

LUXEMBOURG

EMN COUNTRY FACTSHEET

2020

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



OVERARCHING CHANGES

The [Law of 4 December establishing the National Reception Office](#) (ONA) entered into force on 1 January 2020. Under the authority of the Ministry for Foreign and European Affairs, the ONA replaced the Luxembourg Office for Reception and Integration (OLAI) for the reception of applicants for international protection. The competence for integration was transferred to the Integration Department of the Ministry of Family Affairs, Integration and the Greater Region.



LEGAL MIGRATION AND MOBILITY

WORK-RELATED MIGRATION

[Bill No. 7682](#) proposed to amend the provision of the amended Law of 29 August 2008 on the free movement of people and immigration (Immigration Law) that regulates intercorporate transferees and relates to the seniority condition required before the date of the intra-group transfer.

[The Law of 15 December 2020](#) transposed Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 on the posting of workers in the framework of the provision of services, to actively combat abuses of posted workers and increase the protection for long-term posted workers.

The [labour market test](#) procedure for recruiting a third-country national was extended during the COVID-19 crisis.

KEY POINTS



The Law of 4 December 2020 established the National Reception Office (ONA) and, subsequently, the Integration Department.



Bill No. 7682 proposed several amendments to the Immigration Law, lightening the administrative burden for third-country nationals and changing certain provisions for intercorporate transferees, trainees, and family reunification.



Bill No. 7681 proposed increasing the effectiveness of remedies available to applicants for international protection while guaranteeing legal certainty in the context of Dublin III transfers, final decisions to close proceedings, and decisions to withdraw international protection.

FAMILY REUNIFICATION

Bill No. 7682 proposed to simplify administrative procedures by removing the requirement for family members of third-country nationals applying for family reunification to provide certified copies of their travel documents.

OTHER MEASURES REGARDING LEGAL MIGRATION

Bill No. 7682 also aimed to amend Article 4 of the Immigration Law to clarify that a sponsor (Luxembourg national) must reside in Luxembourg and have sufficient means to take responsibility for another person and ensure that they are not dependent on social assistance.

The same Bill, No. 7682, proposed to amend Article 40 of the Immigration Law by simplifying the administrative burden on third-country nationals and eliminating the requirement to present a copy of their authorisation to stay in Luxembourg when applying for a residence permit.

The main objective of Bill No. 7682 is to strengthen the security of identity cards and residence documents issued to EU citizens and their family members exercising their right of free movement.

Several operational changes were adapted to COVID-19 public health policies, such as the Directorate of Immigration's business continuity plan and limiting decisions on legal migration to emergencies.



INTERNATIONAL PROTECTION

As mentioned in the overarching changes, a significant legislative change included the creation of the [ONA](#).

[Bill No. 7681](#) was introduced in parliament on 16 October 2020 to amend the remedies available to applicants for international protection, increasing their effectiveness while guaranteeing maximum legal certainty in Dublin III transfers, final decisions to close proceedings on applications, and decisions to withdraw international protection.

Bill No. 7682 sought to simplify the administrative measures and extend the time limit for beneficiaries of international protection to apply for family reunification in order to benefit from more advantageous conditions.

A [new first-time reception facility](#) opened, bringing together all actors involved in the reception of applicants for international protection, allowing a more effective collaboration.

In the fight against COVID-19, several operational changes were made to help strengthen public health policies and adapt to the state of crisis, such as the temporary extension of expired registration certificates for applications for international protection, the suspension of interviews with applicants and Dublin transfers. Legislative changes included the [suspension of appeal periods before the administrative courts](#) on asylum and immigration. The time limits governing the initiation of proceedings before the first instance administrative courts were extended. Only detention decisions were unaffected.

RELOCATION AND RESETTLEMENT

Luxembourg's policy to strive for greater EU solidarity was strengthened in 2020, with relocation operations

under the Malta Declaration's ad hoc mechanism, the EU Commission's Action Plan for immediate measures to support Greece, and from Greece directly, following the Moria camp fire.



MINORS AND OTHER VULNERABLE GROUPS

MINORS

The [Grand Ducal Regulation of 4 November 2020](#) on the composition and operation of the Consultative Commission on the Evaluation of the Best Interest of Unaccompanied Minors (in return decisions) was adopted.

In the area of education, the government continued to diversify its educational offer and newly arrived children in need of language support remained a priority. The Schooling Service for Foreign Children (SECAM) and the Schooling Service for Newly Arrived Children (CASNA) intensified their activities in response to operational changes such as temporary suspension of activities in educational institutions in March 2020, in response to COVID-19. The procedures for taking care of newly arrived children will be reviewed.

OTHER VULNERABLE GROUPS

A mechanism for screening and identifying vulnerabilities was developed with relevant stakeholders.

A mental health project also became operational, whereby applicants for international protection with psychological disorders and an existing medical diagnosis were provided with accommodation and a medical follow-up.

Other changes were linked to COVID-19, which included granting irregular migrants access to [healthcare](#), [social grocery shops](#) and [emergency shelters](#) without being sanctioned.



INTEGRATION

OVERARCHING DEVELOPMENTS

Integration policies were strengthened through (1) widespread consultation on the Law of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg. (Integration Law) with stakeholders from civil society, social partners and the 102 communes; (2) efforts to improve visibility of

integration measures to foreigners; (3) revising integration measures, such as the Reception and Integration Contract (CAI) and the Guided Integration Trail (PIA); (4) adapting calls for projects to the Integration Department's main priorities; (5) increasing financial and non-financial support to municipalities; (6) identifying areas in which the Integration Department can better support social welfare offices.

INTEGRATION OF ADULTS

In 2020, language learning and practice was a political priority, as reflected in the [2021 call for projects](#) to implement the National Action Plan on Integration (Integration NAP). Active participation of third-country nationals remained a focus in 2020.

[Measures taken to fight the spread of COVID-19 and its repercussions for the labour market](#) were the only significant changes in respect of the labour market integration of third-country nationals. These measures applied to the entire population, including third-country nationals.

FIGHTING RACISM AND DISCRIMINATION

Parliament adopted a [motion](#) inviting the government to prepare a study on racism in Luxembourg in order to develop a coherent anti-racism strategy, and a resolution to enhance the resources of the Centre for Equal Treatment (CET). A study was then launched to analyse the different forms of racism and ethno-racial discrimination and to make recommendations.

Diversity and the fight against discrimination was one of the focus topics in the [2021 call for projects](#), reflecting it as a political priority.

INVOLVEMENT OF NON-GOVERNMENTAL ORGANISATIONS (NGOS)

The Interministerial Committee was opened to civil society for the first time in 2020.

[Thirteen new integration projects](#) were retained from NGO research centres and training institutes (under the 2020 call for projects) in the framework of the Integration NAP.



CITIZENSHIP AND STATELESSNESS

No significant developments in 2020.



BORDERS, SCHENGEN AND VISAS

BORDER MANAGEMENT

To limit the spread of COVID-19, the EU closed its external borders on 17 March 2020. From 18 March 2020, temporary measures were taken in respect of the application of the Immigration Law, foreseeing a ban on entering Luxembourg. [The amended Grand Ducal Regulation of 20 June 2020](#) resulting from the amended [Law of 20 June 2020](#) foresaw entry restrictions for third-country nationals until [31 March 2021](#). Certain categories of third-country nationals and certain countries of origin of third-country nationals were exempt from these restrictions. These exemptions were amended over time. Additional health measures at the external air border were introduced on 12 August 2020. Third-country nationals wishing to fly to Luxembourg from a third country not on the list of third countries exempted from the entry ban had to present a negative COVID-19 test carried out less than 48 hours before boarding the flight. On 14 August, this time limit was changed to [72 hours](#). [Since 14 September 2020](#), short-stay visits by third-country national family members of EU citizens were exempt from the travel restrictions, as were third-country nationals whose life partner resided in Luxembourg.

VISA POLICY

On 2 February 2020, the EU Regulation 2019/1155 entered into force, simplifying visa application formalities while providing for increased resources to address the risks of irregular migration and threats to internal security in Member States, including Luxembourg.

Other changes to the Visa Policy addressed COVID-19 and sought to prevent migrants from falling into an irregular situation during/after the state of crisis. The government [extended the validity of visas](#) that expired on 1 March 2020. Similarly, the stay of third-country nationals who were not subject to visa requirements and who overstayed the 90 days after 1 March 2020 was regularised for some months.

Third-country nationals who submitted a declaration of arrival between 1 January and 31 July 2020, the time limit during which they had to request the issuance of a residence permit [was extended from three to six months](#).



IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

No significant developments in 2020.



TRAFFICKING IN HUMAN BEINGS

The most significant changes in relation to trafficking of human beings in 2020 were:

- (1) [Grand Ducal Regulation of 19 August 2020](#) amended the composition of the Monitoring Committee on the Fight against the Trafficking in Human beings by adding an additional member - the Victim Assistance Department of the Central Social Assistance Service. It also took into account amendments introduced by the Law of 4 December 2019 on the creation of the ONA.
- (2) [Bill No. 7682](#) clarified that residence permits delivered to victims of human trafficking are renewable for a period of six months during an investigation or judicial proceedings.
- (3) [Law of 15 December 2020](#) amending the amended Law of 10 August 1991 on the legal profession and transposing the Directive (EU) 2016/1919 and Directive 2012/29/EU made legal aid available to all civil parties in both civil and criminal proceedings.
- (4) [Law of 15 December 2020 approved Protocol PO29](#) of the Forced Labour Convention. This instrument requires governments to take measures to better protect workers, particularly migrant workers, from fraudulent and abusive recruitment practices. It also emphasises the role of employers and workers in combating forced labour.
- (5) A new [common space, INFOTRAITE](#) was set up to help the two approved assistance services for victims of trafficking in human beings (Support Service for Victims of Trafficking in Human Beings (SAVTEH) of 'Femmes en détresse' and the Ozanam Centre (COTEH) of the 'Fondation Maison de la Porte Ouverte') to assist victims of human trafficking.
- (6) Cooperation was strengthened between the Benelux States through comparing best practices and lessons learned in the area of human trafficking.



RETURN AND READMISSION

MAIN NATIONAL DEVELOPMENTS

Changes were implemented to prevent the spread of COVID-19 in the detention centre, for example [detainees for whom return was not feasible were released](#).

Two laws were adopted approving the EU Readmission Agreements for [Ukraine](#) and the [Republic of Armenia](#).



MIGRATION AND DEVELOPMENT

No significant developments in 2020.

STATISTICAL ANNEX

The Statistical Annex was prepared by the European Commission's Knowledge Centre on Migration and Demography (KCMD) and provides an overview of the latest available statistics for Luxembourg on aspects of migration and international protection (2017-2020), 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 up to nine thematic sections - depending on data availability. The dashboard-like layout of the annex allows comparability across countries as well as simultaneous visualisation of different indicators. Whenever data are 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. For some indicators, data are rounded in the source. 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

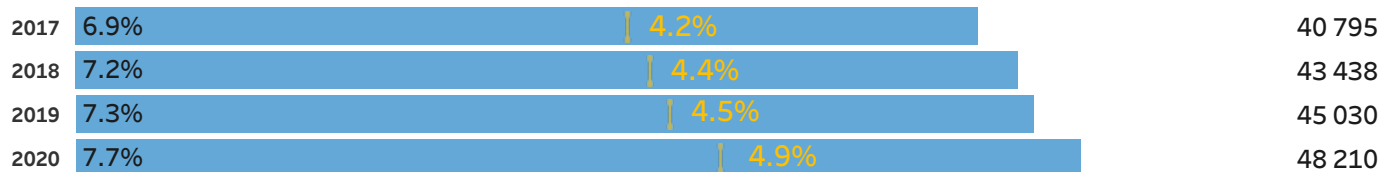


LEGAL MIGRATION AND MOBILITY

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

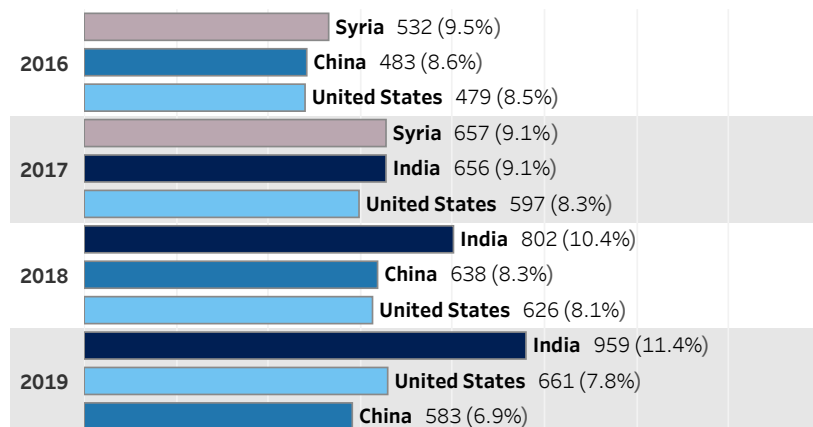
SOURCE: Eurostat (migr_pop1ctz)

Number of TCNs



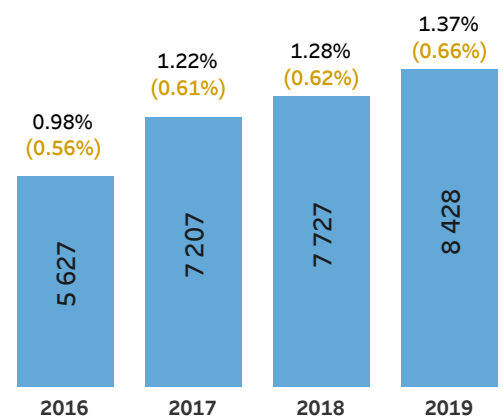
Top 3 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits

SOURCE: Eurostat (migr_resfirst)



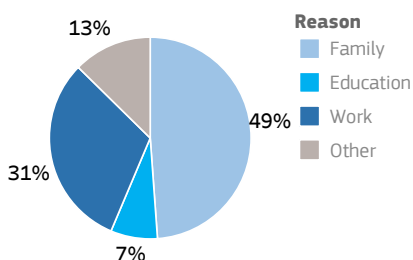
First residence permits annually issued: tot. num. and % of tot. pop. in the country (and EU)

SOURCE: Eurostat (migr_resfirst)



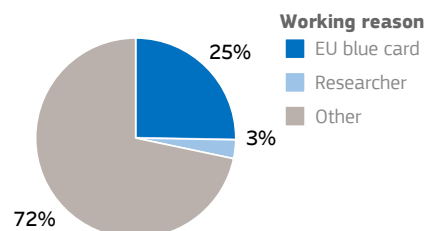
First residence permits annually issued by reason in 2019

SOURCE: Eurostat (migr_resfirst)



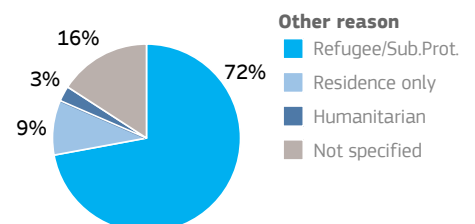
First residence permits annually issued for work reasons in 2019

SOURCE: Eurostat (migr_resocc)



First residence permits annually issued for 'other reasons' in 2019

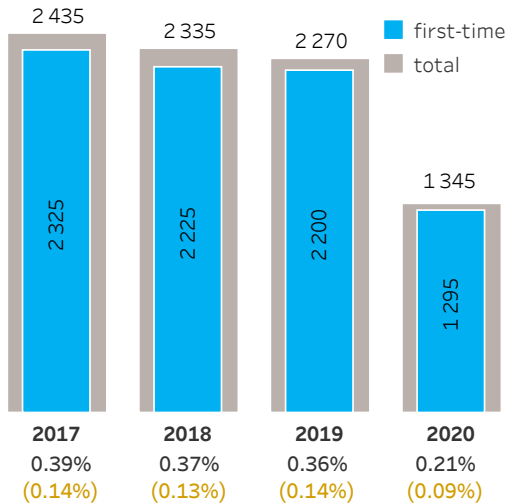
SOURCE: Eurostat (migr_resoth)



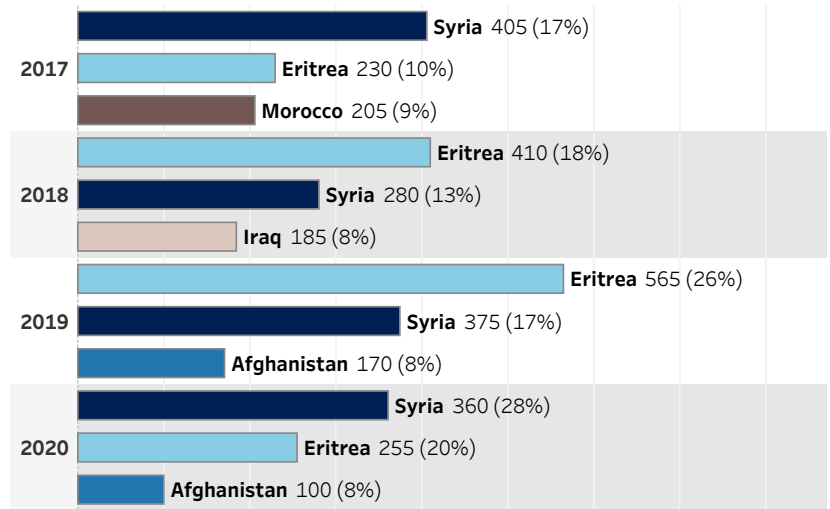


INTERNATIONAL PROTECTION INCLUDING ASYLUM

Total/first-time asylum applications; first-time asy app as % of population in the country (and in EU) SOURCE: Eurostat (migr_asyappctza, migr_pop1ctz)

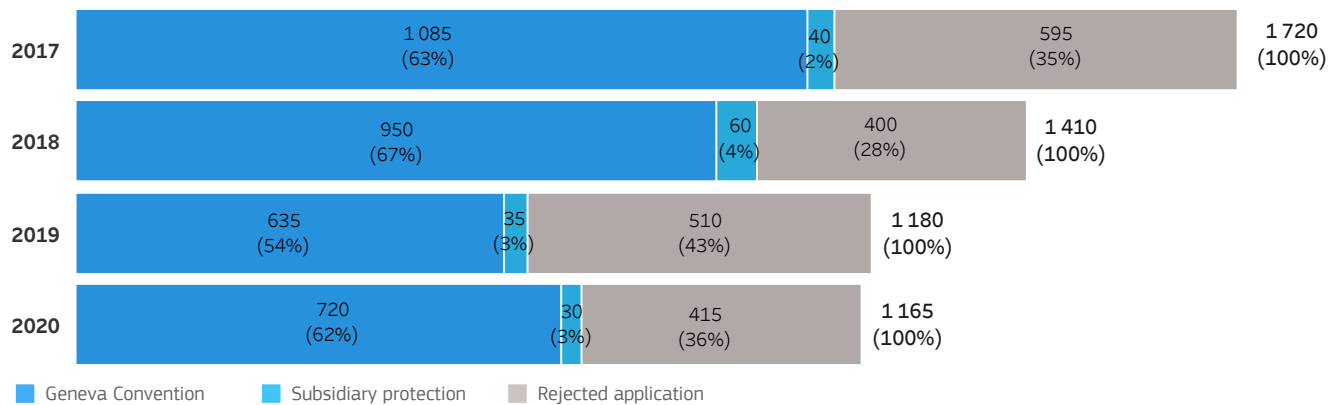


Top 3 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications SOURCE: Eurostat (migr_asyappctza)



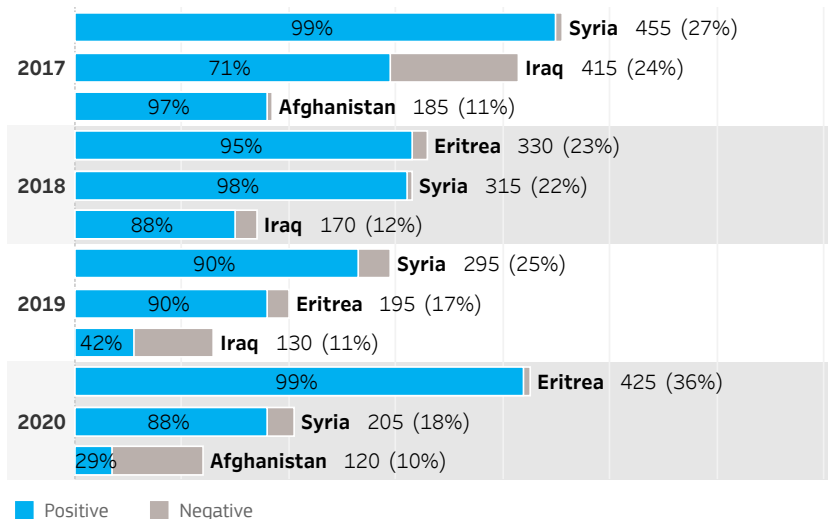
Number of first-instance asylum decisions by outcome (% of total decisions)

SOURCE: Eurostat (migr_asydcfsta)



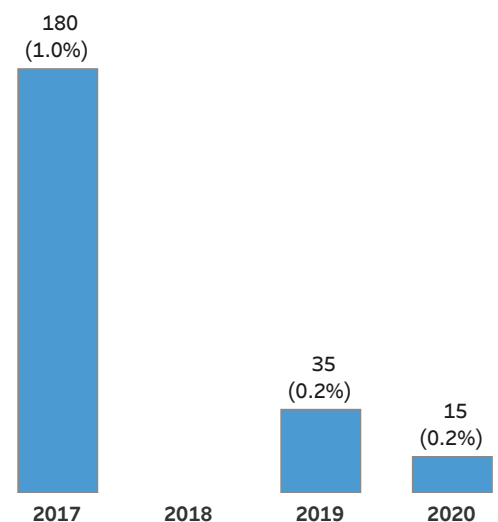
Top 3 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcome

SOURCE: Eurostat (migr_asydcfsta)



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

SOURCE: Eurostat (migr_asyresa)





UNACCOMPANIED MINORS

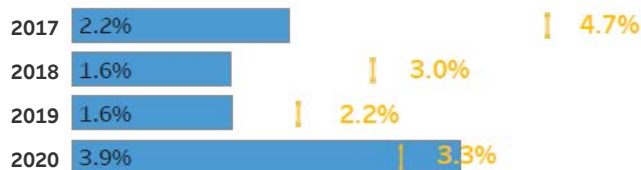
Unaccompanied minors applying for asylum in the country (and % of total applications from unaccompanied minors in EU)

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 available year.

SOURCE: Eurostat (ilc_peps05, ilc_lvho15, edat_lfse_01, edat_lfse_23, lfsa_ergan, lfsa_urgan)

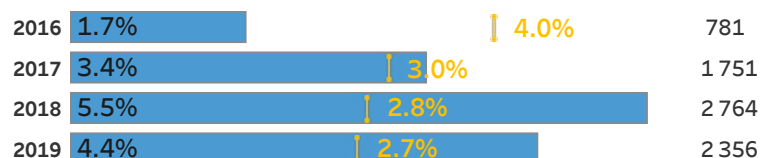
Category	Indicator	Nationals	TCNs	EU
Social inclusion (2019)	At risk of poverty or social exclusion (18+)	15.6%	36.4%	19.6% / 45.3%
	Overcrowding rate (18+)	3.4%	18.0%	14.3% / 34.8%
Education (2020)	Early school leavers (18-24)	6.0%		8.6%
	Neither Employed nor in Education or Training (18-24)	7.5%		13.5%
Labour market (2020)	Employment rate (15-64)	64.2%	61.6%	68.3% / 55.1%
	Unemployment rate (15-64)	4.8%	16.5%	6.6% / 17.0%



CITIZENSHIP AND STATELESSNESS

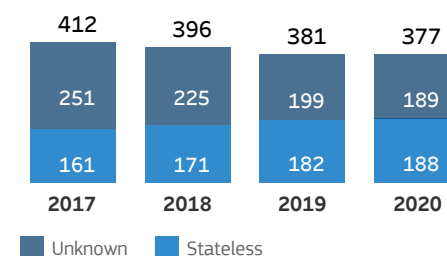
Third-Country Nationals who have acquired citizenship as a share of total Third-Country Nationals (in the country and in the EU) and in absolute number

SOURCE: Eurostat (migr_acqs, migr_acq)



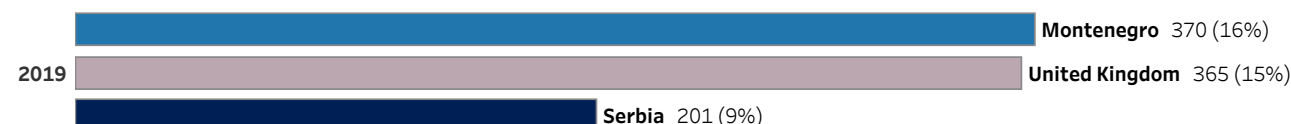
Stateless, unknown citizens and recognised non-citizens (RNC) - where present

SOURCE: Eurostat (migr_pop1ctza)



Top 3 nationalities by number of citizenship acquisition in 2019: absolute number and % of total acquisitions in the country by Third-Country Nationals

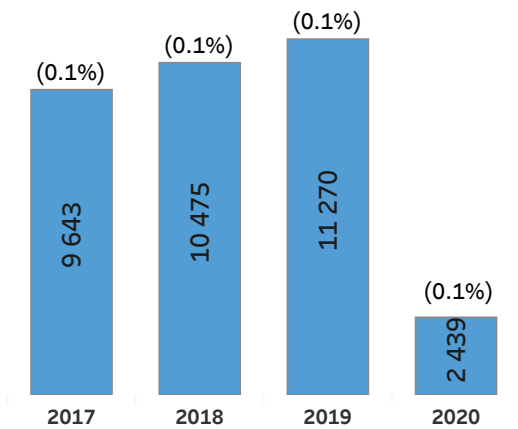
SOURCE: Eurostat (migr_acq)



BORDERS, SCHENGEN AND VISAS

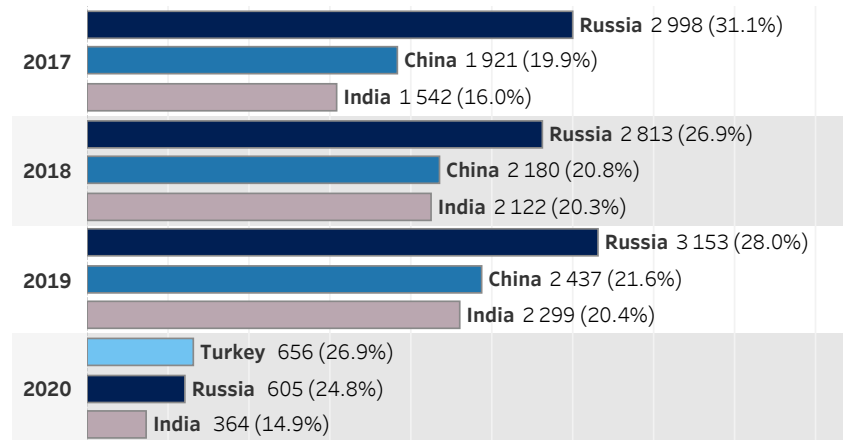
Short-term visa issued (% of Schengen)

SOURCE: DG Migration and Home Affairs



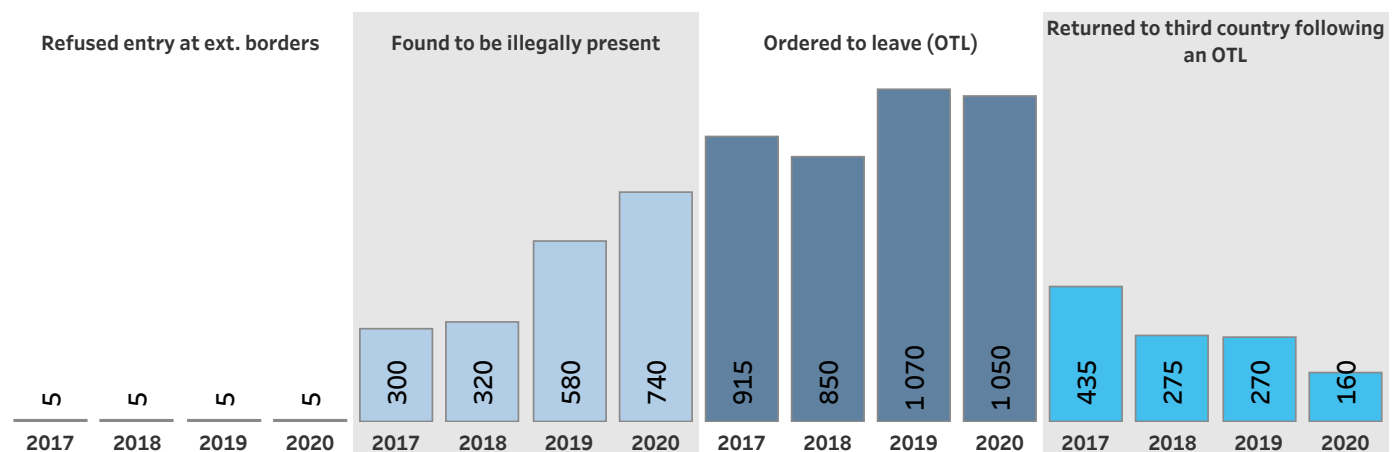
Short-term visa issued in top 3 consulate countries (% of total issued)

SOURCE: DG Migration and Home Affairs



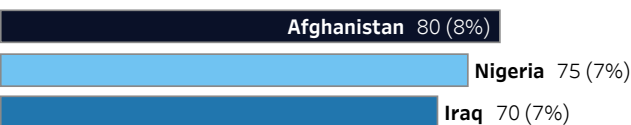
IRREGULAR MIGRATION

SOURCE: Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn)



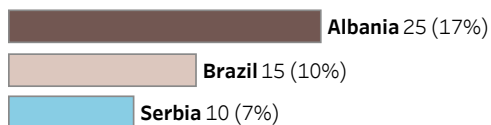
Top 3 nationalities ordered to leave the country, 2020

SOURCE: Eurostat (migr_eiord)



Top 3 nationalities returned to third countries, 2020

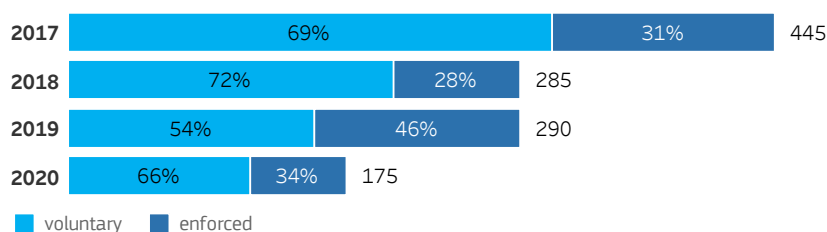
SOURCE: Eurostat (migr_eirtn)



RETURN AND READMISSION

Number of Third-Country Nationals who left the territory by type of return (in %) and total returns

SOURCE: Eurostat (migr_eirt_vol)



TRAFFICKING IN HUMAN BEINGS

Number of residence permits issued to victims of trafficking in human beings

SOURCE: Eurostat (migr_resoth)

