



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
18 November 2013
English
Original: French

Committee on the Elimination of Racial Discrimination

Eighty-fourth session

3–21 February 2014

Item 6 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the fourteenth to seventeenth periodic reports of Luxembourg (CERD/C/LUX/14-17)

Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

1. Legal and institutional framework, policies and programmes for implementing the Convention (arts. 1, 2, 4, 6 and 7)

(a) Updated information on progress made concerning the bill to reverse the burden of proof in civil cases in favour of victims of racial discrimination; the position of the State party with respect to the statutory limitation that applies to racist motives as a general aggravating circumstance for offences under criminal law; limitations on derogations from the ban on discrimination currently allowed under article 475-5 of the Criminal Code (CERD/C/LUX/CO/13, para. 15);

(b) Lack of examples of cases in which the Convention has been directly applied by the national courts and tribunals (HRI/CORE/LUX/2012, paras. 205 and 206). Updated statistics on cases of racial discrimination heard by the national courts and tribunals, and information on penalties imposed (CERD/C/LUX/CO/13, para. 15; CERD/C/LUX/14-17, para. 117). Lack of information on cases of racial discrimination reported, reviewed or decided by the following institutions: the Office of the Ombudsman, the Advisory Commission on Human Rights, the Centre for Equal Treatment (HRI/CORE/LUX/2012, paras. 211 to 217 and 224 to 228; CERD/C/LUX/14-17, para. 118);

(c) Additional information on the Luxembourg Reception and Integration Agency, and results achieved in the integration of foreigners (CERD/C/LUX/14-17, para.

14); a midterm assessment and the impact on racial discrimination of the multi-year plan of action to achieve integration and combat discrimination, 2010–2014 (CERD/C/LUX/14-17, para. 14);

(d) The impact of awareness-raising measures to combat racism on the Internet (CERD/C/LUX/CO/13, para. 14; CERD/C/LUX/14-17, annex, para. 9); updated information on progress in the ratification of the Council of Europe Convention on Cybercrime and its Additional Protocol concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems (CERD/C/LUX/CO/13, para. 14; CERD/C/LUX/14-17, annex, para. 10);

(e) The impact on the reduction of racial discrimination of initiatives launched by the State party to promote multiculturalism, coexistence, and the opportunity for communities to promote their own cultures (CERD/C/LUX/14-17, paras. 109 to 115 and 122 to 131).

2. Economic, social and cultural rights of non-nationals (art. 5)

(a) Impact of measures taken to integrate foreign children and to prevent racial discrimination at school (CERD/C/LUX/14-17, paras. 100 to 108); effective and non-discriminatory access of foreigners to housing, including private rental accommodation (CERD/C/LUX/CO/13, para. 17, CERD/C/LUX/14-17, annex, para. 12; CERD/C/LUX/14-17, paras. 79 to 82);

(b) Information on the effective application of laws transposing Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, in particular with regard to foreign women (CERD/C/LUX/14-17, para. 87) and on article 11 of the Constitution.

3. Asylum seekers (arts. 5 and 6)

(a) Measures taken to improve the asylum procedure, including time frames for handling requests; information on the procedure for the determination of statelessness (A/HRC/WG.6/15/LUX/2, paras. 16 to 19);

(b) Information on the effective access of asylum seekers to the labour market (A/HRC/WG.6/15/LUX/2, para. 21).
