



Social security as a fundamental right – The right to social security in Luxemburg

Technical seminar

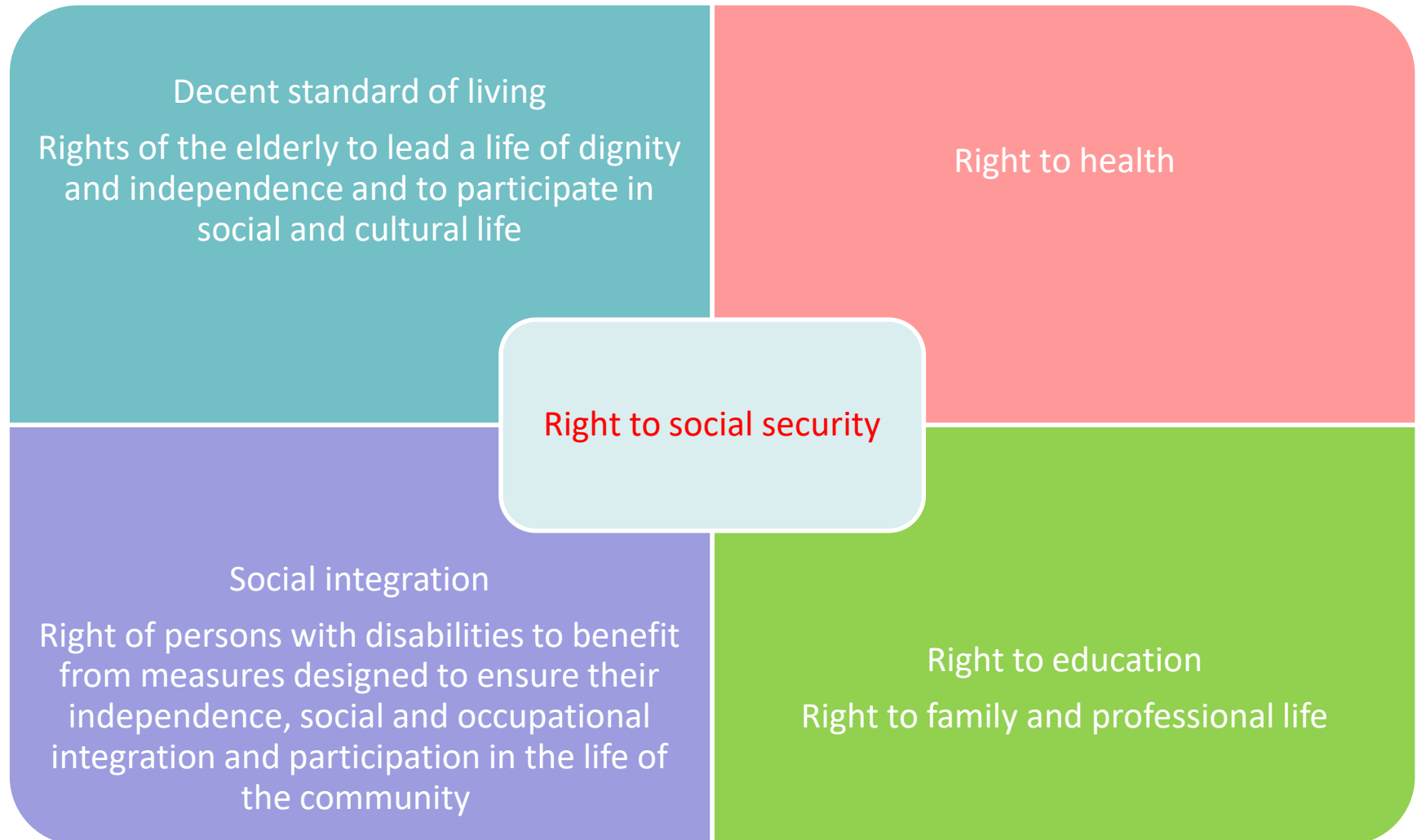
8-9 June 2023

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LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de la Sécurité sociale

Inspection générale de la sécurité sociale





International
legislation
UNO / Council
of Europe / ILO

European
Union
legislation

National law

Universal Declaration of Human Rights (1948):
*«Everyone, as a member of society, has the right
to social security ».*



Constitution (1 July 2023)

- Right entered in 1948.
- Article 34 : 'The principles of social security, health protection and workers' rights are regulated by law.' (*La sécurité sociale, la protection de la santé et les droits des travailleurs sont réglés par la loi quant à leurs principes.*)

Law

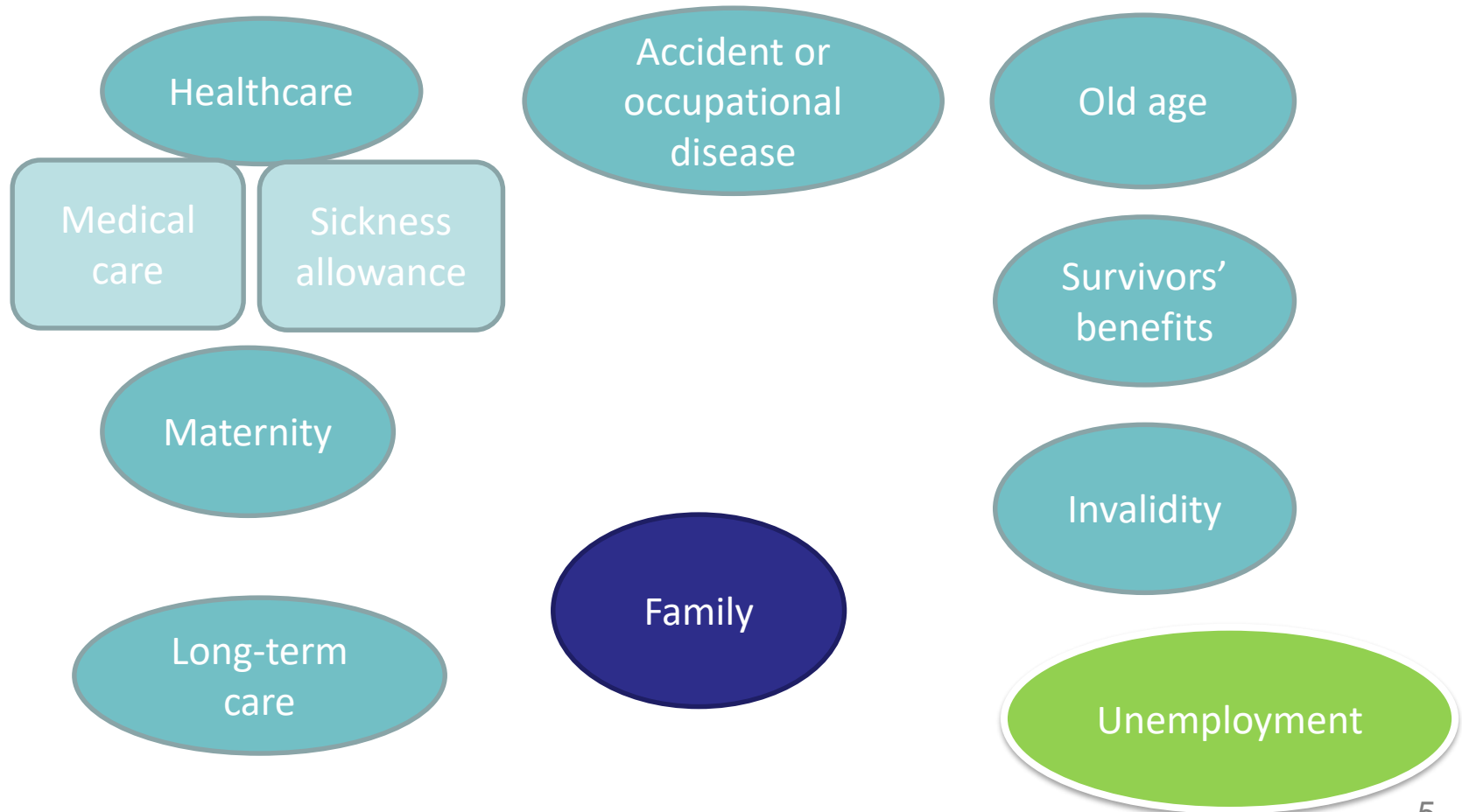
- Social Security Code
- Labour code

Implementing measures

- Regulations by the executive power: Règlements grand-ducaux
- Participatory management: Statutes and conventions by the Social security institutions



Social Security (Minimum Standards), ILO Convention No 102,
1952 :





Law structured by branches:

1. Covered population
2. Scope
3. Financing
4. Organisation and management

1. Covered population



Compulsory insurance – professional activity

- Employees (wage-earners)
- Self-employed
- Civil servants
- Detachment
- Sailors
- Workers with disabilities
- Family helper
- Artists
- Cooperation mission
- Members of Parliament
- Members of religious associations
- Peacekeeping missions

Compulsory insurance – without professional activity

- Co-insurance
- Pensioners
- Unemployment benefit recipients
- Social assistance beneficiaries
- Parental leave
- Beneficiaries of a special allowance for the severely disabled

- Children without other protection
- Army and police
- Volunteering
- Elite athletes
- Diplomatic representation

Voluntary insurance

- Two types:
 - Continued
 - Optional

2. Scope



Benefits in
kind

i.e. Medical care

Replacement
benefits

i.e. Sickness allowances / Maternity benefits

Complementary
benefits

i.e. Family benefits

Compensating
benefits

i.e. Accident or occupational illness



Contributions (« Cotisations »)

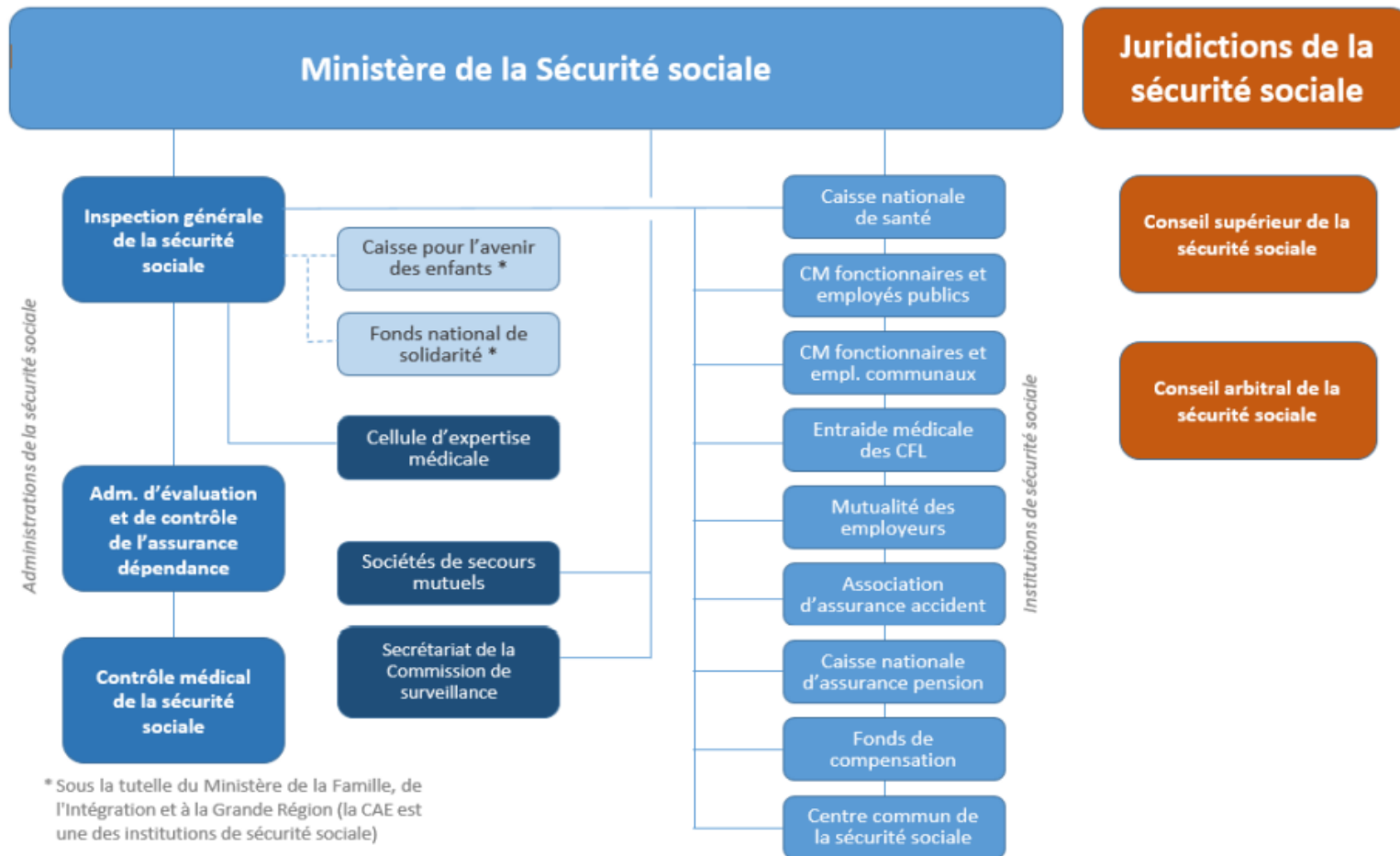
- Uniform contribution rate
- Rate specific to branch
- Rate covers both expenditure of the risk and allocation to the reserve
- Rate is paid by insured persons and employers (except for long-term care)
- Professional income

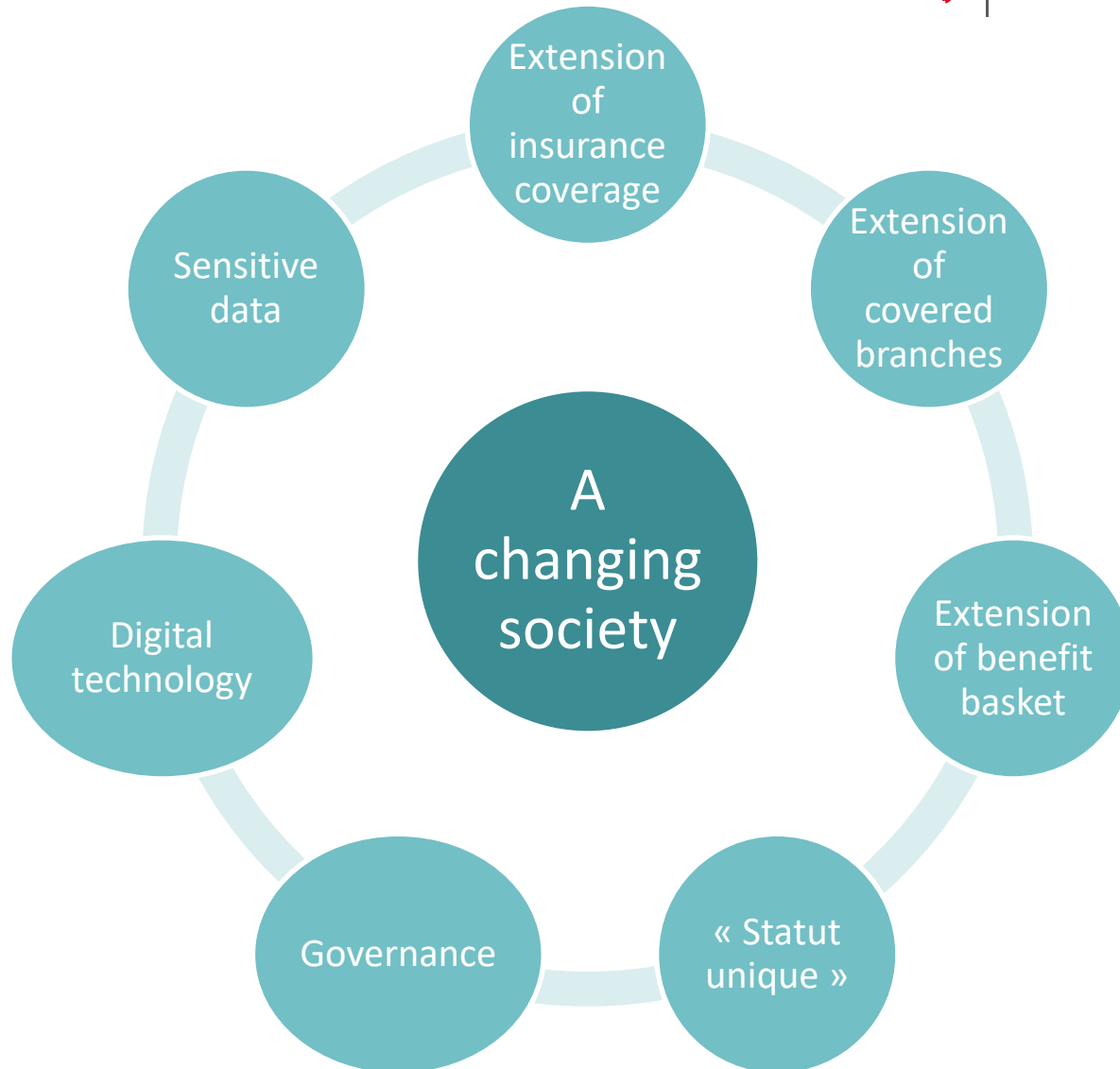
State contribution

- Different types of payments:
 - Direct payment of services
 - Lump sum contribution
- Deficit coverage
- Allocations from the general government budget (taxes)

Load sharing: three-party model

4. Organisation and management







Thank you