# Access to procedures and non-refoulement - Luxembourg

## Overview

Content updated and validated on: 21/08/2025

### Relevant EU legislation

Luxembourg transposed the provisions of the recast Asylum Procedures Directive/Regulation into national law through the amended Law of 18 December 2015 on international protection and temporary protection (hereafter amended Asylum Law) | Loi modifiée du 18 décembre 2015 relative à la protection internationale et à la protection temporaire.

As Luxembourg does not have any external borders except for the Luxembourg International Airport, it did not transpose Article 43(1) (border procedures) of Directive 2013/32/EU into its national law.

### National legislation

Amended Asylum Law

### Competent authority and stakeholders

| Area | Competent national authority | Assistance to competent authority (if applicable) |
|---|---|---|

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

| | | |
|---|---|---|
| **Screening at the external border** | Currently, Luxembourg does not implement a formal screening process for applications for international protection. | Instead, all screening elements are conducted within the General Department of immigration, where applications for international protection are lodged. |
| **Biometric data** | Grand Ducal Police- Judicial Police- Organized Crime Division – Immigration Enforcement (stationed at the General Department for immigration) | |

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

| | | |
|---|---|---|
| **Making an application** | **At the border:** Airport Control Service \| Service de Contrôle (at the airport)<br><br>**On the territory:** Ministry of Home Affairs, General Department of immigration, Department for Refugees \| Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés.<br><br>Grand-Ducal Police \| Police Grand-Ducale<br><br>**In detention**: (in prison - letter to be sent to) Ministry of Home Affairs, General Department of immigration, Department for Refugees \| Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés.<br><br>(in detention - a closed facility but not prison- letter to be sent to) Ministry of Home Affairs, General Department of immigration, Department for Refugees \| Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés.<br><br>Making, registering and lodging an application, generally overlap. | |

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

| | | |
|---|---|---|
| **Registering an application** | Ministry of Home Affairs, General Department of immigration, Department for Refugees \| Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés.<br><br>Making, registering and lodging an application, generally overlap. | Grand-Ducal Police \| Police Grand-Ducale - Judicial Police-Organized Crime Division – Immigration Enforcement (stationed at the General Department for immigration) |
| **Lodging an application** | Ministry of Home Affairs, General Department of immigration, Department for Refugees \| Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés.<br><br>Making, registering and lodging an application, generally overlap. | |
| **Information provision** | Ministry of Home Affairs, General Department of immigration, Department for Refugees \| Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés.<br><br>Grand-Ducal Police \| Police Grand-Ducale<br><br>Airport Control Service \| Service de Contrôle (at the airport) | Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees-National Reception Office (Office national de l'accueil – ONA) |
| | | |

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

# Access to the territory

## Official external border-crossing points

Luxembourg does not have any external borders except for the Luxembourg International Airport.

## Emergency measures in cases of mass arrivals

The application is usually registered immediately, on the day the wish is expressed (see section on Making an application), while the legal deadline is 3 working days. However, according to article 4(1) of the amended Asylum Law, the deadline for registration of an application may be extended until 10 working days in case of massive arrivals.

Currently, Luxembourg is elaborating a contingency plan.

## Protection from refoulement

The principle of protection from *refoulement* is enshrined in article 124 (1) of the amended law of 29 August 2008 on free movement of persons and immigration (hereafter amended Immigration Law). Additionally, articles ,9, 29, 30, 31, 54 of the amended Asylum Law are also measures in place to prevent the risk of *refoulement* in contravention of international and EU obligation.

### Protection from *refoulement* at external air borders

See section below about border procedure.

As of now, Luxembourg does not have a dedicated, independent monitoring mechanism specifically stationed at its external air borders—namely, Luxembourg Airport—to systematically verify compliance with the principle of non-r*efoulement*. However, the country is preparing to implement such mechanisms in line with forthcoming EU regulations (EU Pact on migration and asylum). Under the EU Screening Regulation (Regulation (EU) 2024/1356) and the Asylum Procedure Regulation (Regulation (EU) 2024/1348), all Member States,

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

including Luxembourg, are required to establish independent monitoring systems by mid-2026. These systems aim to ensure that fundamental rights are upheld during border screening and asylum procedures, including adherence to the principle of non-refoulement.

Civil society organizations currently contribute to the oversight and support of migrants and asylum seekers, albeit not through a permanent presence at the airport. However, Article 24 of the amended Asylum Law authorises any organization holding official accreditation to have access to applicants for international protection, including those held in detention, at the border, and in transit zones.

**Protection from *refoulement* at external land borders**

Luxembourg does not have external land borders.

**Protection from *refoulement* at external sea borders**

Luxembourg does not have external sea borders.

**Protection from *refoulement* in case of emergency measures related to mass arrivals**

According to article 4(1) of the amended Asylum Law, the deadline for registration of an application may be extended until 10 working days in case of massive arrivals.

## Border procedure

According to Article 4(1) of the amended Asylum Law, if the application for international protection is made to an officer of the Airport Control Service, the Grand-Ducal Police, the detention center or the prison, registration will take place no later than 6 working days after the wish to make an application for international protection is expressed. When an individual expresses their intention to apply for international protection at the airport, a report is prepared, and a decision is made in coordination with the General Department of immigration regarding their entry into the territory. If entry is granted, the person can leave the airport and the application is forwarded to the General Department of immigration, and the registration process must be completed within the aforementioned six days. If the individual is not a threat to national security, public security or public health, they will be referred to one of the housing

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

facilities of the National Reception Office (ONA). They will benefit from the material reception conditions (accommodation, food, clothing, pocket money and health care) in accordance with article 2 g) in accordance with article 8 (1) of the amended law of 18 December 2015 on the reception of applicants for international protection and temporary protection (hereafter amended Reception Law).

In case a third country national did not express their wish to make an application for international protection at the international airport, they may be denied entry at the external border on a duly motivated decision issued in accordance with article 104 of the amended Immigration Law and the decision can be executed ex-officio, after consultation with the General Department of immigration. However, if there is no possibility of executing the decision in the short term, the third-country national is placed in a waiting area (article 119 (1) of the amended Immigration Law). This waiting area extends to the places to which the third-country national must go, either as part of the ongoing procedure or in case of a medical emergency (the medical service office). However, the third-country national's stay in the waiting area is limited to the time strictly necessary for his or her departure, without the duration of the stay exceeding forty-eight hours ( art. 119 (2) al. 1 amended Immigration Law). Where the decision taken under Article 104 cannot be executed within 48 hours, the third-country national will be placed in detention in a closed facility (article 119 (2) al. 2 of the amended Immigration Law), without this detention being considered as an authorisation to enter the territory.

# Procedural aspects

In Luxembourg, making, registering and lodging an application, generally occur on the same day.

### Making an application

#### Responsible authority and place

Persons wishing to make an application for international protection can express their wish in person at:

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

- the General Department of immigration, Department for Refugees (*Ministère des Affaires intérieures, Direction générale de l'immigration - Département Réfugiés*).
- the Control Service (*Service de Contrôle*) at the airport; or
- the Grand-Ducal Police General, Department of Internal Security (Police grand-ducale, Direction générale de la sécurité intérieure).

Persons in detention can make their application:

- If they are in prison, they have to send a letter to the Ministry of Home Affairs, General Department of immigration, Department for Refugees
- If they are in detention - stay in a closed facility but not prison- they have to send a letter to the Ministry of Home Affairs, General Department of immigration, Department for Refugees. They can also contact the Psychosocial Support Service, who can provide the form.

Furthermore, Article 24 of the amended Asylum Law authorizes the United Nations High Commissioner for Refugees (UNHCR), members of the Luxembourg Committee on the Rights of the Child (ORK), and accredited organizations to access applicants for international protection, including those in detention, at the border, and in transit zones. As such they can be consulted.

As mentioned above, if the application for international protection is made to an officer of the Airport Control Service, the Grand-Ducal Police, the detention center or the prison, the application is forwarded to the General Department of immigration, and the registration process must be completed no later than 6 working days after the wish to make an application for international protection is expressed. In cases where the applicant is in prison or the detention center, an official from the General Department of immigration will then go said center to proceed with the introduction of your application.

**Possibility to apply from outside the territory**

In order to lodge an application for international protection, the applicant must be physically present in Luxembourg. It is not possible to carry out these procedures at a Luxembourg Embassy or Consulate.

According to Article 3 of the recast Asylum Procedure Directive (recast Directive 2013/32 EU), the regulation shall not apply to requests for diplomatic or territorial asylum submitted to representations of Member States. Luxembourg has

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

transposed this provision in its entirety into its national law. Hence, the amended Asylum Law does not provide for any exceptions in this context. Luxembourg participates in the EU Resettlement Framework (Resettlement is handled within existing legislation, including the amended Asylum Law.

Luxembourg may provide humanitarian visa for certain situations under the European Union Visa Code (EC 810/2009).

### Formal requirements for making an application

There is no time limit to make an application after entering Luxembourg. However, the wish should be expressed at the earliest time possible. When asylum seekers express their wish to apply for international protection to another entity, they are referred to the authority competent to receive the application. If a person wishes to apply for international protection, they must go in person to the Ministry of Home Affairs, General Department of immigration. Information on where to make the application is provided to the applicant.

## Registering an application

### Responsible authority and place

The Department for Refugees of the General Department of immigration under the Ministry of Home Affairs is responsible for registering all applications for international protection. The application is usually registered immediately, on the day the wish is expressed (*see section on Making an application*), while the legal deadline is 3 working days. If an application was made at the Control Service at the airport, or to the Grand-Ducal Police or from detention/prison, the deadline for registration is 6 working days. This deadline may be extended to 10 working days during times of massive influx (article 4 (1) of the amended Asylum Law).

### Practical steps to register the application

During registration, applicants receive an explanatory information document concerning applications for international protection, in a language that they understand, or that it is reasonable to assume they understand, including the Dublin procedure, as well as their rights (including their right to legal assistance) and obligations during the process and the potential consequences of failing to fulfill those obligations or refusing to cooperate with the Minister having Immigration and Asylum within their responsibilities (hereafter the Minister).

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

During the registration procedure, the applicant is photographed and fingerprinted (only applicants aged 14 or over). Applicants are also interviewed by an officer of the Grand-Ducal Police who is responsible for verifying their identity and the declared itinerary route before arriving in Luxembourg. If deemed necessary, a physical search by the police officer may take place. All this data is added to the physical file of the applicant and saved to the internal server of the General Department of immigration.

At the time of registration, the applicant receives a form for lodging an application and an appointment is scheduled for that.

With the modification of the amended Asylum Law in July 2023, article 6 (3), the group of officers of the Grand Ducal Police authorised to carry out checks required in the context of the lodging of an application for international protection was extended. Previously, it was only the Judicial Police that was exclusively tasked with conducting verification to establish the identity and itinerary of the applicant prior to entering Luxembourg.

The opening hours of the General Department of immigration where a third country national can lodge and register an asylum application are Monday to Friday from 8:30 am to 12 pm.

**Data collection**

According to article 81 of the amended Asylum Law, as provided by article 9 of The Eurodac Regulation (604/2013), Member States are obliged to promptly take fingerprints of all fingers of every applicant for international protection who is at least 14 years of age.

Data collected during the registration procedure are referred to the elements to substantiate the individual’s application for international protection, in line with the duty to cooperate outlined in Article 37, including applicant's age, background, including those of the relevant parents, identity, nationality(ies), country or countries and place or places where the applicant previously resided, previous refugee claims, and their itinerary, travel documents, and the reasons for applying for international protection.

**Documentation**

According to article 7 of the amended Asylum Law, within three days of the submission of their application for international protection, the applicant shall receive a document issued in their name attesting to their status as an applicant

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

and their right to remain in the territory of the Grand Duchy of Luxembourg and to move freely within it. However, the right to remain in the territory does not constitute a right to a residence permit. This official document is called a "certificate of applicant for international protection" ("*attestation de demandeur de protection internationale*").

The applicants should carry their certificate with them at all times. This certificate is valid only in Luxembourg and, should the applicant decide to go abroad, they will be in an irregular situation. In principle, the certificate is issued for a fixed period of time. On the back of the certificate, the specific date on which the applicant must present themselves in person in order to have the certificate renewed, is indicated. The certificate will be renewed until the procedure for international protection is completed.

After obtaining the certificate, the individual is officially an applicant for international protection in Luxembourg. Since 2023, changes were made to access material reception conditions in Luxembourg. Applicants must first lodge an application at the General Department of immigration before they can request accommodation. The changes were made to avoid that people stay in a reception centre without applying for international protection.

The lodging of the application will trigger the provision of reception conditions covered by National Reception Office (ONA) and other competent administrations (healthcare for instance). If a person has sufficient means, reception conditions are not provided.

## Lodging an application

### Responsible authority and place

Applications must be lodged in person at the Ministry of Home Affairs- General Department of immigration - Department for Refugees.

### Formal requirements to lodge an application for international protection

An application is lodged using a set form, provided to the applicant at the moment of registration. The presence of all persons on behalf of whom the application is introduced is required. The applicant fills in the form with the assistance of an agent of the General Department of immigration.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

The form can be filled in in various languages and interpretation services are provided when required. The interpretation cannot be provided remotely. Before being able to work as an interpreter at the General Department of immigration, the interpreter signs a contract including a code of conduct after a security clearance is made with a police check.

Any adult with legal capacity has the right to lodge an application for international protection in their own name. An application can be lodged on behalf of an accompanied minor by the parent, any adult family member, or an adult legally responsible for the minor. The presence of the child is required. An application may also be lodged on behalf of a dependent adult, upon their consent, after they have been informed about the consequences of an application being lodged on their behalf and about the possibility to introduce their own application. Even if an applicant gave consent at the moment of the application being lodged, he/she has the possibility, at a later stage of the procedure, to request a separate decision if s/he does not wish certain data/information to be disclosed to the rest of the family.

Unaccompanied minors must lodge their application through an appointed representative, or 'ad hoc administrator', in their presence. The role of the administrator is to assist and represent the minor throughout the asylum procedure. In case of doubt regarding the unaccompanied minor's age, the minor can be invited to a medical examination to determine their age.

If the applicant does not complete the lodging of the application, an implicit withdrawal or waiver of the application will be presumed (article 6(2) of the amended Asylum Law). The failure to respond to the authorities' request for essential information or the refusal to be fingerprinted are also considered grounds for implicit withdrawal.

**Documentation**

According to article 7 of the amended Asylum Law, within three days of the submission of their application for international protection, the applicant shall receive a document issued in their name attesting to their status as an applicant and their right to remain in the territory of the Grand Duchy of Luxembourg and to move freely within it. However, the right to remain in the territory does not constitute a right to a residence permit.

The certificate is not issued to the applicant, who is kept in detention.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Since 2023, changes were made to access the asylum procedure and material reception conditions in Luxembourg. Applicants must first lodge an application at the General Department of immigration before they can request accommodation.

### Information provision

Information is primarily disseminated at the General Department of immigration during the lodging of the application through informational leaflets on procedures to be followed, including the Dublin procedure, as well as the rights of the applicant (including their right to legal assistance) and their obligations during the process and the potential consequences of failing to fulfil those obligations or refusing to cooperate with the Minister. The applicant is also informed of the timeline, the means available to fulfil the obligation to present the elements specified in Article 37, paragraph (2) (all necessary elements to substantiate their application for international protection including the applicant's statements and any documents in the applicant's possession concerning their age, personal history—taking into account that of the parents—identity, nationality or nationalities, as well as the countries and locations where they have previously resided, any prior asylum applications, travel itineraries, and the reasons justifying the application for international protection), as well as the consequences of an explicit or implicit withdrawal of the application. This information is provided to the applicant in a timely manner to enable them to exercise the rights and fulfil the obligations arising from their status as an applicant. Furthermore, applicants are informed about a dedicated website that provides extensive information on the asylum process, including resources related to housing, education, and various social services. However, this website is accessible only from within the Luxembourgish territory due to geo-blocking measures.

## Passport and other documents

### Obligation to surrender original documents

### Requirement to submit original documents

According to article 12 of the amended Asylum Law, the applicant has a duty to cooperate with the Minister in establishing the their identity and all necessary elements to substantiate their application for international protection including the applicant's statements and any documents in the applicant's possession

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

concerning their age, personal history—taking into account that of the parents—identity, nationality or nationalities, as well as the countries and locations where they have previously resided, any prior asylum applications, travel itineraries, and the reasons justifying the application for international protection. They must submit their identity documents, as well as any other documents relevant to the examination of the application for international protection, as soon as possible. These documents shall be kept, against receipt, with the Minister. Original identity/travel documents are required. However, if the applicant is unable to submit any original identity/travel documents for a well-founded reason, photocopies are acceptable.

Any supporting documents are to be attached to the form (documents, other than the identity documents should be submitted in German, English or French-languages commonly spoken in Luxembourg). As outlined by article 10 of the amended Asylum Law, any document submitted to the Minister in a language other than English, French or German must be accompanied by a translation into one of these languages, to be considered in the examination of the application for international protection.

**Consequence of a refusal to surrender documents**

If an applicant does not surrender their passport to the authorities, no legal consequences are foreseen.

However, as outlined by article 12 of the amended Asylum Law, the applicant has a duty to cooperate (to the best of their abilities), and any refusal could result in the dismissal of the application on the grounds of insufficient cooperation.

**Return of original documents to the applicant**

According to article 12 (1) of the amended Asylum Law, documents are returned to the applicant upon granting of refugee status or subsidiary protection. In cases where both refugee status and subsidiary protection are refused, the documents are returned to the applicant at the time of their removal from the territory. Notwithstanding the preceding provisions, travel documents and identity documents are not returned to beneficiaries of refugee status.

## Other documents

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Applicants for international protection are expected to provide not only identity documents but also any other documents that can support their application (Article 12 and Article 37 (1 et 2) of the amended Asylum Law). This includes documents related to personal history, travel, or any evidence pertinent to the asylum claim. During the application process, particularly at the initial interview, applicants are asked to present all documents in their possession that may contain useful information.

While the refusal to submit such documents does not automatically lead to the rejection of an application, it can impact the assessment. Applicants are expected to make a genuine effort to substantiate their claims. Failure to provide necessary documents without a valid reason may affect the credibility of the application and the ability of authorities to make a well-informed decision.

The documents are returned to the applicant upon granting of refugee status or subsidiary protection. In cases where both refugee status and subsidiary protection are refused, the documents are returned to the applicant at the time of their removal from the territory.

As of now, the national administration does not employ a fully paperless procedure for the submission of documents in the international protection process. Physical submission of forms and supporting documents is required during the application process, either by the applicant themselves, through their legal representative, or via post.

### Requirement to read digital data

In Luxembourg, the search of mobile phones/tablets of applicants for international protection is permitted under Article 12 (5) of the amended Asylum Law. This article states that, if necessary, the agents of the Judicial Police, who according to the amended Asylum Law are in charge of carrying out any checks necessary to establish the applicant's identity and travel itinerary and who take the applicant's fingerprints, and draw up a report, may carry out a body search of the applicant and a search of the objects s/he is carrying. Any object useful to the examination of the application may be withheld against receipt.

Furthermore, the Administrative Tribunal ruled in a judgment of 28 July 2021 that although this article only refers to "*objects*" and does not explicitly state that a mobile phone can be qualified as an "*object*", the article must be understood to

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

include mobile phones and the Judicial Police can therefore, if necessary, search a mobile phone carried by an applicant for international protection in accordance with Article 12(5) of the amended Asylum Law.

As for the other documents, while the refusal to surrender or unlock a digital device does not automatically lead to the rejection of an application, it can impact the assessment. Applicants are expected to make a genuine effort to cooperate with the Minister. Failure to do so may affect the credibility of the application and the ability of authorities to make a well-informed decision.

# Guarantees for applicants

### Confidentiality principle

During the registration procedure of the application for international protection, the applicant is interviewed by an officer of the Grand-Ducal Police under conditions that guarantee confidentiality.

### Information provision

According to article 4(2) of the amended Asylum Law, the officers at the Airport Control Service, the Grand Ducal Police, the officers of the detention centre and of the penitentiary center, all receive the relevant information by the Minister for the performance of their duties, responsibilities and instructions. They are also trained for these purposes. In turn, they provide applicants with information on where and how the application for international protection can be lodged.

During registration at the Department for Refugees, all applicants are given an explanatory information document concerning applications for international protection, including information on their duties and obligations. Applicants are informed about a dedicated website that provides extensive information on the asylum process, including resources related to housing, education, and various social services. However, this website is accessible only from within the Luxembourgish territory due to geo-blocking measures.

### Interpretation

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Applicants for international protection in Luxembourg are informed, at the time of registering their application, that they are entitled to receive free interpretation services throughout the procedure. This right applies if their native language is not French, German, or English, or if effective communication cannot be ensured in a language they understand adequately.

Interpretation is provided by an interpreter appointed by the General Department of immigration; applicants are not permitted to bring their own interpreter, in order to guarantee neutrality and consistency in the procedure.

The appointed interpreter is bound by strict confidentiality obligations and is required to act with complete impartiality. Their sole role is to facilitate communication between the applicant and the authorities; they have no influence over the outcome of the application.

Interpretation during the international protection procedure in Luxembourg is provided in person, so far, remote interpretation has not been used.

According to article 8 of the amended Asylum Law, interpretation is also available to individuals detained in detention facilities or present at border crossing points, transit zones at external borders.

### Legal assistance and representation

The amended Asylum Law mentions under Article 17 specific provisions for free legal assistance and representation for first and second instance determination as well as its limitations.

In Luxembourg, legal aid and representation are provided free of charge for applicants for the entire duration of the international protection procedure. In fact, applicants have the right to receive assistance upon request and to be represented during the making/registering/lodging of their application, as well as during their personal interview and possible appeal proceedings. They may be represented by a lawyer appointed by the President of the Bar Association, free of charge, in accordance with the conditions and procedures set forth in Section 37-1 of the amended Act of 10 August 1991 on the Legal Profession. Free legal aid and representation are granted exclusively within the scope of the proceedings of international protection and do not extend to any other judicial or

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

administrative appeals. When arriving in Luxembourg, each applicant receives a list of lawyers who specialize in immigration matters and who are willing to take on clients. The applicants are of course also free to contact lawyers whose names are not provided on the list.

The amended Asylum Law mentions under Article 17 specific provisions for free legal assistance and representation for first and second instance determination as well as its limitations.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.