



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
4 November 2022

Original: English
English, French and Spanish only

Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the eighth periodic report of Luxembourg*

General

1. Please provide information and statistics, disaggregated by age, disability, ethnicity, minority status and nationality, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of Sustainable Development Goal 5, to end all forms of discrimination against all women and girls everywhere, please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

Women's rights and gender equality in relation to the pandemic and recovery efforts

2. Please describe efforts made and mechanisms put in place to face the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity and the energy crisis. Please inform the Committee of strategies taken to ensure that gender equality and the empowerment of women are fundamental considerations in addressing such crises, and in developing adequate responses, such as policies, assistance programmes, recovery efforts and the consolidation of the rule of law. Please also inform the Committee of measures taken to ensure the equal and meaningful participation of women in these processes and to ensure that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

* Adopted by the pre-sessional working group on 2 November 2022.



Legislative framework

3. In the light of the Committee's previous recommendations ([CEDAW/C/LUX/CO/6-7](#), para. 12),¹ please provide the Committee with information on steps taken:

- (a) To legislate on multiple and intersecting forms of discrimination in all settings, in line with article 1 of the Convention, and integrate the prohibition of intersecting forms of discrimination into public policies;
- (b) To revisit the State party's approach to legislation, policies and programmes by taking a consistent cross-cutting, gender-sensitive approach, in line with paragraph 5 of general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention.

Women and peace and security

4. Please explain the level of the State party's commitment to the multilateral framework for the protection of women's rights and equal representation in peace negotiations and reconstruction of countries in crisis, in particular in the context of the conflict in Ukraine, in line with Security Council resolution [1325 \(2000\)](#).

Extraterritorial State obligations

5. In line with the Committee's previous recommendations (para. 16), please provide detailed information on measures taken by the State party to implement the national action plan of Luxembourg for the implementation of the Guiding Principles on Business and Human Rights, for the period 2018–2019, and to develop a more recent iteration of the plan that includes the implementation of supply chain due diligence legislation, in order to continue efforts to achieve its objectives.

Women's access to justice

6. In view of the Committee's previous recommendations (para. 18), please provide information on measures taken to ensure that women have access to effective remedies in respect of complaints about violations of their rights, in accordance with the Committee's general recommendation No. 33 (2015) on women's access to justice. In particular, please provide detail on efforts to:

- (a) Raise awareness among the general public, particularly women and girls, about women's rights, legislation prohibiting discrimination against women and the remedies available to victims, and provide capacity-building for the judiciary on the application of such legislation;
- (b) Build the capacities of the Centre for Equal Treatment to allow it to file complaints on behalf of women who are victims of discrimination, strengthen its investigative powers and the binding force of its decisions, and ensure that women who are victims of intersecting forms of discrimination have access to effective remedies for claiming their rights;
- (c) Ensure that women and girls who are victims of discrimination and gender-based violence, in particular migrants, have access to free legal aid if needed.

¹ Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations on the combined sixth and seventh reports of the State party ([CEDAW/C/LUX/CO/6-7](#)).

National machinery for the advancement of women

7. In the light of the Committee's previous recommendations (para. 20), please provide information on measures taken to:

- (a) Adopt a comprehensive national strategy for gender equality that addresses multiple and intersecting forms of discrimination, gender mainstreaming and gender-responsive budgeting;
- (b) Assess the implementation and impact of the national action plan for equality between women and men, for the period 2015–2018, and develop, adopt and implement an updated new national action plan for equality between women and men;
- (c) Ensure a clear role and mandate for the new gender equality observatory in the implementation of gender equality policy;
- (d) Ensure that the mandate of the Ministry of Equality between Women and Men includes the advancement of women in all areas covered by the Convention and the elimination of intersecting forms of discrimination, including against women belonging to religious and racial minority groups, and that it has the necessary visibility and human, technical and financial resources to effectively carry out its mandate, including coordination of the nation action plan for equality between women and men;
- (e) Adopt a comprehensive strategic framework for gender equality to analyse the structural factors causing persistent inequalities, including discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society, to address those factors and the intersecting forms of discrimination against disadvantaged groups of women, and to ensure that the framework provides for gender mainstreaming and gender-responsive budgeting;
- (f) Appoint gender equality officers at senior levels in all ministries and government departments, with adequate technical and financial resources to effectively implement the gender equality plan and integrate their responsibilities as gender equality officers into their workplans as civil servants.

National human rights institution

8. Please inform the Committee of measures taken to ensure the allocation of adequate human, technical and financial resources to the Consultative Human Rights Commission and to implement the recommendations issued in 2022 by the Global Alliance of National Human Rights Institutions.

Temporary special measures

9. In view of the Committee's previous recommendations (para. 24), please provide information on the measures taken to:

- (a) Raise awareness among politicians, the media and the general public about the importance of full and equal participation of women in all spheres of life and about the need for special measures to achieve substantive equality between women and men;
- (b) Introduce gender-specific incentives, clear time-bound goals, quotas and targets in areas in which women are disadvantaged or underrepresented in both the public and private spheres.

Stereotypes

10. In view of the Committee's previous recommendations (para. 26), please inform the Committee of measures taken to:

- (a) Work with mass media, including through awareness-raising and media campaigns, in order to eliminate discriminatory stereotypes associated with traditional gender roles in the family and in society, to promote cultural change in that regard, and to monitor the portrayal of women in publicly and privately owned media;
- (b) Increase the number of women working in the media sector;
- (c) Strengthen capacity-building for politicians, members of Government, civil servants and in the private sector on gender equality and gender analysis;
- (d) Extend to ongoing legislative and policy measures the requirement for a gender impact assessment of new legislation.

Harmful practices

11. Please describe the measures put in place, in relation to the State party's ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), to combat harmful practices such as forced marriage and female genital mutilation. In particular, please provide information on the adoption of a national strategy on combating female genital mutilation, including awareness-raising and information dissemination efforts for at-risk communities, and the elaboration of legislation, policies or programmes to provide assistance and remedies for victims of female genital mutilation.

12. In view of the Committee's previous recommendations (para. 28) and the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, please inform the Committee of measures in place to enforce the provisions of the Act of 10 December 2009 regarding respect for the opinion of the patient, and to stop the administration of non-consensual contraception and sterilization or medical treatment, including when consent is given by a third party.

Gender-based violence against women

13. In the light of the Committee's previous recommendations (para. 30), and in line with general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please provide information on measures taken to:

- (a) Integrate a disability perspective and a comprehensive definition of psychological violence and femicide in legislation implementing the Istanbul Convention;
- (b) Provide free 24-hour access to a specialized helpline for victims of gender-based violence;
- (c) Ensure systemic capacity-building on the Convention and on its general recommendation No. 35, for judges, law enforcement officers, lawyers, immigration officers, social workers, medical staff, teachers and other professionals dealing with women and girls who are victims of gender-based violence;
- (d) Provide legal, social and financial support to women who are victims of violence and create specialized units within the police force and courts to address violence against women;
- (e) Strengthen policies and programmes to prevent violence against women;

(f) Review the statute of limitations for rape to extend it beyond 10 years.

14. Please provide disaggregated data on gender-based violence to cover female genital mutilation, forced marriage, forced sterilization and sexual harassment. Please provide information on the number of:

- (a) Cases of gender-based violence against women that have been investigated and prosecuted, including information on the sanctions imposed on perpetrators;
- (b) Women who are victims of gender-based violence and who have been provided with legal assistance and relevant support services;
- (c) Women who are victims of gender-based violence and who have been compensated;
- (d) Protection orders issued.

Trafficking and exploitation of prostitution

15. In view of the Committee's previous recommendations (para. 32), please provide comprehensive data on trafficking in persons, disaggregated by sex. Please clarify whether the implementation of the revision in June 2021 of the Immigration Act affects conditions for renewing the residence permits of victims of trafficking. Please also inform the Committee of the measures taken by the State party to:

- (a) Investigate, prosecute and punish all cases of trafficking in women and girls, ensure proportionate sentences are imposed on perpetrators, and develop and implement victim and witness protection programmes;
- (b) Strengthen capacity-building for judges, prosecutors, lawyers and law enforcement professionals on the strict application of criminal law provisions regarding trafficking and on the gender-sensitive application of legislation regarding victim support;
- (c) Adopt regulations on early identification of women and girls who are victims of trafficking and their referral to appropriate social services, and ensure a gender-sensitive approach when considering asylum applications, including by explicitly recognizing gender-based violence against women as grounds for protection;
- (d) Allocate sufficient resources to ensure that women and girls who are victims of trafficking have access to gender-sensitive support services, including by strengthening the human, technical and financial resources of the police and non-governmental organizations operating in that field;
- (e) Implement the recommendations of the Group of Experts on Action against Trafficking in Human Beings for Luxembourg (October 2022).

16. In the light of the Committee's previous recommendations (para. 34), please explain what measures, including the revision of legislative provisions, have been put in place to decriminalize women exploited in prostitution in all settings, regardless of whether their vulnerability has been proven or whether they disclose information on procuring or on trafficking rings. Please provide detailed information on efforts to:

- (a) Monitor locations where women are exposed to a heightened risk of forced prostitution, in order to identify victims;
- (b) Enhance adequate resource allocation for implementation of the action plan on prostitution, in particular, measures to reduce demand for prostitution and to provide support and exit programmes to women who wish to leave prostitution.

Participation in political and public life

17. In view of the Committee's previous recommendations (para. 36), please provide detailed information on measures taken by the State party to:

- (a) Ensure equal and inclusive participation of women in the political and public spheres;
- (b) Strengthen and enforce temporary and permanent special measures and financial incentives for political parties, targeted at achieving equal and inclusive representation of women on electoral lists and in the Chamber of Deputies and the Council of State;
- (c) Significantly increase the participation of women in view of the local elections to be held in 2023;
- (d) Carry out reviews and analyses regarding the effectiveness of such measures.

Education

18. Please provide information on the State party's efforts to:

- (a) Increase the representation of women in decision-making positions of academic institutions;
- (b) Incorporate specific education on gender equality and women's rights in school curricula at all levels;
- (c) Address the issue of low enrolment rates of women in post-secondary non-tertiary education;
- (d) Ensure in the short term the rebalancing of the position of girls' enrolment in traditionally male-dominated and new fields of study, such as artificial intelligence, and train teachers at all levels of the educational system on ways to prevent stereotyping;
- (e) Address school bullying and cyberbullying, including against migrant and lesbian, bisexual and transgender girls and adolescents, and intersex children and adolescents; enable victims to confidentially report cases of bullying and expressions of discriminatory sentiments in educational institutions; and ensure that those responsible receive appropriate sanctions.

Employment

19. In view of the Committee's previous recommendations (para. 42), please inform the Committee of the measures taken to:

- (a) Eliminate the underrepresentation of women in the labour market and occupational segregation in the public and private sectors, and reinforce the promotion of equal sharing of domestic and family tasks between women and men;
- (b) Provide an adequate number of childcare facilities, especially for children between the age of 3 and school age, giving particular consideration to single parents;
- (c) Promote increased participation of women in decision-making posts in the public and private sectors, including through measures to allow for part-time opportunities in all high-level positions and temporary special measures to reach the target of 40 per cent women on boards of public institutions and private enterprises;
- (d) Enforce the 2016 law prohibiting salary discrimination based on sex and ensure that women receive equal pay for work of equal value.

Sexual harassment in the workplace

20. In view of the Committee's previous recommendations (para. 44), please provide information on the following:

- (a) Recent studies conducted on the prevalence of sexual harassment in the private sector and efforts to encourage employers to conduct regular reviews of company culture to prevent harassment;
- (b) Awareness-raising activities to combat and eliminate sexual harassment;
- (c) How perpetrators are held liable and adequately punished in cases of sexual harassment;
- (d) Efforts to establish a confidential and safe system for filing complaints relating to sexual harassment in the workplace;
- (e) Efforts to ratify the International Labour Organization Violence and Harassment Convention, 2019 (No. 190).

Health

21. Please clarify the conditions, effective as of 2023, for access to, and full reimbursement of, contraceptives. In view of the Committee's previous recommendations (para. 46) and in line with its general recommendation No. 24 (1999) on women and health, please provide information on the State party's efforts to:

- (a) Support the work of Cesas, the national reference centre for the promotion of emotional and sexual health, in implementing the national action plan for the promotion of emotional and sexual health and in carrying out awareness-raising and training activities for education and health-care professionals;
- (b) Facilitate affordable access to quality health services for undocumented persons;
- (c) Identify and address structural factors adversely affecting the mental health of women and girls, especially migrant women and girls;
- (d) Allocate adequate human, technical and financial resources for implementation of the national plan to combat smoking and for strengthening gender-sensitive interventions for all forms of substance abuse;
- (e) Prevent and prohibit non-consensual surgical or other medical interventions, including sex reassignment surgery, for intersex children, unless medically necessary; adopt legal provisions to provide redress for victims of surgical interventions performed without their free, prior and informed consent; and repeal time limits on the ability to claim compensatory damages for medically irreversible sex reassignment surgery and related consequences;
- (f) Ensure that women with disabilities have equal access to quality sexual and reproductive health services.

Disadvantaged groups of women

22. In view of the Committee's previous recommendations (para. 50), and in line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, please provide information on measures taken to:

- (a) Develop a gender-sensitive approach within the National Reception Office set up on 1 January 2020 and the Integration Department, and in the implementation of the welcome and integration contract and the accompanied integration pathway;

- (b) Facilitate access for migrant girls, especially those of non-European origin, to higher secondary education, including financial support and flexible language requirements, and addressing differences in language regimes between the general and technical tracks of secondary education;
- (c) Ensure the application of a gender-sensitive approach to receiving, considering and granting refugee and asylum claims of refugee and asylum-seeking women, making their protection needs a priority, and granting asylum to women and girls who request international protection on the basis of their risk of gender-based violence, in particular, the risk of female genital mutilation;
- (d) Ensure that women migrant domestic workers are aware of their rights and have access to legal aid and protection, as well as to effective legal recourse in cases of abuse;
- (e) Monitor the situation of women migrant domestic workers, in particular with regard to their recruitment and working conditions, and build the capacity of the labour inspectorate;
- (f) Ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189), in line with the Committee's previous recommendations (para. 42) and the commitment made by the State party in 2013 in the context of the second review cycle of the universal periodic review mechanism of the Human Rights Council.

Marriage and family relations

23. In view of the Committee's previous recommendations (para. 52) and in line with its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, please provide information on measures taken by the State party to harmonize the treatment of all women, including those in de facto unions and same-sex relationships, with regard to:

- (a) The distribution of property upon dissolution of their union or relationship;
- (b) The recognition of paternity in cases of medically assisted procreation;
- (c) The adoption of stepchildren, regardless of their civil status.

Data collection and monitoring

24. Please provide information on the State party's efforts, particularly through the work of the gender equality observatory, to collect data disaggregated by sex, age, nationality, religion and socioeconomic background to accurately assess the situation of women and girls and the impact and effectiveness of planned and existing activities and programmes for the elimination of discrimination against women.

Additional information

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous combined periodic reports ([CEDAW/C/LUX/6-7](#)), in 2018. Such measures may include recent laws, developments, plans, programmes and ratifications of human rights instruments, as well as any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised in the present document, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.