



Country report 2024 on anti-discrimination: highlights



Luxembourg



Population and Cultural Diversity:

Luxembourg is highly diverse with 47% foreigners, predominantly EU citizens. Luxembourg City has over 70% foreign residents.



National Structure and Governance:

Luxembourg is a constitutional monarchy with limited powers for the Grand Duke. It has a unicameral Parliament where bills are passed, often requiring a second reading unless exempted by the Council of State.



Main Legislation Against Discrimination:

National laws of relevance include the Constitution's Article 10-bis and penal provisions against discrimination in the Criminal Code (Articles 454-457). The Laws of 28 and 29 November 2006 address direct and indirect discrimination, harassment, and victimisation. They cover all grounds mentioned in the EU directives.



Scope of Application:

The laws cover all aspects of employment, social protection, healthcare, education, and access to goods and services. Criminal provisions address discrimination in the supply of goods and services and employment practices.



Enforcement Mechanisms:

Victims can lodge complaints with the police or civil courts. Associations and trade unions can assist but not represent victims. The Labour Inspectorate handles workplace discrimination cases.



Centre for Equal Treatment (CET):

Established in 2008, the CET addresses discrimination based on all EU grounds. It issues reports, recommendations, and provides assistance to victims. However, it lacks binding authority and quasi-judicial powers.



Challenges in Enforcement:

Limited case law and resources hinder effective enforcement. Few victims file complaints due to financial constraints and lack of awareness. The CET's limited powers and budget constraints further impact its effectiveness.



Reasonable Accommodation:

Only officially recognised persons with disabilities (30% or more) are entitled to reasonable accommodation, potentially conflicting with broader EU definitions.



Key Issues and Recent Developments:

The CET seeks enhanced investigatory powers. Cases of discrimination often get discontinued due to lack of resources. A 2023 law introduced aggravated circumstances for crimes committed with discriminatory motives, doubling fines and prison sentences.