

LUXEMBOURG 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion, including the right to practice one's religious beliefs and express one's religious opinions in public, and it prohibits compulsory participation in religious services or observance of religious groups' days of rest.

On June 22, the Minister of Justice presented a bill in parliament to make committing a crime against a person because of religion an aggravating circumstance under the penal code. Observers stated that the bill was intended to strengthen the government's ability to prosecute antisemitic hate crimes, and it remained pending at year's end. Religious minority groups maintained that the government's continued failure to create a legislative framework for formal recognition of religious groups discriminated against groups that did not have conventions with the government. The government argued that it was not in its competence to define the characteristics of a religion and that doing so would be contrary to religious freedom. The government continued to deliberate on a national action plan to combat antisemitism, which it committed in 2020 to adopt. On June 1, the government nominated an interministerial delegate to coordinate policies to combat racism, antisemitism, and LGBTQI+ hatred, including finalizing the action plan to combat antisemitism.

The nongovernmental organization (NGO) Research and Information on Antisemitism in Luxembourg (RIAL) reported most of the antisemitic incidents that occurred during the year involved violence, although the group did not cite specific examples. RIAL also reported at least 65 antisemitic social media posts. It also reported that during some live protests against COVID-19 measures, protesters wore yellow stars of David and compared themselves to Jews persecuted during the Holocaust.

U.S. embassy representatives discussed religious freedom issues with government officials at the Ministry of State, including government efforts to combat antisemitic and anti-Islamic sentiment and the ministry's interaction with religious communities. Embassy personnel also met with religious groups to discuss their concerns.

Section I. Religious Demography

The U.S. government estimates the total population at 650,364 (midyear 2022). By law, the government may not collect personal information related to religion and relies on religious groups to report the number of their adherents. A 2014 poll (the most recent) by the national survey institute TNS-ILRES reported that among respondents ages 15 and older, 58 percent identify as Catholic, 17 percent as nonbeliever, 9 percent as atheist, 5 percent as agnostic, 2 percent as Protestant, 1 percent as Orthodox, 1 percent as members of Jehovah's Witnesses, 3 percent as other (unspecified) Christian, and 1 percent as Muslim. Two percent of respondents did not answer the question. Based on information provided by religious community representatives, groups whose members together constitute less than 5 percent of the population include the Baha'i Faith, The Church of Jesus Christ of Latter-day Saints, and the Universal Church of the Kingdom of God.

Muslim community representatives estimate there are between 18,000 and 20,000 Muslims and their descendants, mainly from southeastern Europe and the Middle East, living in the country.

Jewish community representatives estimate there are 1,500 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religion, including the freedom to practice religion in public and manifest religious opinions, as long as no crime is committed in exercising that freedom. While the constitution provides for the

right to assemble peacefully without prior authorization, it stipulates open-air religious or other meetings are subject to laws and police regulations. The constitution prohibits compulsory participation in or attendance at church services or observance of religious days of rest and stipulates that a civil marriage ceremony must precede a religious marriage ceremony for the state to recognize it. The constitution provides for the regulation of relations between religious groups and the state, including the role of the state in appointing and dismissing religious clergy and the publication of documents by religious groups, through conventions between the state and individual religious groups. These conventions are subject to parliamentary review.

The constitution provides a framework for combating Holocaust denial and revisionism as well as any form of hate speech. In 2020, the government adopted the International Holocaust Remembrance Alliance working definition of antisemitism.

Under the penal code, antireligious and antisemitic statements are punishable by imprisonment from eight days up to six months and a fine of €251 to €25,000 (\$268 to \$27,000), or both.

There is no procedure for granting religious groups legal status as religious groups. Religious groups are free to operate in the form they wish, with many choosing to operate as nonprofit associations. The government has formally approved conventions with six religious groups, which it supports financially with a fixed amount that is adjusted yearly for inflation. The six groups receive funds partly based on the number of their adherents in 2016; other funding is a direct contribution fixed under a revised law adopted in 2016. The six groups are the Roman Catholic Church; the Greek, Russian, Romanian, and Serbian Orthodox Churches as one community; the Anglican Church; the Reformed Protestant Church of Luxembourg and the Protestant Church of Luxembourg as one community; the Jewish community; and the Muslim community. To qualify for a convention with the state, a religious community must be a recognized world

religion and have established an official and stable representative body with which the government can interact.

Groups without signed conventions, such as the New Apostolic Church, operate freely but do not receive state funding. The Baha'i Faith does not have a convention with the state but has a foundation that allows it to receive tax-deductible donations.

Government funding levels for the six religious groups are specified in each convention and remain the same every year except for adjustments for inflation. The original funding levels established in 2016 were: €6.75 million (\$7.21 million) to the Catholic community; €450,000 (\$481,000) to the Protestant community; €450,000 (\$481,000) to the Muslim community; €315,000 (\$337,000) to the Jewish community; €285,000 (\$304,000) to the Orthodox community; and €125,000 (\$134,000) to the Anglican community. By law, clergy of recognized religious groups hired in 2016 or earlier continue to receive their salaries from the government and are grandfathered into the government-funded pension system.

Religious groups must submit their accounts and the report of an auditor to the government for review to verify they have spent government funds in accordance with laws and regulations. The government may cancel funding to a religious community if it determines the community is not upholding any of the three mutually agreed principles of respect for human rights, national law, and public order stipulated in the conventions.

The law prohibits covering the face in certain specific locations, such as government buildings and public hospitals, schools, or on public transportation. The prohibition applies to all forms of face coverings, including, but not limited to, full-body veils. Violators are subject to a fine of €25 to €250 (\$27 to \$267). There is no prohibition against individuals wearing face coverings on the street.

The law requires animals to be stunned before slaughter, with exceptions only for hunting and fishing. Violators are subject to a fine of €251 to €200,000 (\$268 to

\$214,000) and possible imprisonment from eight days up to three years. The law does not prohibit the sale or import of halal or kosher meat.

By law, public schools may not teach religion classes, but students are required to take an ethics course called "Life and Society." The course covers religion, primarily from a historical perspective.

There are laws and mechanisms in place to address property restitution, including for Holocaust victims. The laws do not apply to noncitizens who resided in the country between 1930 and 1945.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On June 22, Justice Minister Sam Tanson presented a bill to parliament to amend the penal code to make it an aggravating circumstance to commit a crime against a person because of political or philosophical opinions or religion. The bill falls within the framework of the EU strategy to combat antisemitism and support Jewish life. The bill was intended to strengthen authorities' ability to prosecute antisemitic hate crimes. It remained pending at year's end.

As of year's end, the government had not created a basis to recognize the legal status of religious organizations. As a result, religious groups without a convention with the government continued to operate as nonprofit organizations. Religious minority groups, including the New Apostolic Church, again stated the government's continued failure to create a legislative framework for formal recognition of religious groups discriminated against those that did not have conventions with the government. The government stated it did not have the right and the competence necessary to define religion and that codifying such a definition would impede religious freedom. The government said the aim of having conventions was to create a transparent funding method and that they were not tools to recognize religions.

The *Consistoire Israelite de Luxembourg* (the group representing the Jewish community in dealings with the government) and members of the Muslim community stated they remained concerned that the law requiring the stunning of animals prior to slaughter infringed on their religious rights. They said they continued to import meat, since there were no halal or kosher slaughterhouses in the country.

The Ministry of Education continued to excuse children wishing to attend religious celebrations from school, provided their legal guardian notified the school in advance and the absence was for a major religious holiday (i.e., not recurring, normal, weekly prayer services).

Pursuant to a 2021 agreement between the government and the Consistoire Israelite de Luxembourg, the Luxembourg Foundation for the Memory of the Shoah, and the World Jewish Restitution Organization, the government made an annual payment of €120,000 (\$128,000) to the Luxembourg Foundation for the Remembrance of the Holocaust. The government continued to renovate Cinqfontaines, a former Nazi detention site, into an education and commemoration center at an estimated cost of €38-45 million (\$41-48 million). On June 1, the government nominated interministerial delegate Michel Heintz to coordinate policy on combating racism, antisemitism, and LGBTQI+ hatred and to finalize a national action plan on combating antisemitism. As of year's end, the government continued to deliberate on the national action plan, which it committed in 2020 to adopt.

Also pursuant to the 2021 agreement, three working groups continued to research, identify, and retribute dormant bank accounts, unpaid insurance claims, and looted art related to the Holocaust era. The government committed €2 million (\$2.14 million) until 2025 for university provenance research to restore items seized by the Nazis to their rightful owners and to facilitate access to the National Archives files relating to World War II (WWII) and the Holocaust. In October, the government agreed to provide the University of Luxembourg approximately €1.33 million (\$1.42 million) to conduct academic research and

provenance research related to the Holocaust and WWII, to be disbursed in regular yearly installments between 2022 and 2026. The government launched a call for tenders to assist the National Archives with the inventory and reconditioning of WWII-related archives, for which the government committed approximately €660,000 (\$705,000).

According to the latest information from the Ministry of State in charge of religious affairs, of the six religious groups with conventions with the government, the Muslim community received €450,000 (\$481,000) and the Anglican community received €125,000 (\$134,000) during the year, the same amounts as received in 2021. The Jewish, Catholic, Protestant, and Orthodox communities together received a total of €25 million (\$26.8 million), the same amount as received in 2021.

During the year, the Ministry of Higher Education provided a new €646,000 (\$690,000) to the Luxembourg School of Religion and Society (LSRS), to promote, among other objectives, research, education, and collaboration with religious groups that have signed agreements with the state.

According to the Ministry of Foreign Affairs, the government as of November had granted refugee status to 741 persons, the majority of whom were Muslim, compared with 754 persons in 2021. The organization “Welcome and Integration,” an entity of the Ministry of Family Affairs and Integration, stated the government provided Muslim refugees access to mosques, halal meals, and, for those who requested it, same-sex housing.

Section III. Status of Societal Respect for Religious Freedom

Religious communities reported that most instances of harassment occurred online.

According to RIAL, most of the antisemitic incidents that occurred during the year involved violence, although the group did not cite specific examples. There were

also at least 65 instances of antisemitic posts on social media. Three online incidents attempted to delegitimize Israel and called for its destruction. RIAL reported that during some demonstrations against COVID-19 measures, protesters wore yellow stars of David and compared themselves to Jews persecuted during the Holocaust.

According to RIAL, on January 27, International Holocaust Remembrance Day, unknown individuals painted two large swastikas on equipment at a playground in Merl Park in Luxembourg City. Police opened an investigation into the incident. The NGO Islamophobia Observatory in Luxembourg administered an online national questionnaire focusing on the years 2020-21, asking 151 Muslims – 86 men and 65 women – about anti-Muslim sentiment in the country. The results reflected that 61 percent of respondents believed “Islamophobia” was present in the country; 71 percent believed Muslims were well integrated into society; and 78 percent believed discrimination was higher in neighboring countries (Belgium, Germany, or France) than in Luxembourg. The 2021 data reflected that 17 percent responded they were victims of anti-Muslim sentiment; 19 percent responded they observed discriminatory acts but were not directly affected by them.

The six-member interfaith Council of Religious Groups that Signed an Agreement with the State (*Conseil des Cultes Conventionnes*) met more than four times but did not disclose information about its deliberations. Cardinal Jean-Claude Hollerich and Grand Rabbi Alain Nacache continued to serve as president and vice president of the council. The New Apostolic Church and the Baha’i Faith continued to participate as permanently invited guests without voting rights. On May 9, the council met for the Celebration of Religions for Human Brotherhood. In their final statement at that event, the religious leaders stated that they recognized religious communities “are at the heart of the European Project.”

On November 16, the LSRS hosted a conference entitled “A City, Its Life, Its Religions – for Respectful and Committed Living Together,” during which LSRS

director Jean Ehret spoke about how religion could have a positive impact on the functioning of society.

Section IV. U.S. Government Policy and Engagement

U.S. embassy representatives discussed religious freedom issues with government officials at the Ministry of State, including government efforts to combat antisemitic and anti-Islamic sentiment, and the ministry's interaction with religious communities. Embassy officers discussed with the Ministry of State the government's position that creating a legislative framework for formal recognition of religious groups would impinge on religious freedom by imposing a government definition of religion.

On September 20, the embassy organized an interfaith luncheon with many of the country's religious leaders. The luncheon offered embassy personnel an opportunity to engage with key religious leaders and to facilitate interfaith dialogue.

The embassy used social and traditional media broadly to promote religious freedom, tolerance, and human rights. Throughout the year, the embassy's Facebook and Twitter posts recognized and promoted a variety of religious observations, including International Holocaust Remembrance Day on January 27, Jewish American Heritage Month in May, National Arab Heritage Month and Yom HaShoah in April, as well as significant holidays, including Ramadan, Hannukah, and Eid al-Fitr.