



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Information received from Luxembourg on follow-up to the
concluding observations on its combined sixth and seventh
periodic reports***

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* The present document is being issued without formal editing.



Follow-up information relating to paragraph 14 of the concluding observations (CEDAW/C/LUX/CO/6-7)

1. Equality between women and men is a fundamental value of the European Union and is firmly established in the Constitution of Luxembourg.
2. Luxembourg has an independent ministry exclusively dedicated to gender equality and has made gender equality a political priority. All ministerial departments must comply with the principle of gender equality in the development of their policies, legal texts, programmes and action plans. The collection of statistics on gender equality is accordingly of crucial importance for State authorities.
3. Data collection by the Ministry of Equality between Women and Men is currently confined to statistical data on gender equality in domains such as domestic violence and the representation of women and men in political and economic decision-making.
4. Since this information is more of a compilation of administrative data, the Ministry has decided to set up, in stages, an equality observatory to professionalize the collection of data on gender equality and the production of statistics in different domains.
5. The aim of the equality observatory is to develop a database that will make it possible to measure equality between women and men in Luxembourg using indicators identified in key domains. Taking as its basis the domains covered by the Gender Equality Index of the European Institute for Gender Equality,¹ Luxembourg will start by collecting data on domestic violence in the country. Once that section has been established, work will begin on others such as employment and the balance between private and professional life, in order to create a tool for measuring progress towards the achievement of gender equality in Luxembourg.
6. The collection of these quantified gender equality indicators will eventually allow for better measurement of progress and will provide State authorities and politicians with a solid basis for setting their policy priorities.

Follow-up information relating to paragraph 16 (a) of the concluding observations

7. On 22 June 2018, the Government of Luxembourg adopted the first version of the country's national action plan (2018–2019) for the implementation of the United Nations Guiding Principles on Business and Human Rights. The implementation report based on the work programme was approved by the Government on 26 July 2019. In December 2019, the Government adopted the second version of the national action plan (2020–2022). A total of 20 specific lines of action are currently being carried out. Both versions of the national action plan are available on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR).
8. The two action plans were prepared during meetings of the working group on business and human rights, which meets every six weeks. Since its inception, the working group has taken a multi-stakeholder and multidisciplinary approach. The Ambassador-at-Large for Human Rights at the Ministry of Foreign and European Affairs convened and led this thematic working group, composed of representatives of the relevant ministries, private companies, private sector professional associations, national human rights institutions, trade unions, civil society and the University of Luxembourg. The aim was to bring together as much expertise and experience as possible from all stakeholders who might be interested or involved in a subject as multifaceted as the relationship between business and human rights. All agreed to

¹ <https://eige.europa.eu/gender-equality-index>.

attach in an annex to the national action plan a list of points they would have liked to develop further, but on which consensus had yet to be reached.

Follow-up information relating to paragraph 38 of the concluding observations

9. On 13 July 2018, the Government of Luxembourg adopted its first national action plan on women and peace and security for the implementation of Security Council resolution 1325 (2000). Implemented under the auspices of the Ministry of Foreign and European Affairs, the action plan covers the period 2018–2023 and sets four main objectives at the national and international level, in the areas of (I) equal participation of women and men at all levels of peace and security processes; (II) prevention of sexual and gender-based violence; (III) protection against sexual and gender-based violence, and relief and recovery; and (IV) promotion of the women and peace and security agenda. The action plan involves the entire Government, since it concerns the country's external action in the fields of diplomacy, defence and development, and at the national level, justice, receiving refugees and domestic security. Luxembourg is committed to supporting the participation of women in decision-making on peace and security issues, including in international organizations, and their increased participation in peacekeeping operations and electoral observation missions. The Government also aims to strengthen predeployment training for military and civilian personnel, including by training gender advisers and experts.

Follow-up information relating to paragraph 50 (d) of the concluding observations

10. In Luxembourg, offences involving discrimination are covered by article 457 of the Criminal Code, which also applies to hate speech on social media. While complaints can be filed with the police, Luxembourg also has a Centre for Equal Treatment, established by the law of 28 November 2006, which is responsible for monitoring discrimination and receiving individual complaints. The Chamber of Deputies, to which the Centre reports, is considering the advisability of giving the Centre the capacity to take part in legal proceedings in order to strengthen its means of action. It should also be noted that, under article 3-1 of the Code of Criminal Procedure, associations may take part in legal proceedings in respect of offences involving discrimination if they have been approved to do so by the Ministry of Justice.

11. The Justice and Home Affairs Council of the European Union is currently looking into the issue of hate speech and means of combating it at the European Union level. The Government is actively participating in this work so that conclusions may be drawn regarding the mechanisms that may be necessary, including monitoring and punishment mechanisms. In that connection, Luxembourg will take particular care to establish a regime to combat all forms of discrimination that does not interfere disproportionately with fundamental rights, in particular freedom of expression.

12. In addition, the Government is giving careful consideration to the advisability of establishing the concept of "hate crime" in criminal law in Luxembourg by providing for an aggravating factor and, as a corollary, an increase in the penalty for any ordinary law offence motivated by discrimination. Introducing this offence into law in Luxembourg would also improve monitoring of the issue.