*), 16 February 2009.

³⁸⁹ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Conference October 9: Towards a multilingual and multicultural education (*Conférence 9 octobre: Vers une éducation plurilingue et pluriculturelle*), available at: www.men.public.lu/fr/actualites/agenda/2014/09/04-30anni-cours-int/index.html

³⁹⁰ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) (2014), Teacher's Guide on welcoming a newly arrived child in the country (*Guide pour enseignants accueillant un enfant nouvellement arrivé au pays*), available at: www.men.public.lu/catalogue-publications/systeme-educatif/scolarisation-eleves-etrangeurs/brochures-enseignants/accueillir-integrer/fr.pdf

³⁹¹ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) and Service for the education of foreign children (*Service de la scolarisation des enfants étrangers*) (2014), Working paper Guidelines for non-formal education in childhood and adolescence (*Arbeitspapier „Leitlinien zur non-formalen Bildung im Kindes- und Jugendalter*), available at: www.enfancejeunesse.lu/sites/enfancejeunesse.lu/files/documents/2013.04.25%20Arbeitspapier%20Rahmenplan.pdf

³⁹² C-c-51, (p.110), available at: <https://ssl.education.lu/ifc/descriptionformation?idFormation=14087>

³⁹³ Luxembourg, 4Motion, Diversity for kids, available at: www.4motion.lu/?q=fr/node/23

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| | | <p>respect/promotion of diversity: What moves us (<i>Was uns Menschen bewegt</i>) describes the life of migrants (Portuguese and Iranian example)³⁹⁴ based on concrete examples.</p> |
| | <p>Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?</p> | <p>All students are targeted by civic education and multicultural education at some point or another of their curriculum, mainly through moral or religious instruction from primary school to high school which represents 2-3 hours a week. In addition to that some high school classes have a civic education course for a year (1h/week). Currently, there is a working group aiming at setting up a common class "Life and Society"^{395 396}- <i>Vie et société</i> which is to replace religious and moral instruction in which students would be separated according to their (or their parents') beliefs. This new class, where students are all together, aims to be more philosophical and would promote open-mind and tolerance in a multicultural society by learning to understand cultures and religions.</p> <p>Intercultural documentation centre (<i>Centre d'animation et documentation interculturelle, IKL</i>) offers workshop in schools on civic education³⁹⁷ aiming at preventing violence and encourage children to participate in the class'/school's democratic life while developing an open-minded perspective on the world and respect towards diversity.</p> |
| | <p>The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list):</p> | |
| | <p>Please use the following as indicative list of possible practices to report on:</p> <p>Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p> <p>Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common</p> | <p>Through civic instruction, moral instruction and religious instruction but also through projects like the ones led by Intercultural documentation centre (described above) young people address the diversity in the society by learning about the principles of religions, democratic values and discussing current events.</p> <p>CAP project is carried out in technical lyceum (<i>Lycée technique d'Esch-sur-Alzette</i>) in Esch (second biggest city in Luxembourg with a non-Luxembourgish population of 51,88% census 2011) and thus having many students with a migrant background. The CAP Futur project, aims at encouraging young people to become active and open-minded citizens while involving the parents in theme nights at least 3 times a year.</p> <p>The Diversity4Kids training for teachers and support personnel aims at raising awareness on equal</p> |

³⁹⁴ Luxembourg, Intercultural documentation centre (*Centre d'animation et documentation interculturelle, IKL*) What makes us move (*Was uns Menschen bewegt*). available at: www.ikl.lu/was-uns-menschen-bewegt/

³⁹⁵ Luxembourg, Life and Society, Ministry of education, available at: <http://www.men.public.lu/fr/grands-dossiers/systeme-educatif/education-valeurs/index.html>

³⁹⁶ Luxembourg, Life and Society Press conference, Ministry of education, available at: <http://www.men.public.lu/fr/actualites/communiqués-conference-presse/2015/03/23-conf-vie-societe/document-cadre.pdf>

³⁹⁷ Luxembourg, Intercultural documentation centre (*Centre d'animation et documentation interculturelle, IKL*) Solidarity in the class (*Solidaritéit an der Klass*), available at: www.ikl.lu/solidariteit-an-der-klass/

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| democratic and pluralist values? | <p>opportunities in education and diversity guiding teachers on how to implement diversity and equal treatment in the classroom.</p> <p>Language learning support: Mother tongue assistant: 20 school classes of primary school are part of a pilot project which foresees the presence of a mother tongue assistant for 3 hours a week in order to help children learn the language while practising their mother tongue. Training for teachers: Teachers are regularly invited to conferences such as on 9 October 2014 on the topic of plurilingual and pluri-cultural education³⁹⁸ and have access to documentation such as Welcome and integrate (<i>Accueillir et intégrer</i>)³⁹⁹ or Guidelines for non-formal education in childhood and adolescence (<i>Leitlinien zur non-formalen Bildung im Kindes- und Jugendalter</i>)⁴⁰⁰ which guide teachers in charge of welcome classes as well as every other teacher to learn how to integrate diversity of origin and mother tongues into learning activities. In Bonnevoie (neighbourhood in Luxembourg City) an intercultural garden has been launched by the Youth House and the Senior Club, which aims to promote intergenerational and intercultural exchanges in a common garden.⁴⁰¹</p> <p>Caritas has a project aiming at integration young people with migrant background in order to guarantee social cohesion in the long run, they have conceived an integration program going from welcoming newly arrived young people, setting up special classes for migrants who are not enough qualified to enter the labour market and/or too old to be in school to workshops and support in the job search.⁴⁰²</p> <p>Since 1998 a scolarisation service for migrant children supports parents, students and teachers by providing information, guiding newly arrived children: appointments in Luxembourgish, French, German, English, Portuguese other language upon request,</p> |
| Facilitating equal opportunities in education for children with migrant background? | |
| Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities? | |
| Providing language learning support to students of migrant background? | |
| Improving attendance and reducing drop-out of students with migrant background? | |
| Improving school and teachers' capacity to embrace, build on and/or manage diversity? | |
| In particular, please specify if there are promising practices, including affirmative action / positive action practices designed to tackle structural inequalities | |
| Other... | |

³⁹⁸ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*). available at: www.men.public.lu/fr/actualites/agenda/2014/09/04-30anni-cours-int/index.html

³⁹⁹ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) (2014), Teacher's Guide on welcoming a newly arrived child in the country (*Guide pour enseignants accueillant un enfant nouvellement arrivé au pays*), available at: www.men.public.lu/catalogue-publications/systeme-educatif/scolarisation-eleves-etrangeurs/brochures-enseignants/accueillir-integrer/fr.pdf

⁴⁰⁰ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) (2014), Teacher's Guide on welcoming a newly arrived child in the country (*Guide pour enseignants accueillant un enfant nouvellement arrivé au pays*), available at: www.men.public.lu/catalogue-publications/systeme-educatif/scolarisation-eleves-etrangeurs/brochures-enseignants/accueillir-integrer/fr.pdf

⁴⁰¹ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) (2014), Activity report 2013(*Rapport d'activité 2013*), available at: <https://www.gouvernement.lu/3564848/2013-rapport-activite-famille.pdf>

⁴⁰² Luxembourg, Caritas, Luxembourg: Contribute to the integration of young migrants (*Luxembourg: Contribuer à l'intégration de jeunes d'origine étrangère*), available at: www.caritas.lu/Projets-à-soutenir/Projets-au-Luxembourg/Vivre-son-enfance-et-sa-jeunesse/Contribuer-à-l'intégration-de-jeunes-d'origine-étrangère

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| | | <p>providing intercultural mediators and offering training to teachers of welcome classes⁴⁰³.</p> <p>Intercultural mediators are free upon request to teachers, schools or parents in a multitude of languages such as Albanian, Creole, Chinese, Italian, Iranian, Portuguese, Serbian, Russian or others. The mediators assist parents/teachers by translating information about the school system (from home country and Luxembourg), providing written and oral translation during meetings and might also assist the child in the class.</p> <p>To prevent drop outs (56.6% non-Luxembourgers in 2011/2012⁴⁰⁴), graduated educators have been hired to accompany students at risk of marginalisation. There are around 50 projects set up in 20 high schools which target students at risk of dropping out:</p> <ul style="list-style-type: none"> - Project Culture for success (<i>la culture au service de la réussite</i>) which is a EU-funded cross-border project aiming at motivating young students at risk of drop-out to stay in school by approaching them through art (workshops, study visits etc.)⁴⁰⁵, - pilot-project School reintegration platform (<i>Plateforme d'accrochage scolaire –PAS</i>): identifying at risk students through a questionnaire, individual meeting with the identified students and their parents, individual support⁴⁰⁶ <p>Local youth action (<i>Action Locale pour Jeunes, ALJ</i>) offers support to young people aged between 15 and 26 years who dropped out at school (the person gets contacted by ALJ) in order to accomplish their educational and professional transition successfully. In doing this, ALJ resorts to a range of methods and offers information about apprenticeship, support when seeking for a job, information about vocational training and studies⁴⁰⁷.</p> <p>Mosaic Classes (<i>Classes mosaïques</i>) for young people at risk of dropping out (absenteeism, violence, disrespect/violence, lack of interest etc.): a transitional class aiming at reintegrating the students into their original classroom. Mosaic Class foresees an individual support going from 6 to 12 weeks in order to prepare</p> |
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⁴⁰³ The department of education of foreign children (*Le Service de la scolarisation des enfants étrangers*, SECAM), available at: <https://portal.education.lu/secam/Bienvenue.aspx>

⁴⁰⁴ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) (2013), Luxembourg Education in figures (*L'Enseignement luxembourgeois en chiffres*), available at: www.men.public.lu/catalogue-publications/secondaire/statistiques-analyses/decrochage-scolaire/decrochage-11-12/fr.pdf

⁴⁰⁵ Luxembourg Ministry of Education and Vocational Training (*Ministère luxembourgeois de l'Éducation nationale et de la Formation professionnelle*) Culture in Success Service (*la culture au service de la réussite*), available at: www.culture-reussite.eu/index.php?option=com_content&view=article&id=88&Itemid=753

⁴⁰⁶ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), Project School hooking platform - NO (*projet "plateforme accrochage scolaire – pas"*), available at: www.cpos.public.lu/activites/projets/Accrochage/PAS-pilote-lettre-info-parents-LRSL.pdf

⁴⁰⁷ Luxembourg, Ministry of Education and Vocational Training (*Ministère luxembourgeois de l'Éducation nationale et de la Formation professionnelle*) Local action for the young (*Action locale pour jeune*), available at: <http://portal.education.lu/alj/en-us/home.aspx>

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| | | <p>the drop out to reintegrate his/her class. 46% of students attending Mosaic class in 2011/2012 were non-Luxembourgers⁴⁰⁸.</p> <p>School of the second chance⁴⁰⁹ allows dropouts to get a qualification/ valid certification and/or professional training.⁴¹⁰In 2008-2010, a study project Mankind on the Move was realised with third country nationals (Cape Verdians). The aim of the project was to raise awareness without stigmatising a certain category of people; to generate empathy and to give students of all nationalities an opportunity to identify with these experiences. 300 classes with 6000 pupils (15-18y) visited the event. Pupils filled in a questionnaire on the following topics: "Family", "belief", "the French language in Luxembourg", "Luxembourg's identity," the "advantages and disadvantages of a multicultural society "and" the identity of representation."⁴¹¹</p> |
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3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

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| | <p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p> | <p>The most significant drivers are the changes in the immigration law, in the electorate law on widening the rights for voting among non nationals. Also the biggest change could come after the referendum on the right to vote in national elections.</p> <p>However, we could not identify any policy evaluation report that could reveal obstacles and drivers for political and social participation.</p> |
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⁴⁰⁸ Luxembourg, Neunkirch, A., (2013), Annual report on the mosaic classes (*Jahresbericht zur Arbeit der Mosaikklassen*), available at: www.men.public.lu/catalogue-publications/themes-pedagogiques/promotion-sante-bien-etre/jahresbericht-mosaik-11-12/mosaik-11-12.pdf

⁴⁰⁹ Luxembourg, School of second chance (*Ecole de la deuxième chance*), available at: www.e2c.lu

⁴¹⁰ Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*) Preventing school exclusion (*Prévention de l'exclusion scolaire*), available at: www.men.public.lu/fr/grands-dossiers/enseignement-secondaire-secondaire-technique/prevention-exclusion-scolaire/index.html

⁴¹¹ Assessment of the educational project on migration and identities in Luxembourg (*Bilan du projet pédagogique sur les migrations et les identités au Luxembourg*), available at: www.cdaic.lu/pdf/Evaluation_MOM_net.pdf

3.9. Use of funding instruments (EIF, ERF, EMIF)

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| | <p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p> | <p>Having analysed EIF, ERF projects implemented in Luxembourg, we are able to state that no projects aimed at supporting political social participation. Considering the fact, that, for instance EIF is targeted at TCN, few projects propose the topics of political and social participation, given the small number of TCN in the country (6%, it means round 33 000 persons⁴¹²). Also, it is difficult to provide any statistical data (small number) on TCN who would fall into project scope. Organisations fit into bigger, more general categories such as social cohesion. Distribution of projects according to their goals, aims is provided below.</p> |
| <p>In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by using the Annex 5</p> | | |

3.10. Key legal and policy developments, and relevant case law

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| | <p>In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p> | <p>Having completed research on legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), we can state that there are virtually no obstacles to that for EU members living and working in the country. Over the last decade, a lot of obstacles have been removed.</p> <p>The state implements a number of practices (as describes above) for a closer cooperation of residents.</p> |
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⁴¹² Luxembourg, STATEC, 2012

4.Social cohesion and community relations

4.1.Social cohesion policies

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| | <p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p> | <p>National Action Plan on Integration and against Discrimination 2010-2014 refers to social cohesion by introducing it as its framework: the promotion of fundamental rights, the fight against discrimination and equal opportunities for all is the key to integration. If the legislation of the European Union already provides a strong framework of anti-discrimination provisions, policy makers prepare to put in place a comprehensive approach to integration that promotes cultural diversity and at the same time social cohesion, interaction between immigrants and citizens of Member States, as well as assessment of integration policies (<i>La promotion des droits fondamentaux, la lutte contre les discriminations et l'égalité des chances pour tous sont des éléments clés de l'intégration. Si la législation de l'Union européenne fournit déjà actuellement un cadre solide de dispositions anti-discriminatoires, les décideurs politiques sont en train de mettre en place une approche globale de l'intégration qui promeut la diversité culturelle et en même temps la cohésion sociale, l'interaction entre les immigrants et les citoyens des États membres, ainsi que l'évaluation des politiques d'intégration.</i>(p.19)⁴¹³</p> <p>1. The Act 28 August of 2008 is set around the objectives to promote integration of foreigners in order to foster social cohesion on the basis of constitutional values and to enable non citizens who are legal and permanent residents to participate in the economic, social and cultural life (<i>de promouvoir l'intégration des étrangers en vue de favoriser la cohésion sociale sur base des valeurs constitutionnelles et de permettre aux étrangers en séjour régulier et durable de participer à la vie économique, sociale et culturel</i>, Art.1)⁴¹⁴</p> |
| | <p>Are there any specific measures in place to strengthen social cohesion?</p> | <p>Within the European Integration Fund, one of the actions is work of citizens and non-citizens together; each year there are projects on strengthening social</p> |

⁴¹³ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), (2014), Priorities 2014 National Plan of Action for integration and fight against discrimination (2010 - 2014) (*Priorités 2014 Plan d'action national d'intégration et de lutte contre les discriminations (2010 – 2014)*), available at: www.olai.public.lu/fr/publications/programmes-planactions-campagnes/plan/olai_plan_daction_fr.pdf

⁴¹⁴ Luxembourg, Act of 29 August 2008 on the free movement of persons and immigration (*Loi du 29 août 2008 portant sur la libre circulation des personnes et l'immigration*), 10 September 2008

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| <p>Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p> | <p>cohesion, which are cofinanced by OLAI. OLAI, in partnership with other organisations, has been developing local integration strategy.⁴¹⁵ Under OLAI there is a Consultative communal commission on integration (<i>Commission consultative communal d'intégration</i>) in each commune. Together with the communes, they realise integration projects, offer language courses. OLAI offers the communes financial support and encourages communes to develop a local action plan on integration.</p> <p>Asti provides tandem Luxembourgish language coaching with a native speaker (volunteers).</p> <p>House of associations (<i>Maison des Associations</i>) organises meetings of participants of all ages "Café des âges"⁴¹⁶ – where everybody has an opportunity to speak out through a lively debate, narrate their stories. A round table in small groups is organized with the purpose to stimulate the group dynamics.</p> <p>House of associations (<i>Maison des Associations</i>) organises Intercultural Literary Evenings (Millefeuilles – Soirées littéraires interculturelles)⁴¹⁷. For those evenings, people gather around a theme to express their imagination and creativity in multiple languages.</p> <p>House of associations (<i>Maison des Associations</i>) organises World Cuisine - Sharing of flavours and cultures. Each participant helps to prepare for an intercultural meal. Each time, both sides (Luxembourg and a country of chosen cuisine) showing how one can prepare their specialties.</p> <p>House of associations (<i>Maison des Associations</i>) organises Psycho-social support service (Appui psycho-social)⁴¹⁸. It provides mentoring links with national structures vocation, social and psychological support. It offers reception, information and orientation for newcomers on social policies and services of the Luxembourg governments in Portuguese.</p> <p>Red Cross (Croix rouge) Luxembourg offers Intercultural Interpreting Service (<i>L'interprétariat interculturel</i>)⁴¹⁹. The mission of the service is to provide government, medical institutions with help and support, professional support in difficult communication situations:</p> <ul style="list-style-type: none"> - by promoting medical and social interpreting, - by educating professionals in the approach and intercultural communication. This service was picked |
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⁴¹⁵ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*L'Office luxembourgeois de l'accueil et de l'intégration*) Summary of the results of the studies for the elaboration of a local integration strategy (Synthèse des résultats de l'études pour l'élaboration d'une stratégie d'intégration locale), available at: www.olai.public.lu/fr/publications/etude/etude_pr_strategie_integration_locale.pdf

⁴¹⁶ Luxembourg, "Café des âges", House of associations (*Maison des Associations*), available at : <http://www.maisondesassociations.lu/cafedesages.html>

⁴¹⁷ Luxembourg, Intercultural Literary Evenings (Millefeuilles – Soirées littéraires interculturelles), House of associations (*Maison des Associations*), available at : <http://www.maisondesassociations.lu/millefeuillesfei.html>

⁴¹⁸ Luxembourg, Psycho-social support service (Appui psycho-social), House of associations (*Maison des Associations*), available at : <http://www.maisondesassociations.lu/appui.html>

⁴¹⁹ Luxembourg, Red Cross Intercultural Interpreting Service, information available at: <http://www.croix-rouge.lu/interpretriat-interculturel-2/presentation/>

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| | | <p>up from ASTI which created and developed the initiative in 2008.⁴²⁰ Center for Intercultural and Social Education and Training (<i>Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS</i>) published a flyer 100% Luxembourg (<i>100% Letzebuerg</i>)⁴²¹ with 5000 copies. It is a small-format booklet that provides information in 21 interesting key figures on diversity in the Grand Duchy, and is very accessible. Miserland organised Expo Contest Miselerland Integration Couch⁴²². It is a competition with an aim to raise awareness of integration and living together between residents and non Luxembourgers of all generations by using creativity and innovation.</p> <p>The municipality of the second biggest city of the country, Esch sur Alzette, organises National Integration meetings (<i>Assises nationales de l'intégration</i>)⁴²³ on how local associations can help integration⁴²⁴. The meetings are set around the topics of the role of local associations in the integration policy at the local level. The meetings bring together a large number of actors involved in the integration policy to discuss around a specific topic and to agree on future tracks. Later in 2012, OLAI organised a National Integration meetings (<i>Assises nationales de l'intégration</i>) with the representatives of the communes (especially CCI) to gather best practices that are have been realised.⁴²⁵ National Integration meetings at the local level is run by Union of Towns and Municipalities (<i>Syndicat des villes et communes, SYVICOL</i>) and ASTI. "Making Luxembourg" is one of the biggest initiatives in the country with an idea that the country is composed of various people, of nationalities, race, ethnicity, sexual orientation, etc. Together they make 100% Luxembourg. The initiative has grown over the last years and has included a number of competitions, new initiatives (e.g. a creative competition Mixing Luxembourg). Currently, over 2200 people took part in the initiative and created their shirts (with a number of concepts, but zero racism, intolerance).⁴²⁶</p> |
| Are there indicators used by authorities to assess, monitor and support social cohesion | | |

⁴²⁰ Luxembourg, Red Cross Luxembourg, Intercultural Interpreting - Help overcome language barriers (*Interprétariat Interculturel – Aider à surmonter les barrières linguistiques*), available at: www.croix-rouge.lu/wp-content/uploads/2013/07/2013.01.23_Reprise-du-Service-Interprétariat-Interculturel-de-l'Asti-par-la-Croix-Rouge-luxembourgeoise.pdf

⁴²¹ Luxembourg, Project *100% Letzebuerg*, CEFIS, available at:

<http://www.cefis.lu/files/b073eee9d43cc98939763eee508d1b3c-40.html>

⁴²² Luxembourg, Miselerland Integration Couch, information available at:

<http://www.olai.public.lu/en/actualites/2012/09/leader/index.html> and http://www.olai.public.lu/en/actualites/2012/09/leader/Leader_Fly_Wettbewerb_digi.pdf

⁴²³ Luxembourg, National integration meetings (*Assises nationales de l'intégration*), available at:

<http://www.olai.public.lu/fr/actualites/2013/11/assises/index.html>

⁴²⁴ Luxembourg, National Integration meetings (*Assises nationales de l'intégration*) (11.10.2012), available at:

www.esch.lu/actualites/Pages/Assisesdel%27Intégration.aspx

⁴²⁵ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*) Invitation to National Integration meetings (*Invitation aux Assises nationales de l'intégration au niveau local*) (09.20.2013), available at:

www.olai.public.lu/fr/actualites/2013/10/invitation-assises/index.html

⁴²⁶ Luxembourg, Official page of Making Luxembourg, available at: www.makingluxembourg.lu/#/makingluxembourg

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| <p>polices? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p> | <p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.</p> <p>Valentova, M., Bergoza, G. (2010)⁴²⁷ Attitudes toward immigrants in Luxembourg depending on migratory background: the study focused only on the attitudes towards migrants and thus we disregarded the effects of other important determinants of attitudes toward immigrants such as, for example, age, sex, professional and social status. In general, first generation immigrants exhibit more positive attitudes toward immigrants than second generation immigrants, natives and offspring of mixed couples. The children of mixed couples exhibit attitudes very close to those of natives and that, in general, they exhibit the least positive attitudes toward immigrants among all analysed groups. The outcomes also confirm Kucera's claim (2008)⁴²⁸ that residents who had only one foreign-born parent differ notably from those who's both parents were born outside the country. These findings, based on the analyses of individual items, were corroborated by the outcomes of analyses of a sum score of attitudes toward immigrants. The authors also demonstrate that there is relatively high appreciation of the cultural contribution of immigrants to a Luxembourgish culture (the Luxembourgish cultural life is not undermined by immigrants and immigrants do not take jobs away from native in the country), which could be explained by the composition of migrant community residing in or entering Luxembourg (in most cases of the similar cultural background)⁴²⁹.</p> <p>The paper of Callens, M., Valentova, M., Meuleman, B.(2012)⁴³⁰ investigates attitudes toward the integration of immigrants in Luxembourg – the country with the highest proportion of immigrants (EU nationals and TCN) in Europe. First, the paper examines how attitudes toward integration (consisting of two dimensions, namely attitudes toward assimilation and attitudes toward multiculturalism) vary among different groups of the countries, residents, i.e. natives and residents with a migratory background. Second, it examines how these attitudes have evolved over a period of ten years. The Luxembourgish EVS data from both the 1999 and the 2008 waves are used. The results of the analyses reveal that attitudes toward the</p> |
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⁴²⁷ Luxembourg, Valentova, M., Bergoza, G. (2010) Attitudes toward immigrants in Luxembourg depending on migratory background CEPS, Cahier n°2010-23. Available at: www.statistiques.public.lu/catalogue-publications/cahiers-CEPS/2010/23-attitudes-immigrants.pdf

⁴²⁸ Kucera, M. (2008). The educational attainment of second generation immigrants in Canada: Analysis based on the General Social Survey". HRSDC Learning Research Series, Quebec. MPRA paper no. 14036. Munich: MPRA

⁴²⁹ Luxembourg, Valentova, M., Bergoza, G. (2010) Attitudes toward immigrants in Luxembourg depending on migratory background CEPS, Cahier n°2010-23. Available at: www.statistiques.public.lu/catalogue-publications/cahiers-CEPS/2010/23-attitudes-immigrants.pdf

⁴³⁰ Luxembourg, Callens, M., Valentova, M., Meuleman, B.(2012), Do attitudes toward integration of immigrants change over time? A comparative study of natives, second-generation immigrants and foreign-born residents in Luxembourg. CEPS/INSTEAD, 2012, Working Papers n°2012-14, 28p.

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| | | <p>integration of immigrants differ significantly among the analysed resident groups. Native residents are more supportive of the assimilation model compared to foreign-born residents and second generation immigrants with two foreign-born parents, whereas the latter groups score higher on the multiculturalism scale than the other groups. With respect to trends in attitudes toward integration, the assimilation model gained popularity between 1999 and 2008 among all groups whereas the opposite was found with respect to preferences for multicultural integration.</p> <p>Murdock, Elke (2014). Multiculturalism within the Luxembourg context.⁴³¹ The doctoral thesis examined different facets of multiculturalism in a series of quantitative studies. The first study examined the salience of nationality in the spontaneous self-concept as a function of context. The study found that students in a nationally heterogeneous environment mentioned nationality more frequently in their spontaneous self-concept than those in a nationally homogeneous context. Bringing people of different nationalities together does not diminish awareness of nationalities; on the contrary, salience of nationality is increased, as explained by the distinctiveness paradigm. Within a multicultural society, identification in terms of nationality is therefore more likely. The link between multilingualism and biculturalism was examined in the second study. Luxembourg is not only multicultural in terms of its demographic composition, but also multilingual as a country with three officially recognized languages. This study confirmed that Luxembourg participants self-identified as multilingual, but the majority also as monocultural, therefore defying the assumption that bilinguals tend to be bicultural. Language competence was identified as a necessary, but not sufficient condition for biculturalism. Luxembourg participants differed in terms of internalization of language and culture. Those who experienced language as a cultural prime were more likely to self-identify as bicultural. Biculturals in turn reported less conscious effort in switching between cultures. A third study examined how biculturals organize and experience their dual nationalities. The study showed that adolescents growing up in mixed national family are more likely to self-identify in a bicultural way. They experienced their dual nationalities as complementary and as a source of self-enhancement and pride rather than conflict. These findings were explained within the Acculturation Complexity Framework (ACM). Individuals who feel accountable to a mixed audience, may, after a period of dissonance, develop integrative complexity and a bicultural orientation. In the ACM model, the trigger for the</p> |
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⁴³¹ Luxembourg, Murdock, Elke (2014). Multiculturalism within the Luxembourg context University of Luxembourg, Walferdange, Luxembourg, summary available at: <http://orbilu.uni.lu/handle/10993/18852>

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| | | <p>increased cultural attention scope is second culture exposure. The opportunity for second culture exposure is increased in a multicultural society. A final series of studies assessed the attitude towards multiculturalism, defined as the attitude towards the composed society. The study highlighted the role of language as well as culture contact for the construction of mono- or bicultural identity. Findings did not show however a simple linear relation between these variables but underlined the importance of third-variables moderating or mediating this relationship.</p> <p>In 2013, a survey was carried out on the future of the country. Respondents were suggested a number of questions, regarding life and need for change. One of the questions regarded the scale of change needed in the following areas: living together between people from different cultures. The results show that 40% are for the change; Little difference is seen between responses by citizens (39%) and non citizens (40%)⁴³²</p> |
| | <p>Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa'⁴³³.</p> | <p>In a case⁴³⁴ concerning the financial aid for higher education students, the first instance administrative court (<i>Administrative Tribunal</i>) has referred a question for preliminary ruling to the CJEU, on whether the difference of treatment between students whose parents are cross-border workers and the children of resident workers could amount to discrimination.⁴³⁵ The question of ethnic clothing has never been raised in Luxembourg.</p> <p>In this question, the CJEU considered that the difference in treatment could amount to indirect discrimination⁴³⁶ and the Administrative Tribunal decided for the annulment of the decision of the Ministry of Higher Education and Research that had refused financial aid to students whose parents are cross-border workers.⁴³⁷</p> <p>After this decision, Luxembourg's legislation has also been changed accordingly.⁴³⁸</p> |

⁴³² Electronic survey Quest (*Enquête électronique Quest*) http://www.2030.lu/uploads/media/2030_sondage_juin_2013.pdf

⁴³³ Cfr. The notable ECHR case European Court of Human Rights (ECtHR), *S.A.S. v. France*, No. 43835/11, 1 July 2014, available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{)

⁴³⁴ Administrative Tribunal, Decision of 14 October 2013, N°27689a.

⁴³⁵ Luxembourg, European Migration Network – National Contact Point Luxembourg, (2014) Policy Report on Migration and Asylum 2013, (p. 19), available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/annual-policy/2013/18a_luxembourg_annual_policy_report2013_en.pdf

⁴³⁶ Luxembourg, Case C-20/12, *Elodie Giersch and others*, Judgment of the Court (5th Chamber) of 20 June 2013, available at: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=138699&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=357768>.

⁴³⁷ Luxembourg, European Migration Network, National Contact Point Luxembourg (2014), 2013 Policy Report on Migration and Asylum, (pp. 19 - 20), available at : http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/annual-policy/2013/18a_luxembourg_annual_policy_report2013_en.pdf

⁴³⁸ Luxembourg, European Migration Network, National Contact Point Luxembourg (2014), 2013 Policy Report on Migration and Asylum, (pp. 19 - 20), available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/annual-policy/2013/18a_luxembourg_annual_policy_report2013_en.pdf

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| <p>Does the action plan or strategy on integration and inclusion of migrants and their descendants' address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for <u>young people</u>? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p> | <p>Yes, National Action Plan on Integration and against discrimination 2010-2014 addresses combatting racism, xenophobia and intolerance.</p> <p>OLAI supports projects under the EU PROGRESS programme. OLAI develops topics for the general public. In 2011 several projects under the PROGRESS programme included actions for promoting tolerance among the youth (see examples below)</p> <p>No assessment available. However, OLAI five-year report states that "these programs have helped to develop training tools (e-learning, training for lawyers, educational kit for early childhood professionals), awareness tools to the general public (commercials, campaigns, portal diversity) as well as more targeted actions."⁴³⁹</p> |
| <p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p> | <p>In 2010: Interactive Platform against discrimination and for diversity diversite.lu was launched (still in the development stage). 4 associations (Social Training Institute -STI – in French <i>Institut de Formation Sociale</i>), Caritas Luxembourg Confederation (Confédération Caritas Luxembourg), SESOPI (currently CEFIS) and 4motion educational association) developed a Luxembourg information portal and self training dedicated to the fight against discrimination (under OLAI). The purpose of the latter was to educate and train a wider audience (adults and youth) but also specific audiences (teachers, social workers, employers). The platform aims to become a place of exchange and networking for those who use the tools in their respective environments. The site is organised around different entry points: theoretical, legal, good practices and games intended for specific audiences.⁴⁴⁰ No assessment is available; the project has not been fully developed yet.</p> <p>Following a round table organised by the CET on the internet and the fight against discrimination in the previous PROGRESS program, ASTI, in collaboration with other partners such as the National Youth Service (Service National de la Jeunesse), the Youth centres (Entente des Gestionnaires des Maisons de Jeunes), the Ministry of Education, Children and Youth and the Ministry of the Economy, realised a project For a tolerant Facebook (<i>Pour un Facebook tolerant</i>)⁴⁴¹ its aim</p> |

⁴³⁹ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*L'Office luxembourgeois de l'accueil et de l'intégration*) Five-Year Report (*Rapport quinquennal*) p.78), available at: www.olai.public.lu/fr/publications/rapports/rapports_Sennal/rapport-quinquennal-2014.pdf

⁴⁴⁰ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*) Five-Year Report (*Rapport quinquennal*) (p.78) , available at: www.olai.public.lu/fr/publications/rapports/rapports_Sennal/rapport-quinquennal-2014.pdf

⁴⁴¹ Luxembourg, For a tolerant Facebook (*Pour un Facebook tolerant*), description of the project, Report of activities 2011, OLAI, (p.15), available at: http://www.olai.public.lu/fr/publications/rapports/rapports_activite_olai/rapport_activite_olai_11.pdf

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| | | <p>was to educate young people, to promote a tolerant Facebook exchange of users, and make them aware of possible abuses, including the risk of breaking the law. To do this, upstream of the project, a video clip competition was launched in 2010, the two winner clips were broadcast on large scale on internet, cinema and television⁴⁴².</p> <p>Poll Discrimination Observatory. Similar to the survey that the CET had sponsored in 2008, a survey entitled Discrimination Observatory was conducted in 2011⁴⁴³. The observatory has taken a subject's perception of discriminatory situations, attitudes and behaviours in Luxembourg. The purpose of this investigation was to evaluate the evolution of knowledge of the legislation by the resident population done by the previous study by the Center for Intercultural and Social Education and Training (<i>Centre d'Etude et de Formation Interculturelles et Sociales, CEFIS</i>), particularly at the level of knowledge of the recent law on equal treatment.</p> <p>The project was based on three pillars:</p> <ol style="list-style-type: none"> 1. Information and raising awareness of common knowledge based on issues of discrimination. Besides information sessions on legislation, this introduction aimed to connect the information and the legal framework to the local reality. 2. Reflection and personal identification: the proposed training aimed first to think about social and cultural identities and to deconstruct prejudices towards each other. 3. The action: by bringing together actors struggling against one or more specific forms of discrimination on their own, the goal was to plan actions by focusing on the fight against multiple discrimination in the communes that are involved in the project.⁴⁴⁴ |
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4.2. Combatting racism and intolerance

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| | <p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as</p> | <p>Muslim religion was officially recognised in January 2015⁴⁴⁵ after 8 years' negotiations between Shura (official representant of the Muslim community in Luxembourg) and the Luxembourgish government⁴⁴⁶. The official recognition of Islam will change the proportion of public funding of religions, maintenance of church buildings and other places of worship as well as</p> |
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⁴⁴² Luxembourg. For a tolerant Facebook (*Pour un Facebook tolerant*), video clip, available at: <https://www.bee-secure.lu/fr/video/tol%C3%A9book-pour-un-facebook-tol%C3%A9rant>

⁴⁴³ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*), available at: www.olai.public.lu/fr/actualites/2011/07/sondage-discrimination/Observatoire-des-discriminations-2011.pdf

⁴⁴⁴ Luxembourg, Luxembourg Reception and Integration Agency (*L'Office luxembourgeois de l'accueil et de l'intégration*) Five-Year Report (*Rapport quinquennal*), available at: www.olai.public.lu/fr/publications/rapports/rapports_5ennal/rapport-quinquennal-2014.pdf

⁴⁴⁵ Luxembourg, Recognition of religion of Islam in Luxembourg, available at: <http://www.librairie-boutique-musulmane.com/blog/2015/01/27/communiqu%C3%A9-l-islam-enfin-reconnu-au-luxembourg.html>

⁴⁴⁶ Luxembourg, information given by the vice-president of Shura, Jean-Luc Karleskind, 2012.

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| <p>swimming pools at local level?</p> <p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for promising practices in annex 7).</p> | <p>the content of moral values courses.</p> <p>Headscarfs are not allowed for the teachers because of the neutrality education but allowed for public servants.⁴⁴⁷</p> <p>ECRI report on Luxembourg recommended that the Luxembourgish government provided a Muslim cemetery in the north of the country⁴⁴⁸. Up until now, no follow up actions have been taken.</p> <p>There is a project in Esch (second largest city) to allow migrants and Luxembourgers work together in gardens (which used to be typical activity for Luxembourgers but is now almost completely forgotten). The project creates a chance to build links with the local community and reinforce intergenerational as well as intercultural cohesion.⁴⁴⁹</p> |
| <p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p> <p>Please provide notable examples of promising practice (use the template for promising practices in annex 7).</p> | <p>One of the “building trust” activity that is worth mentioning is in fact the concept of National Integration meetings at the local level (<i>Assises nationales de l’intégration</i>) uniting public authorities CCCIs and Union of Towns and Municipalities (<i>Syndicat des villes et communes, SYVICOL</i>), on the one hand, and civic associations (ASTI, etc.), on the other hand. These meetings put in place discussions and exchanges of opinions on integration and good practices between local politicians and representatives of target groups⁴⁵⁰. CCCI invites for these National integration meetings also local representatives of TCN migrant associations to voice their opinion on a treated subject⁴⁵¹.</p> <p>Representatives of migrant associations that take part of these meetings start to understand how the local administration works and how could they contribute to enhancing well-being of their community members⁴⁵². However, these meetings stay scarce in numbers and do not usually incite much interest within representatives of target groups (TCN)⁴⁵³.</p> <p>Other example of “building trust” activities may be the intention of Luxembourg Reception and Integration Agency (OLAI) to encourage through its programs and actions plans building a synergy between different stakeholders operating at the local level. Recently, OLAI has opened a call for projects proposals on Asylum, Migration and Integration in which OLAI prioritizes</p> |

⁴⁴⁷ Luxembourg, Parliamentary question, [Headscarfs at schools and the public sector](#).

⁴⁴⁸ Council of Europe, European Commission against Racism and Intolerance (2012), ECRI Report on Luxembourg (*Rapport de l’ECRI sur le Luxembourg*), available at: www.coe.int/t/dghl/monitoring/ecri/country-by-country/luxembourg/LUX-CbC-IV-2012-004-FRE.pdf

⁴⁴⁹ Luxembourg Urban gardening Esch, available at: www.transition-minett.lu/urbangardening-ensavoirplus/

⁴⁵⁰ Luxembourg, Official page of the Gouvernement of the Grand Duchy, on the Luxembourg Reception and Integration Agency (*L’Office luxembourgeois de l’accueil et de l’intégration*), available at: www.gouvernement.lu/971516/office-luxembourgeois-de-l-accueil-et-de-l-integration-olai

⁴⁵¹ Luxembourg, Interview with Marc Limpach, CCI Secretary in Esch-sur-Alzette, 2013.

⁴⁵² Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l’Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L’Harmattan, (p. 75). ISBN: 978-2-343-02297-0.

⁴⁵³ Luxembourg, Gerstnerova A. (2014), *Economic crisis and associative life ; African and Balkan migrants in Europe (Temps de crise et vie associative : Migrants de l’Afrique subsaharienne et des Balkans en Europe)*, Peer-reviewed scientific monograph. Paris: L’Harmattan, (p. 75). ISBN: 978-2-343-02297-0.

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| | strategic partnerships of several organizations dealing with the particular issue at a locality ⁴⁵⁴ . Particular attention is paid to establishing partnerships in order to reinforce the integration capacities of Cap-Verdean immigrants in Luxembourg ⁴⁵⁵ . These large and mixed partnerships may not only evoke the interest within migrant associations to contribute to the implementation of public integration policies, but they may also help migrant associations to find their role in the implementation of public integration policies. The aforementioned “building trust” activities are recent and their impact and sustainability cannot yet be measured. |
| Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges. | We could not identify any. ⁴⁵⁶ |

4.3. Mixed marriages

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| Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum | <p>Family reunification is not accepted in any case of polygamous marriage, if the resident applicant already has another spouse living with him in the Grand Duchy of Luxembourg⁴⁵⁷.</p> <p>The law on marriages foresees punishment of marriages for conveniences (for professional, social, fiscal or inheritance advantage) of up to 3 years of prison and up to 30.000 euros fine, Art. 387-389⁴⁵⁸). However, this phenomenon is marginal in the country and the problem is not duly controlled⁴⁵⁹. In case that the marriage of convenience is proved the residence permit is revoked, and the person is ordered to leave the territory. Because of this, the law considers the person as a flight risk and the person can be placed in a holding facility</p> |
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⁴⁵⁴ Luxembourg, Presentation of the program Asylum, Migration and Integration to the public, OLAI, 2nd April 2015, Luxembourg. <http://www.olai.public.lu/en/fonds-programmes/amif/appele-projets/index.html>

⁴⁵⁵ Luxembourg, Asylum, Migration and Integration Fund (Asile, Migration et Integration Fonds- AMIF) – Call for project proposals 2014-2020, Specific part (Appel à projets 2014-2020, Partie spécifique); OLAI document, 27th March 2015 available at: http://www.olai.public.lu/fr/formulaires/amif/Appel-a-projets_AMIF_2014-2020_partie-specifique.pdf

⁴⁵⁶ Luxembourg, we searched immigration platforms of Cefis, Olai, Emn Luxembourg, but no Information was identified.

⁴⁵⁷ Luxembourg, Act of 29 August 2008 on the free movement of persons and immigration (*Loi du 29 août 2008 portant sur la libre circulation des personnes et l'immigration*), 10 September 2008, available at: <http://www.legilux.public.lu/leg/a/archives/2008/0138/2008A2024A.html?highlight=>

⁴⁵⁸ Luxembourg, act of 4 July on the marriage reform (*loi du 4 juillet 2014 de la réforme du mariage et de l'adoption*), 17 July 2014.

⁴⁵⁹ Luxembourg, Consultative Commission on Human Rights (*Commission Consultative des Droits de l'Homme*), Opinion on the draft law aimed to fight against marriages and partnerships forced or complaisance well as modify and supplement some provisions of the Civil Code, the New Code of Civil Procedure Code criminal, No. 5908/02, (*Avis sur le projet de loi ayant pour objet de lutter contre les mariages et partenariats forcés ou de complaisance ainsi que de modifier et compléter certaines dispositions du Code civil, du Nouveau code de procédure civile, du Code pénal, n° 5908/02*)

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| <p>seekers, third country nationals, etc. Do these limitations result in practical barriers?</p> | <p>waiting the execution of his/her expulsion (Article 75 of the Law of 29 August 2008)⁴⁶⁰</p> <p>In cases, when third country nationals apply for a family reunification with a Luxembourgish citizen, the latter should provide: "proof of stable, regular and sufficient resources to cover his or her own needs and those of dependent family members without using the social security system. It is important to mention that article 6 (1) of the Grand-ducal regulation of 5 September 2008 modified by grand-ducal regulation of 11 August 2011 requires that the average income of the Luxembourgish resident is equivalent to the minimum social salary for a non-qualified worker, so that this person can apply for a family reunification. If the income is less, family reunification can be authorised by the Minister using his discretionary power⁴⁶¹. It is important to mention that the authorities tend to look at the global financial situation of the family and the amount of rent⁴⁶²" and provide proof of adequate housing for the family member(s) and health insurance cover for himself or herself and family members ⁴⁶³</p> <p>In Luxembourg there are no provisions through which authorities may prevent marriages of convenience, except in cases when the documents have been forged, as civil registrars cannot refuse to marry a couple and the public prosecutor has no legal basis to oppose it, even if it is suspected that the marriage is not genuine. According to the marriage law⁴⁶⁴, if a marriage is registered in another country, checks of the documents are required. If then this is still necessary, the examiner notifies the State Prosecutor of a follow up check (during one month with a maximum suspension period of 4 months, and a maximum of one time). In Luxembourg, the recognition of a child's parents is a formal act, which requires only a formal recognition by the parent.⁴⁶⁵</p> |
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⁴⁶⁰ Luxembourg, European Migration Network – National focal point Luxembourg(2012), Misuse of the Right to Family Reunification (p.29), available at:

www.emnluxembourg.lu/sites/default/files/EMN_Misuse_Family_Reunification_Study_FINAL_June_2012.pdf

⁴⁶¹ Luxembourg, Grand Ducal Regulation of 11 August 2011 amending the Grand Ducal Regulation of 5 September 2008 defining the criteria for resources and accommodation provided by the law of 29 August 2008 on the free movement of persons and immigration (*Règlement grand-ducal du 11 août 2011 modifiant le règlement grand-ducal du 5 septembre 2008 définissant les critères de ressources et de logement prévus par la loi du 29 août 2008 sur la libre circulation des personnes et l'immigration*), 22 August 2011.

⁴⁶² Article 6 (2) says: «(2) Pour l'appréciation des ressources visées au paragraphe (1) qui précède, sont pris en considération les revenus provenant d'une activité salariée ou indépendante, y compris les revenus de remplacement, de même que les revenus provenant du patrimoine. Outre les ressources personnelles du demandeur, sont également prises en compte les ressources du conjoint qui alimentent de manière stable le budget de la famille. »

⁴⁶³ Luxembourg, European Migration Network – National focal point Luxembourg(2012), Misuse of the Right to Family Reunification (p.29), available at:

www.emnluxembourg.lu/sites/default/files/EMN_Misuse_Family_Reunification_Study_FINAL_June_2012.pdf

⁴⁶⁴ Luxembourg, act of 4 July on the marriage reform (*loi du 4 juillet 2014 de la réforme du mariage et de l'adoption*), 17 July 2014.

⁴⁶⁵ Luxembourg, European Migration Network – National focal point Luxembourg(2012), Misuse of the Right to Family Reunification (p.21), available at:

www.emnluxembourg.lu/sites/default/files/EMN_Misuse_Family_Reunification_Study_FINAL_June_2012.pdf

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| | | <p>For family reunification, 2008 law abolished long-term residence: spouses cannot access nationality faster than 7 years (general rule). Changes are foreseen with the new draft bill N°6561.</p> <p>Since January 2015 marriages between same sex partners are allowed. Under the act of 4 July 2014 marriage reforms and adoption a same sex marriage registered abroad is now recognised in Luxembourg. Regarding the recognition of marriages between same-sex spouses registered abroad, the act foresees the same rules as for different-sex couples married abroad. The same applies to marriages of either between couples of different sex or of same-sex, all rights and obligations of the marriage, the rules relating to the dissolution of marriage, the provisions of donations or estates. ⁴⁶⁶ The Act of 3 August 2010⁴⁶⁷, approved amendment to a partnership law, which brought changes into the act of free movement and immigration. Since 2011, the partner with whom a EU citizen has a partnership registered in a foreign country is also considered a family member, provided that content and formal conditions laid down in the amended Act of 9 July 2004 are observed. ⁴⁶⁸</p> |
| | <p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available - about ages, country of origin/birth of migrant spouses.</p> | <p>According to STATEC⁴⁶⁹, there were in 2013 12.1% of mixed married couples (Luxembourgish citizen and foreigner – <i>TCN and EU nationals counting together</i>). In case of other forms of reunion between a Luxembourgish citizen and a foreigner like civil partnerships (<i>couples pacsés</i>) or consensual unions (<i>union consensuelle</i>) the figures are even higher (19,2% and 20,7% respectively) ⁴⁷⁰.</p> <p>Total number of all marriages in 2013 where at least one of the spouses was a Luxembourgish national: 974⁴⁷¹</p> <p>Number of marriages, whose spouse is of a Luxembourgish nationality with a spouse of a non Luxembourgish nationality: 276 (28%)</p> <p>Number of marriages, whose spouse is of a Luxembourgish nationality with a spouse of a German nationality: 42 (15%)</p> <p>With a Belgian nationality 17 (6%)</p> |

⁴⁶⁶ Luxembourg, act of 4 July on the marriage reform (*loi du 4 juillet 2014 de la réforme du mariage et de l'adoption*), 17 July 2014.

⁴⁶⁷ Luxembourg, Act of 3 August 2010 on the legal effects of certain partnerships (*Loi du 3 août 2010 portant modification de la loi du 9 juillet 2004 relative aux effets légaux de certains partenariats*), 12 August 2010.

⁴⁶⁸ Luxembourg, Act of 8 December 2011 amending the amended Act of 29 August 2008 on free movement and immigration (*Loi du 8 décembre 2011 modifiant la loi modifiée du 28 août 2008 sur la libre circulation des personnes et l'immigration*), 03 February 2012.

⁴⁶⁹ Luxembourg, Persons living in couple (*Les personnes vivant en couple*), STATEC, 2013, available at: <http://www.statistiques.public.lu/fr/publications/series/rp2011/2013/24-13-couples/index.html>

⁴⁷⁰ Luxembourg, Persons living in couple (*Les personnes vivant en couple*), STATEC, 2013, available at: <http://www.statistiques.public.lu/fr/publications/series/rp2011/2013/24-13-couples/index.html>

⁴⁷¹ Luxembourg, National Institute of Statistics and Economic Studies (*Institut national de la statistique et des études économiques du Grand-Duché de Luxembourg*, STATEC), Marriages in Luxembourg 1950-2013, available at: www.statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=476&IF_Language=fra&MainTheme=2&FldrName=2&RFPPath=97

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| | | <p>With a French nationality: 31 (11%) With an Italian nationality: 3 (1%) With a Portuguese nationality: 36 (13%) With any other nationality/ no nationality: 146 (52%)</p> <p>Although marriage with a Luxembourgish citizen indirectly helps with the socioeconomic integration of his/her TCN spouse, a lot of TCN residing in Luxembourg prefer to marry each other out of respect to their parents and to the community (CEFIS, 2011)⁴⁷². However, a marriage between TCN themselves does not always constitute a hurdle to the integration process. Especially, in the time of economic crisis, TCN immigrants tend to reunite their community forces and the marriage may sometimes help them to put in place some ethnic-based integration strategies (ethnic businesses, etc.)⁴⁷³. CEFIS declares that it is difficult to give exact numbers of mixed marriages between TNC because many of immigrants might have already obtained the Luxembourgish nationality. CEFIS thinks that national statistics on mixed marriages/reunions considering the nationality of origin are much worth than statistics considering only the recent nationality⁴⁷⁴.</p> <p>Data on age, birth of migrants is not available.</p> |
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⁴⁷² Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales),(p.128), available at: www.cefis.lu/page10/files/red14.pdf

⁴⁷³ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales),(p.128), available at: www.cefis.lu/page10/files/red14.pdf

⁴⁷⁴ Luxembourg, Jacobs A., Mertz F. (2011), Integration in Luxembourg, Indicators and Social Dynamics; Path of Cap-Verdeans and Ex-Yugoslav Migrants (L'integration au Luxembourg. Indicateurs et dynamiques sociales. Parcours de personnes originaires du Cap-Vert et de l'ex-Yougoslavie), In : *RED no.14*, Luxembourg: CEFIS (Centre d'étude et de formation interculturelles et sociales),(p.128), available at: www.cefis.lu/page10/files/red14.pdf

Annex 2: National and regional level action plans on integration

| National / regional level (specify region) | Year of the first edition and Year of latest update (e.g. First edition: 2004, Most recent update: 2011) | Responsible ministry – public authority – reference details (URL – links) | Target groups Identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status) | Main aims, actions and activities foreseen in the focus areas – link to fundamental rights [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)] | Targeting general population? Yes/No – explanatory comments where needed | Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants |
|---|--|--|--|---|---|---|
| National action plan on Integration and against Discrimination (national level) | First edition 2010 Most recent update 2014 | Luxembourg Reception and Integration Agency (<i>l'Office Luxembourgeois d'Accueil et d'Intégration OLAI</i>) under the Ministry of Family and Integration- www.olai.public.lu/fr/accueil-integration/mesures/plan-action-national/ | Yes :Migrants (EU, TCN, foreigners residing and wishing to remain on a permanent basis, border workers, Refugees (under law 2008) ⁴⁷⁵ | <p>Aims for the year 2014:</p> <ul style="list-style-type: none"> Integration as a two way process Employment Language and history competences of the host country Education Intercultural dialogue Gathering statistics, providing with indicators Political participation | Yes: the targets of 2014 precise integration as a two way process, where "integration process involves adaptation, not only by foreigners, but also the host society. This is to consider and involve both immigrants and | NAP priorities 2014 specify: "Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States. The integration process involves adaptation, not only by foreigners, but also the host society. This is to consider and involve both immigrants and indigenous while ensuring that everyone's rights |

⁴⁷⁵ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), (2014), Priorities 2014 National Plan of Action for integration and fight against discrimination (2010 - 2014) (*Priorités 2014 Plan d'action national d'intégration et de lutte contre les discriminations* (2010 – 2014), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/olai_plan_daction_uk.pdf

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| | | | | | indigenous while ensuring that everyone's rights and responsibilities are clear" p 3 ⁴⁷⁶ | and responsibilities are clear. (p.3) ⁴⁷⁷ |
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⁴⁷⁶ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), (2014), Priorities 2014 National Plan of Action for integration and fight against discrimination (2010 - 2014) (*Priorités 2014 Plan d'action national d'intégration et de lutte contre les discriminations (2010 – 2014)*), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/priorites-2014-fr1.pdf

⁴⁷⁷ Luxembourg, Luxembourg Reception and Integration Agency Priorities (*Office luxembourgeois de l'accueil et de l'intégration*), (2014), Priorities 2014 National Plan of Action for integration and fight against discrimination (2010 - 2014) (*Priorités 2014 Plan d'action national d'intégration et de lutte contre les discriminations (2010 – 2014)*), available at: www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/priorites-2014-fr1.pdf

Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N/A.

Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF)

| | European Integration Fund (EIF) - TOTAL | Own funds | Funds distribution / Thematic areas | | | | | | | |
|-------------|---|--|-------------------------------------|--|--------------------|--|--|---|------------|---|
| | | | Participation | Social Cohesion / social inclusion | Active citizenship | Welcoming society | Employment | Education | Healthcare | Other |
| 2010 | Available EIF funds : 554 531,19 EUR Distributed EIF Funds : 361982,12 EUR | Distributed national cofunding: 361 982,12 EUR | | EIF : 135386,87 EUR National funds: 135386,87 EUR | | EIF : 105285,69 EUR National funds: 105285,69 EUR | | EIF: 10275,00 EUR National funds: 10275,00 EUR | | EIF: 11 1034,56 EUR National funds: 11103 4,56 EUR |
| 2011 | Available EIF funds : 566 121,27 EUR Distributed EIF Funds : 416290,32 EUR | Distributed national cofunding: 391 930,32 EUR | | EIF: 192657,90 EUR National funds: 168297,91 EUR | | EIF: 107 840,50 EUR National funds: 107840,50 EUR | EIF : 88791,92 EUR National funds: 88791,92 EUR | EIF: 27000,00 EUR National funds: 27000,00 EUR | | |
| 2012 | Available EIF funds : 587 899,00 EUR Distributed | Distributed national cofunding: 465 | | EIF: 245794,50 EUR National funds: | | EIF: 107 842,750 EUR National funds: | EIF: 95638,77 EUR | EIF: 39759,48 EUR | | |

| | | | | | | | | | | |
|-------------|--|---|--|--|---|---|---|---|---|--|
| | EIF Funds : 489035,00 EUR | 837,6 ⁴⁷⁸ EUR | | 222597,09 EUR | | 107842,75 EUR | National funds: 95638,77 EUR | National funds: 30759,4 8 EUR | | |
| 2013 | Available EIF funds : 719 033,00 EUR Distributed EIF Funds : 550479,60 EUR | Distributed national cofunding: 462.795,7 1 EUR | | EIF: 151638,33 EUR National funds: 63954,43 EUR | EIF: 124893.5 5 EUR National funds: 124893,5 5 EUR | EIF: 116737,50 EUR National funds: 116737,50 EUR | EIF: 37225,30 EUR National funds: 37225,30 EUR | EIF: 49674,7 5 EUR National funds: 49674,7 5 EUR | EIF: 70310,17 EUR National funds: 70310,17 EUR | |
| 2014 | Call was launched in March 2015. | | | | | | | | | |

⁴⁷⁸ Luxembourg, Luxembourg Reception and Integration Agency (*Office luxembourgeois de l'accueil et de l'intégration, OLAI*, (2014), List of projects co-financed under the European Integration of third-country nationals Fund 2007-2013 (*Liste des projets cofinancés au titre du Fonds européen d'intégration des ressortissants de pays tiers 2007-2013*) (p.6), available at: www.olai.public.lu/fr/publications/programmes-planactions-campagnes/programme_fei/liste-fei.pdf

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection (Asylum, Migration and Integration Fund is not used for 2014)

EMIF has only opened call for applications in March 2015.

| | European Refugee Fund (ERF) - TOTAL | Own funds (national/regional) | Funds distribution / Thematic areas | | | | | | | |
|-------------|---|---|-------------------------------------|---|--------------------|---|-----------------|--------------------------|--|---|
| | | | Participation | Social Cohesion / social inclusion | Active citizenship | Welcoming (host targeted) | society society | Employment | Education | Healthcare |
| 2010 | Available ERF funds : 495 818,82 EUR ⁴⁷⁹ Distributed ERF Funds : 495055,99 EUR | Distributed national cofunding: 353174,37 EUR | | ERF: 205683,31 EUR National funds: 205683,31 EUR | | | | | ERF: 17500,00 EUR National funds: no numbers provided | ERF: 271872,69 EUR National funds: 147491,06 EUR |
| 2011 | Available ERF funds : 469 934,40 EUR Distributed ERF Funds : 290984,35 EUR | Distributed national cofunding: 270984,35 EUR | | ERF: 132436,94 EUR National funds: 132436,94 EUR | | ERF: 41875,00 EUR National funds: 21875,00 EUR | 37181,96 | | | ERF: 79490,45 EUR National funds: 79490,45 EUR |
| 2012 | Available ERF funds : 457 520,0 | Distributed national cofunding: | | ERF: 91551,45 EUR | | | | ERF: 37000,50 EUR | | ERF: 281000,00 EUR |

⁴⁷⁹ Luxembourg, Luxembourg Reception and Integration Agency (*Office luxembourgeois de l'accueil et de l'intégration, OLAI*) (2010), European Refugee Fund (*Fonds européen pour les Réfugiés*), available at: www.olai.public.lu/fr/publications/programmes-planactions-campagnes/programme_fer/prog-2010-fer.pdf

| | | | | | | | | | | |
|-------------|--|--|--|-------------------------------------|--|--|--|---|--|---|
| | 0 EUR Distributed ERF Funds : 409551,95 EUR | 128551,95 EUR | | National funds: 91551,45 EUR | | | National funds: 37000,50 EUR | | | National funds: no numbers provided EUR |
| 2013 | Available ERF funds : 583 761,00 EUR Distributed ERF Funds : 522924,50 EUR | Distributed national cofunding: 44500,50 EUR | | | | | ERF 37000,50 EUR National funds: 37000,50 EUR | ERF: 7500,00 EUR National funds: 7500,00 EUR | | ERF: 478424,00 EUR National funds: no numbers provided |
| 2014 | | | | | | | | | | |

* Please indicate if Asylum, Migration and Integration Fund is used for 2014

Annex 7: Promising practices

| | |
|--|--|
| Thematic area | Integration, social participation |
| Title (original language) | Bienvenue au Luxembourg |
| Title (EN) | Welcome to Luxembourg |
| Organisation (original language) | Association de soutien aux travailleurs immigrés (ASTI) |
| Organisation (EN) | Association for support of immigrant workers |
| Government / Civil society | Government and civil society |
| Funding body | Ministry of Family and the European Fund for the Integration of Third-country nationals (EIF) |
| Reference (incl. url, where available) | http://www.bienvenue.lu/index.php?lang=en |
| Indicate the start date of the promising practice and the finishing date if it has ceased to exist | national |
| Type of initiative | Information on work and residence permit |
| Main target group | Foreigners: EU-citizens and TCN |
| Indicate level of implementation: Local/Regional/National | National |
| Brief description (max. 1000 chars) | Leaflets provide a comprehensive description of conditions for work and residence permits according to the Immigration act of 29 August 2008 (cf. coordinated text of 25 June 2013). They are published in 9 languages. The main objective was to ease the understanding of the legal text, which is only available in English. The most recent leaflet has been issued in Chinese and is highly in demand according to the voluntary organisation. The leaflets and the on-line texts are coupled with personal counselling (on working days) if this is required by newcomers. Translation free of charge is also offered. |
| Highlight any element of the actions that is transferable (max. 500 chars) | Translating a complicated legal text into the most important languages for newcomers coupled with personal counselling |

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| | and translation should be transferable. This is also valid for the use of EU programmes' funds (EIF). |
| Give reasons why you consider the practice as sustainable (as opposed to 'one off activities') | Mainly the on-line text can be quickly adapted to changes which occur – given the obligation to transpose EU-directives within the common migration and asylum policy. |
| Give reasons why you consider the practice as having concrete measurable impact | Measurable are: the on-line use; the use of the paper-draft and the use of personal counselling and of free translation. |
| Give reasons why you consider the practice as transferrable to other settings and/or Member States? | We consider important that foreigners receive appropriate information about the host society. By obtaining the appropriate information the foreigners develop feelings of belonging and acquire "civic responsibility" attitude. |
| Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice. | Stakeholders – a not-for-profit organisation – conceived the project: an EIF project. Evaluation is done within the official EIF evaluation. |
| Explain, if applicable, how the practice provides for review and assessment. | Regular evaluation within the EIF obligations. |

| Thematic area | Social cohesion |
|--|--|
| Title (original language) | Jardin collectif |
| Title (EN) | Collective garden |
| Organisation (original language) | TRANSITION MINETT |
| Organisation (EN) | TRANSITION MINETT |
| Government / Civil society | Civil society |
| Funding body | State, own funds |
| Reference (incl. url, where available) | www.transition-minett.lu/urbangardening-ensavoirplus/ |
| Indicate the start date of the promising practice and the finishing date if it has ceased to exist | 2013 |
| Type of initiative | Community cohesion |

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| Main target group | General public, young, elderly, national minorities, migrants |
| Indicate level of implementation: Local/Regional/National | local |
| Brief description (max. 1000 chars) | There is a project in Esch (second biggest city) to allow migrants and Luxembourgers work together in gardens (which used to be typical activity for Luxembourgers but is now almost completely forgotten). The project creates a chance to build links with the local community and reinforce intergenerational as well as intercultural cohesion. ⁴⁸⁰ |
| Highlight any element of the actions that is transferable (max. 500 chars) | Gardening exists in every country. There is a growing attention to balance it vis-à-vis urbanisation |
| Give reasons why you consider the practice as sustainable (as opposed to 'one off activities') | n.a. |
| Give reasons why you consider the practice as having concrete measurable impact | Not only it allows co-working together in one of the typical practices of Luxembourgers, it included people of different ages, generations. |
| Give reasons why you consider the practice as transferrable to other settings and/or Member States? | Garden exist in every country, there is a growing attention to brining this action back to urbanised cities. |
| Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice. | n.a. |
| Explain, if applicable, how the practice provides for review and assessment. | n.a. |

⁴⁸⁰ Luxembourg Urban gardening Esch, available at: www.transition-minett.lu/urbangardening-ensavoirplus/

Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2013^{481*}

| Number of cases (report the 10 Largest nationality group that <u>submitted a complaint</u> <u>by the end of 2014</u>) | Grounds | | | | | | | | |
|--|---|--------------------------------------|----------------------------|-----------------------------|------------|--------|---|-----|-------|
| | Racial or ethnic origin Race / skin colour | Nationality (where applicable) | Multiple discrimination | Religion / faith/ belief | disability | gender | Sexual orientation / gender identity | age | other |
| Costa Rica | | n.a. | | | 1 | | | | |
| India ⁴⁸² | | n.a. | | 1 | | | | | |
| Africa (no detail) | | n.a. | | | | | | | 1 |
| Tunisia | 1 | n.a. | | | | | | | |
| Vietnam | 1 | n.a. | | | | | | | |
| Brazil | | n.a. | | | | | | | 2 |
| Madagascar | 1 | n.a. | | | | | | | |
| South of Africa (no detail) | | n.a. | | | | 1 | | | |

* Provide data for 2013 if 2014 not available by March 2015

⁴⁸¹ Luxembourg CET p.36 <http://cet.lu/wp-content/uploads/2014/03/Rapport-annuel-2013-version-finale.pdf>

⁴⁸² Luxembourg, CET information provided upon request by CET, request sent and received by electronic mail, 13 March, 2015.

Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third country nationals*⁴⁸³
2013

| Competent Body (e.g. Equality Body, Administrative court etc.) | Outcome | | | | | | |
|--|--------------------------------|-----------------------------------|-------------------------------|---|---|---------------------------|--|
| | Pending from previous years | Pending – submitted in 2013 | Established discrimination | Shift of the burden of proof applied Unfinished cases in 2013 | Successful mediation – restoring rights/fairness – sanctions applied | Unsuccessful mediation | Not admissible (formal admissibility / withdrawal reasons) |
| CET (EO) | 8 (2012) | 87 | 74 | 13 | 50 | | 20 (withdrawn by applicants) |
| Total 96 | 1(2011) | | | | | | 13 (withdrawn by CET- no element of discrimination) |

* Provide data for 2013 if 2014 not available by March 2015

⁴⁸³ Luxembourg, no such information is available. CET, the EO of Luxembourg, does not specify the outcome of complaints based on nationality (also TCN). Not does it provide the nature of the resolved complaints (P.33) <http://cet.lu/wp-content/uploads/2014/03/Rapport-annuel-2013-version-finale.pdf>

Annex 9: Case law – max 5 leading cases

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| Thematic area | Right of residence of third-country nationals who are family members of a national |
| Decision date | 11 July 2013 |
| Reference details | <p>Case No 28952CA</p> <p>Type of court: Second instance Administrative Court</p> <p>Title of court: Cour Administrative du Grand-Duché de Luxembourg (Unofficial translation: Administrative Court of the Grand Duchy of Luxembourg)</p> <p>Available at: www.ja.etat.lu/28952CA.doc.</p> |
| Key facts of the case (max. 500 chars) | The Minister of Labour, Employment and Immigration refused the request for residence permits to 4 family members of a national of Luxembourg who had never exercised the right of free movement as a citizen of the Union. After applying against this decision to the Administrative Tribunal, the applicants then appealed of its decision to the Administrative Court, which has referred a question to the CJEU (case C-87/12 ⁴⁸⁴) |
| Main reasoning/argumentation (max. 500 chars) | <p>The applicants alleged that the family members of the national were dependants on him and that the refusal of family member resident permits was contrary to EU provisions and Article 8 of the European Convention on Human Rights (ECHR).</p> <p>The State of Luxembourg replied that the situation at stake was a purely internal one and therefore the Directive 2004/38/EC on the right of citizen of the Union and their family members to move and reside freely within the territory of the Member States⁴⁸⁵ (Directive 2004/38/EC) was not applicable.</p> |
| Key issues (concepts, interpretations) clarified by the case (max. 500 chars) | The concepts of dependence and of members of the household were analysed by the Court. |
| Results (sanctions) and key consequences or implications of the case (max. 500 chars) | The CJEU concluded in this case that Article 20 of the TFEU does not preclude a Member State from refusing a residence permit to a TCN who is family member of a national of a EU Member State insofar as that refusal does not lead to the denial of the genuine enjoyment of the substance of the rights conferred to that national (citizen of the Union). The CJEU also underlined that such interpretation of Article 20 did not entail |

⁴⁸⁴ CJEU, C-87/12, *Ymeraga and Ymeraga-Tafarshiku*, 8 May 2013.

⁴⁸⁵ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizen of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, OJ 2004 L 158.

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| | <p>that it should also be concluded that such refusal did not violate Article 8 of the ECHR.</p> <p>Departing from the positions of the parties and the CJEU's decision in the case, the national administrative Court decided that the Luxembourg national's parents were to be considered dependent on him/her, but not his/her brothers. The Court therefore annulled the decisions concerning the parents of the national of Luxembourg.</p> <p>Concerning the alleged violation of Article 8, the Court considered that the right deriving from Article 8 of the ECHR does not guarantee a right to choose the place in which the family wants to live.</p> |
| <p>Key quotation in original language and translated into English with reference details</p> <p>(max. 500 chars)</p> | <p><i>"(...) lesdits père et mère ont été à charge de leur fils aîné durant toute la période durant laquelle ils furent demandeurs de protection internationale ainsi que par la suite et ce notamment à la date de leur demande d'autorisation de séjour ainsi qu'à celle de la prise de la décision de refus les concernant (...)", p. 8.</i></p> <p>"(...) the mentioned father and mother were dependent on their eldest son throughout the period during which they were seeking international protection and thereafter, including the date of their residence permit application as well as that of the decision regarding the refusal (...)"</p> <p><i>"(...) l'article 8 de la CEDH ne garantit pas le droit de choisir le lieu le plus approprié pour développer une vie familiale (...)", p. 9.</i></p> <p>"(...) Article 8 of the ECHR does not guarantee the right to choose the most suitable place to develop a family life (...)"</p> |

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| Thematic area | Residence permit as a salaried worker |
| Decision date | 15 march 2012 |
| Reference details | <p>Case No 29416C</p> <p>Type of court: Second instance Administrative Court</p> <p>Title of court: Cour Administrative du Grand-Duché de Luxembourg (Unofficial translation: Administrative Court of the Grand Duchy of Luxembourg)</p> <p>Available at: www.ja.etat.lu/29416C.doc.</p> |
| Key facts of the case | <p>Mr ..., of Turkish nationality, applied for a residence permit as a salaried worker asserting that a Luxembourg company was willing to hire him for a permanent position.</p> <p>The Minister of Labour, Employment and Immigration refused</p> |

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| | <p>him the permit on the grounds that priority for such a position should be given to nationals or citizens of the European Union.</p> <p>Mr ... filed an internal administrative appeal. Since no decision on this appeal was made in a three-month period, Mr ... brought an action against the Minister's decisions. The Administrative Tribunal decided for the annulment of the Minister's decisions and the Grand Duchy applied against this decision.</p> |
| <p>Main reasoning/argumentation (max. 500 chars)</p> | <p>The respondent alleged that no provision in national or EU law was in the sense of prioritising nationals or citizens of the European Union for such employment positions.</p> <p>The Luxembourg State alleged that both national and EU law provided for equality of treatment between nationals of a Member State and citizens of the EU, establishing that these should be prioritised over third-country nationals.</p> |
| <p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p> | <p>The Court clarified whether existing provisions stipulate that nationals and citizens of the Union shall have priority in terms of employment.</p> |
| <p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p> | <p>The Administrative Court ruled that national and EU provisions on the topic did not entail a right to prioritise the recruitment of Luxembourg nationals or European Union citizens over third-country nationals.</p> <p>After this decision has been taken, Luxembourg's Government has proposed changes to the law on free movement and immigration, as well as the Labour Code, with the intent of providing for such a priority rule. These changes were approved and exist nowadays in national legislation. In the explanatory statement of the bill, it was emphasised that in view of the lack of such a rule, the Government then suggested amendments ("afin de parier à cette situation")⁴⁸⁶.</p> |
| <p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p> | <p>"(...) des dispositions de droit communautaire invoquées par le délégué du gouvernement (...), imposaient seulement une égalité de traitement entre les propres nationaux d'un Etat membre et les citoyens de l'Union. (...) Par contre, ces textes ne consacrent pas un droit de priorité autonome ancré en droit communautaire concernant l'accès à un poste de travail en faveur des ressortissants de l'Union européenne face à des ressortissants d'Etats tiers (...)"</p> <p>" (...) all the provisions of Community law cited by the Government Representative (...) specified only that there should be equality of treatment between nationals of a Member State and citizens of Union. (...) The text of those articles do not provide for an autonomous right rooted in EU law for EU</p> |

⁴⁸⁶ Luxembourg, Parliament (*Chambre des Députés*), Amendments to Bill No 6404, Document 6404/03 (*Amendements au Projet de Loi No 6404, Document 6404/03*), 9 May 2012, available at: www.chd.lu/wps/PA_RoleEtenduEuro/FTSByteServletImpl/?path=/export/exped/sexpdata/Mag/106/193/110952.pdf

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| | nationals to be prioritised over third country nationals concerning access to work” |
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| Thematic area | Social assistance for international protection applicants |
| Decision date | 30 September 2013 |
| Reference details | <p>Case No 31363</p> <p>Type of court: First instance Administrative Court</p> <p>Title of court: <i>Tribunal administratif du Grand-Duché de Luxembourg, 2^e chambre</i> (Unofficial translation: Administrative Tribunal of the Grand Duchy of Luxembourg, 2nd Chamber)</p> <p>Available at: www.ja.etat.lu/31363.doc.</p> |
| Key facts of the case (max. 500 chars) | <p>Mr. ... applied for international protection in Luxembourg and was provided with social assistance (including housing).</p> <p>After having been notified by the Minister of the intention to withdraw his social assistance on the grounds of unjustified periods of absence (he was absent from the 8 October 2010 to the 28 January 2011 and from the 14 March 2011 to the 28 April 2011), Mr. ... brought an action for the annulment of this decision.</p> |
| Main reasoning/argumentation (max. 500 chars) | Mr. ... alleged that the withdrawal of social assistance was disproportionate, since he had only been absent for five months. |
| Key issues (concepts, interpretations) clarified by the case (max. 500 chars) | Proportionality of a decision to withdraw social assistance. |
| Results (sanctions) and key consequences or implications of the case (max. 500 chars) | Taking into consideration Mr. ... acts (his absence and the lack of response to the notifications received to explain the reasons of his absence), the Tribunal considered the Minister’s decision not to be disproportionate. The case, therefore, was dismissed as unfounded. |
| Key quotation in original language and translated into English with reference details (max. 500 chars) | “(…) [A]u regard des manquements commis par le demandeur (...), et eu égard au fait que le demandeur a été (...) convoqué (...) pour s’expliquer sur les faits lui reprochés, sans qu’il n’ait daigné répondre à cette invitation, en ce que même après cette convocation, il s’est encore une fois absenté du foyer pour une nouvelle période d’un mois et demi, toujours sans fournir la moindre explication quant à la raison de ses absences, la mesure attaquée en l’espèce n’est pas à considérer comme étant disproportionnée de manière flagrante.”, p. 5. |

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| | <p>"(...) [W]ith regard to the breaches committed by the applicant (...) and with regard to the fact that the applicant did not give any response to the (...) notifications to explain the facts alleged against him, in that even after this notification he was once again absent from the reception facility for a further period of one and a half months, again without providing any explanation as to the reason for his absence, the contested measure in the present case is not to be considered as flagrantly disproportionate."</p> |
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| Thematic area | Social assistance (housing) for international protection applicants |
| Decision date | 6 October 2011 |
| Reference details | <p>Case No 29233</p> <p>Type of court: First instance Administrative Court</p> <p>Title of court: Tribunal administratif du Grand-Duché de Luxembourg, (Unofficial translation: Administrative Tribunal of the Grand Duchy of Luxembourg)</p> <p>Available at: www.ja.etat.lu/29233.doc.</p> |
| Key facts of the case (max. 500 chars) | <p>Ms. XXX, Mr. XXX and their child XXX arrived in Luxembourg with the intention of applying for international protection. However, arrived at the premises of the Ministry for Foreign Affairs, they found the doors closed and the only piece of information (posted on the door) provided was that the registration had temporarily been suspended. They brought an action for the imposition of safeguard measures.</p> <p>In the action brought, the applicants pleaded for the following safeguard measures to be ordered by the tribunal: the State to register their application for international protection within 48 hours or to provide them with support from alternative structures of the Ministry of Family.</p> |
| Main reasoning/argumentation (max. 500 chars) | <p>The applicants have put forward that, pursuant to the obligations arising from international rules, the State was obliged to register applications for international protection. They also underlined that according to both European Union and national law the applicants have the right, since the moment in which the application is filed, to be provided with material reception conditions.</p> <p>The State Representative alleged that the services responsible for receiving applications faced a dramatic situation due to the influx of refugees, reason for which they had temporarily shut down the offices while attempting to reorganise the internal procedures.</p> |
| Key issues (concepts, interpretations) clarified by | <p>Right to see an application for international protection registered;</p> <p>Right of applicants for international protection to social</p> |

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| the case (max. 500 chars) | assistance. |
| Results (sanctions) and key consequences or implications of the case (max. 500 chars) | The Tribunal ordered the Government to provide the applicants with housing conditions or with the means to find housing. |
| Key quotation in original language and translated into English with reference details (max. 500 chars) | <p>“Il ressort du libellé de toutes ces dispositions (...) que par le seul fait de déposer une demande au ministère, le demandeur de protection internationale a un véritable droit à une aide sociale”</p> <p>The wording of all these provisions (...) that the mere act of submitting to the Ministry an application for asylum entitles the applicant for international protection with a genuine right for social assistance.</p> |