

REFERENCE: BJ/follow-up/Luxembourg/78

5 March 2021

Excellency,

In my capacity as Rapporteur on follow-up to concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined sixth and seventh periodic reports of Luxembourg at the Committee's sixty-ninth session held in February 2018. At the end of that session, the Committee's concluding observations ([CEDAW/C/LUX/CO/6-7](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 57 on follow-up to the concluding observations, the Committee requested Luxembourg to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 14, 16 (a), 38 and 50 (d) of the concluding observations.

The Committee welcomes the follow-up report received in August 2020 ([CEDAW/C/LUX/FCO/6-7](#)) under the CEDAW follow-up procedure. At its seventy-eighth session, held remotely due to the ongoing COVID-19 pandemic in February 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 14** of the concluding observations, urging the State party to **“collect data disaggregated by sex, age, nationality, religion and socioeconomic background to accurately assess the situation of women and girls, in order to determine whether they suffer from discrimination, ensure informed and targeted policymaking and systematically monitor and evaluate progress made towards the achievement of substantive equality between women and men in all areas covered by the Convention”**:

The Committee welcomes the information by the State party on the steps taken to introduce a systematic data collection on gender equality and to further develop a database to measure gender equality through indicators for different key areas. The Committee notes that the new system focuses at data collection on domestic violence and then it will be expanded to include other aspects of the Convention, such as employment. In this regard, the Committee stresses the importance of using measurable indicators to assess trends in the situation of women and the progress made towards the realization of substantive equality for women in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals. The Committee considers that the State party has provided evidence of the full implementation of all actions recommended by the Committee. Thus, it considers that the recommendation has been **implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, and that it relates directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

His Excellency Mr. Pierre-Louis Lorenz
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In relation to the recommendation made in **paragraph 16 (a)** of the concluding observations, urging the State party to **“adopt a national action plan on business and human rights on the basis of the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework and in consultation with civil society organizations in the State party”**:

The Committee notes with appreciation the adoption of the second national action plan for the implementation of the United Nations Guiding Principles on Business and Human Rights (2020 – 2022). The Committee also takes note of the information on the establishment of the working group, composed of different stakeholders including civil society organizations, the national institution for human rights and trade unions, to follow up on the implementation of the action plan. The Committee takes note that the second national action plan takes into consideration examining the possibility of developing a legislation on due diligence obligation and it stresses that such initiative should also aim at respecting and to promoting women’s rights, inclusivity and empowerment as a key objective for sustainable development. The Committee considers that the State party has provided evidence of the full implementation of all actions recommended by the Committee. Thus, it considers that the recommendation has been **implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, and that it relates directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

With regard to the recommendation made in **paragraph 38** of the concluding observations, urging the State party to **“The Committee recommends that the State party adopt a national plan for the implementation of Security Council resolution 1325 (2000) on women and peace and security”**:

The Committee takes note of the adoption of the national plan on women, peace and security (2018 – 2023) to implement Security Council resolution 1325 (2000). The Committee welcomes the commitment of the State party under the action plan to promote equal participation of women at all levels of peace and security processes, prevention and protection from sexual and gender-based violence, and the promotion of this approach agenda on the national and international levels. The Committee considers that the State party has provided evidence of the full implementation of all actions recommended by the Committee. Thus, it considers that the recommendation has been **implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, and that it relates directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Regarding the recommendation made in paragraph **50 (d)** of the concluding observations, urging the State party to **“establish a mechanism to monitor and counter hate speech, including on social media, against racial, ethnic, sexual and religious minority groups, as well as hate speech based on nationality and migration status, in line with article 457 of its Penal Code, referring to article 454”**:

The Committee notes the information by the State party regarding the ongoing consideration to provide the Centre for Equal Treatment with capacity to take legal actions in order to strengthen its means of intervention as well as the consultation on the European Union level on the issue of hate speech and means to combat it. The Committee further notes that the State party is examining the option of including the concept of hate crime as aggravating factor in the penal law. The Committee regrets that, despite these initiatives, the State party has not established a mechanism yet as recommended. Furthermore, the Committee regrets the lack of information on approach to monitor and counter hate speech on social media, as well as the lack of information on complaints on hate crimes. The Committee also highlights the importance of



education and raising awareness programs to enhance actions by the State party to combat all forms of discrimination against women and girls belonging to religious minority groups. The Committee considers that the State party took some steps towards the implementation of the recommendation, but that it needs to take further action to implement. Thus, it considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 50 (d)** of the concluding observations, the State party provide, in its **next periodic report**, information on actions taken to:

Accelerate establishing a national mechanism to monitor and counter hate speech, including on social media, against racial, ethnic, sexual and religious minority groups, as well as hate speech based on nationality and migration status.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Louiza Chalal
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women