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IFRC COVID-19 Emergency Decree Research: [Grand Duchy of Luxembourg](#)

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- **Questions to be answered by close of business Friday, 20 March are listed below.**
- **Please be sure to include English translations of relevant text where possible.**

1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

The HCPN (*Haut-Commissariat à la Protection Nationale*, i.e. High Commissioner for National Protection), headed by the Health Minister, is in charge of all aspects of the crisis management. It is the contact point for Luxembourg with all European and international institutions and organisations (which would include the Red Cross and other non-state actors generally) and in charge of the cooperation with these entities.

Within the Luxembourg Ministry of Health, an internal crisis unit is responsible for coordinating efforts within hospitals, laboratories, primary care, pharmacies, care homes and care networks and is in charge of logistics, equipment, health reserves and crisis communication.

Reference: Ministry of Health

The HCPN coordinates the crisis management. An interministerial unit coordinates the initiatives of the different ministries. An internal crisis unit within the Ministry of Health is responsible for coordinating efforts within hospitals, laboratories, primary care, pharmacies, nursing homes and care networks. This unit manages logistics, equipment, sanitary reserve and crisis communication.

The amended law of 23 July 2016 on the organisation of the High Commission for National Protection (HCPN) appoints the HCPN to plan and implement a national protection concept. The national protection plan includes, among other things, the prevention and management of large-scale crises which are events that,

- *affect the vital interests or essential needs of the whole or part of the population;*
- *require urgent decisions;*
- *and require coordination at a national level of the actions of the government administrations, departments*

If necessary, the crisis unit is activated by the Prime Minister and summoned by the High Commissioner for National Protection. It is chaired by a member of the Government. In the scenario

of a health crisis, the crisis unit is chaired by the Minister of Health. It brings together representatives of all departments, administrations and State services concerned by the nature of the crisis.

If necessary, the crisis unit may be supported in its work by other units, such as the "administration and logistics" unit placed under the responsibility of the Chief of Staff of the Army, the "means of communication" unit placed under the responsibility of the Director of the Government IT Centre or the "legal support" unit placed under the responsibility of a representative of the Minister of Justice.

On 17 March, the Government has declared the state of national emergency on the territory.

Reference: *Amended law of 23 July 2016 on the organisation of the High Commission for National Protection*

The mission of the High Commissioner for National Protection is to implement the concept of national protection as defined in article 2. Within the framework of this mission, the duties of the High Commissioner for National Protection are

a) with regard to crisis prevention measures:

- 1. to coordinate the contributions of the ministries, administrations and services of the State;*
- 2. coordinate research policies, projects and programs;*
- 3. carry out a risk analysis and organize a watch;*
- 4. coordinate the organization of training courses and exercises;*

b) as regards crisis anticipation measures:

- 1. develop and coordinate a national crisis management strategy;*
- 2. define the typology, structure, body and format of the plans implementing crisis prevention and management measures and activities and coordinate planning;*
- 3. initiate, coordinate and ensure the execution of activities and measures relating to the identification, designation and protection of critical infrastructure, whether public or private;*

c) with regard to crisis management measures:

- 1. initiate, lead and coordinate crisis management tasks;*
- 2. to see that all the decisions taken are carried out;*
- 3. to promote the return to normal state as quickly as possible;*
- 4. prepare a common budget for crisis management and ensure its execution;*
- 5. ensure the establishment and functioning of the National Crisis Center.*

Within the framework of its attributions, the High Commission for National Protection is Luxembourg's point of contact with European and international institutions and organizations and ensures effective cooperation with these entities.

In the event of an imminence or the occurrence of a crisis, the owner or operator of a critical infrastructure, which must be, except in the event of an extreme emergency, duly informed, must give free access to the agents of the High Commission to National Protection for installations, premises, grounds, installations forming part of the infrastructure covered by this law and the regulations to be adopted with a view to its application.

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

So far, none of the materials available to the public refers to the Red Cross or other humanitarian actors except with respect to exceptions relating to the travel restrictions and Schengen borders closing. The HCNP is in charge of all crisis management operations and can decide on measures to be set up that may involve these entities.

Reference: Ministry of Health

Third-country nationals may no longer enter the territory of the Grand Duchy since 18 March 2020 at 6 p.m. for a renewable period of one month. Citizens of the European Union, the United Kingdom and the countries associated with the Schengen area, as well as their family members, are exempt from temporary travel restrictions in order to return to their place of residence.

The following derogations shall apply to:

Third-country nationals who have long-term resident status in accordance with European Directive 2003/109/EC on long-term residents, as well as any other person with a right of residence in accordance with European directives and national law in the Grand Duchy of Luxembourg or one of the neighbouring countries;

- *Health professionals, health researchers and professionals involved in the care of the elderly;*
- *Cross-border workers;*
- *Persons employed in the transport of goods and other persons employed in the goods and persons transportation sector, including airline personnel;*
- *Members of the diplomatic corps, personnel of international organisations, military personnel, personnel in the field of development cooperation and humanitarian assistance, in the exercise of their respective functions;*
- *Transit passengers;*
- *Passengers travelling for urgent and duly justified family reasons;*
- *Persons wishing to seek international protection or subsidiary protection in the Grand Duchy of Luxembourg*

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

Starting 18 March 2020, the Grand Duchy has entered a lockdown and persons are prohibited from circulating outside and the Schengen borders (borders of the European Union) are closed. Persons wishing to enter the European Union including via Luxembourg are no longer able to do so save exceptions. Exceptions include persons rendering humanitarian services and medical personnel (evidence of status in order to benefit from the exception). No specific quarantine apply – unless an exception is available, other persons would not be allowed to enter the country.

National borders with France, Belgium and Germany are not closed but travel is restricted unless for work purposes or to render assistance to elderly, underage, dependent or vulnerable persons. A certification confirming the right to travel despite the lockdown is required (notably, from the employer to confirm the work relationship). No quarantine requirement applies to persons travelling from the neighboring countries and benefiting from an exception to the lockdown restrictions.

The National Police is in charge of ensure the compliance with the restrictions.

Reference: Ministry of Health (see above and below)

If these people have not been proven to be in close contact with a sick and contagious person and do not have typical symptoms (cough, fever, breathing problems), they can resume their professional activity.

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

See above – there are exceptions to the travel restrictions and lockdown measures in connection with humanitarian relief and assistance to vulnerable populations.

Reference: Ministry of Health (see above)

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

Information available does not indicate any specific restrictions in this respect.

6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

Information available does not specify or distinguish a specific regime for RC or other humanitarian organizations except that humanitarian relief is an exception to the lockdown and travel restrictions in the country.

Reference: Ministry of Health (see above)

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

Essential activities are to be maintained during the lockdown (including public services necessary for proper functioning of the State and the public authorities, the production and distribution of energy and oil products, the health sector (including hospital activities and medical analysis laboratories), the food sector, water distribution, collection and processing of waste water, removal and management of waste, public transport, postal and telecom services, guarding, security, cash transport and cleaning services, those activities essential to the functioning of the financial, insurance and reinsurance sector, and the systems for currency exchange, payments, and the settlement of financial instruments).

Reference: Ministry of Health (see above and below)

Since 16 March 2020, the activities of administrations and public institutions are restricted to essential services so as to guarantee their operation and crisis management. The reception desks of administrations and public establishments will operate at reduced service. However, the staff of the state entities is constantly available for the implementation of the imperatives decided

Activities that are essential to maintain the vital interests of the population and the country must be maintained. These include the following sectors and activities:

- *public services necessary for the functioning of the State;*
- *production and distribution of energy and petroleum products;*
- *the health sector with hospital activities and medical analysis laboratories;*
- *the food sector;*
- *the production and distribution of water;*
- *the collection and treatment of waste water;*

- *waste removal and management;*
- *public transport;*
- *postal services and telecommunication services;*
- *security and guarding services, cash transportation and cleaning services;*
- *essential activities relating to the functioning of the financial sector and the insurance and reinsurance sector;*
- *systems for the exchange, payment and settlement of financial instruments*

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

Information available does not indicate any specific restrictions in this respect.