

# LUXEMBOURG

## EMN COUNTRY FACTSHEET

# 2019

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



### LEGAL MIGRATION AND MOBILITY

#### WORK-RELATED MIGRATION

2019 saw several new developments in the area of legal migration:

1. Luxembourg introduced a new long-term visa simplifying the entry and stay of third-country nationals for a period of up to one year, without having to apply for a residence permit.<sup>1</sup> This provision applies to the 'Working Holiday' agreements. The 'Working Holiday' agreement with Canada came into force in 2019.

2. Luxembourg reformed the Law on vocational training (the right to train, the content of apprenticeship and training contracts, the rights and duties of trainees). This general law also applies to third-country nationals legally residing in Luxembourg and to students residing and studying in neighbouring countries (including third-country nationals), enrolled at an educational institution in the Greater Region and attending vocational training as part of an apprenticeship in Luxembourg.

3. The government passed four laws to guarantee the rights of British citizens working and residing in

<sup>1</sup> Article 2 of the Law of 4 December 2019 amending the Law of 29 August 2009 on the free movement of persons and immigration.

<sup>2</sup> 1) Law of 8 April 2019 amending: 1) the amended law of 16 April 1979 laying down the general status of civil servants; and 2) the amended law of 24 December 1985 laying down the general status of municipal officials. Published in Memorial A239 of 11 April 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/04/08/a239/jo>

### KEY POINTS



The National Reception Office (ONA) was established, replacing the Luxembourg Reception and Integration Agency ("Office luxembourgeois de l'accueil et de l'intégration", OLAI) and transferring the competence for reception of applicants for international protection to the Ministry of Foreign and European Affairs.



The law of 4 December 2019 amending the Immigration Law introduced several operational changes to the conditions of entry, detention and return, according to experts' assessments of the Schengen acquis.



Four laws were amended to guarantee the rights of British citizens and their family members in the event of a deal or no-deal Brexit.

Luxembourg during 2019 in the event of both a deal or no-deal Brexit.<sup>2</sup>

2) Law of 8 April 2019 amending: 1) the amended law of 12 September 2003 relating to disabled persons; and 2) the amended law of 28 July relative to the social inclusion income. Published in Memorial A240 on 11 April 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/04/08/a240/jo>

3) Law of 8 April 2019 amending the law of 28 October 2016 relating to the recognition of professional qualifications. Published in Memorial A241 of 11 April 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/04/08/a241/jo>

## FAMILY REUNIFICATION

Article 3 of the Law of 8 April 2019 amending the Immigration Law specifies that British citizens and their family members must apply for residence documents before the end of the transition period.



## INTERNATIONAL PROTECTION INCLUDING ASYLUM

The National Reception Office (ONA) was established and given responsibility for the reception of applicants for international protection, under the supervision of the Ministry of Foreign and European Affairs.

- Other significant developments were: During 2019, reception facilities were evaluated to improve their quality.
- The Law of 28 July 2018 on the social inclusion income (REVIS) came into force on 1 January 2019, clarifying that all beneficiaries of international protection (refugee status and beneficiaries of subsidiary protection) aged 25 years or older, as well as their family members, can benefit from the REVIS without having to fulfill the residence condition of five years in the territory during the last 20 years.

The leaflet on the application of the Dublin Regulation was revised.



## UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

An interdisciplinary commission was established to evaluate the best interest of unaccompanied minors in return decisions. The Government Council approved the Grand Ducal Regulation relating to its composition and functioning.



## INTEGRATION

The creation of the Department of Integration at the Ministry of Family Affairs, Integration and the Greater Region followed the amendment to the amended Law of 16 December 2008 on the integration of foreigners, replacing the OLAI as the responsible authority for the integration of foreigners.

Two calls were launched (2019 and 2020) under the framework of the Multi-Annual National Action Plan of Integration. Aimed at private organisations, public institutions, training institutes and research centres, projects should facilitate the integration of all residents, including third-country nationals.

The Luxembourgish authorities continued to promote local integration and diversification of the educational system by increasing the language offer.



## CITIZENSHIP AND STATELESSNESS

The demand for Luxembourgish language courses increased substantially since the entry into force of changes in the acquisition of Luxembourgish nationality in 2017 and as a result of Brexit. The National Institute of Languages (INL) increased the offer of Luxembourgish language courses and reorganised the mandatory language skill test for the acquisition of nationality in order to better handle the influx of candidates.



## BORDERS, SCHENGEN AND VISAS

The Law of 4 December 2019 amending the Immigration Law was adopted, taking into account the experts' comments during the 2016 evaluation of the application of the Schengen acquis.

The same law introduced a long-term visa, facilitating the implementation of the Working Holiday Visa.



## IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

### MISUSE OF LEGAL MIGRATION CHANNELS

Article 7 of the Law of 4 December 2019 amending the Immigration Law increased the sanctions for making false declarations to competent authorities or producing falsified or inaccurate documents to enter the territory,

4) Law of 8 April 2019 amending the amended law of 29 August on the free movement of people and immigration. Published in Memorial A242 of 11 April 2019. URL: <http://legilux.public.lu/eli/etat/leg/loi/2019/04/08/a242/jo>

to obtain an authorisation to stay, a residence document or a work permit.

## MIGRANT SMUGGLING AND PREVENTION OF IRREGULAR STAY

Article 8 of the Law of 4 December 2019 amending the Immigration Law increased the fine for carriers that transport third-country nationals without the correct documentation to a fixed amount of € 5 000.



## TRAFFICKING IN HUMAN BEINGS

A Declaration of Intent of the Benelux States signed during the Luxembourgish Presidency of the Benelux strengthened the cooperation between the Benelux States on the identification and protection of victims of trafficking.

Luxembourg joined the European Crime Prevention Network (EUCPN), an initiative to launch a prevention campaign against human trafficking by informing victims or potential victims of their rights at European level, where to find help, protection and information.

Reception and consultation facilities were reinforced in 2019, namely for male victims of trafficking of human beings.

Luxembourg increased its basic and advanced training for key stakeholder staff on detection and combat of trafficking in human beings.

A new national action plan was launched under the National Promotion Programme of Sexual and Emotional Health. The plan promotes respect and equality through sexual and emotional education, strengthens the fight against prostitution and the prevention of sexual exploitation.

The Consultative Commission on Human Rights (Commission Consultative des Droits de l'Homme - CCDH), which is the national rapporteur, submitted its second report on trafficking in human beings to the parliament on 6 November 2019, sparking public debate.



## RETURN AND READMISSION

### RETURN MIGRATION MANAGEMENT

Article 5 of the Law of 4 December 2019 amending the Immigration Law introduced a procedure for reviewing prolonged detention periods under the judicial review of the First Instance Administrative Court. Article 6 of the Law enables the Grand Ducal Police to access the place of residence of a third-country national being removed if the person (or the owner of the property) refuses entry.

The Dublin Unit inside the Directorate of Immigration moved from the Returns Department to the Refugee Department.

### COOPERATION WITH THIRD COUNTRIES

The Protocol of implementation of the agreement between the European Union (EU) and the Republic of Serbia concerning the readmission of persons in an irregular stay situation by the Benelux and the Republic of Serbia entered into force.



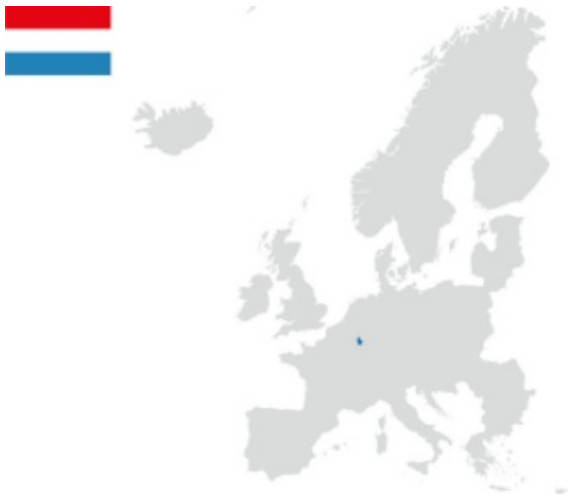
## MIGRATION AND DEVELOPMENT

No significant developments in 2019.

### STATISTICAL ANNEX

The Statistical Annex was prepared by the European Commission's Knowledge Centre on Migration and Demography (KCMD). It provides an overview of the latest available statistics for Luxembourg on aspects of migration and international protection (2016-2019), including legal residence, asylum, unaccompanied minors, integration, irregular migration, return and visas. Where statistics were not available at the time of publication, this is indicated in the Annex as 'N/A'.

A How to Read guide, describing each chart and reporting the sources, is available [here](#).



## GENERAL NOTES

This four-page statistical annex complements the Country Factsheet with relevant migration-related data organised in nine thematic sections. The dashboard-like layout of the annex allows comparability across countries as well as simultaneous visualisation of different indicators.

Whenever data is not available, the relative chart is left blank or indicated with 'N/A'. Data are provided for the latest available year or the latest available four-year period.

The sum of percentages or of individual values might not add up to 100 or to the total value. This is due to rounding and confidence intervals in the original data.

A How to Read guide, describing each chart and reporting the sources, is available on the EMN website.

## COLOUR LEGEND

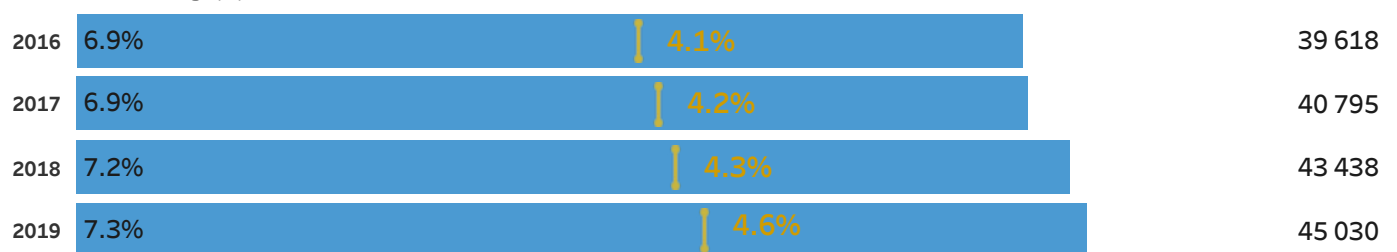
Whenever not specified, the following colour legend is adopted. Colours for multiple nationalities are randomly chosen.

■ data relative to Luxembourg ■ data relative to EU

## LEGAL MIGRATION AND MOBILITY

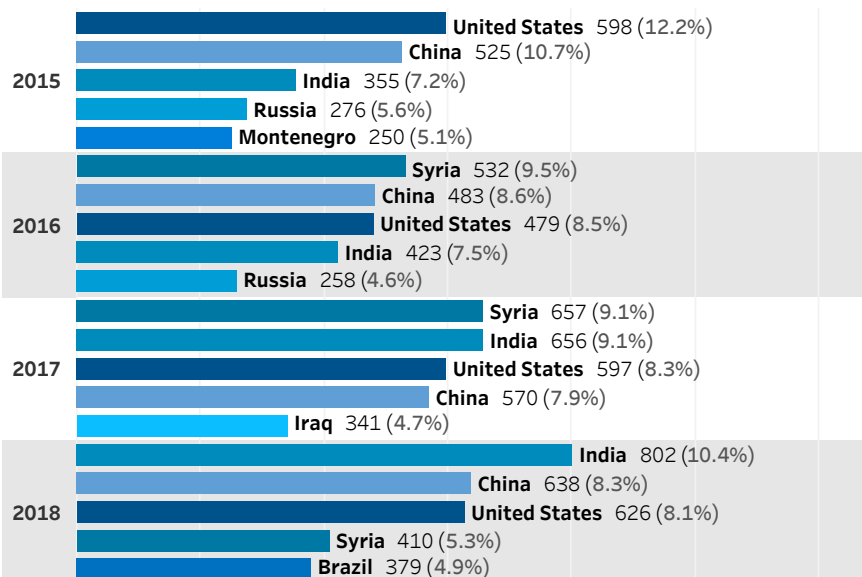
### Third-Country Nationals (TCNs) as % of total population (in the country and in the EU)

SOURCE: Eurostat (migr\_pop1ctz)



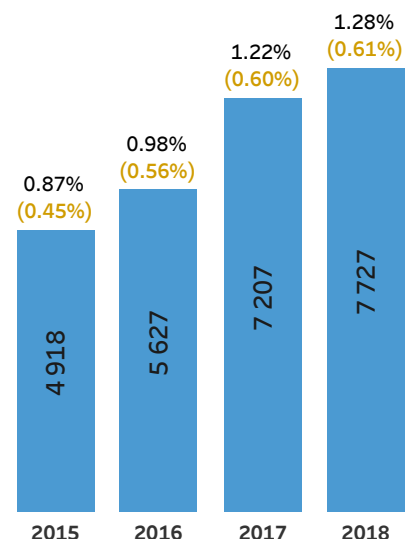
### Top 5 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits

SOURCE: Eurostat (migr\_resfirst)



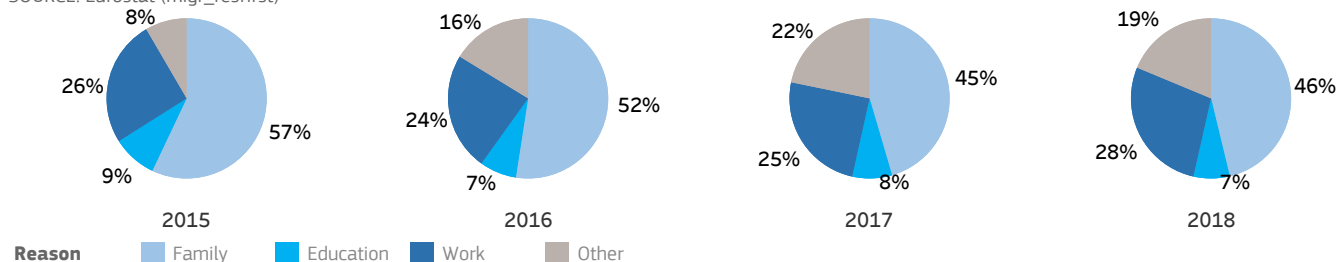
### First residence permits annually issued: tot. num. and % of tot. pop. in the country (and EU)

SOURCE: Eurostat (migr\_resfirst)



### First residence permits annually issued by reason

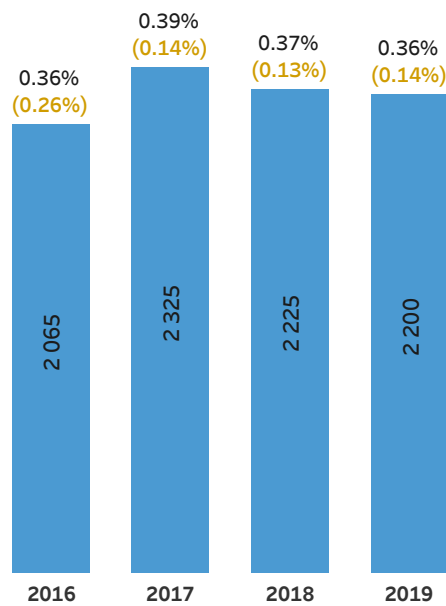
SOURCE: Eurostat (migr\_resfirst)



## INTERNATIONAL PROTECTION INCLUDING ASYLUM

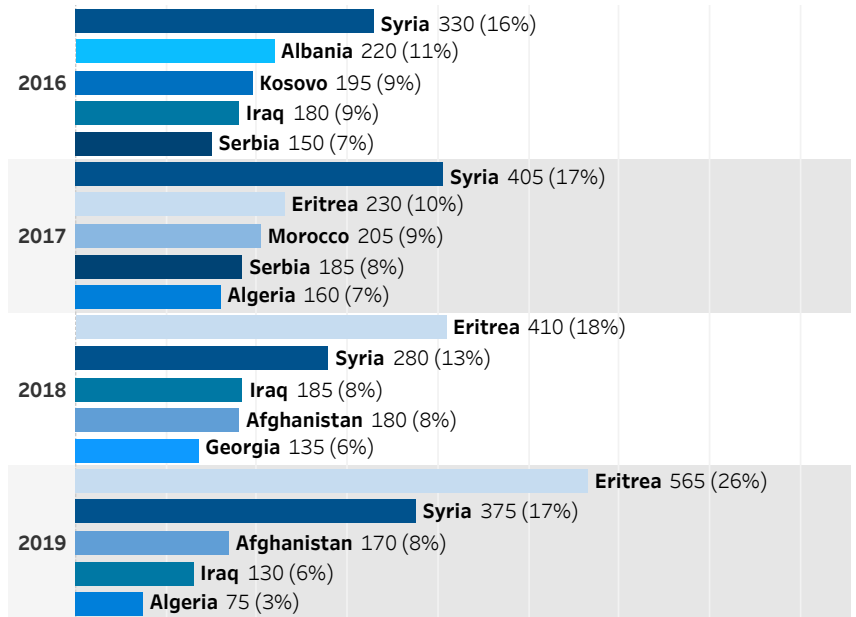
### First-time asylum applications: total num. and as % of population in the country (and in EU)

SOURCE: Eurostat (migr\_asyappctza, migr\_pop1ctz)



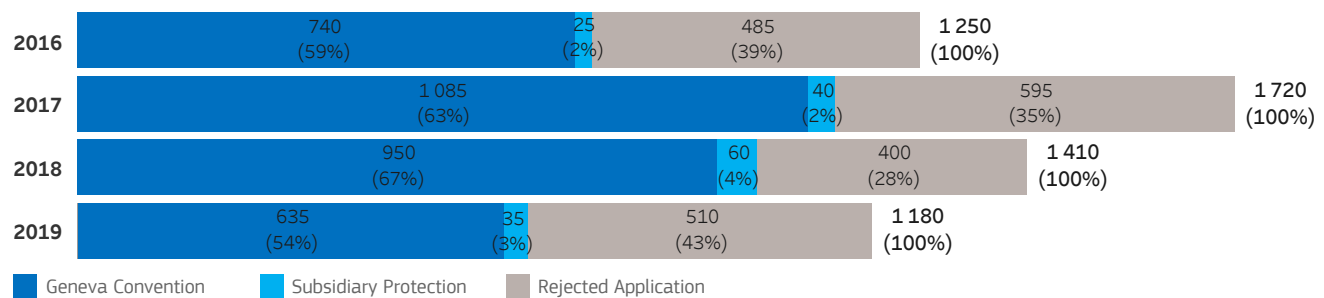
### Top 5 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications

SOURCE: Eurostat (migr\_asyappctza)



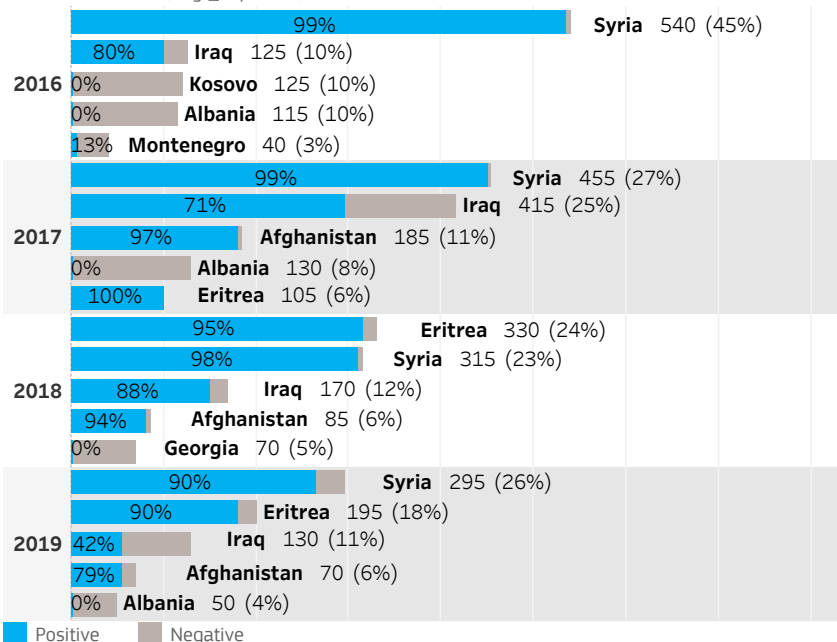
### Number of first-instance asylum decisions by outcome (% of total decisions)

SOURCE: Eurostat (migr\_asydcfst)



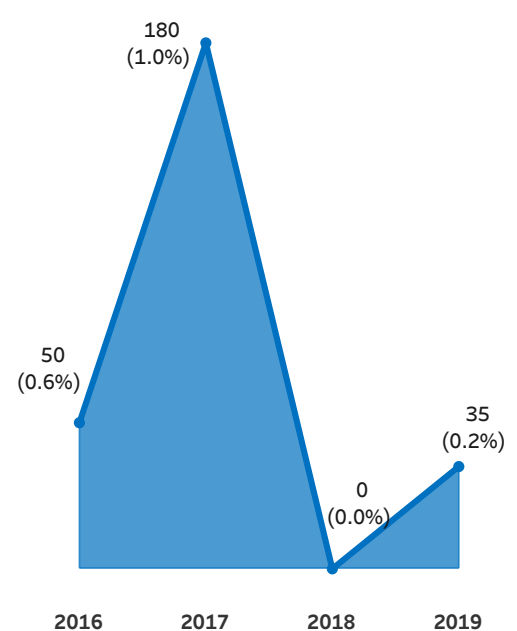
### Top 5 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcome

SOURCE: Eurostat (migr\_asydcfst)



### Third-Country Nationals resettled: absolute number and as % of total resettled in EU

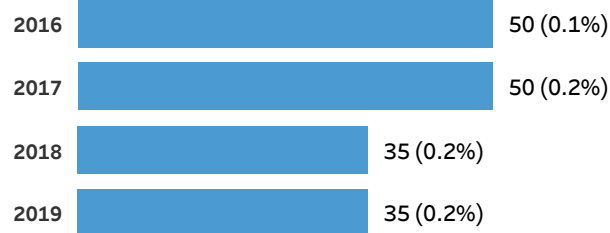
SOURCE: Eurostat (migr\_asyresa)



## UNACCOMPANIED MINORS

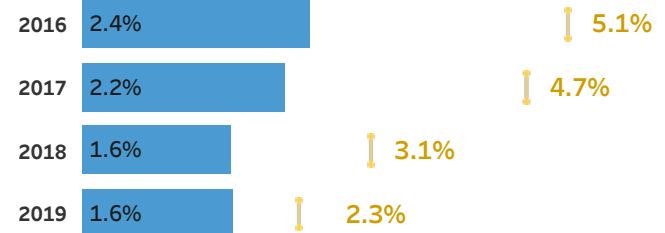
**Unaccompanied Minors applying for asylum in the country (and % of total applications from Unaccompanied Minors in EU)**

SOURCE: Eurostat (migr\_asyunaa)



**Unaccompanied Minors as % of first asylum applications (in the country and in EU)**

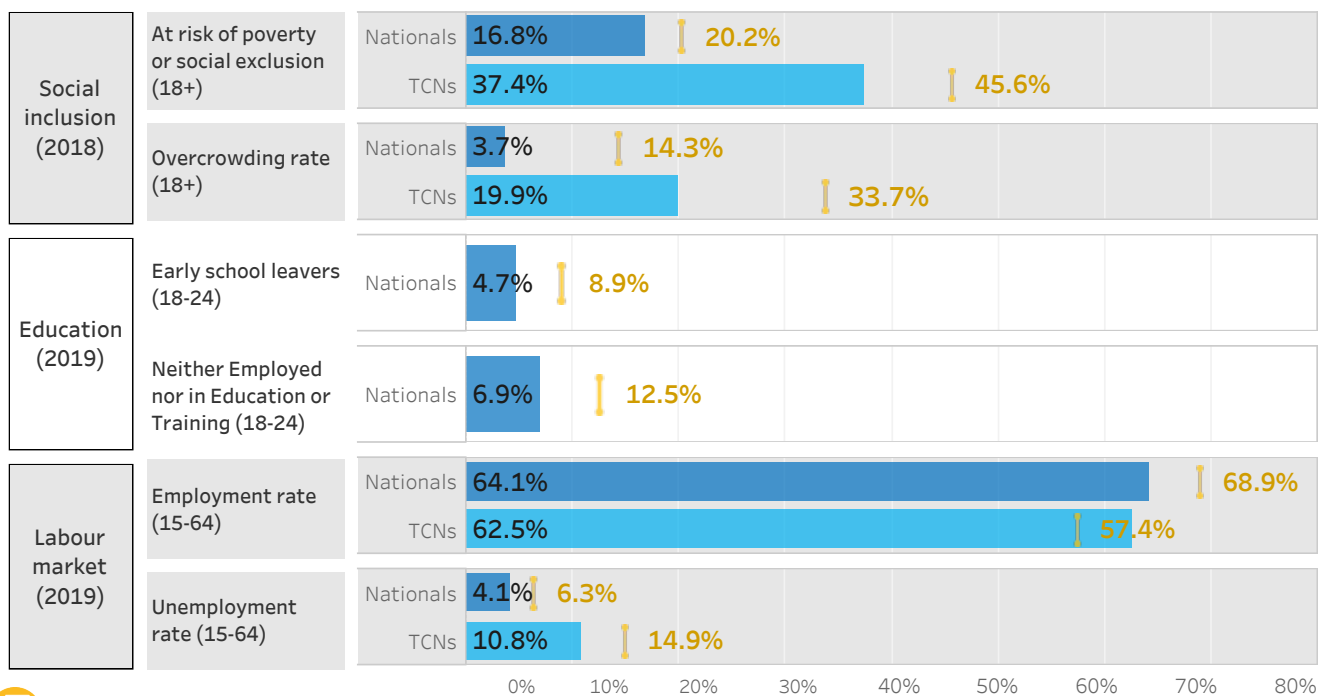
SOURCE: Eurostat (migr\_asyunaa)



## INTEGRATION

**Integration indicators for nationals of the country (blue) and Third-Country Nationals (TCNs - light blue) in the country (when available). The same indicator is provided in yellow for EU. Data are relative to the last year available.**

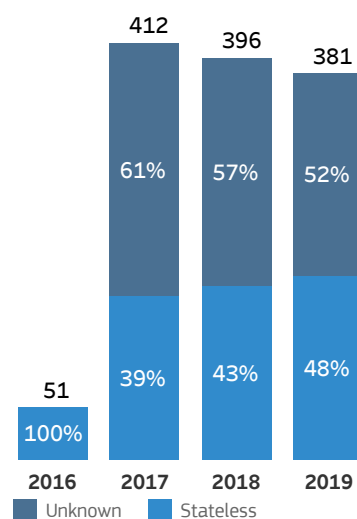
SOURCE: Eurostat (ilc\_peps05, ilc\_lvho15, edat\_lfse\_01, edat\_lfse\_23, lfse\_ergan, lfse\_urgan)



## CITIZENSHIP AND STATELESSNESS

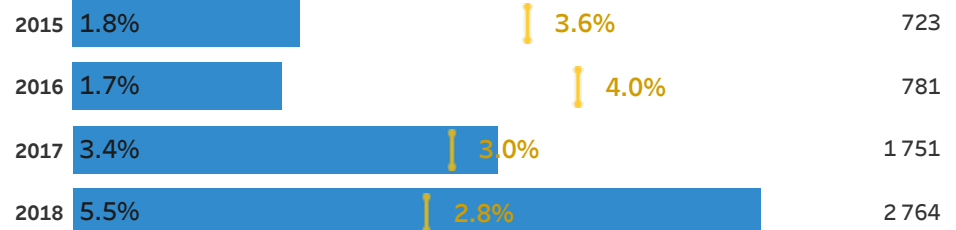
**Stateless, Recogn. Non-Citizens (RNC) and Unknown Citizens**

SOURCE: Eurostat (migr\_pop1ctza)



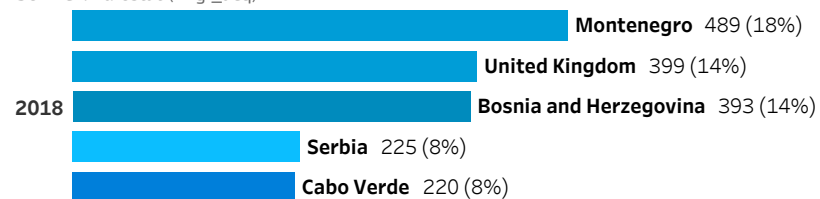
**Third-Country Nationals who have acquired citizenship as a share of total Third-Country Nationals (in the country and in the EU) and in absolute number**

SOURCE: Eurostat (migr\_acqs, migr\_acq)



**Top 5 nationalities by number of citizenship acquisition in 2018: absolute number and % of total acquisitions in the country by Third-Country Nationals**

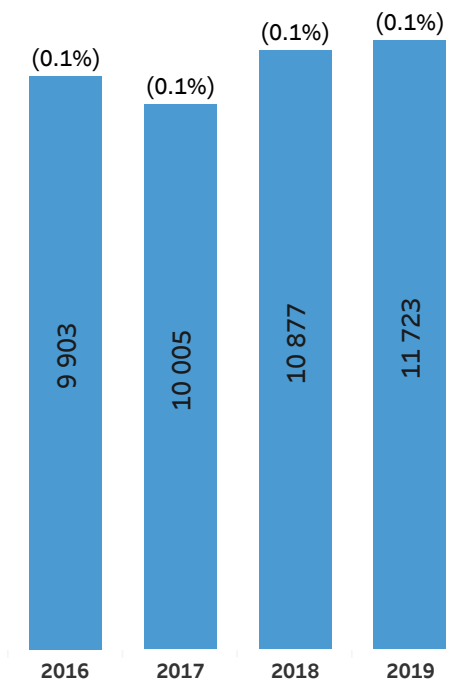
SOURCE: Eurostat (migr\_acq)



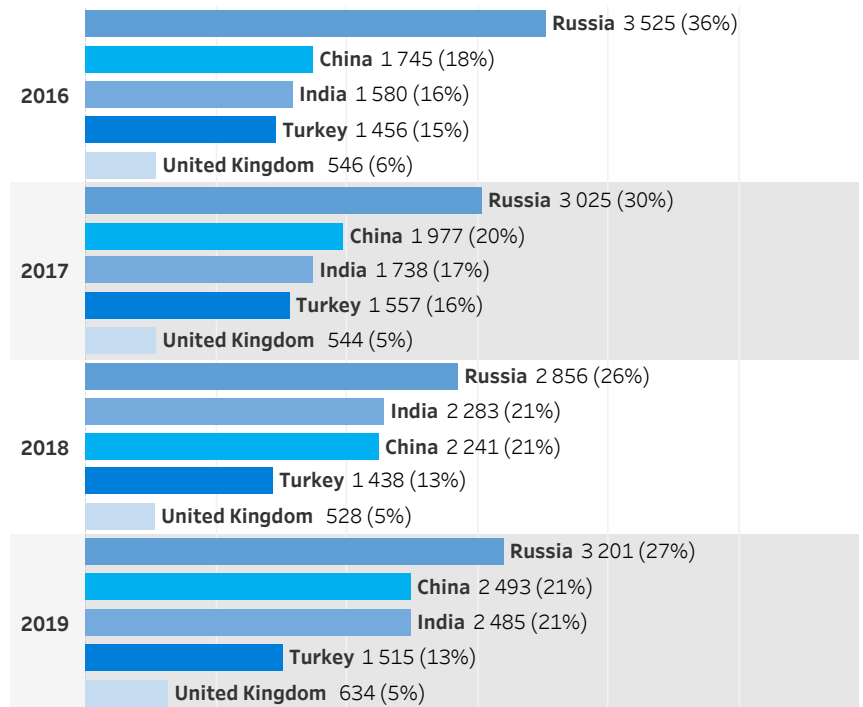
## BORDERS, SCHENGEN AND VISAS

SOURCE: DG Migration and Home Affairs (complete statistics on short-stay visas applications to Schengen States)

### Lodged short-term Visa app. (% of Schengen)

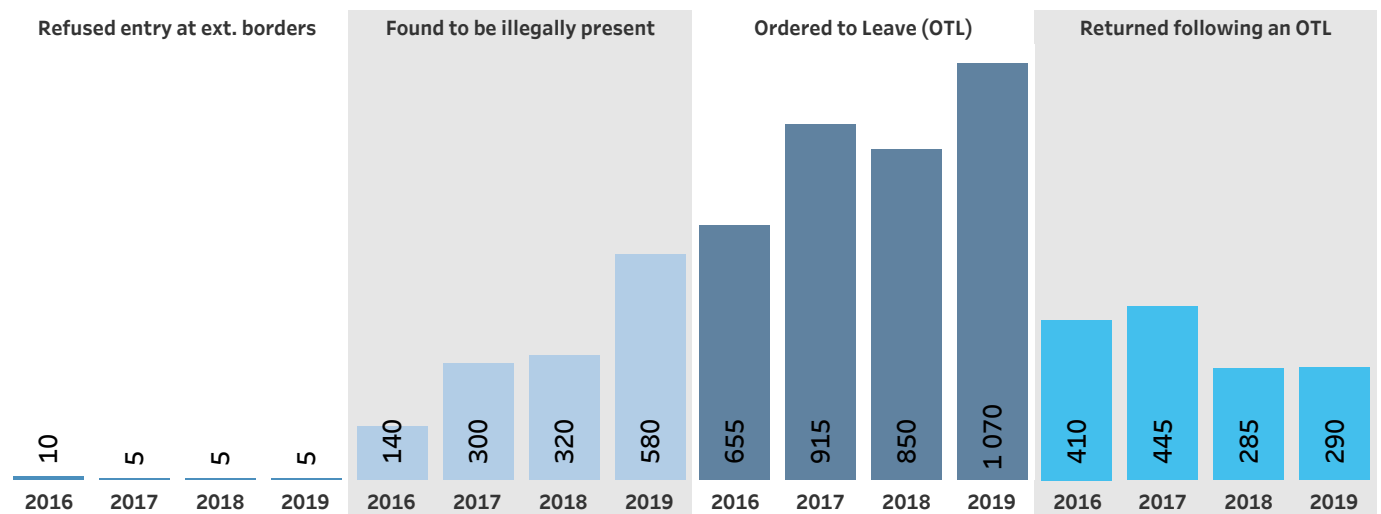


### Lodged short-term Visa applications in top 5 consulate countries (% of total app.s)



## IRREGULAR MIGRATION

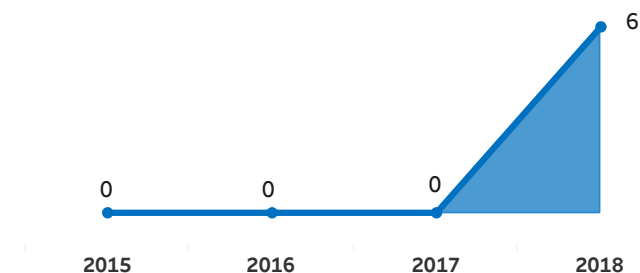
SOURCE: Eurostat (migr\_eirfs, migr\_eipre, migr\_eiord, migr\_eirtn)



## TRAFFICKING IN HUMAN BEINGS

Number of residence permits issued to victims of Trafficking in Human Beings

SOURCE: Eurostat (migr\_resoth)



## RETURN AND READMISSION

Number of Third-Country Nationals who left the territory by type of return

SOURCE: Eurostat (migr\_eirt\_vol)

