



WRITTEN SUBMISSION ON THE FOLLOW-UP TO THE CONCLUDING OBSERVATIONS OF THE HUMAN RIGHTS COMMITTEE ON THE GRAND DUCHY OF LUXEMBOURG

Submitted by:

Forum méditerranéen pour la promotion des droits du citoyen (FMPDC)

**For the 146th Session of the Human Rights Committee (CCPR)
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Introduction

The Forum méditerranéen pour la promotion des droits du citoyen (FMPDC) respectfully submits this contribution to the Human Rights Committee in connection with its consideration of the follow-up to the concluding observations on the fourth periodic report of the Grand Duchy of Luxembourg.

The Forum welcomes Luxembourg's continued constructive engagement with the United Nations human rights treaty-body system and recognizes the country's sustained commitment to the International Covenant on Civil and Political Rights.

FMPDC particularly welcomes the continued willingness of the Luxembourg authorities to engage with the Committee's recommendations and to pursue legal, institutional and policy measures aimed at strengthening the effective enjoyment of Covenant rights.

The present submission is specifically focused on the three recommendations identified by the Committee for follow-up in paragraphs 12, 16 and 26 of its concluding observations, concerning respectively sexual orientation, gender identity and intersex persons; female genital mutilation; and the right of peaceful assembly.

The Forum's assessment seeks to recognize the positive measures undertaken by Luxembourg while encouraging the continuation and consolidation of the reform process in a constructive spirit.

I. Sexual Orientation, Gender Identity and Intersex Persons

FMPDC welcomes the continued attention given by Luxembourg to the protection of the rights and dignity of lesbian, gay, bisexual, transgender and intersex persons.

The Forum particularly welcomes the fact that the Government's 2023–2028 coalition agreement expressly commits to respecting and strengthening the protection of non-binary gender identities and to reviewing procedures concerning sex assignment for intersex persons.



FMPDC further welcomes the Government's decision to establish an interministerial working group including relevant stakeholders to review existing procedures concerning sex assignment for intersex persons and to consider their adaptation where necessary.

The Forum considers this institutional approach a positive step towards ensuring that public policy concerning intersex persons is developed through an informed, rights-based and participatory process.

The Forum also welcomes Luxembourg's continued willingness to take account of international human rights recommendations and comparative European experience when reviewing its national framework.

At the same time, FMPDC encourages the authorities to continue this process towards a clear and effective legal framework protecting intersex children from irreversible medical interventions when they are unable to provide their free and informed consent, except where such intervention is strictly necessary for medical reasons and consistent with the best interests of the child.

The Forum also encourages the authorities to strengthen the collection of reliable and centralized information concerning such interventions, including information relating to rehabilitation and compensation, while ensuring the protection of privacy and personal data.

Positive recommendation: FMPDC encourages Luxembourg to continue building upon the progress already initiated through the 2023–2028 coalition programme and the planned interministerial working group, with a view to completing the legislative and institutional measures envisaged by the Committee.

II. Combating Female Genital Mutilation

FMPDC recognizes Luxembourg's continued commitment to preventing and combating female genital mutilation (FGM) and welcomes the country's existing criminal-law framework in this area.

The Forum recalls with appreciation that Luxembourg criminalized female genital mutilation through article 409 bis of the Criminal Code, introduced by the Act of 20 July 2018, and extended the extraterritorial applicability of the relevant provisions through amendments to the Code of Criminal Procedure.

FMPDC also welcomes the preventive and awareness-raising measures undertaken by the authorities, including training directed at officials working with migrant populations.

The Forum considers these measures important elements of a comprehensive approach combining criminal accountability, prevention, awareness, protection and access to assistance.



The Forum encourages Luxembourg to continue strengthening its national strategy concerning FGM and to ensure that persons and communities potentially at risk have access to appropriate information, protection and support.

Particular attention should continue to be given to the development of reliable statistical information. Improved data concerning identified cases, complaints, investigations, prosecutions and convictions can assist the authorities in evaluating the effectiveness of existing measures and adapting prevention and protection policies.

FMPDC also encourages the continued development of accessible assistance and remedies for victims and persons at risk, including appropriate medical, psychological, social and legal support.

Positive recommendation: The Forum encourages Luxembourg to build on its existing criminal, preventive and training measures by further strengthening its national strategy, awareness activities, data collection and victim-support mechanisms.

III. Right of Peaceful Assembly

FMPDC recognizes the importance attached by Luxembourg to maintaining public order and protecting the safety of persons participating in public gatherings.

The Forum welcomes the continued examination by the Luxembourg authorities of the legal framework governing peaceful assemblies and notes positively that the authorities have undertaken a legal analysis in relation to the requirements identified by the Human Rights Committee.

The Forum particularly welcomes the willingness of the authorities to assess the compatibility of the existing framework with the standards contained in General Comment No. 37 (2020) of the Human Rights Committee concerning the right of peaceful assembly.

FMPDC considers this continuing legal review an important opportunity to strengthen the protection of peaceful assembly while maintaining appropriate safeguards for public safety.

The Forum encourages Luxembourg to complete the ongoing legal analysis and, where appropriate, adopt the necessary legislative measures to ensure that the exercise of the right of peaceful assembly is fully consistent with article 21 of the Covenant.

The Forum also encourages continued training and guidance for local authorities and law-enforcement officials so that the practical implementation of the right to peaceful assembly remains consistent with international human rights standards.

Positive recommendation: FMPDC encourages Luxembourg to complete its ongoing review of the legislative framework and to consolidate the positive institutional dialogue surrounding freedom of peaceful assembly.



IV. Broader Institutional Commitment to the Covenant

Beyond the three specific follow-up recommendations, FMPDC welcomes Luxembourg's broader cooperation with the Human Rights Committee and the United Nations treaty-body system.

Luxembourg has demonstrated a continued willingness to submit information to international human rights mechanisms and to engage in constructive dialogue concerning the implementation of the Covenant.

The Forum also welcomes the country's broader institutional architecture for human rights protection and the continuing role of national institutions and civil society in promoting human rights awareness and public participation.

FMPDC considers sustained cooperation between public authorities, national human rights institutions and civil society organizations an important element in ensuring that international human rights commitments are translated into effective national practice.

The Forum therefore encourages Luxembourg to maintain this constructive approach and to continue involving civil society in the implementation and evaluation of human rights policies.

V. Assessment of Follow-up Progress

FMPDC considers that Luxembourg has demonstrated meaningful institutional engagement with the Committee's follow-up recommendations.

Particularly positive developments include:

- the continued governmental commitment to protecting non-binary and intersex persons;
- the establishment envisaged of an interministerial working group concerning procedures affecting intersex persons;
- the maintenance and development of the national legal framework combating female genital mutilation;
- continued preventive and training measures concerning FGM;
- the ongoing legal examination of the framework governing peaceful assembly;
- continued consideration of the Human Rights Committee's recommendations and General Comment No. 37; and
- Luxembourg's continued cooperation with United Nations human rights mechanisms.

The Forum nevertheless considers that the follow-up process provides a valuable opportunity for Luxembourg to consolidate and complete reforms already initiated, particularly in relation to legislative measures, data collection and the practical implementation of the right of peaceful assembly.



With regard specifically to paragraph 16, FMPDC notes that the follow-up information submitted by Luxembourg in 2025 addressed paragraphs 12 and 26 but did not contain specific information concerning paragraph 16.

The Forum therefore encourages the authorities to provide updated information on progress concerning the national strategy against female genital mutilation, awareness measures, data collection and victim-support mechanisms.

VI. Positive Recommendations

In a constructive spirit, FMPDC encourages Luxembourg to:

1. Continue and complete the process of strengthening legal protection for intersex children and persons.
2. Finalize the institutional review concerning procedures for sex assignment involving intersex persons, with the meaningful participation of relevant stakeholders.
3. Strengthen centralized data collection concerning interventions involving intersex children, including information on rehabilitation and compensation, while respecting privacy.
4. Continue strengthening Luxembourg's national strategy against female genital mutilation, building on the existing criminal and preventive framework.
5. Further develop awareness-raising and preventive programmes for communities and persons potentially at risk of FGM.
6. Strengthen data collection concerning FGM, including complaints, investigations, prosecutions, convictions and available support services.
7. Complete the ongoing legal review concerning peaceful assembly in light of article 21 of the Covenant and General Comment No. 37.
8. Continue providing guidance and training to local authorities and law-enforcement personnel concerning the protection and facilitation of peaceful assemblies.
9. Maintain constructive cooperation with civil society and national human rights institutions in monitoring implementation of the Covenant.
10. Continue its constructive dialogue with the Human Rights Committee and ensure that the progress achieved through the follow-up process is incorporated into the next periodic reporting cycle.

Conclusion

The Forum méditerranéen pour la promotion des droits du citoyen welcomes the constructive engagement demonstrated by the Grand Duchy of Luxembourg in following up on the recommendations of the Human Rights Committee.

FMPDC particularly recognizes the positive institutional developments concerning the protection of intersex persons, the continued fight against female genital mutilation and the ongoing examination of the legal framework governing peaceful assembly.



The Forum considers that Luxembourg has established a positive foundation upon which further progress can be built.

FMPDC therefore encourages Luxembourg to continue its constructive engagement with the Committee, consolidate the reforms already initiated and complete the remaining legislative, institutional and practical measures required to ensure the full enjoyment of the rights guaranteed by the International Covenant on Civil and Political Rights.

The Forum remains confident that Luxembourg will continue to strengthen its human rights framework and contribute positively to the implementation of the Covenant, in a spirit of cooperation, dialogue, equality, dignity and respect for fundamental freedoms.