



Le point de contact national luxembourgeois du Réseau européen des migrations

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EMN Luxembourg

Comité interministériel à l'intégration
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Réseau européen des migrations (REM)

- Établi en 2008 par la Commission européenne au nom du Conseil européen (décision 2008/381/CE du Conseil)
- 29 points de contact nationaux, dont 26 sont situés dans des États membres de l'UE (le Danemark a le statut d'observateur), plus la Norvège, la Géorgie et la Moldavie.
- L'objectif du REM est de
 - fournir aux institutions et agences européennes et nationales ainsi qu'au grand public des données et des informations actualisées, objectives et comparables concernant les questions liées à l'immigration et à l'asile;
 - fournir des informations impartiales pour soutenir le discours actuel sur la migration; et
 - soutenir les processus de prise de décision politique au sein de l'Union européenne.
- Public cible = ressortissants de pays tiers

Collection d'informations

- Les activités du REM sont décidées dans un plan de travail biannuel;
- Les sujets précis sont décidés par le comité directeur et les PCNs du REM;
- La collecte des données pour les produits du REM consiste principalement en une recherche documentaire;
 - utilisation de données déjà disponibles ou publiées au niveau des États membres ou au niveau international, y compris les statistiques nationales, les textes juridiques, les rapports, etc;
- Cette recherche est complétée, si nécessaire, par des entretiens menés avec différentes parties prenantes dans le domaine de la migration, de l'asile, de l'apatridie et de l'intégration;
- Cette collecte d'informations est effectuée dans un délai très court (en fonction du produit) afin que les informations restent pertinentes.

Activités et produits du REM (Outputs)

- Les activités du REM sont:
 - Conférences européennes et nationales
 - Ateliers de travail (workshops)
 - Événements de renforcement des capacités (capacity-building events)
 - Formations spécialisées
- Les produits du REM sont:
 - Requêtes ad-hoc (ad-hoc queries)
 - Rapport annuel sur les migrations et l'asile (ARM)
 - Etudes thématiques
 - Fiches d'information sur les Etats membres (country factsheets)
 - EMN Informs (notes de synthèses)
 - EMN rapports de situation (Situation Report)
 - Glossaire sur l'asile et les migrations

Requêtes ad-hoc

- Fournir des réponses à des questions très précises lancées par la COM ou un EM sur questions de migration et d'asile;
 - Réponses officielles fournies dans un délai court (1 - 4 semaines selon l'urgence);
 - Un bref résumé de la compilation des requêtes ad-hoc est obligatoire;
 - 100 - 130 requêtes ad-hoc lancées par année;
 - Groupe de travail sur les requêtes ad-hoc qui établit les règles de fonctionnement du système
 - Watchdog -> garantit la qualité et la portée des requêtes ad-hoc.
- Produits dérivés
- EMN Informs thématiques
 - Les sanctions applicables aux demandeurs de protection internationale qui commettent des infractions graves aux règles des centres d'accueil ou présentent un comportement violent (lancée octobre 2021)
 - Collection REM-OCDE sur la pandémie de Covid-19
 - Les mineurs dans la migration (mars 2021)
 - Comment les Etats membres de l'UE traitent-ils les cas de disparition de mineurs non-accompagnés ? (juin 2020)
 - Le statut de résident de longue durée dans l'UE (mai 2020)
 - L'apatridie dans l'UE (janvier 2020)

Requêtes ad-hoc & produits dérivés



EMN Ad-Hoc Query on Joint ad-hoc query COM & LU EMN NCP on statelessness (part 1)

Requested by LU EMN NCP on 4th May 2016

Miscellaneous

Responses from [Austria](#), [Belgium](#), [Bulgaria](#), [Croatia](#), [Cyprus](#), [Czech Republic](#), [Estonia](#), [Finland](#), [France](#), [Germany](#), [Hungary](#), [Ireland](#), [Italy](#), [Latvia](#), [Lithuania](#), [Luxembourg](#), [Netherlands](#), [Poland](#), [Portugal](#), [Slovak Republic](#), [Slovenia](#), [Spain](#), [Sweden](#), [United Kingdom](#), [Norway](#) (25 in total)

Disclaimer

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCP's Member State.



Background information

Statelessness as a legal anomaly it prevents people from accessing fundamental human, civil, political, economic, social and cultural rights.

Hence, most of the current 10 million stateless persons scattered around the world are living in conditions of protracted marginalization and discrimination, facing numerous difficulties, such as the inability of receiving medical assistance, enrolling in educational programs, acquiring property, being legally employed, becoming married or opening up a bank account.

The Luxembourgish government has been very interested on the issue of statelessness and asked the LU EMN NCP to launched an ad-hoc query on recognition of statelessness on 12 March 2015. This ad-hoc query allowed to determine the state of play on the recognition procedures in the EU.

The LU EMN NCP following the Justice and Home Affairs Council conclusions of 3 and 4 December 2015 which considered the EMN as a platform for exchange of information and good practices, decided to dedicate this year conference to the subject of statelessness. The conference entitled "Tackling Statelessness: Exchange of Experiences and Good Practices", on the 19th of April 2016, grappled with the issue of statelessness.

Although the framework was interdisciplinary (policy makers, academics, lawyers, NGOs and international organizations) and hence, the presentations variegated throughout the panel, the strategies and approaches intended to efficiently prevent statelessness emerged as common themes. Certain groups, among which migrants and refugees, minorities and more specifically minors are particularly vulnerable and hence jeopardized.

Following these conclusions, COM and the LU EMN NCP would like to update the ad-hoc query launched and enhance knowledge on minors born in exile as well as unaccompanied minors particularly at risk of being stateless.

For these reasons the present ad-hoc query will be launched in two parts. The first one will comprehends general questions and the second part comprehends questions regarding minors born in exile and unaccompanied minors.

Questions

1. Does your MS have made any legislative or administrative changes in the recognition procedures of statelessness since 2015? (Please refer to the LU EMN NCP Ad-hoc query on recognition of statelessness launched on 12 March 2015).
2. Is your MS a State Party to the 1961 Convention on the reduction of statelessness? If yes, please indicate the date and the legislation in question?

If no, please indicate the reasons why your MS did not ratify the convention and if your MS is planning to do so. Do you have a determination procedure of nationality for deal with stateless persons? (This is an update of the LU EMN NCP Ad-Hoc Query on recognition of stateless persons requested on 28th February 2015, so if there have not been any changes please refer to the answer of your MS to this query).

3. Does the recognition of the statelessness status to an individual grant a right to a residence permit in your MS? If the answer is no, please explain what is the procedure that the beneficiary has to fulfil to obtain a residence permit. If your MS does not have a procedure for the recognition of statelessness status, how are stateless persons granted a residence permit?
4. Does your MS facilitate the access to nationality to individuals who have been granted the stateless status? Can you please explain the procedure?

Responses

Country	Stateless Discrimination	Response
	Yes	1. No. Source: Federal Ministry of the Interior. 2. Yes. Austria ratified the Convention in 1972. It entered into effect in Austria as of 13 December 1975 (Federal Law Gazette No. 538/1974 as most recently amended by Federal Law Gazette III No. 222/2013) and was transposed into national law within the framework of the 1985 Citizenship Act (Staatsbürgerschaftsgesetz 1985). Source: Federal Ministry of the Interior. 3. Austria has no procedure for recognizing statelessness. With regard to issuing residence titles, stateless persons are equal to other third-country nationals. The provisions governing the procedure for issuing a residence title are specified in the Settlement and Residence Act (Niederlassungs- und Aufenthaltsgesetz). Source: Federal Ministry of the Interior. 4. Stateless persons normally have to meet the same general requirements as other persons applying for citizenship. These include at least ten years of uninterrupted legal residence in Austria, of which at least five of those years were under a Settlement Permit. Applicants for citizenship must additionally provide evidence of proficiency in German at B1 level, of adequate means of subsistence and of "irreproachability" (Unbescholtenheit). "Irreproachability" of the applicant for citizenship signifies that the person has not been convicted with final effect by an Austrian or foreign court of law to imprisonment on account of one or more deliberate acts; the person has not been convicted with final effect by an Austrian court of law to imprisonment on account of a financial offence;



European Migration Network

STATELESSNESS IN THE EUROPEAN UNION

EMN INFORM

2020

1. INTRODUCTION

UNHCR's Global Trends - Forced Displacement in 2018 reports data on approximately 5.9 million stateless people worldwide. Statelessness is a global phenomenon which is also present in the European Union. At the end of 2018, UNHCR estimated the total number of stateless persons in the European Union plus Norway at 599 283 individuals. This includes both stateless individuals and persons of undetermined nationality.¹ UNHCR and UNICEF also estimate that, in 2017, there were 2 100 children registered stateless in Europe, a fourfold increase since 2010.² Article 1 of the 1954 Convention Relating to the Status of Stateless Persons defines a stateless person as "a person who is not considered as a national, by any State under the operation of its law".

Statelessness is a legal anomaly, which can prevent those concerned from accessing fundamental human, civil, political, economic, social and cultural rights. As a result, such persons often live in conditions of protracted marginalization and discrimination, facing numerous difficulties, such as the inability to receive medical assistance, enrol in educational programmes, acquire property, obtain legal employment, marry or open a bank account.

Even though statelessness can occur in various contexts, its most common causes include state succession, ill-defined or discriminatory nationality laws, and arbitrary deprivation of nationality. Statelessness can also be a consequence of forced displacement and forced migration

and can result when people face difficulties accessing civil registration documents, including birth certificates, necessary to acquire or confirm nationality.

Sarah

Sarah was born in the Democratic Republic of Congo as a dual national, to a Congolese mother and a Rwandan father. After her parents were arrested on allegations of spying, Sarah fled to Europe (country X), aged 15. Her asylum application was rejected but the authorities were unable to remove her. While applying for a temporary residence permit, the only option for non-returnable people in her situation she realised she had lost both her previous nationalities and was stateless. Because both countries refused to provide her with identity documents, she was also unable to obtain the temporary residence permit in country X. Now, more than twelve years later, she remains in the same situation, unable to (re)acquire Congolese or Rwandan nationality. Because country X currently has no procedure to recognise or regularise stateless persons, Sarah has no solution in sight. She is unable to study, work or start a family.

The European Migration Network (EMN) was entrusted by JHA Council Conclusions of 3 and 4 December 2015 with the creation of a platform to exchange information and good practices in the field of statelessness.

¹ [https://www.unhcr.org/refugees-statistics/2018/07/forced-displacement-2018.html](#)

² [https://www.unhcr.org/refugees-statistics/2018/07/forced-displacement-2018.html](#) and [https://www.unhcr.org/refugees-statistics/2018/07/forced-displacement-2018.html](#)

³ [https://www.unhcr.org/refugees-statistics/2018/07/forced-displacement-2018.html](#)

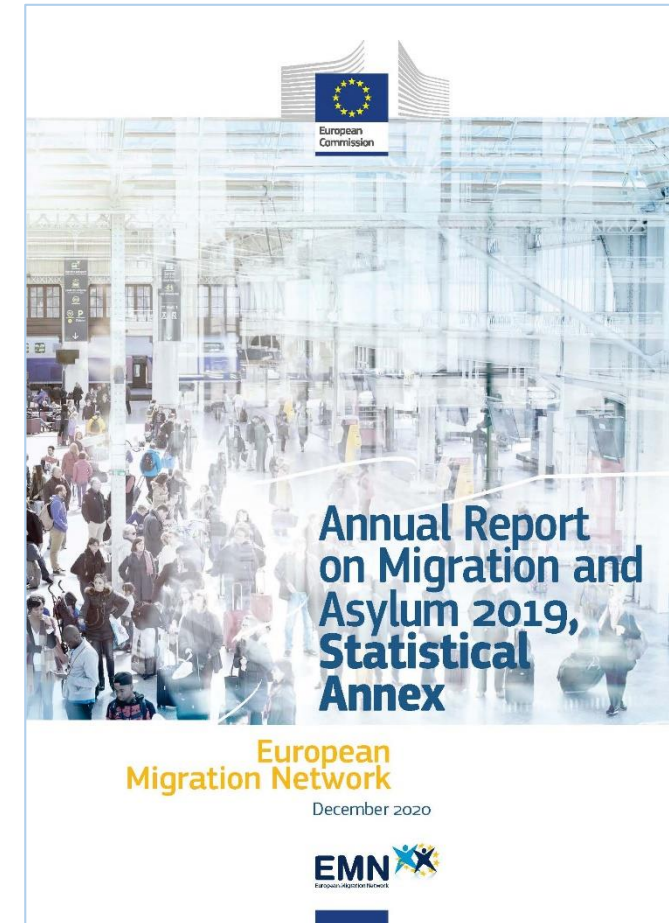
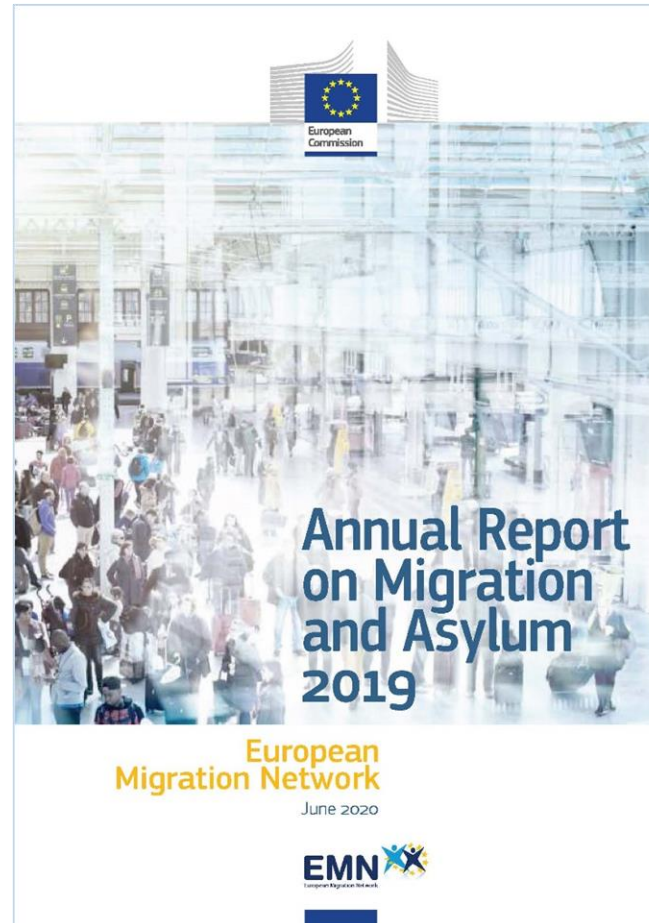
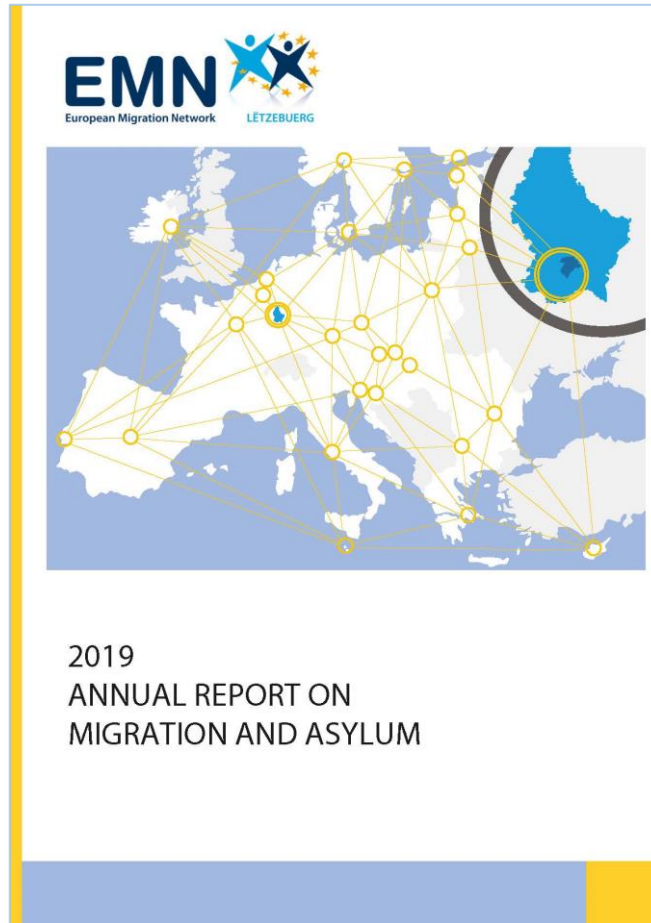
Justice
& Home Affairs



Rapport annuel sur les migrations et l'asile (ARM)

- Fournit un aperçu général des développements politiques et législatifs (y compris de l'UE) les plus significatifs, ainsi que des débats publics, dans le domaine de la migration et de l'asile;
- Il répond aux besoins nationaux, de sorte que la structure du rapport doit rester flexible afin de l'adapter aux publics nationaux (partie 2);
- Une synthèse des rapports annuels nationaux des États membres et une annexe statistique des principales statistiques en matière d'asile et de migration sont réalisées;
- La cohérence du rapport du REM avec le rapport annuel de l'EASO doit être assurée, afin d'éviter les doublons.

Rapport annuel sur les migrations et l'asile (ARM)



Fiches d'information sur les EMs (country factsheets)

- Présenter des informations actualisées sur l'évolution des politiques de migration et d'asile dans les États (membres);
- inclure des statistiques Eurostat pertinentes et comparables, complétées par des statistiques nationales, présentées sous forme de tableaux et de diagrammes



EMN Informs

- Fournir des conclusions et des messages clés succincts destinés aux décideurs politiques sur un sujet spécifique basé sur les résultats des informations recueillies et analysées par le REM (les rapports annuels sur les migrations et l'asile, les études et les requêtes ad-hoc);
- 12-15 EMN Informs par année;
- Ils sont rédigés par le fournisseur de service du REM ou par un ou un groupe de PCNs du REM (avec un PCN jouant un rôle de coordinateur);
- Ils sont sélectionnés par les PCN du REM en collaboration avec la CE parmi la liste des propositions de sujets d'étude;
- Des Informs ad-hoc peuvent être produites en cas de besoin.

Etudes thématiques

- 4 études par an sur les thèmes des migrations et de l'asile;
- Les études sont approuvées par le Comité directeur après une procédure de vote entre les PCN du REM;
- La structure de l'étude est rédigée par un groupe consultatif composé des EM, du fournisseur de service du REM et d'experts externes;
- Les rapports nationaux doivent être rédigés et soumis dans une période de 3 mois après le lancement de l'étude;
- Ils sont conçus de manière à ce que les informations collectées soient comparables et puissent être utilisées pour produire un rapport de synthèse.

Etudes nationales



First Study 2018

Impact of visa liberalisation on countries of destination

Luxembourg



Co-funded by the European Union's Asylum, Migration and Integration Fund



LE GOUVERNEMENT DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de l'Intérieur, de la Justice et de l'Immigration
Office luxembourgeois de l'asile et de l'intégration



UNIVERSITÉ DU LUXEMBOURG



Federal Office for Migration and Refugees



Attracting and Supporting International Start-Ups and Innovative Entrepreneurs in Germany

Study by the German National Contact Point for the European Migration Network (EMN)

Working Paper 88
Janne Grote
in cooperation with: Ralf Sanger / Kareem Bayo



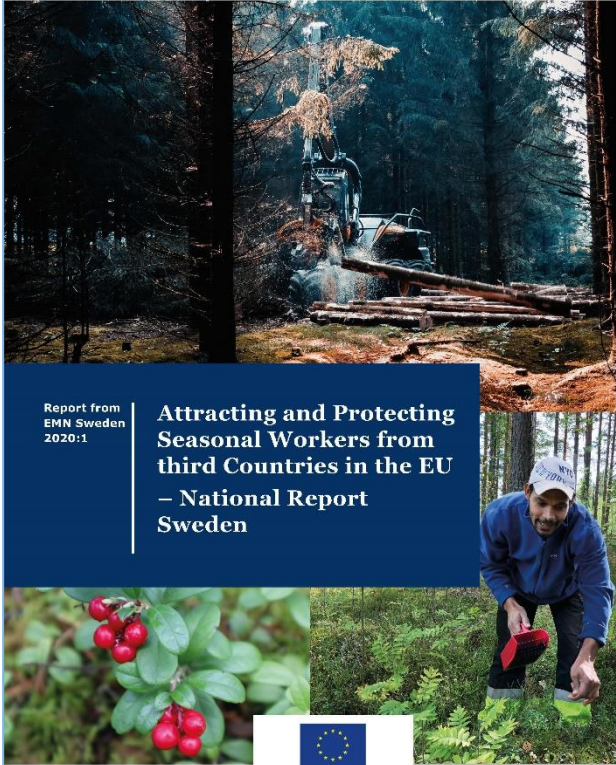
Forschung



Co-financed by the Asylum, Migration and Integration Fund of the European Union







Report from EMN Sweden 2020:1

Attracting and Protecting Seasonal Workers from third Countries in the EU – National Report Sweden



Funded by the European Union's Asylum, Migration and Integration Fund

Rapports de synthèse, Informes & Flashs



European Commission European Migration Network

PATHWAYS TO CITIZENSHIP FOR THIRD-COUNTRY NATIONALS IN THE EU

EMN INFORM 2020

KEY POINTS TO NOTE

- Policies on the acquisition of citizenship have evolved over the past five years, with Member States reporting trends that have had the impact of making access to citizenship either more liberal or more restrictive.** Trends in the numbers of individuals granted citizenship of an EU-28 Member State have shown an overall decline in the period of time covered by the study.
- The criteria for granting citizenship and the procedures in place are broadly similar across the Member States but the specific conditions and requirements that apply vary considerably, depending on whether more liberal or restrictive policies are in place.** Processing times, the costs to applicants and available support were found to all vary significantly.
- For many aspiring citizens, naturalisation can be a lengthy and costly process, with limited available support, and a positive outcome is in general not guaranteed, even where all conditions have been met.**
- The majority of Member States now allow for dual citizenship,** which may acknowledge the demographic reality that many migrants have ties to more than one country. Other Member States – in practice – apply exemptions where the renunciation of a previous citizenship cannot reasonably take place. However, dual citizenship brings both benefits and challenges.
- Citizenship is seen by Member States as either the culmination of the integration process or as facilitating the integration process.** However, in most Member States, third-country nationals are not actively encouraged to apply for citizenship, and support is limited.

SCOPE AND AIMS OF THE STUDY

The study provides a comparative overview of the frameworks in place across the Member States of the European Union (EU) for access to national citizenship for new migrants from third countries, through naturalisation. The increase in the number of new migrants who have arrived in the EU in recent years, either as beneficiaries of international protection, for work, or other purposes, has shed light on the importance of their integration. Thus, the acquisition of citizenship, whether as the final step in the integration process, as a means of facilitating integration and/or as an incentive to become part of a new society, is the focus of this EMN Study. Its scope gives priority to the acquisition of national citizenship through ordinary naturalisation for new migrants, i.e. third-country nationals who do not have pre-existing ties with the Member State, and does not include the situation of the second and third generation (i.e. individuals born in and residing in a country that at least one of their parents or grandparents previously entered as a migrant). The study is based on national information and data collected by the authors, from National Contact Points established in each participating Member State and reflects the situation and developments that have occurred in the last five years.

METHOD AND ANALYSIS

The information used in this Synthesis Report came primarily from secondary sources provided by 25 EU Member States.¹ National contributions were based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources, reports and information from national authorities. In some Member States, primary data collection through interviews with national stakeholders was carried out. Statistics were sourced from Eurostat or provided by national authorities.

¹ AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LU, LT, LV, MT, NL, PL, PT, SE, SK, UK. This publication was part of the 2019 EMN Work Programme and therefore includes contributions from the United Kingdom as an EU Member State up to 31 January 2020.

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European Commission European Migration Network

HOW CAN THIRD-COUNTRY NATIONALS OBTAIN CITIZENSHIP OF AN EU MEMBER STATE?

EMN FLASH #13 - 2020

Introduction to the EMN Study on Pathways to citizenship for third-country nationals in the EU

The increase in the number of new migrants who have arrived in the EU in recent years, either as beneficiaries of international protection, for work, or other purposes, has meant that their integration has become an important policy topic in many Member States. Thus, the acquisition of citizenship, whether as the final step in the integration process, as a means of facilitating integration and/or as an incentive to become part of a new society, is an important topic.

What type of support do Member States provide to third-country nationals wishing to acquire citizenship? Is citizenship seen as the culmination of the integration process, or as a key tool to facilitate the integration of migrants into a host society?

By exploring the national policies in EU Member States regarding the acquisition of citizenship for third-country nationals, the EMN Study provides a comparative overview of recent trends, frameworks and good practices from 25 Member States. At a glance, the main research findings are introduced below.

Key findings

- Policies on the acquisition of citizenship have evolved over the past five years, with Member States reporting trends that render access to citizenship either more liberal or more restrictive.** Trends in the numbers of individuals granted citizenship of an EU-28 Member State have shown an overall decline in the period of time covered by the study.
- The criteria for granting citizenship and the procedures in place are broadly similar across the Member States but the specific conditions and requirements that apply vary considerably, depending on whether more liberal or restrictive policies are in place.** Processing times, the costs to applicants and available support all vary significantly.
- For many aspiring citizens, naturalisation can be a lengthy and costly process, with limited available support, and a positive outcome is in general not guaranteed, even where all conditions have been met.**
- The majority of Member States allow for dual citizenship,** which may acknowledge the demographic reality that many migrants have ties to more than one country. Other Member States, in practice, apply exemptions where the renunciation of a previous citizenship cannot reasonably take place. However, dual citizenship brings both benefits and challenges.
- Citizenship is seen by Member States as either the culmination of the integration process or as facilitating the integration process.** However, in most Member States, third-country nationals are not actively encouraged to apply for citizenship, and support is limited.

Number of third-country nationals having acquired the citizenship of an EU Member State, EU-28, 2014-2018

Year	Number of third-country nationals
2014	~800
2015	~750
2016	~850
2017	~700
2018	~650

Source: Eurostatat mig_ex_ao, extracted 7 May 2020

FIND OUT MORE

- About the Study: [Click here for the Study](#)
- About the EMN: <https://www.emn.europa.eu/en>
- EMN Twitter: https://twitter.com/emn_eu

EMN European Migration Network

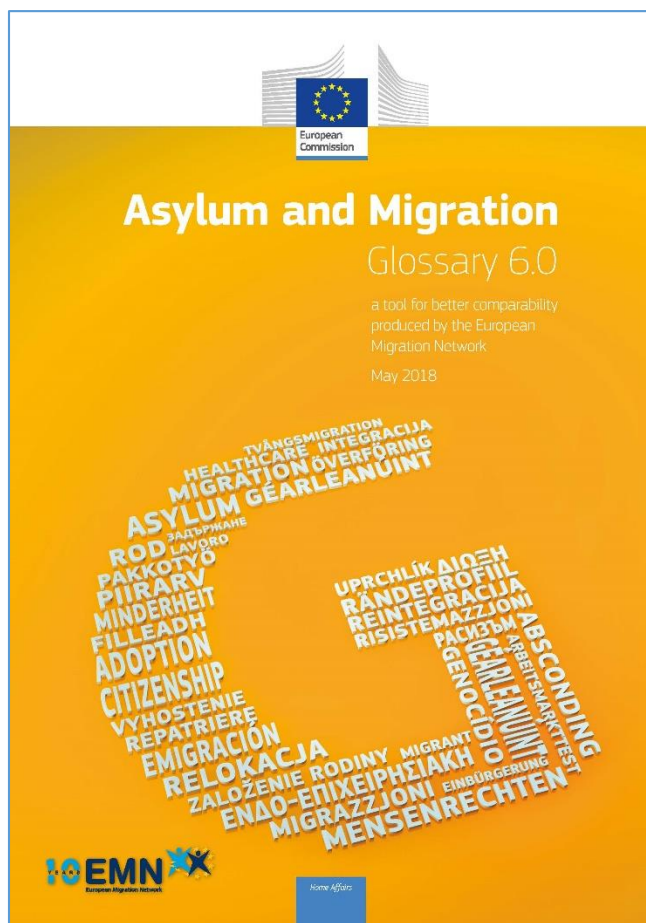
EMN European Migration Network



Glossaire EMN + application du Glossaire

- Améliore la comparabilité en permettant une compréhension et une utilisation communes des termes et définitions relatifs à l'asile et à l'immigration;
- S'appuie sur diverses sources, mais principalement sur la législation de l'acquis communautaire en matière d'asile et d'immigration;
- rend les termes disponibles dans la majorité des langues des États membres de l'UE;
- Prend en compte les évolutions de la dimension extérieure, tout en reconnaissant les besoins des praticiens travaillant dans ce domaine;
- Disponible en anglais (v. 6.0), allemand, finnois (v.5.0), français, portugais, espagnol, italien, lituanien et arabe (v. 3.0).
- L'application Glossaire du REM est disponible en anglais, allemand, finnois, letton et italien. Disponible en téléchargement gratuit sur App Store et Play Store.

Glossaire EMN + application du Glossaire



Point du contact national luxembourgeois du Réseau européen des migrations (LU EMN NCP)

- Créé par la décision 2008/381/CE du Conseil du 14 mai 2008, le REM a pour objectif de fournir aux institutions et agences européennes et nationales ainsi qu'au grand public des données et des informations actualisées, objectives et comparables concernant la migration, l'asile et les questions connexes.
- L'Université du Luxembourg a été désignée comme coordinateur du Point de Contact National du Luxembourg en 2009.
- L'Office national de l'accueil (ONA) agit en tant que membre du comité directeur du REM Luxembourg. Les informations sont collectées, traitées, documentées et synthétisées puis rendues disponibles de manière accessible et comparative.
- Les résultats sont le rapport annuel sur les migrations et l'asile (ARM), des études thématiques, des requêtes ad-hoc, des informations, des rapports de situation, des fiches pays au niveau national et européen qui sont accessibles au grand public.
- [Contacts des membres de l'équipe:](https://www.emnluxembourg.lu/?page_id=250)

https://www.emnluxembourg.lu/?page_id=250



Prof. Dr. Birte Nienaber



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Ralph Petry



Zane Rozenberga



Nicole Holzapfel-Mantin



Mathis Osburg

Partenaires nationaux

- Les partenaires nationaux du Point de contact national luxembourgeois du Réseau européen des migrations sont:
 - Université du Luxembourg
 - Office national de l'accueil (ONA), Ministère des affaires étrangères et européennes
 - Direction de l'Immigration, Ministère des affaires étrangères et européennes
 - Département de l'Intégration, Ministère de la Famille, de l'Intégration et à la Grande Région
 - Centre d'étude et de formation interculturelles et sociales (CEFIS)
 - Service central de la statistique et des études économiques (STATEC)
 - Ministère de la Justice

Activités et produits au niveau national

- EMN Luxembourg réalise les activités suivantes:
 - Répond aux requêtes ad-hoc des autres EMs et de la CE;
 - Lance les requêtes ad-hoc à la demande des autorités luxembourgeoises;
 - Rédige des brochures d'information sur des thèmes d'intérêt national;
 - Organise une conférence nationale sur des thèmes d'intérêt national;
 - Organise des événements conjoints de formation et de renforcement des capacités (capacity-building events) avec des autres PCN;
 - Organise des ateliers de travail sur des thèmes spécifiques à la demande des autorités nationales;
 - Ses membres participent en qualité d'experts à la demande des autorités nationales et européennes dans des événements spécifiques;
 - Organise des réunions internationales à la demande des autorités nationales (réunion des directeurs de centres de rétention, réunions du REG).

Comment l'EMN Luxembourg peut collaborer avec les autorités nationales?

- Lancer des requêtes ad-hoc (Adolfo Sommarribas)
 - Soumission des questions à EMN Luxembourg par l'autorité requérante (maximum 6 questions) avec les réponses respectives et l'information contextuelle en expliquant la raison pour lancer la requête et si elle est urgente ou non
 - Questions sont vérifiées si elles rentrent dans le cadre légal de l'EMN ainsi que des suggestions pour clarifier les questions
 - Une fois que la requête est approuvée par l'autorité, elle est lancée
 - La compilation des réponses est envoyée à la fin du délai établie
- Organisation des événements (Adolfo Sommarribas ou Ralph Petry)
 - EMN Luxembourg peut organiser à la demande des autorités de formations ou des ateliers de travail spécifiques avec des experts européens
 - Autorité doit faire une demande par mail à EMN Luxembourg indiquant les raisons pour lesquelles l'autorité voudrait organiser l'événement, la date provisoire, la durée et si on a besoin d'organiser catering et/ou un événement social
 - EMN Luxembourg analyse si la demande est dans le cadre de l'EMN et peut être couverte par le budget -> une réponse est envoyé dans un délai de 3 jours ouvrables
- Participer dans les événements organisés par l'EMN à niveau européen (Adolfo Sommarribas & Ralph Petry)
 - Les autorités peuvent demander à EMN Luxembourg de leur maintenir informées des événements de l'EMN à niveau européen
 - Si c'est un webinar, EMN Luxembourg envoie le lien de l'événements aux personnes intéressées
 - Si c'est en présentiel, EMN Luxembourg informe les autres PCN de la demande d'enregistrement
 - *Dans des cas exceptionnels, EMN Luxembourg peut demander à COM l'autorisation pour couvrir les frais de déplacement et logement du participant*

Merci pour votre attention!

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www.emnluxembourg.lu