

Coronavirus COVID-19 outbreak in the EU

Fundamental Rights Implications

Country: Luxembourg

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Date: 23 March 2020

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1 Measures taken by government/public authorities

Tests. In Luxembourg the tests are performed by the National laboratory of health (*Laboratoire national de santé*) and are paid from a specific budget of the government¹. In reply to a parliamentary question², on 17 March 2020 the Minister of Health reacted to some allegations regarding testing the population with Covid-19. A member of the parliament requested confirmation whether some people, who had been showing symptoms and had been recommended by their general practitioner to get tested for the virus, were not tested. The Minister of Health emphasised the fact that according to the applicable laws, a simple prescription by the general practitioner would not guarantee testing for Covid-19. On 12 March 2020, the government announced that it was no longer recommended to systematically test anyone who shows symptoms. From then onwards, the government directed that tests are only performed on people who have severe symptoms. Tests could be prescribed by the doctor if a patient shows the symptoms. The results of the tests are then sent to the doctor “via secure channel”.³ “The result is sent to the Health Inspectorate, in application of the law of 1 August 2018 on the compulsory declaration of certain diseases⁴. At the patient’s request, the results can also be passed on to his/her physician”.⁵ Since 20 March 2020, drive-in testing is done in three areas of the country and in that way facilitate testing prescribed by doctors.⁶

Limited movement within the country. On 15 March 2020, nationals and residents living in Luxembourg were strongly advised to stay indoors unless only very necessary. By the Ministerial decree of 16 March 2020, the State narrowed down the movement of citizens to the following activities:

- procurement of food, medication and basic necessities,
- travel to health facilities,
- travel to the workplace to exercise professional or commercial activity,
- assistance and care for the elderly, minors, people with disabilities and the vulnerable people,
- travel to financial and insurance institutions in case of emergency, due to force majeure or a situation of necessity,
- leisure activities (walking, jogging, playgrounds, etc.), provided that social distance of 2 meters is respected (Art.1).⁷

Any cultural, social or sport activities have been cancelled or postponed (Art.2).⁸ All commercial and artisanal activities have been closed (Art 4).⁹ Grocery shops, pharmacies, gas stations, distributors and

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¹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020).

² Luxembourg, [Urgent parliamentary question n ° 1988](#) of March 10, 2020 of the Deputy Sven Clement concerning the "Coronavirus" (*Question parlementaire urgente n° 1988 du 10 mars 2020 de Monsieur le Député Sven Clement concernant le "Coronavirus"*), 13 March 2020.

³ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 23.03.2020).

⁴ Luxembourg, [the Act of 1 August 2018 on the compulsory declaration of certain diseases](#) (*Loi du 1er août 2018 sur la déclaration obligatoire de certaines maladies dans le cadre de la protection de la santé publique*).

⁵ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 23.03.2020).

⁶ Luxembourg, Laboratoires réunis, [PCR-Test for 2019-nCoV virus on nasopharyngeal smear](#), new press release.

⁷ Luxembourg, [Ministerial Decree of 16 March 16 2020 on various measures to control the spread of the covid-19 virus](#) (*Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus covid-19*).

⁸ Luxembourg, [Ministerial Decree of 16 March 16 2020 on various measures to control the spread of the covid-19 virus](#) (*Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus covid-19*).

⁹ Luxembourg, [Ministerial Decree of 16 March 16 2020 on various measures to control the spread of the covid-19 virus](#) (*Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus covid-19*).

specialised trade of medical-sanitary equipment, financial and insurance institutions, funeral services remain open (Art.5).¹⁰

Police controls. On 16 March 2020 the government reinforced police patrolling on the roads to ensure that citizens stay indoors.¹¹ ¹² By the Grand-ducal decree of 18 March 2020, the movement that is not specified as essential by the government is punishable by a fine of 145 euros for individuals (Art.6)¹³ and 4000 for companies (Art. 7).¹⁴ The State also defined the measures for shopping: the specified distance of 1 meter between people waiting in line, as well as a limited number of people in a shop at a time.¹⁵

State of emergency. On 17 March 2020, Prime Minister of Luxembourg, referring to Art. 32(4) of the Constitution, announced his intention to declare state of emergency in the Grand Duchy of Luxembourg.¹⁶ State of emergency was then declared for an initial 10 days by Grand-ducal decree of 18 March 2020 introducing a series of measures to combat the Covid-19.¹⁷ In accordance with the Constitution, in order to extend this initial 10-day period of state of emergency over a period of maximum 3 months, the parliament should adopt a law with a qualified majority of two thirds of the 60 deputies (with 40 votes out of 60 deputies). Accordingly, bill 7534 extending the state of emergency was introduced and subsequently adopted by the parliament on 21 March 2020.¹⁸ In the course of this law-making process the Committee on Institutions and Constitutional Revision emphasised in its report that “Article 32, paragraph 4 [of the Constitution] contains in its very text important formal and substantive guarantees which make it possible to rule out *a priori* any risk of abuse of "full powers" by the executive power. Under no circumstances may constitutional provisions or international standards set by international treaties approved by Luxembourg be violated, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms. The Chamber of Deputies keeps for the duration of the state of emergency the fullness of its powers.”¹⁹

Accordingly, during the state of emergency the government can impose measures that may deviate from existing laws. This should allow rapid legislative decisions to be made without going through the parliament, but through regulations or decrees. The government can only take exceptional measures in the context of the coronavirus outbreak. The parliament can suspend or revoke the state of emergency

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¹⁰ Luxembourg, [Ministerial Decree of 16 March 16 2020 on various measures to control the spread of the covid-19 virus](#) (*Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus covid-19*).

¹¹ Luxembourg, Police of the Grand Duchy, [Controls regarding the situation around Coronavirus COVID-19, \(Coronavirus COVID-19 – Contrôles\)](#), News press release 16.03.2020.

¹² Luxembourg, Police of the Grand Duchy, [Coronavirus COVID-19 – Police Controls](#) (*Coronavirus COVID-19 – Contrôles de la part de la police*), News press release 17.03.2020.

¹³ Luxembourg, [Grand-ducal decree of 18 March 2020 introducing a series of measures to combat the Covid-19](#) (*Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le Covid-19*).

¹⁴ Luxembourg, [Grand-ducal decree of 18 March 2020 introducing a series of measures to combat the Covid-19](#) (*Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le Covid-19*).

¹⁵ Luxembourg, RTL, "[Social distancing" should be included in supermarkets](#) (“*Social distancing*” soll a *Supermarchéen agehale ginn*), News press release 18.03.2020 .

¹⁶ Luxembourg, Parliament of the Grand Duchy of Luxembourg (*Chambre des Députés*), [Covid-19 Distussions in the parliament](#) (*Covid-19: Un Débat à la Chambre*), News press release 17.03.2020.

¹⁷ Luxembourg, [Grand-ducal decree of 18 March 2020 introducing a series of measures to combat the Covid-19](#) (*Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le Covid-19*).

¹⁸ Luxembourg, Parliament of the Grand Duchy of Luxembourg (*Chambre des Députés*), [Collection of parliamentary documents regarding bill no 7534 extending the state of crisis declared by the grand-ducal regulation of March 18, 2020 introducing a series of measures in the fight against Covid-19](#)

¹⁹ Luxembourg, [Report of the Committee on Institutions and Constitutional Revision](#), (*Rapport de la Commission des Institutions et de la Révision constitutionnelle*), 20.03.2020.

at any moment.²⁰ The duration of the state of emergency cannot exceed a maximum duration of three months and the measures adopted under this regime lapse after its expiration.²¹

Movement of people with travel documents. The government foresees an automatic extension of temporary stay for people currently staying in Luxembourg with travel documents (short and long stay visas; temporary residence permits; residence cards; residence permits) that are expiring during the established movement restrictions (Art.13).²² The status of people who are in the process of applying for international protection is also automatically extended (Art.13).²³

Restricted movement of vulnerable groups. Since 12 March 2020, the government has “moved to a strategy of reinforcing the protection of vulnerable populations”.²⁴ This strategy implies preventing the transmission of the infection to vulnerable people rather than “identifying cases of COVID-19 in the general population”.²⁵ People over 65 have been strongly encouraged to stay indoors and not to leave their homes unless it is absolutely necessary.²⁶ On 19 March 2020 the government launched an online shopping platform²⁷ for older people and/or with health issues. The website is easy to use, it provides basic products, the payment is done through the hotline or via the phone, invoice is provided with the delivery. The products are delivered at the door and direct contact is avoided. Other online shopping platforms (luxcaddy.lu) have been reserved for people in vulnerable situations as well; some shops have reserved the hours between 8 and 10 am for shopping for vulnerable people.

Restrictions in prisons: Luxembourg's Prison Administration first imposed strict measures in prisons restricting a number of visitors, who were subjected to a thorough check (such as filling out a questionnaire or taking a temperature). Moreover, on 18 March 2020, all visits in prisons were suspended. In the view of the new situation, to allow prisoners maintaining the contact with their families, skype meetings have been introduced.²⁸ The request for access must be made by the inmate.²⁹

Sensitive groups: Since 16 March 2020, organisations helping vulnerable people have been reorganising their work. For instance, Caritas, had to reorganise its work to be able to help people in most urgent need. While Caritas stopped some of its activities (i.e. day care for children and young people, collecting clothes, shelter for women etc.), it continues to support people in vulnerable situations. Emergency shelters continue to work 24/7. Soup kitchens for homeless people and social grocery stores remain open.³⁰ Staying in one of Caritas winter shelters for homeless people was extended by 01 April 2020

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²⁰ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Statement by the Prime Minister in the Chamber of Deputies: Stay at home](#) (*Déclaration du Premier ministre à la Chambre des députés: Restez à la maison*), News press release 17.03.2020.

²¹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Covid-19: The State of Emergency in the Grand Duchy](#) (*Covid-19 : l'état de crise au Grand-Duché*), News press release 19.03.2020.

²² Luxembourg, [Grand-ducal decree of 18 March 2020 introducing a series of measures to combat the Covid-19](#) (*Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le Covid-19*).

²³ Luxembourg, [Grand-ducal decree of 18 March 2020 introducing a series of measures to combat the Covid-19](#) (*Règlement grand-ducal du 18 mars 2020 portant introduction d'une série de mesures dans le cadre de la lutte contre le Covid-19*).

²⁴ Luxembourg, Ministry of Health, [Coronavirus FAQ](#), update 23. 03.2020.

²⁵ Luxembourg, Ministry of Health, [Coronavirus FAQ](#), update 23. 03.2020.

²⁶ Luxembourg, Ministry of Health, [Coronavirus FAQ](#), update 23. 03.2020.

²⁷ Luxembourg, [Official page of internet shop Coronaletzshop.lu](#)

²⁸ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [COVID-19: Suspension of physical visits to the CPL](#) (*COVID-19: Suspension des visites physiques au CPL*), News press release 18.03.2020.

²⁹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [COVID-19: Suspension of physical visits to the CPL](#) (*COVID-19: Suspension des visites physiques au CPL*), News press release 18.03.2020.

³⁰ Luxembourg, Caritas, [Coronavirus emergency](#) (*Urgence Coronavirus*), News press release 17.03.2020.

by the Ministry of Family in the view of the epidemics.³¹ Other shelters (*Foyers de nuit*) by Caritas and the Red Cross are currently closed.³²

During this period, many organisations helping homeless people rely on voluntary work and manage to continue the support of homeless people.³³ However, restrictions imposed by the State affected their work: one voluntary organisation (*Stëmm vun der Strooss*) had to close down its showers, hairdressing amenities, medical consultation centres for homeless people. Also, workers lack hygienic materials as well as shortage of the personnel³⁴, who had to stay at home with the families.

Movement outside the country: Luxembourg did not close its national borders, however, it turned in a locked down situation as Belgium, France and Germany closed their frontiers. The government officials repeatedly emphasised the fact that closing borders should be the last measure and be avoided at all costs, especially for Luxembourg, for whom the Greater Region (part of France, Germany and Belgium) is vital.³⁵ However, as a result of the closed borders by the neighboring states, since 16 March 2020 there is limited outgoing movement from the country. Incoming movement is only allowed for work-related activities.³⁶ To be able to cross the German-Luxembourgish border (closed by German authorities), cross border workers need to present a certificate “as a proof of the necessity to cross the border between Germany and Luxembourg in the framework of the Covid-19”.³⁷ A similar document has been developed by the Luxembourgish authorities to “facilitate French cross-border workers during possible border controls”.³⁸

The closed borders have particularly affected medical workers. As an extraordinary measure, Luxembourgish State offered medical cross border workers and their families to stay in hotels in the territory of the country. In addition, special child care has been provided to them.^{39 40} By 18 March 2020, about 2000 rooms have been organised for medical workers.⁴¹

Schools are closed: Day care, schools and universities are closed between 16 March and 19 April 2020⁴². Schooling continues at home, which has been a double burden for many families. Companies have been

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³¹ Luxembourg, RTL, [The possibility for homeless people was extended until the end of April](#) (*Déi liewenswichtig Aktioun fir Sans-abrie gouf bis Enn Abrëll verlängert*), News press release 21.03.2020.

³² Luxembourg, [Tageblatt, Corona crisis: The "Stëmm" distributes food outdoors](#) (*Corona-Krise: Die „Stëmm“ verteilt Essen im Freien*), 21.03.2020.

³³ Luxembourg, RTL, [The challenge of solidarity in times of confinement](#) (*Le défi de la solidarité en temps de confinement*), News press release 20.03.2020.

³⁴ Luxembourg, RTL, [Where do the homeless come from, how do they manage to eat?](#) (*Wou komme Sans-abrien ënner, wéi kréie se z'iessen?*) News press release 20.03.2020.

³⁵ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Jean Asselborn at the Foreign Affairs Council of the European Union](#) . (*Jean Asselborn au Conseil des Affaires étrangères de l'Union européenne*), News press release 23.03.2020.

³⁶ Luxembourg, Ministry of Economy (*Ministère de l'Économie*), [Coronavirus – Information and recommendations for Businesses](#) (updated 23.03.2020).

³⁷ Luxembourg, Ministry of Economy (*Ministère de l'Économie*), [Coronavirus – Information and recommendations for Businesses](#) (updated 23.03.2020).

³⁸ Luxembourg, Ministry of Economy (*Ministère de l'Économie*), [Coronavirus – Information and recommendations for Businesses](#) (updated 23.03.2020).

³⁹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Briefing on the details of the new measures decided by the Government Council on 15 March](#) (*Briefing sur les détails concernant les nouvelles mesures décidées par le Conseil de gouvernement du 15 mars*), News press release 16.03.2020.

⁴⁰ Luxembourg, RTL, [Police checks on Monday; from Tuesday on, will be verbalised](#) (*Policekontrollen e Méindeg, vun en Dënschdeg u gëtt verbaliséiert*), News press release 16.03.2020.

⁴¹ Luxembourg, Luxembourgish Wort, [2,000 rooms ready to house caregivers](#) (*2.000 chambres prêtes à héberger les soignants*), News press release 18.03.2020.

⁴² Luxembourg, Ministry of National Education, Children and Youth (*Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse*), [Schools and childcare facilities: the suspension of activities extended until April 19, 2020](#) (*Écoles et structures d'accueil : la suspension des activités prolongée jusqu'au 19 avril 2020*), News press release 18 March 2020.

strongly encouraged to develop possibilities for working from home.⁴³ During the lockdown period⁴⁴ the State has proposed an extra-ordinary parental leave (for children under 13 years) which allows one of the parents taking care of the child/children staying at home.⁴⁵ Both parents may alternate the leave for family reasons. For disabled children who are over 12 years old, the government is developing special measures aimed at supporting the parents concerned. These measures will be communicated in the coming days.⁴⁶

Cross border mobility workers (who are 200.000⁴⁷, or 45% of the employees in the country workers) are particularly affected by the restriction movement measures taken by Luxembourg and neighbouring countries. In this context, how and who pays for the quarantine/self-isolation/home office were particularly discussed.⁴⁸ The Ministry of Economy confirmed on 03 March 2020 that the “employee’s workplace is protected against dismissal⁴⁹ when the employee receives a medical certificate of incapacity for work and general rules laid down in Art. 121-6 of the labour code apply; he/she receives a sickness benefit”.⁵⁰ Therefore, the government underlines once again, that “if the employer forces its employees to remain at home as a precautionary measure, he/she must exempt them expressly from their duties and continue pay them salaries”.⁵¹ The employee can ask its employer to work from home and considering the fact that the state “requires” employers to encourage their employees to work from home, requests will only be refused as a result of operational requirements.⁵² Under the bilateral agreements with neighboring countries (Belgium, France and Germany), the maximum number of days of telework provided in the double taxation agreements is set to 29 days for France, 24 for Belgium and 19 for Germany. If it is exceeded, the cross-border worker will be taxed again in the country of residence for all the days of telework.^{53 54} Nevertheless, home office for cross border workers has taken the central focus as one of solutions during the epidemics. By 19 March 2020 the Luxembourgish

⁴³ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 23.03.2020).

⁴⁴ Luxembourg, note: the lockdown period has been fixed until 29 March 2020 (update 23.03.2020). However, since the schools are closed until 19 April 2020 and the national airline will not begin its flights until 20 April, it is very likely that the State extends the lockdown in the coming days.

⁴⁵ Luxembourg, Ministry of Economy (*Ministère de l’Economie*), [Coronavirus – Information and recommendations for Businesses](#) (updated 23.03.2020).

⁴⁶ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Leave for family reasons in connection with the coronavirus epidemic](#), News press release 15.03.2020.

⁴⁷ Luxembourg, National Institute of Statistics and Economic Studies of the Grand Duchy of Luxembourg (*Institut national de la statistique et des études économiques du Grand-Duché de Luxembourg*), [Employment](#),

⁴⁸ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020).

⁴⁹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020).

⁵⁰ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020).

⁵¹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020).

⁵² Luxembourg, Ministry of Economy (*Ministère de l’Economie*), [Coronavirus – Information and recommendations for Businesses](#) (updated 23.03.2020).

⁵³ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [The case of the cross border workers "facing covid-19](#) (*Le cas du travailleur frontalier» face au covid-19*), News press release 05.03.2020.

⁵⁴ Luxembourg, Paperjam, [Non-double taxation: a more advantageous framework adopted](#) (*Non-double imposition: un cadre plus avantageux adopté*), News press release 23.03.2020.

government reached an agreement suspending limitations on double taxation with Belgium⁵⁵ and France⁵⁶ during the epidemics.

Masks: Shortage. The Luxembourgish state has not declared official rupture of face masks; it continues to rely on the national reserve stock for medical professionals and for infected people/suspected to be infected.⁵⁷ However, to assure the on-going supply of face masks in case of prolonged epidemics in the next months, the Ministry of Health relies on the efforts of Joint Acquisition (Procurement) on the European level (DG Health) “aiming to strengthen the existing stock”.^{58 59} In reply to a parliamentary question, on 13 March 2020 the Minister of Health confirmed⁶⁰ that even if certain drugs are unavailable, to date, the Division of Pharmacy and Medicines (DPM) of the Directorate of Health has not received any notification of supply shortage of medical supplies linked to the Covid-19 epidemic. However, it cannot be excluded that forced vacations, quarantines and interruptions in delivery routes may lead to bottlenecks in the supply of medicines. An impact assessment of the Covid-19 epidemic on pharmaceutical supply chains in the EU, and in particular on essential medicines, is currently underway by the EMA (European Medicines Agency) together with the network of competent HMA (Heads of Medicines Agencies) authorities, of which Luxembourg is a member. On the national level, the shortage remediation measures currently in place at the DPM taking into account the duration of unavailability, the type of drug concerned (i.e. essential character), the market share it represents (i.e. number of patients concerned) and the possibility of alternatives (i.e. other active substance, other route of administration). As of 17 March 2020, masks and gloves are also now required for people working in pharmacies and grocery shops⁶¹. Hospitals issued a call to all companies who might be willing to donate masks, gloves or protective clothes. Over 100 small and medium companies volunteered to help.⁶² On 24 March 2020 Luxembourg received 6 million protective masks and 50 respirators from China. 5 million masks have been reserved for hospitals; 1 million is reserved for other health needs.⁶³

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⁵⁵ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), Covid-19: [Exceptional measures between Luxembourg and Belgium concerning the teleworking of cross-border workers](#) (*Covid-19: Mesure exceptionnelle entre le Luxembourg et la Belgique concernant le télétravail des travailleurs transfrontaliers*), News press release 16.03.2020.

⁵⁶ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), Covid-19: [Exceptional measures between Luxembourg and France concerning the teleworking of cross-border workers](#) (*Covid-19: Mesure exceptionnelle entre le Luxembourg et la France concernant le télétravail des travailleurs transfrontaliers*), News press release 19.03.2020.

⁵⁷ Luxembourg, [Response from the Minister of Health to question N ° 1956 from Ms. Françoise Hetto-Gaasch and Mr. Laurent Mosar regarding Prevention against the coronavirus](#) (*Réponse de la Ministre de la Santé à question N°1956 de Madame Françoise Hetto-Gaasch et de Monsieur Laurent Mosar concernant Prévention contre le coronavirus*)

⁵⁸ Luxembourg, [Response from the Minister of Health to question N ° 1956 from Ms. Françoise Hetto-Gaasch and Mr. Laurent Mosar regarding Prevention against the coronavirus](#) (*Réponse de la Ministre de la Santé à question N°1956 de Madame Françoise Hetto-Gaasch et de Monsieur Laurent Mosar concernant Prévention contre le coronavirus*)

⁵⁹ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020)

⁶⁰ Luxembourg, [Reply of the Minister of Health to parliamentary question n ° 1874 of February 13, 2020 to MP Mars Di Bartolomeo regarding “ medicines out of stock”](#) (*Réponse de Madame la Ministre de la Santé à la question parlementaire n ° 1874 du 13 février 2020 de Monsieur le Député Mars Di Bartolomeo concernant « Rupture de stock de médicaments »*).

⁶¹ Luxembourg, RTL, [Pharmacies get masks for their staff](#) (*Apdikt kréie Maske für hier Personal*), News press release 18.03.2020.

⁶² Luxembourg, RTL, [100 companies have offered their assistance](#) (*100 Entreprises hunn hir Hëllef ugebueden*), News press release 20.03.2020.

⁶³ Luxembourg, Paperjam, [5 million masks to arrive from China](#) (*5 millions de masques doivent arriver de Chine*), News press release 23.03.2020.

Business is stopped. The Luxembourgish government has ordered to limit business activities and allow people to stay at home. Only the following activities are allowed to continue working, which include :

- commercial premises selling mainly food,
- pharmacies,
- opticians, orthopedists and hearing care specialists,
- stores selling pet food,
- telecommunication shops,
- stores selling hygiene, washing products and sanitary equipment,
- petrol stations,
- passenger transport activities,
- distributors and specialised trade in medical-sanitary equipment,
- medical pedicure, limited to medical and non-cosmetic care
- news stands,
- post offices,
- financial and insurance institutions,
- dry-cleaning and laundry services,
- funeral services,
- repair, relocation and decontamination activities,
- maintenance activities necessary for safety reasons,
- the sale of non-food products in drive-in,
- sales of non-food products among professionals (Art.4(2)).⁶⁴

For workers engaged in other (non) commercial activities, the state recommends using home office and reducing activities to tasks that are essential for the operation of the business. Companies, that had to completely or partially stop their activities, are eligible for partial unemployment for their employees “from the date of the government’s decision that led to their total or partial closure.” One of the first measures done by the government under the state of emergency since 18 March 2020 was to extend the scope of the bill on the aid scheme for large companies and the liberal professions. Also the maximum aid amount has been raised from €200,000 to €500,000 maximum per company. The repaying of the loan is delayed by 12 months. ⁶⁵ The government is currently developing an online system to request reimbursement of hours worked as part of partial unemployment⁶⁶, which would replace the hotline (established on 16 March to address the impact of the restrictive measures on business). Furthermore, the government developed another bill to support business in the culture sector.⁶⁷ The bill includes several instruments that would cover independent professional artist performers, as well as subsidies for cancelled projects, guarantees of partial unemployment for workers in the cultural sector.⁶⁸

⁶⁴ Luxembourg, [Ministerial Decree of 16 March 16 2020 on various measures to control the spread of the covid-19 virus](#) (*Arrêté ministériel du 16 mars 2020 portant sur diverses mesures relatives à la lutte contre la propagation du virus covid-19*).

⁶⁵ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Strengthening support for companies affected by the COVID-19 coronavirus](#) (Renforcement du soutien aux entreprises touchées par le coronavirus COVID-19), News press release 17.03.2020.

⁶⁶ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [New simplified measures for companies requesting partial unemployment linked to the coronavirus](#) (*Nouvelles mesures simplifiées pour entreprises qui demandent le chômage partiel lié au coronavirus*), News press release 18.03.2020.

⁶⁷ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Support of the cultural sector in the face of the COVID-19 coronavirus epidemic](#) (*Soutien du secteur culturel face à l'épidémie de coronavirus COVID-19*), News press release 17.03.2020.

⁶⁸ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Support of the cultural sector in the face of the COVID-19 coronavirus epidemic](#) (*Soutien du secteur culturel face à l'épidémie de coronavirus COVID-19*), News press release 17.03.2020.

No screening at the airport. Following the guidelines of the World Health Organisation⁶⁹, Luxembourg has not imposed any special measures at the airports. However, if a passenger showed any symptoms resembling coronavirus, he/she was “reported to the airport before the plane landed, where a medical team was ready to take care of the passenger. Other passengers would be taken care of according to the degree of exposure upon arrival of the health Inspectorate”.⁷⁰ Furthermore, due to mass cancelation of flights between 12 and 16 March, and imposed limitations of people’s movement within and outside the country, the national airport became nearly empty. On 23 March 2020, the national airline (Luxair) has stopped all commercial flights until 19 April 2020⁷¹. Very few planes arrive/ leave the national airport, among which are KLM and British Airways. The national airport still remains open to allow return of the nationals back to Luxembourg.⁷²

2 Impact of the outbreak on certain national or ethnic communities

There are no known incidents of discrimination and xenophobia regarding the coronavirus outbreak in Luxembourg.⁷³ There was only one discussion in the press regarding empty Chinese restaurants in the country.⁷⁴ However, press and social media link it with the fears and panic around the epidemics rather than putting blame on some ethnic groups/ nationalities.

3 Impact on privacy and spread of disinformation

There has been no infringement of privacy and/or data protection rights related to the outbreak. The data are collected and published only by official channels of the Luxembourgish government. Information is provided on their website, through press conferences. In that way, there is little possibility to misinform. Since 16 March, the Luxembourgish government has been holding daily press conferences. All information is immediately shared and broadcast by all social media channels of the ministries. Information is translated into French, German and English.

The national data authority has provided a promising practice for companies on instances when and how personal data are collected regarding physical health of their employees. Such measure should include: raising awareness, transmission of information by setting up, if necessary, dedicated channels. “In the event of a report, an actor may, as part of his safety and health obligations, record. Actors will thus be able to communicate to health authorities who request it, the elements related to the nature of the exposure, necessary for possible health or medical treatment of the exposed person... health data can be collected by health authorities, qualified to take the measures appropriate to the situation. The

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⁶⁹ World health Organisation, Updated WHO recommendations for international traffic in relation to COVID-19 outbreak <https://www.who.int/news-room/articles-detail/updated-who-recommendations-for-international-traffic-in-relation-to-covid-19-outbreak>, News press release 29.02.2020.

⁷⁰ Luxembourg, Luxembourgish Government (*Gouvernement Luxembourgeois*), [Coronavirus : COVID-19](#) (update of 03.03.2020)

⁷¹ Luxembourg, [Luxair](#), News press release 19.03.2020.

⁷² Luxembourg, RTL, [Asselborn: Internal EU borders must remain open during coronavirus crisis](#), News press release 23.03.2020.

⁷³ Luxembourg, information was confirmed by one of the workers in the Centre for Equal Treatment (e-mail exchange of 10.03.2020).

⁷⁴ Luxembourg, l’Essentiel, [Luxembourgers eat less at the Chinese restaurants](#) (*Luxemburger essen seltener beim Chinesen*).

assessment and collection of information relating to symptoms of coronavirus and information on the recent movements of certain people is the responsibility of these public authorities.”⁷⁵

Luxembourg developed a wide information campaign regarding the coronavirus in the country. Its primary focus was to inform in calm, reassuring tone. Following a set-up of a hotline (02 March 2020), a governmental site was launched with the information in 5 languages and has been constantly updated. Relevant ministries (Ministry of Health, Ministry of Economy, etc.) provide prompt guidelines and answers to questions. This information is shared by companies set up in the country. The Ministry of Health distributed fliers with basic information on coronavirus in every letter box of the country between 12 and 14 March 2020.

⁷⁵ Luxembourg, National Commission on Data Protection (*Commission Nationale des Protections des Données*), [Coronavirus \(COVID-19\): CNPD recommendations regarding the collection of personal data in the context of crisis](#) (*Coronavirus (COVID-19): Recommandation de la CNPD relatives à la collecte de données personnelles dans un contexte de crise sanitaire*), News press release 10.03.2020.