**Luxembourg’s responses to the questions from the Human Rights Council Elections Pledging Event held on 8 September 2021**

**Questions posed to all candidate States:**

1. **Outright International: The Human Rights Council continues to be a vital resource for LGBTI communities to bring visibility to the human rights violations they face based on their sexual orientation, gender identity and expression and sex characteristics. However, questions related to LGBTI persons are also unfortunately highly politicized at the Council. How would the candidates present today ensure that politics does not get in the way of promoting and protecting the human rights of LGBTI persons?**

# Luxembourg is committed to tackling all forms of gender-based discrimination based on sexual orientation, gender identity and expression, and sex characteristics (SOGIESC), and to protecting the rights of LGBTIQA+ persons. Therefore, Luxembourg fully supports the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

# In order to protect and promote the rights of LGBTI persons, [the Government adopted a national action plan in 2018](https://mfamigr.gouvernement.lu/en/le-ministere/attributions/solidarite/lgbti.html), elaborated in consultation with civil society. While Luxembourg’s non-discrimination policies and related positions at the Human Rights Council are framed by a fundamental human rights perspective, its diversity policies and interventions refer to the desire to include and reflect all members of our society.

At the international level, Luxembourg has joined the intergovernmental, cross-regional “Equal Rights Coalition” (ERC) in 2018, which seeks to advance the rights of LGBTI persons.

At the Human Rights Council, Luxembourg‘s delegation speaks out against discrimination and violence based on SOGIESC in its oral statements and protects language to this effect in Council products during informal consultations; both bilaterally and as part of the European Union.

1. **Human Rights Watch: NGOs have been banned from UN headquarters since March 2020. Although UN employees, diplomats & media representatives (resident correspondents) can now enter UN headquarters (with restrictions), NGOs remain under a total ban. What will you do to ensure COVID-19 isn’t used as a convenient excuse for those who are not fans of civil society to bar NGOs from UN headquarters? Will you support allowing accredited NGO representatives to participate in UN headquarters activities in line with all UN guidelines and restrictions like other UN stakeholders?**

Yes. Independent civil society makes an irreplaceable contribution to the work of the Human Rights Council. Luxembourg is advocating for a swift return of NGO representatives to the Palais des Nations in Geneva, UN headquarters in New York, as well as other relevant UN sites, under observation of the applicable sanitary guidelines. As soon as Council meetings will once again be held in person (in Room XX or in the Assembly Room), Luxembourg will advocate for the active participation of civil society in these meetings.

Luxembourg considers that civil society participation is key to hold governments accountable. Civil society is a valuable source of expertise and ideas, and it plays an essential role both in the development of inclusive and democratic societies, and in the effective functioning of the United Nations.

When Luxembourg chaired the Third Committee of the 74th session of the UN General Assembly in 2019-2020, we organized the very first informal consultation of the Committee with civil society. We continue to underline the need to give civil society the place it deserves in United Nations fora and to ensure regular exchanges between Member States and civil society. We have therefore recently taken part in the #UNMuteCivilSociety campaign and joined the cross-regional statement supported by 61 Member States and delivered by Costa Rica in that context in the Third Committee on 7 October 2021.

1. **Child Rights Connect: What are your plans to mainstream and advance child rights at the Human Rights Council?**

At the Human Rights Council, Luxembourg is committed to ensuring that the voices and needs of children are actively taken into account, and especially in the implementation of the Sustainable Development Goals (SDGs) of the 2030 Agenda. As Co-Chair of the Group of Friends of Children and the SDGs in New York, Luxembourg, along with Bulgaria and Jamaica, spearheaded the adoption of the global pledge “For every child, every right”, which has garnered the support of 110 UN Member States, as well as the joint statement “Protect our children” in the context of the COVID-19 pandemic, which has been endorsed by 172 UN Member States and Permanent Observers. Luxembourg is also an active member of two Groups of Friends that focus on child rights in Geneva, namely the Group of Friends on the Rights of the Child and the Group of Friends on Children and Armed Conflict. As part of those two important Groups, Luxembourg supports efforts aiming at including language on the rights of the child in the various resolutions of the Human Rights Council.

Since 2017, Luxembourg has sent Youth Delegates to the UN General Assembly as well as to other multilateral events, including a Conference of Parties of the UNFCCC. In our efforts to mainstream and advance child rights at the Council, Luxembourg plans to consult its Youth Delegates on those resolutions that specifically mention the rights of the child so that their views are taken into account in the negotiations.

Luxembourg continues to support the work of special procedure mandate holders dealing with the rights of the child. We support in particular through regular voluntary contributions the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict, including the work of the Office of the Special Representative in Brussels, which covers Geneva and the Human Rights Council. Since 2013, Luxembourg has been supporting the “No Lost Generation” initiative launched by UNICEF to mitigate the effects of the Syrian conflict on the education of children in Syria and Syrian refugee children in the region.

1. **Permanent Mission of France to the United Nations: How do candidate states intend to promote the protection of human rights defenders, at the national level and within the Council?**

At the Human Rights Council, Luxembourg advocates for the active participation, without fear of reprisals, of human rights defenders, including women human rights defenders, in the work of the Council. Together with Belgium and the Netherlands, Luxembourg regularly presents a joint statement by the Benelux countries in order to call on all states to end reprisals against civil society and human rights defenders: specific cases and names of HRDs targeted by reprisals are included in these statements only with their own consent or that of their organisation and/or family.

At the national level, Luxembourg pledges to establish a support platform for human rights defenders, including the possibility to host HRDs for a specific time in Luxembourg, notably those who work together with Luxembourg-based human rights or development cooperation NGOs. At the international level, Luxembourg also undertakes to support, through its diplomatic work and development cooperation policy and in partnership with national authorities and the United Nations, an independent civil society working for human rights and national human rights institutions.

1. **Eric Richardson: During COVID-19, civil society's participation has been severely restricted, more so than at any other time in the Council's history. Links for informal negotiations which take place online are not publicly posted, NGOs are not permitted to enter the plenary room unless they are giving a speech, and during the recent Special Session on Afghanistan, there were time periods where no civil society was present due to the webcast shutting down and the ban on civil society's attendance in person. If elected, would you reverse these trends and maximize the opportunities for civil society to participate in all meetings of the Human Rights Council?**

Yes. As an observer state of the Human Rights Council, Luxembourg is already cooperating actively with civil society, sharing information and comparing notes, inviting NGO representatives as speakers to side events and sending representatives to NGO-organised meetings and side-events as panelists or participants. The Permanent Mission of Luxembourg in Geneva is also considering the organisation of pre-Session or intersessional briefings and consultations with civil society. While current COVID-19 restrictions must be observed, Luxembourg will advocate for returning to the full participation of civil society in the work of the Council within these restrictions. Luxembourg will always have an open ear for the concerns of independent NGOs and Human Rights Defenders.

1. **Genoveva Sotirova (Twitter user): What are your plans in order to improve access to healthcare to low-income individuals?**

All residents in Luxembourg have access to the state healthcare system. Employed and self-employed workers are required to make social security contributions for access to healthcare services. All dependent family members will also have coverage through workers who pay social security. Children have coverage under their parents, and students have coverage until the age of 27.

Those unable to make a financial contribution due to lack of income or low earnings can get basic medical treatment covered by the state. To apply for this, they need to contact the local social welfare office.

At the international level and in the Human Rights Council, Luxembourg supports all efforts to ensure access to universal health care. Luxembourg considers that everyone should have access to healthcare, especially the poor and the most vulnerable. Luxembourg continues to allocate 1% of its Gross National Income to Official Development Assistance, and improving access to quality basic social services, including access to safe and afforable health services, is among our main objectives.

1. **Genoveva Sotirova (Twitter user): What is your plan to promote the right of access to education of Muslim and Roma women refugees?**

All refugees, regardless of gender, religion or ethnic background, are by definition beneficiaries of international protection under the 1951 United Nations Convention relating to the Status of Refugees.

The integration of Roma is an integral part of a comprehensive inclusion policy, which takes into account all grounds of discrimination. It is about giving the same rights and opportunities to all, regardless of their ethnicity, origin or nationality, but also their gender, disability status, sexual orientation, religion, convictions or beliefs.

The University of Luxembourg aims to facilitate access to higher education for refugees and asylum seekers as well as promoting social inclusion and active participation in academic life. The Inclusion Office provides specialized support on language tuition, admissions, finances, as well as counselling support.

**Questions posed and answered during the event:**

1. **Organic Farming for Gorillas - Cameroon: Which actions and measures are considered by Luxembourg to be necessary to further update and promote its 2018 recommendations on how the HRC Presidency and the Bureau could address reprisals against civil society and human rights defenders?**

Reprisals are never acceptable. Luxembourg will continue to speak out against reprisals targeting civil society and we will do so together with our friends, colleagues and partners from the Benelux countries. The reporting of civil society and human rights defenders is essential to the work of the Human Rights Council. Together with the UN Special Procedures, they constitute the eyes and ears of the intergovernmental human rights for a like the Human Rights Council and the General Assembly. Luxembourg considers that it is crucial that Human Rights Defenders can participate without fear of reprisals in the work of the Council. Together with the Benelux countries, Luxembourg presents regular statements at the Human Rights Council in order to call on countries to stop the reprisals against civil society and it is essential that the Council does not stay silent on that issue. We will work with independent NGOs around the world and in Geneva to ensure that their voices and the voices of those that they protect, are heard in the Council and we will continue advocating for Human Rights Defenders in our bilateral and multilateral diplomacy as well as through the European Union. We will also continue to support efforts by ISHR and other NGOs for capacity building of civil society in countries in the Global South, especially through our development cooperation partners in those countries. We support also the role of the Assistant Secretary-General for human rights and the Human Rights Council President calling out and pushing back against all reprisals targeting Human Rights Defenders.

1. **CIVICUS: What are the steps you will take to ensure full NGO participation in the Council, its mechanisms and resolutions, and to engage with national and international civil society as a Council member?**

To guarantee and to protect the civic space, especially for NGOs, [is one of the priorities of our candidature](https://maee.gouvernement.lu/en/directions-du-ministere/affaires-politiques/droits-de-l-homme/candidature-cdh-22-24.html) and will also be one of our main concerns during our mandate if elected in the Human Rights Council. We can distinguish between what we are doing nationally and internationally. Nationally, we have an ongoing discussion with the National Human Rights Institution and also with very active civil society and NGOs in Luxembourg. Several dozens of NGOs take part in an Inter-Ministerial Committee where they meet regularly every two months with representatives both of the Ministry of Foreign and European Affairs but also of all other sectorial ministries that deal with human rights issues. Internationally, we invite NGOs to take part in meetings that we have here in Geneva but also in New York. With Geneva-based organizations, we often organize side events during the sessions of the Human Rights Council and between these sessions we keep up an ongoing bilateral exchange with these NGOs. How do we do that? We first of all listen to independent NGOs based in Geneva but also around the world and especially at home. Then we speak out together with them to protect the civil society space and we will continue consulting civil society and the National Human Rights Institutions through our Inter-Ministerial Committee for human rights. Last but not least, we will also always take into account and listen to NGOs in the framework of negotiations of resolutions here in Geneva.

1. **Permanent Mission of the Principality of Liechtenstein to the United Nations: Ensuring accountability for human rights violations should be a priority for all States, especially Human Rights Council members. The support of the ACT Code of Conduct is an important factor for Liechtenstein’s support of a candidature, in addition to its human rights record, pledges and commitments. To what extent are you prioritising strengthening accountability and supporting the ACT Code of Conduct?**

During Luxembourg’s membership in the UN Security Council in 2013-2014, we already gave priority to accountability and the fight against impunity. We have actively supported the ACT Code of Conduct, the Code of Conduct regarding Security Council action against genocide, crimes against humanity and war crimes since it was elaborated in the framework of the Accountability, Coherence and Transparency (ACT) Group in 2015. We will continue to prioritise strengthening accountability and supporting the ACT Code of Conduct if elected to the Human Rights Council. This goes by sharing information with all Member States as well as keeping open communication channels with civil society and all human rights mechanisms. On accountability specifically, we deal with this question as very active members of two Group of Friends in Geneva and in New York, the Group of Friends on the Responsibility to Protect and the Group of Friends on the International Criminal Court. We strongly support the ICC as well as mechanisms such as the International, Impartial and Independent Mechanism (IIIM) for Syria established by the UN General Assembly and the Independent Investigative Mechanism for Myanmar (IIMM) established by the Human Rights Council.