



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Ninetieth session

Summary record of the 2127th meeting

Held at the Palais des Nations, Geneva, on Friday, 7 February 2025, at 3 p.m.

Chair: Ms. Dettmeijer-Vermeulen (Vice-Chair)

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In the absence of Ms. Haidar, Ms. Dettmeijer-Vermeulen (Vice-Chair) took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Luxembourg (continued) (CEDAW/C/LUX/8; CEDAW/C/LUX/QPR/8)

1. *At the invitation of the Chair, the delegation of Luxembourg joined the meeting.*
2. **The Chair** invited the delegation of Luxembourg to continue replying to Committee members' questions.

Articles 10–14

3. **A representative of Luxembourg**, replying to questions raised in the previous meeting (CEDAW/C/SR.2126), said that, while her Government was not opposed to acceding to the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization, it was first seeking to learn from any difficulties with implementation that had been experienced by the seven other States members of the European Union that had already done so. In the meantime, the Labour Code had been amended in March 2023 to counter workplace harassment, and representatives of unions and employers had reached an agreement at the domestic level on the subject. Any instances of harassment could be reported to the Work and Mines Inspectorate.

4. **Ms. Peláez Narváez** said that she wished to know whether the State party planned to criminalize sexual harassment in the workplace.

5. **A representative of Luxembourg** said that a written reply would be provided on the question of criminalization.

6. **Mr. Stirton** (Office of the United Nations High Commissioner for Human Rights (OHCHR)), reading out a statement on behalf of **Ms. Stott Despoja**, said that the Committee had received reports that individuals could access the country's universal healthcare coverage only if they could prove their identity, their residence in Luxembourg for at least three months and their non-affiliation with any health insurance fund. It would be useful to know how many applications were rejected, and on what grounds. The Committee would welcome details of any steps that the State party was taking to safeguard the human right to adequate healthcare of any women and girls who were unable to access universal healthcare coverage.

7. The delegation was requested to inform the Committee if any decisions had been taken about possible methods of strengthening the national reference centre for the promotion of emotional and sexual health, known as Cesas. It was unclear whether all women and girls – including migrants, in particular those in an irregular situation – were entitled to full reimbursement of contraceptive costs. The Committee would like to know whether the bill abolishing the practices of the issuance of “virginity certificates”, the performance of hymenoplasty surgeries and the observance of a three-day mandatory reflection period prior to abortions had been adopted and, if not, when its enactment was anticipated. In a similar vein, an update would be appreciated on steps taken to prohibit non-consensual sex reassignment surgery on intersex persons and the estimated time frame for its prohibition.

8. The Committee would be grateful for details of any public health policy measures that the State party had taken to disincentivize smoking. Did the State party plan to introduce a national anti-smoking initiative modelled on the “Génération Sans Tabac” (No Tobacco Generation) strategy of Fondation Cancer?

9. **A representative of Luxembourg** said that everyone in her country had access to universal healthcare coverage, but she could not provide any relevant statistics. Her Government was striving to mainstream gender into all healthcare policy areas, for instance by raising public awareness of the differences between the sexes in respect of diagnosis and treatment and by training healthcare professionals on gender inequalities in treatment. She confirmed that the issue of intersex persons would be covered in the revised national action plan to promote the rights of lesbian, gay, bisexual, transgender and intersex persons. The

Ministry of Health was examining the relevant practices and laws of neighbouring countries to inform the drafting of the plan. In the draft of the revised national plan to combat smoking, the gender dimension and the needs of women were taken into account.

10. In the national mental health plan for 2024–2028, a gender-sensitive approach had been adopted. It was intended to guarantee equal access to care and to take into account the specific needs of women and girls, in particular in relation to anxiety, depression and the other conditions from which they suffered most frequently. Other components of the plan included measures to prevent and address the psychological consequences of gender-based violence and a focus on vulnerable women.

11. **A representative of Luxembourg** said that *Let's Talk about Sex*, a publication developed by Cesas, had been awarded the label of the United Nations Educational, Scientific and Cultural Organization Chair in Sexual Health and Human Rights. Discussions on guaranteeing the independence of Cesas were expected to be completed in the coming months.

12. **Ms. Eghobamien-Mshelia** said that she would like to know about any measures taken or planned to educate self-employed women and informal sector workers about the mandatory registration for self-employed persons under the State party's pension and social insurance reforms. She wondered if digital tools existed to facilitate women's automatic integration into social protection programmes. The Committee would be interested to learn about any social buffers that were planned to mitigate women's risk of in-work poverty and eradicate the gender pay gap. It would be useful to have information about any planned schemes pertaining to housing for low-income single mothers. She would also like to know if measures were taken to improve access to unemployment benefits and training for unemployed women, including unpaid caregivers.

13. She wished to know whether the State party's regulatory guidelines on public-private partnerships included provisions on environmental and social impact assessments and on environmental, social and governance measures that safeguarded women's rights in investments and business operations. Details of any specific mechanisms in place or planned to implement article 13 of the Covenant and the Guiding Principles on Business and Human Rights would be useful. She wondered if whistle-blowing and reparation systems were in place, whether the State party was taking any practical steps to promote businesses owned and led by women and what national strategy existed or was planned to increase women's access to financial services and capacity to make better use of them. Sex-disaggregated data about businesses would be helpful, in particular the percentage of the loans disbursed in the past five years that had gone to businesses owned by women.

14. The Committee would like to know how the State party was equipping women and girls for adaptation to new technologies and what proportion of the funding that it allocated to digitalization was dedicated to such efforts.

15. She was curious about the specific mechanisms that existed to prohibit the exploitation and abuse of women and girls in recreation and sports. Were there any legislative or policy measures that ensured sustainability and facilitated greater investment in women and girls in the sports industry?

16. **A representative of Luxembourg** said that the Ministry of Sport was developing a wide-ranging national strategy on equality in sport. Violence in sport was one of the areas that the future national centre for victims of violence would address, in cooperation with a body set up by the sports sector. A subsidiary body of the Luxembourg Olympic and Sports Committee focused on preventing violence in sport and supporting victims. Initiatives were under way to raise awareness among sports bodies of the importance of prevention of all forms of violence in the corresponding activities.

17. A task force on gender finance had been established, with a twin focus of women in the financial sector and financial products for women. The publication of data about female entrepreneurship on the website of the Equality Observatory had begun, but it was at a preliminary stage. In 2020, three master classes had been held to help female prospective entrepreneurs, in particular those from minority backgrounds, to overcome the financial and practical obstacles that they often faced. During the classes, complete information was also

provided about the services offered by partner organizations. It was also possible for special programmes to be held for unemployed women, with a focus on entrepreneurship. In addition, the Ministry of the Economy had long conducted projects in schools to encourage entrepreneurship among children of both sexes, which included the necessary information on social protection. The Ministry for Gender Equality and Diversity worked with civil society organizations to inform women of the financial risks of part-time work and to help find housing solutions, on at least a temporary basis, for the most vulnerable women.

18. With regard to whistle-blowers, a law had been enacted in May 2023 for the implementation of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law. Under that law, a person with whistle-blower status enjoyed absolute protection from reprisals of any kind.

19. **A representative of Luxembourg** said that the Office for Whistle-blowers had been established. On its website, information about the reporting process was provided, along with a web form for confidential reporting. The Ministry of Justice was working with the Office to establish the extent to which the framework for the rights of victims could be applied to whistle-blowers.

20. **Ms. Eghobamien-Mshelia** said that, since the website of the Equality Observatory was not yet operational, she would be grateful if the State party could provide the data that the Government intended to publish there. It would also be useful to know whether the data accessible through it would be backdated. In addition, she wondered how women who lacked digital skills might be able to access information about social protection schemes that would be published on a website.

21. **A representative of Luxembourg** said that the Observatory's website currently contained only data directly related to gender equality. The Ministry for Gender Equality and Diversity planned to publish other relevant data on the website, but other State entities needed to provide it with sex-disaggregated data first. The website's content would be expanded when such data were provided. With regard to expanding Internet access, action plans had been drawn up, with a particular focus on women and the rural population.

22. **A representative of Luxembourg** said that the Government worked with partners that supported vulnerable women in their daily lives, including by providing them with access to financial and material support. A web portal was available with a number of digital inclusion initiatives, addressing the promotion of digital skills for women and girls, the provision of educational resources and information and the financing of a digital inclusion project. In addition, an initiative was being implemented that helped unemployed women and men to seek employment.

23. **Ms. de Silva de Alwis**, lauding the State party for its advocacy for Afghan women, said that she would like to know how the Government planned to ensure that the investments of the country's financial institutions complied with the Paris Agreement and the United Nations Framework Convention on Climate Change. She wondered how much of the financial support provided under the State party's feminist foreign policy was targeted at addressing women's leadership role in the climate crisis. The Committee would be interested to learn about the workings, in practice, of the systems to help Muslim women and women of African descent who did not have residents' status to find employment and housing and to gain access to healthcare. She hoped that the State party would examine the reasons why women in solitary confinement lacked access to many of the services offered to detainees in other categories, despite the existence of a specific legal prohibition against such a discrepancy. With regard to the bill that would implement certain provisions of the European Union Artificial Intelligence Act, she would be grateful for information about any special measures that had been adopted to involve women, in particular women with disabilities, in the innovation hubs provided for in the bill, and for details of how the Government had taken account of accessibility in relation to the innovation hubs.

24. **A representative of Luxembourg** said that, in view of the sector's economic importance, the finance industry had been one of the first to be involved in the Government's efforts to implement the Guiding Principles on Business and Human Rights. While buy-in from sectoral companies had developed slowly, it had become very solid over time. Each

individual company decided the specifics of its own implementation of the Principles. Nevertheless, the Principles had been incorporated into the Luxembourg legal framework. Moreover, a directive based on the Principles had also been enacted at the European Union level, and it too was currently being incorporated into the Luxembourg legal framework. With regard to avoiding discrimination against women in the implementation of the Principles, the country's laws and policies to prevent such discrimination more broadly were applicable. Private sector employers, both in finance and in other industries, were aware of their legal obligation not to discriminate and of the legal consequences of failure to meet that obligation.

25. A major fair trade non-governmental organization was based in Luxembourg. It was one of the Government's main civil society interlocutors on the subject of business and human rights and had always argued strongly for the protection of those rights.

26. **A representative of Luxembourg** said that the 2024 summit of the Luxembourg Sustainable Finance Initiative had included a master class on how to integrate human rights into investment decisions. The class had included a theoretical session on human rights principles, discussing such resources as the *Guidelines for Multinational Enterprises on Responsible Business Conduct* of the Organisation for Economic Co-operation and Development, followed by separate practical sessions for representatives of banks and of asset management firms.

27. Prior to the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Paris in 2015, her Government had committed itself to providing €120 million of support for climate action, in particular in the least developed countries, in small island developing States and in countries that were its development cooperation partners. Thus, the funds identified as resources for international climate financing were new, and additional to official development assistance. Gender had been mainstreamed into all the support, which was allocated in a way that complemented measures taken within the various national action plans to foster the ecological transition.

28. **Ms. de Silva de Alwis** said that, since Luxembourg was a centre for investment, she was especially interested in the steps that the State party took to ensure that a human rights-based approach to investment was adopted, including the encouragement of green bonds and other environmentally friendly financial instruments. She would appreciate more detail about the supply-chain impact of fair trade practices in Luxembourg. In addition, she hoped that the State party would go further with its leadership in addressing the climate crisis and contribute more to the Fund for Responding to Loss and Damage in a way that addressed the needs of women, taking into account the disproportionately adverse effects of the climate crisis on women and the role that women could play in tackling the crisis.

29. **A representative of Luxembourg** said that, following the conclusion of the Paris Agreement in December 2015, the Luxembourg Stock Exchange had, in 2016, launched what had become known as the Luxembourg Green Exchange. The most stringent sustainability criteria, chosen from such sources as the Climate Bonds Initiative, were applied to the government and corporate bonds issued on the Green Exchange. It was the largest sustainable stock exchange in the world, with assets with a total value of over \$1 trillion.

30. **A representative of Luxembourg** said that, in May 2022, additional information had been made visible to prospective investors on the Green Exchange, pertaining to the degree to which a given project supported gender equality, women's empowerment or both. The issue of supply chains was addressed by means of businesses' signing of the Luxembourg Charter for Diversity, which so far had 320 signatories, representing 22 per cent of salaried workers in the country.

31. **A representative of Luxembourg** said that, in May 2022, the Luxembourg Stock Exchange had signed a memorandum of understanding with the United Nations Entity for Gender Equality and the Empowerment of Women with a view to strengthening cooperation between them and promoting investment in gender equality, women's empowerment and sustainable development through joint initiatives.

32. **Ms. González Ferrer** said that she would welcome information on the Act of 27 June 2018 establishing the Family Court and reforming divorce and parental authority. How many

women who had stopped working in order to take care of their families had invoked the Act to claim retroactive contributions to the general pension insurance scheme, how many of those requests had been granted and how had that option worked in practice?

33. She would be grateful to receive an update on the status of a draft law amending legislation on parental lineage with a view to eliminating the distinction between legal and natural children. The Committee would be interested to find out whether that draft law would address discrimination currently faced by same-sex couples who wished to recognize the parentage of their children. Judges ruling in custody cases were currently able to withdraw parental responsibility without appeal, the involvement of a lawyer, or a hearing from the child. Would the new law address that problem?

34. She wondered whether the use of mediation and shared custody arrangements, which was encouraged in divorce cases, was permitted in situations of violence; what precautions were taken in cases involving high levels of conflict; and whether there had been studies on the effectiveness of shared custody arrangements and the gender inequalities that might be present in such decisions. It would be useful to learn what steps the State party was taking to combat prejudice reportedly faced by single mothers or persons in same-sex relationships wishing to adopt. The Committee would welcome an update on the legal status of surrogacy in Luxembourg and the regulations governing its use, and information on how children and mothers were protected in such cases. It would be helpful to hear more about a draft law that would allow adopted persons and persons conceived through gamete donation to obtain access to information about their biological parents. What were its provisions regarding anonymity and surrogate motherhood? What services would be responsible for managing the data that would be provided to persons wishing to learn about their biological parents?

35. **A representative of Luxembourg** said that a draft law on adoption reform would provide for both simple and full adoption, for full adoption by a single person and for adoption of the child of a registered or cohabiting partner. It had been submitted in 2023 and amended in December 2024 in response to an opinion issued by the Council of State. The Government was currently waiting for the Council of State to issue a supplementary opinion on the bill, which would make it mandatory for a mother to relinquish her parental rights over a child in order for that child to be adopted by another woman. Further work on requirements for the relinquishing of parental rights remained to be done. A draft law amending a provision regarding the names of adopted persons had been modified in response to a ruling by the Supreme Court and would be submitted in 2025. In December 2024, a law had been amended so that there was no longer a maximum age difference between adopted persons and the persons adopting them.

36. A draft law that would institute the right for women to give birth anonymously had been submitted to the parliament in September 2020. The draft had been amended several times and the Government was currently awaiting a supplementary opinion from the Council of State.

37. Public prosecutors could invoke mediation before deciding to initiate criminal proceedings if they believed that such mediation could provide victims with reparation for damages, that the problems resulting from the offence could be resolved or that rehabilitation of the perpetrator could be facilitated. Such mediation was conducted remotely, with a view to keeping perpetrators and victims separate.

38. The Government currently planned to amend the Act of 27 June 2018 establishing the Family Court and reforming divorce and parental authority in response to a study evaluating that law, which had been discussed by the Chamber of Deputies.

39. **A representative of Luxembourg** said that, in 2023, the National Pension Insurance Administration had received 982 requests for retroactive contribution to the general pension insurance scheme. A total of 714 requests, representing a value of €14,405,630, had been accepted.

40. **A representative of Luxembourg** said that, while a legal distinction between legitimate and natural children still existed, in reality there was little difference between the two statuses.

41. **Ms. González Ferrer** said that she wished to know whether the State party planned to eliminate that distinction, which gave rise to legal and societal discrimination between children with those statuses and bore legal consequences.

42. **Ms. Peláez Narváez** said that she wished to know how many children in Luxembourg lived in residential institutions and how many lived with foster families. She wondered how many children, if any, had been placed with foster families abroad.

43. **A representative of Luxembourg** said that, as at 1 October 2024, there had been 391 children and young adults at 16 conventional care centres; 29 children and young adults who, after experiencing a psychosocial crisis, had been cared for at 3 urgent care centres; 55 minors at State Socioeducational Centres, of whom 54 had been referred there by the courts; 51 children and young adults at the State Institute for Aid to Children and Young People, of whom 46 had been referred there by the courts and 5 had been admitted on a voluntary basis; 101 children and young adults at specialized day and night centres, of whom 63 had been referred there by the courts and 38 had been admitted on a voluntary basis; 149 unaccompanied children requesting international protection; 71 children and adults living in small groups at 6 institutions; and 76 children and young people at institutions abroad, of whom 50 had been referred there by the courts and 26 had been admitted on a voluntary basis. In total, there had been 923 children at such institutions, of whom 65 per cent had been referred there by courts and the rest had been admitted on a voluntary basis. The Ombudsperson for Children and Young People closely followed and regularly reported on the situation of children and young people who had been placed in care centres and with foster families.

44. **A representative of Luxembourg** said that the draft bill amending legislation on parental lineage, under which the distinction between legal and natural children would be eliminated, was still in the legislative adoption process; the Council of State had issued an opinion in respect of it in 2023. While she could not predict when that process would be complete, it was highly likely that its outcome would be affected by a proposal for a regulation on cross-border recognition of parenthood in the European Union that had been adopted by the European Commission on 7 December 2022.

45. **A representative of Luxembourg** said that the Chamber of Deputies had established the Gender Audit Committee with a view to developing a strategy for promoting gender equality at the level of the parliament. The first outcomes of its work were anticipated at the end of 2025; subjects that it had already discussed included inclusive language and gender mainstreaming. An internal working group had been tasked with amending the statute for the parliament; its work would take into account research recently carried out at the Chamber of Deputies on the status and needs of women who were pregnant, who had recently given birth or who were breastfeeding, as well as the possibility of establishing breastfeeding and childcare facilities. Work on revising the regulations of the Chamber of Deputies had recently begun and presented an opportunity to review the provisions of that instrument with a gender perspective.

46. The recommendations that the Committee on the Elimination of Discrimination against Women would issue to Luxembourg following consideration of its periodic report would be examined in committee and discussed by the parliament.

The meeting rose at 4.05 p.m.