

NATIONAL REPORT – LUXEMBOURG

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1 GENERAL INFORMATION ABOUT VOLUNTEERING IN LUXEMBOURG

When discussing volunteering in Luxembourg, there are two important factors that should be taken into account:

- Until the international year of volunteering organised by the United Nations (UN) in 2001, volunteering in Luxembourg was not recognised as an important social phenomenon by the government. It gained its present status as a result of the 2001 event; and,
- Until 2003 the country did not have a university, therefore no academic social research has been done in the country prior to that year.

As a consequence, there is very little literature on volunteering in Luxembourg and statistical data is only provided in a limited number of research papers, mainly published by the Centre for European Policy Studies (CEPS). Whilst, in view of filling research gaps, interviews have been carried out with the main national stakeholders as well as one volunteer organisation, the scope of the data included in this report is limited and only covers what has been a subject of research thus far.

1.1 History and contextual background

In the context of the study '*Volunteering Across Europe 2008 – Research year III*¹ carried out by the national volunteer support centres and coordinated by SPES in Italy, an attempt was made to draft an evolution of the sector by topic area. The following information is based on the information provided by 10 federations, members of the Association of Volunteering (Association du Bénévolat au Luxembourg) and 145 non-profit organisations.

Before 1900: the foundations

Luxembourg is a small country with 493,500 inhabitants in 2009 and it is divided into three districts, which are further divided into 12 cantons and 116 communes. As a result of its size, social relations in villages have always been characterised by solidarity and mutual assistance, thus contributing to the creation of a large number of very small (ranging from 5 to 20 people) groups dedicated to addressing their communities' issues.

The first two such groups to receive legal status were cultural groups, with the creation in 1863 of the Federation of Cultural Organisations, and the firemen with the creation of the Firemen Federation in 1883.

Additionally, as Luxembourg is a Catholic country, members of the churches have traditionally been engaging in voluntary activities on behalf of their parishes in the fields of welfare and immigration.

1900 – 2000: the development of non-profit organisations

The non-profit sector in Luxembourg did not develop significantly before the beginning of the 1960s with the emergence of organisations responding to specific needs such as third world aid as well as support for migrants, disabled people and elder people. Nonetheless, the different sectors have developed at very different paces:

- Youth – the Scout organisations have been active since 1908;

¹ Reger-Beau N., *Volunteering across Europe 2008 – Research Year III*, SPES, 2008

- Sport – the first sport federations were created as early as the beginning of the century, such as football in 1908 and cyclists in 1917;
- Service clubs – a number of service clubs characterised by their philanthropic goals were created in the early 1900s;
- Environment – the first federation, Coin de Terre et de Foyer, was created in 1928;
- Immigration – the first non-profit organisation in the immigration sector, Amitié Portugal-Luxembourg, was created in 1965 to help Portuguese and Italian migrants upon their arrival into the country;
- Women – Action Catholique des Femmes was created in 1946; and,
- Church – since the arrival of Italian immigrants, the Italian Catholic church set up reception and support facilities to facilitate their integration into the country. It established its seat in 1903 in Esch-sur-Alzette, a prominent steel and iron industry city.

These organisations acquired the status of 'non-profit organisations' after the law of 21 April 1928 on non-profit organisations (see section 3.8 for more details) was passed, granting non-profit organisations the possibility to become Associations Sans But Lucratif (ASBL).

2001 – 2008: emergence of volunteering in the national agenda

The International Year of Volunteering, organised in 2001, marked a cornerstone in Luxembourg in relation to the perception of volunteering by the national government. Significant awareness-raising on the scope and extent of the phenomenon led to the creation of the three main national bodies responsible for promoting volunteering (see Section 2.1 for more details):

- High Council for Volunteers (Conseil Supérieur du Bénévolat);
- Association for Volunteering (Association du Bénévolat Luxembourg); and,
- Voluntary Agency (Agence du Bénévolat).

Furthermore, the official Charter for Volunteering was published in 2001, where a first definition of 'bénévolat' was drafted.

Since these developments, the voluntary sector in Luxembourg has significantly increased, with 2,300 non-profit organisations registered with the Volunteering Agency, and volunteers can now receive training in the context of the activities they undertake as well as incentives to encourage more involvement.

1.2 Definitions

In Luxembourg, there is a distinction between 'bénévolat' and 'volontariat'.

Bénévolat

'Bénévolat' is defined as a freely chosen engagement, without financial remuneration, in an activity for the benefit of another or the community. It must occur within the structures of an organisation, and outside normal family relations or those based on friendship.²

This definition explicitly excludes volunteering in relation to family and friends, which is described as "interpersonal bénévolat" – work, support or care undertaken for the benefit of

² Charte Luxembourgeoise du Bénévolat : «Le bénévole est celui qui s'engage de son plein gré, sans toucher de rémunération au sens monétaire du terme, dans une action au service d'un tiers ou de la communauté. Le bénévolat est l'engagement libre et gratuit de personnes qui agissent pour d'autres ou pour l'intérêt collectif, dans une structure débordant celle de la simple entraide familiale ou amicale»

other people such as family, friends, neighbours or other relations. This type of bénévolat responds to a family or friendship need or obligation, and is sometimes characterised by

Two different kinds of bénévolat were identified in key studies on bénévolat³:

- Associative bénévolat – active bénévolat for an association; and,
- Interpersonal bénévolat – work, support or care undertaken for the benefit of other people such as family, friends, neighbours or other relations. This type of bénévolat responds to a family or friendship need or obligation, and is sometimes characterised by an exchange that does not correspond to the objectives of the associative bénévolat.

Volontariat

The concept of 'volontariat', on the other hand, was more recently defined by the establishment of the 1999 Law on Voluntary Service and exclusively refers to a person who carries out voluntary service. The Voluntary Service is the group of activities of general interest, i.e. activities of a social or humanitarian nature that encourage intercultural understanding and solidarity, performed by natural persons under the following circumstances:

- That activities have no professional character;
- That the decision to volunteer was taken freely by the young person;
- That they are developed in the framework of non-profit, non-governmental organisations;
- That they do not substitute for professional, paid labour; and,
- That they are non-paid with the exception of the reimbursement of eventual expenses⁴.

These activities are different from the bénévolat in that the volunteer engages in a well defined project within a given period of time (between three and twelve months).

1.3 Number and profile of volunteers

As mentioned in the introduction, in Luxembourg there are no official national statistics on bénévolat and volontariat.

For the purpose of this report, research studies carried out in the Centre of European Policy Studies were used as a source for statistics on bénévolat⁵:

- Lejealle B., *Le travail bénévole au Luxembourg en 2001*, CEPS/INSTEAD, 2001
- Lejealle B., *Participation a la vie associative au Luxembourg en 2001*, CEPS/INSTEAD, 2001
- Breulheid S. and Genevois A., *Bénévolat, activités sportives et artistiques: des pratiques encore timides*, CEPS/INSTEAD, 2003

These three studies are based on surveys carried out on the CEPS's Socio-Economic Panel "Liewen zu Lëtzebuerg". This panel is a sample of households and individuals

³ Lejealle B., *Le travail bénévole au Luxembourg en 2001*, CEPS/INSTEAD, 2001, p.2

⁴ European Volunteer Centre and Association of Voluntary Service Organisation, *Country Report on the Legal Status of Volunteers in Luxembourg*, Brussels, 2005, p.4

⁵ These studies can be found on the website of the Agence du Volontariat and were quoted by national stakeholders interviewed for the purpose of this study

affiliated to the social security system and represent Luxembourg's population⁶. The methodology used for these studies, however, is different:

- **Study 1:** '*Le travail bénévole au Luxembourg en 2001*' only took into account the adult population⁷ of the sample (excluding students) but distinguished in its research between the two different types of bénévolat (inter-personal/associative);
- **Study 2:** '*La participation a la vie associative au Luxembourg en 2001*' analysed all the groups in the sample (i.e. all ages) but looked at participation in associations' activities, as members of the association benefiting from the services and goods provided by the association, or active members who can engage in voluntary activities as bénévoles. It considers that membership is often a first step towards volunteering; therefore the data gives an indication on the potential level of volunteering in the country; and,
- **Study 3:** '*Bénévolat, activités sportives et artistiques: des pratiques encore timides*' only took into account the adult population⁸ of the sample (excluding students).

It is important to note that none of the two studies identified included information on the profile of volunteers by employment status.

Total number of volunteers

Study 1 on voluntary work revealed that 30% of the adult population in Luxembourg regularly engaged in voluntary activities. More specifically, 15% of the sample was engaged in relational volunteering whilst 18% was carrying out voluntary activities as members of a voluntary association.⁹

In 2001, Study 2 on associative life revealed that 36% of the population surveyed regularly take part in the activities of an association.¹⁰

In 2003, Study 3 indicates that 21% of the adult population from the sample engages in voluntary activities.

Trend

Study 1 compared its results with the results from a previous similar study and revealed that the share of volunteers in the adult population has increased since 1997:

- Overall, the share has increased from 25% in 1997, to 30% in 2001;
- In relation to relational volunteering, it has increased from 10% to 15%; and,
- With regard to organisational volunteering, the share of adults engaged in volunteering activities has remained stable around 18%.

It might be worth noting, however, that the increase in relational volunteering may not be a result of an increase *per se*, but could also be due to a better census of the surveyed

⁶ Lejealle B., *Le travail bénévole au Luxembourg en 2001*, CEPS/INSTEAD, 2001, p.2

⁷ For the purpose of this study, an adult is defined by the following characteristics: he/she is 16 and older and he/she is not a student anymore. Consequently, this also excludes students.

⁸ For the purpose of this study, an adult is defined by the following characteristics: he/she is 16 and older and he/she is not a student anymore. Consequently, this also excludes students.

⁹ Given that an individual can carry out voluntary work in an association whilst providing support or care undertaken for the benefit of other people such as family, friends, neighbours or other relations, the sum of the percentages of « relational » bénévoles and associative bénévoles is higher than the total share of volunteers in general (30%).

¹⁰ Lejealle B., *Participation à la vie associative au Luxembourg en 2001*, CEPS/INSTEAD, 2001, p.2

persons as a consequence of more recognition being given to care and support of other people.

Whilst the number of volunteers has increased between 1997 and 2001, Study 3 revealed that, based on the same sample, the number of volunteers has decreased from 30% in 2001 to 21% in 2003. The reasons for this decrease are illustrated in Section 8.1.

Gender

The difference of involvement between men and women is visible in the higher percentage of women engaged in relational volunteering (18% against 12% of men), as identified in Study 1. Men tend to engage in associative volunteering more than women (20% against 16%).

Men are also more likely to be members of an association. Study 2 shows that 40% of men in the sample population take part in the activities of an association, against 30% of women.

Age groups

Data on age groups is only available in Study 2, which provides information on the participation in associations as member, or active volunteer. The distribution of the population surveyed is as follows:

- 0 to 5 years old – 10% of people in this age group regularly take part in associative activities;
- 6 to 16 years old – 60%
- 16 to 25 years old – 40%;
- 26 to 35 years old – around 35%;
- 36 to 45 years old – around 38%;
- 46 to 55 years old – around 37% s;
- 56 to 65 years old – around 36%; and,
- 66 years old and above – 30%.

In Luxembourg, a high share of young people takes part in associative activities, in particular between 6 and 15. They are essentially involved in sport activities (60%).

Education levels

Study 3 indicates that the proportion of volunteers increases proportionally with the level of education: 15% of the people who only hold a secondary school degree engage in voluntary activities, whilst this proportion increases to 23% for people who hold a higher education diploma and to 31% for people who hold additional diplomas¹¹.

Study 2 revealed that the level of involvement of the population surveyed in associative activities appears to increase with the level of school education: the lowest level of involvement can be found amongst individuals with primary education level (around 20%); whereas the participation of individuals holding higher education diplomas is nearly 50%.

¹¹ Breulheid S. and Genevois A., *Bénévolat, activités sportives et artistiques : des pratiques encore timides*, CEPS/INSTEAD, 2003, p.1

Volunteer involvement by sectors

Study 1 reveals that people who engage in voluntary activities in associations predominantly engage in cultural (5%), sportive (4.3%) and social (3.9%) activities (see table below). Women appear to prefer social (in particular women's organisations or childhood organisations) or cultural (singing, music, theatre, tourism, educational work) activities, whilst men tend to engage in sport (especially football) or cultural activities.

Table 1-1 Number of volunteers per sector

Type de bénévolat	Ensemble	Hommes	Femmes
Bénévolat associatif	17,9	20,1	15,8
Humanitaire	1,8	1,7	1,8
Pompiers, protection civile	1,3	2,1	0,5
Social	3,9	2,3	5,5
Religieux	1,7	1,3	2,1
Nature et animaux	0,8	1,2	0,4
Culturel	5,0	6,2	3,8
Sportif	4,3	6,4	2,2
Autres*	2,4	3,0	1,9
Bénévolat relationnel	15,1	12,2	18,0
Soins et aides à des membres de famille vivant dans le ménage	1,6	1,3	1,9
Soins et aides à des membres de famille ne vivant pas dans le ménage	10,7	8,2	13,1
Soins et aides à des voisins, amis, connaissances	4,8	4,4	5,2
Ensemble	30,0	29,5	30,4

Source : PSELL 2001 - CEPS/Instead

Time dedicated to volunteering

Study 1 shows that the surveyed population volunteered the following number of hours per sector (on average per week):

- Firemen and civil protection – 6h57;
- Social – 5h22;
- Sportive – 4h56;
- Humanitarian – 4h43;
- Nature and animals – 4h38;
- Cultural – 4h31;
- Other – 4h26; and,
- Religious – 4h20.

With regard to relational volunteering, the findings suggest that: 15h17 are dedicated to care/support to family within the household; 9h33 are dedicated to care/support to family outside the household; and, 5h09 are dedicated to care/support to neighbours, friends and relations.

1.4 Number and types of organisations engaging volunteers

Similar to the situation with the number and trends of volunteers, there is no information at national level regarding the number and type of voluntary organisations (bénévolat). Whilst stakeholders' consultation has contributed to revealing that the voluntary sector in Luxembourg is characterised by a high number of very small organisations, it is, however, not possible to determine exact numbers and trends.

Definition of voluntary organisations in Luxembourg

In Luxembourg, there is no legislative framework for **bénévolat organisations**, therefore there is no national definition of such organisation. Nonetheless, at the outcome of the International Year of Volunteering, the Charter of Volunteering was drafted and defined, setting out how these organisations should operate. Thus, any not for profit organisation which works with volunteers ought to ensure that it¹²:

- wholeheartedly welcomes any volunteer as a member of the team
- gives him or her clear information about the association and its objectives and how it operates
- entrusts volunteers with activities that are in keeping with their skills, availability and priorities
- ensures that there is no encroachment upon the clearly defined tasks entrusted to each person
- makes certain that the volunteer is able to perform his duties in an appropriate environment
- provides volunteers with adequate supervision and, if necessary, offers them training
- provides adequate insurance for volunteers
- reimburses the incurred expenses in situations where it is necessary to enable everyone to be in a position to make a commitment to voluntary work

On the other hand, **voluntary organisations** (organisations de volontariat) are regulated by the 1999 Law on Voluntary Service which defines the conditions required to qualify as such:

- They must be non-profit associations or foundations established under the Law of 21 of April 1928, as subsequently amended; or,
- They must be an entity created by virtue of *lex specialis* to develop activities of general interest.

Number of voluntary organisations and distribution per sector

As mentioned in Section 1, at present there are 2,300 non-profit organisations registered with the Voluntary Agency. This estimate, however, excludes any organisation that may not have registered yet with the Agency. With regard to the distribution of voluntary organisations per sector, no studies have so far estimated the distribution of voluntary organisations operating in Luxembourg per sector.

In addition to the issues mentioned in the introduction of this report, stakeholders indicated that the lack of research in this area can also be attributed to the challenge it constitutes: a large number of voluntary organisations is believed to constitute very small groups of people working within their communities (between 5 and 20) and they are not systematically registered as ASBL (which would allow better tracking, as records are kept). Carrying out such research would require a significant amount of resources and would therefore need to be commissioned by the government.

Similarly, there is no data available to determine the trend in the number of voluntary organisations operating in Luxembourg.

¹² Official Charter for Volunteer Work , International Year of Volunteering 2001, Ministry of Family and Integration

Types of organisations engaging volunteers

It is important to note that in Luxembourg, non-profit organisations can register as non-profit organisations and be subject to an umbrella law: **law of 21 April 1928 on non-profit associations (ASBL)**. This law defines a non-profit organisation as an organisation 'that does not undertake industrial or commercial operations, or that does not aim at giving to its members any material gain'¹³. Therefore, aside from de facto organisations, all other types of organisations mentioned below can register as ASBL.

De facto organisations – Associations or groupings that have no judicial status because they either are too small or simply do not wish to register as 'ASBL'. As a consequence, they generally do not benefit from subsidies by the government or the communes. It is worth noting, however, that members are bound to the organisation by a contract.

Foundations – Establishments working towards philanthropic, social, religious, scientific, artistic, educational and sportive goals. They are created by notary's acts or through wills. In the latter case, however, the heirs or the executor have to communicate the deceased statement to the Ministry of Justice for approval. Foundations must be registered with the Register of Business and Companies.

Non-governmental organisations – Created to pursue specific aims (such as environmental protection) or to describe organisations that are active in development cooperation.

Agricultural societies – Created to allow farmers to buy common agricultural material and facilitate the sale of their products. The biggest agricultural society is the League Luxembourgeoise du Coin de Terre et du Foyer which was founded in 1928 to advise people in the environment sector.

Agencies - Managed by non-profit organisations (e.g. Agence du Bénévolat, Agence Culturelle etc.).

1.5 Main voluntary activities

The main activities carried out by volunteers in Luxembourg are considered to be 'field work'. In general, few volunteers carry out administrative tasks, and they are instead required to provide activities such as:

- Counselling and orientation – in the field of social assistance;
- Supervision of activities and camps – in the field of youth, sport, music and other areas of leisure; and,
- First aid – in the field of civil protection.

This specific tendency to assign volunteers essentially to field work can be partly explained by two main factors:

- A large number of organisations are very small, therefore administrative tasks are performed by a limited number of people (or core staff) and volunteers are sent in the field; and,
- In order to qualify for government agreements, which allow voluntary organisations to receive funds, these organisations are required to fulfil certain criteria, including a minimum number of paid staff¹⁴. Given the small size of the organisations, this

¹³ http://www.legilux.public.lu/leg/textescoordonnes/recueils/recueil_societes/IV_ASBL.pdf

¹⁴ Reger-Beau N., *Volunteering across Europe 2008 – Research Year III*, Italian Volunteer Support Centres, 2008, p.21

minimum number can easily represent a large share of the overall human resources and therefore remaining volunteers are often assigned to the field work.

2 INSTITUTIONAL FRAMEWORK

2.1 Main public bodies and other organisations involved in volunteering

2.1.1 *Main public body responsible for volunteering*

The main public body responsible for the voluntary sector in Luxembourg is the **Ministry of Family and Integration**. It is responsible for¹⁵:

- The implementation of the legislative framework of the sector;
- Determining the yearly national budget allocated to the sector; and,
- The creation and implementation of the main bodies responsible for promotion of, and cooperation for, volunteering.

2.1.2 *Other public bodies involved in volunteering*

The **Superior Council for Volunteering** (Conseil Supérieur du Bénévolat) was created by the government in 2002. Its mission is to provide policy support to the Ministry of Family and Integration, draft opinions on matters related to the voluntary sector and suggest initiatives to support and develop the sector¹⁶.

More specifically, its main activities include:

- Ensuring the adequate advertisement of all the government's measures for the benefit of citizens' voluntary engagement and the organisations relying on volunteer work;
- Advising policy makers on matters of promotion and support, both at national and local level, of the voluntary sector;
- Promoting the recognition, support and coordination of initiatives targeted at the voluntary sector;
- Drawing up, under its own initiative, measures aimed at developing the sector;
- Promoting initiatives, such as the Agence du Bénévolat, and following up their development; and,
- Promoting the exchange of volunteers of all ages at regional, community and international level.

2.1.3 *Organisations that promote volunteering, facilitate cooperation and exchange of information*

The main organisation responsible for promoting the voluntary sector in Luxembourg is the **Luxembourg Bénévolat Association** (Association du Bénévolat Luxembourg), created in 2001, during the International Year of Volunteering, following a widespread recognition in Luxembourg of the role of the voluntary sector in society. Its aim is to promote initiatives in the voluntary sector, in particular through the establishment and management of the Bénévolat Agency (Agence du Bénévolat). It is mandated to support and assist morally or

¹⁵ Information collected through the stakeholder consultation

¹⁶ <http://www.benevolat.public.lu/fr/cadre-organisationnel/conseil-superieur-benevolat/index.html>

materially associations, organisations, projects and people sharing its goal (e.g. the bénévolat scholarship)¹⁷.

The **Bénévolat Agency** is therefore the operational structure of the Bénévolat Association and was established in June 2003. Its main activities include¹⁸:

- Receiving, informing and orientating the volunteers (bénévoles) of all age groups and nationalities;
- Serving as a communication platform between bénévoles and associations working with bénévoles;
- Providing support to organisations managing bénévoles by offering them a platform for exchange and training; and,
- Raising awareness.

Finally, the Organisations Support Unit was recently created to complement the Bénévolat Agency by providing practical support to voluntary organisations. Its main services include¹⁹:

- Information offices (administrative, institutional and legislative);
- Rental of moderation material and library;
- Training;
- Support and organisation of meetings;
- An Exchange platform for organisations;
- Manual for organisations; and,
- Mailing.

Affiliation with European umbrella organisations/networks

In Luxembourg, the majority of voluntary organisations are affiliated to European umbrella organisations indirectly through their membership to the Voluntary Agency which is itself affiliated to the European Volunteer Centre.

2.2 Policies

2.2.1 National strategy/framework for volunteering

As previously mentioned, volunteering did not feature in the national agenda in Luxembourg until the International Year of Volunteering in 2001. The main developments that have followed this event have been the **creation of an institutional framework for the promotion of volunteering** (with the creation of the agencies and council) and the drafting of the **Volunteering Charter**. These have been particularly important as they have provided a context within which volunteering could evolve in a more organised and monitored manner.

Through the development of this framework, however, stakeholders have realised that there still appears to be a lack of clarity as to who can qualify as a volunteer. This is mainly due to the fact that the foundation for the volunteer sector in Luxembourg is the law from 21 April 1928, which defines ASBL only, and not the sector of bénévolat specifically.

¹⁷ <http://www.benevolat.public.lu/fr/cadre-organisationnel/association-benevolat/index.html>

¹⁸ <http://www.benevolat.public.lu/fr/cadre-organisationnel/agence-benevolat/index.html>

¹⁹ <http://www.benevolat.public.lu/fr/cadre-organisationnel/cellule-appui-associations/index.html>

The priority in the agenda for the coming months preceding the European Year of Volunteering is therefore to revise this piece of legislation (bill 60/54) in order to redefine voluntary organisations and the definition of a volunteer.

2.2.2 National targets and reporting arrangements for volunteering

Since the emergence of volunteering as a topic area in the national agenda is a recent phenomenon, no national targets or reporting arrangements have yet been set up.

2.2.3 International policies

As illustrated in the previous sections, it is clear that international events organised to promote volunteering in Member States have had a significant impact on the sector in Luxembourg:

- The International Year of Volunteering in 2001 led to the creation of an institutional framework; and,
- In the context of the upcoming European Year of Volunteering in 2011, Luxembourg is revising its legislation in the area in order to better define the sector.

2.3 Programmes

Luxembourg is divided into three districts (Diekirch, Grevenmacher and Luxembourg) which have no legislative or policy mandates. All policies and programmes are therefore elaborated and implemented at national level.

2.3.1 Key national programmes that stimulate volunteering (*bénévolat*) at national level

The 'congés'

The main national programme aimed at stimulating volunteering is the '**leave**' programme (*congé*). The '*congés*' give the option to those who work full time and (wish to) take part in voluntary activities of taking annual leave days *in addition to the days offered by their employer* in order to carry out activities or training sessions related to the type of volunteer activities they are/wish to be involved in. To date, there have been five types of '*congés*':

- Cultural – artists and cultural experts as well as representatives of cultural workers' federations, unions and associations who reside in Luxembourg and carry out these activities as hobbies alongside their normal employment, are entitled to take a total of 60 leave days in their professional career to participate in high level cultural demonstrations (only 20 days over a two years period can be taken each time)²⁰;
- International development cooperation – NGO members are entitled to take six leave days a year to participate in development programmes and projects aimed at providing support to inhabitants of developing countries (these activities can be carried out both inside and outside Luxembourg)²¹;
- Youth – people responsible for youth activities are allowed to take a total of 60 leave days in their professional career to participate in internships, day or week courses, sessions or meetings as well as youth camps²²;
- Civil protection – people carrying out voluntary activities in the fire and first aid departments are entitled to take a total of 42 leave days to carry out or participate in training courses in the framework of their voluntary activity (only 7 days a year can be

²⁰ <http://www.benevolat.public.lu/fr/conseils-associations/conges/conge-culturel/index.html>

²¹ <http://www.benevolat.public.lu/fr/conseils-associations/conges/conge-ongd/index.html>

²² <http://www.benevolat.public.lu/fr/conseils-associations/conges/conge-jeunesse/index.html>

taken each time). This option is also available for people undertaking these activities and wishing to participate in a humanitarian mission requiring their services²³; and,

- Sport – high level sportsmen/women as well as managers/organisers and referees are entitled to take 12 leave days a year to carry out their activities. There can, however, be derogations to this rule for high level members of the Olympic Committee (30 days), team sports (25 days), Olympic athletes (75 days) and organisation management (25 days)²⁴.

Cheque Service-Accueil

Additionally, the Ministry of Family and Integration implemented in 2009 a 'service/reception cheque' programme (cheque service accueil²⁵). Initially, it had been implemented to provide extra-school support and promote the development of children. It gives children, regardless of the income of their parents, the right to benefit from a minimum of three hours a week of free childcare and a further 21 hours at reduced rate (maximum €3 per hour).

This option was extended in September 2009 to voluntary organisations in the sport and music sector²⁶: organisations in these sectors will benefit from financial support from the government, which will be allocated according to a determined number of hours per year and the number of children participating (i.e. number of children*number of hours*average cost to provide the classes per child). The Ministry will limit the financial allocation per voluntary organisation to €810 per child and per organisation in the music sector and €405 per children and per organisation in the sport sector.

The purpose of extending the 'chèques-services accueil' to the sport sector was to provide financial assistance to sport clubs, particularly community ones, whose survival was threatened by the lack of funds to provide infrastructure. Because sport clubs in Luxembourg depend heavily on volunteers, the assistance provided to these clubs will also ensure that volunteers still have an organisation and structure to manage and donate their time to. Therefore, this initiative contributes indirectly to supporting volunteering in sport.

The 'teamkaart'

Finally, the Ministry of Family and Integration created the '**Carte du bénévole**' or 'teamkaart' (volunteer card) which is delivered to all young people between 14 and 26 years old, who have been engaged in activities of bénévolat for more than a year and for a minimum of two hours a week. It allows them to benefit from a number of advantages such as price reduction on cinema tickets, travel, beauty treatments, restaurants and shopping in a selected number of stores²⁷. It is currently being debated whether a similar card should also be created for adults engaging in activities of bénévolat.

2.3.2 Key national programmes that stimulate volunteering (volontariat) at national level

Three types of 'volontariat' have been created in Luxembourg in order to provide a wider range of opportunities to young people in the country²⁸:

- The European Voluntary Service (EVS) – see below for description

²³ <http://www.benevolat.public.lu/fr/conseils-associations/conges/conge-volontaires-services-incendie/index.html>

²⁴ <http://www.benevolat.public.lu/fr/conseils-associations/conges/conge-sportif/index.html>

²⁵ Ministry of family and integration: <http://www.cheque-service.lu/>

²⁶ Ministry of family and integration: <http://www.gouvernement.lu/dossiers/famille/cheques-services/index.html>

²⁷ <http://www.teamkaart.lu/>

²⁸ National Youth Service : <http://www.snj.public.lu/services/unite-pedagogique/coordination-sv/index.html>

- The **orientation volontariat** – allows students who have just graduated to undertake six months of voluntary work in an organisation in order to determine what they are interested in and which career path they would like to follow; and,
- The **cooperation volontariat** – allows young people, between 18 and 30 years old, to engage in voluntary projects in developing countries for a determined period of time (between 3 and 12 months).

2.3.3 *Programmes promoting/supporting volunteering at transnational level*

At transnational level, in addition to all the previous 'congés' which can be taken to undertake activities inside or outside of Luxembourg, there is also the possibility to undertake the European Voluntary Service. It provides young Europeans with the unique chance to express their personal commitment through unpaid and full-time voluntary activities in a foreign country within or outside the EU. In this way, it seeks to develop solidarity, mutual understanding and tolerance amongst young people, thus contributing to reinforcing social cohesion in the European Union and to promoting young people's active citizenship²⁹.

3 REGULATORY FRAMEWORK

3.1 General legal framework

3.1.1 *Specific legal framework which exists with respect to volunteering*

As mentioned previously, the bénévolat sector in Luxembourg is based on the **law of 21 April 1928 on non-profit associations (ASBL)**. It defines the aim of ASBL, what criteria an organisation should fulfil in order to qualify as such, as well as all the formalities and obligations binding these organisations³⁰.

Additionally, there are three sets of laws related to the development of the bénévolat sector in Luxembourg:

- Government decree of 27 September 2002 – which established the Superior Council for Bénévolat;
- The legislations defining the modalities of the five types of special leave³¹ – cultural (12 July 1994 law establishing the cultural conge and the 13 January 1995 law defining the modalities of the leave); development cooperation (6 January 1996 law establishing the cooperation leave and the 19 June 1996 defining the modalities); youth (law of 4 October 1973 establishing the leave, law of 22 February 1974 defining the modalities and the of 24 October 2007 modifying the 1973 law to allow for individual leave); sport (law of 30 April 1991 establishing the leave and law of 3 August 2005 modifying the previous law); and, civil protection (Law of 25 April 1994 establishing the leave, law of 3 June 1994 defining the modalities and law 12 June 2004 establishing an administration for rescue services); and,
- The Social Security Code, book II on accident insurance – which extends the scope of the accident insurance to young people undertaking the voluntary service³².

²⁹ European Commission: http://ec.europa.eu/youth/youth-in-action-programme/doc82_en.htm

³⁰ Law of 21 April 1928: http://www.legilux.public.lu/leg/textescoordonnes/recueils/recueil_societes/IV_ASBL.pdf

³¹ <http://www.benevolat.public.lu/fr/legislation/index.html>

³² <http://www.secu.lu/legis/CSS/Legiacc1.html#etass>

Volontariat is set within the framework of the 2007 Law on the **Youth Voluntary Service**. This law was issued in October 2007 with the aim of replacing the 1999 law on Voluntary service as well as modifying the ‘social insurances code’ and the 1985 law on National family benefits. It defines the voluntary service, its modalities and voluntary organisations, and it also specifies that the two previously-mentioned laws have been modified in order to allow young people undertaking voluntary service to still be entitled to family benefits and social insurance³³.

3.1.2 Self-regulation in relation to volunteering

Due to the lack of extensive research in the area of bénévolat and volontariat, it is difficult to determine whether these organisations make use of self regulation instruments such as charters, codes, good practices etc. Nonetheless, stakeholders’ interviews revealed that some organisations do indeed apply this possibility, mostly by drawing contracts to be signed by the organisation and the volunteer, establishing the volunteers’ main rights and obligations and/or the publication of an organisational charter defining the rights and obligations of the volunteer and the organisation (e.g. Caritas).

3.2 Legal framework for individual volunteers

3.2.1 Provisions for specific categories

In Luxembourg, volunteers (bénévoles) have no legal status.

There are no specific provisions requiring certain categories of people to demand permission to volunteer. Similarly, there are no restrictions as to who is allowed to engage in volunteering (bénévolat) activities: everyone, including job seekers, can become a volunteer.

With regard to volunteering in the context of ‘volontariat’ service, as mentioned previously these activities are subject to the 2007 law on youth voluntary service where specific restrictions in relation to age (applicants must be between 18 and 30 years old) and timeframe (projects must last between 3 and 12 months) are clearly defined.

3.2.2 Support schemes and incentives

In relation to bénévolat, as the concept is not yet clearly defined and it is not subject to any legislation as specific as that of the volontariat, there are few support schemes and incentives available. The three main attractive provisions are:

- Young volunteers receive the **Teamkaart** (see Section 2.3 for more details) which allows them to receive a price reduction on a wide selection of services;
- Volunteers who are members of an association which has signed an agreement with a government Ministry (this is possible with most ministries) are automatically entitled to **social insurance**. This is restricted to activities strictly related to the mission of the organisation; and,
- Volunteers can claim their expenses from the organisation they volunteer with. There are, however, no rules regarding the procedures to be adopted or what is reimbursable – this is to be determined between the volunteer and the organisation.

Because volontariat is embedded in a specific law, provisions for support and incentives are more clearly defined. A ‘volontaire’ receives:

- Pocket money for leisure time during the mission;
- Subsistence money during the mission; and,

³³ <http://www.legilux.public.lu/leg/a/archives/2007/0202/a202.pdf#page=2>

- Social insurance and access to accident insurance.

This financial assistance is not taxable.

3.2.3 Taxation rules on reimbursement of expenses for individual volunteers

The reimbursement of bénévoles' expenses is not subject to taxation. In relation to 'volontaires', as mentioned previously, the financial assistance received during the projects is not liable to taxes.

3.2.4 Taxation rules on rewards or remuneration for individual volunteers

See above.

3.3 Legal framework for organisations engaging volunteers

The existing legal framework for non-profit organisations, law of 21 April 1928, is also applied to organisations engaging volunteers. In relation to taxes, these organisations are not subject to any tax on the revenue of their activities as long as such revenue is automatically reinvested in new activities and infrastructure for the sole purpose of the organisation's mission. However, if such an organisation is engaged in profit-making activities in order to increase their available funds, this revenue would be liable to taxes. Additionally, it is worth noting that whilst non-profit organisations are not liable to taxation on revenue, they are however, regardless of their status and activities, subjected to property tax.

Finally, Luxembourg has implemented the possibility for citizens to donate money to non-profit organisations and claim the amount donated back from taxes.

3.4 Legal framework for profit-making organisations

As an increasing number of private organisations are engaging in corporate social responsibility practices, including social projects, the number of such organisations creating schemes for their employees to engage in voluntary activities is also increasing. The Luxembourg Bank is amongst the first companies to have created such programmes and it acts in three different areas³⁴:

- Social solidarity – financial support through partnerships with humanitarian and social assistance organisations;
- Environment – mainstreaming sustainability within the firm by changing employees' attitudes towards energy saving; and,
- Socially responsible investments.

Within these areas, the Bank encourages its employees to engage in voluntary activities for the benefit of the community.

There is, however, no legal framework to date for profit making organisations engaging volunteers or in voluntary activities as this is not a current practice in Luxembourg. To this end, the Social Patronage Institute (Institut de Mecenat Social) and the Volunteering Agency are working together to encourage the creation of a law or provision to insure employees when they are carrying out voluntary activities.

It is also worth noting that the government has established the possibility for employees to demand special annual leaves ('congés') to be able to participate in voluntary activities or

³⁴ http://www.banquedeluxembourg.com/bank/en/bank_corporate-social-responsibility_community

training related to those activities. The detailed description of these congés is provided in Section 2.3.

3.5 Insurance and protection of volunteers

As mentioned previously, book II of the Social Security Code and the 2007 Law on the voluntary service (volontaire) foresees that young people undertaking voluntary service activities are automatically covered by accident insurance.

With regard to bénévolat, the responsibility to insure the volunteer (bénévole) falls upon the organisation for which he/she volunteers his/her time: organisations that have signed an agreement with a Ministry will automatically cover their volunteers, whereas organisations that are not bound by any such agreement can decide whether or not to provide insurance.

4 ECONOMIC DIMENSION OF VOLUNTEERING

4.1 Funding arrangements for volunteering

National budget allocated to volunteering

The national budget allocated to volunteering (bénévolat) for 2008, 2009 and 2010 is as follows (in euro)³⁵:

Type of action financed	2008	2009	2010
Promotion of volunteering (training, documents, awareness raising, coordination, projects)	23,647	22,000	22,500
State contribution to bodies providing services for voluntary initiatives	7,842,535	8,500,000	15,185,000

Sources of funding for voluntary organisations

It is difficult to determine the share of the different sources of funding for voluntary organisations in Luxembourg due to the modalities of public funding. Voluntary organisations, registered as ASBL, have to sign an agreement with one of the government Ministries (it can be any Ministry that is relevant to the organisation's activities); the level of funding is then determined by this agreement, thus making it difficult to determine the level of funding for each organisation as well as the funding trends for the sector in general.

Provision of social Services of General Interest (SSGI)

Stakeholder consultation has revealed that voluntary organisations in Luxembourg do not participate in calls for tenders organised by public authorities to delegate their services. Instead, voluntary organisations sign agreements with authorities to deliver certain services.

4.2 Economic value of volunteering

Due to a lack of statistics on the number of volunteers and voluntary organisations both for bénévolat and volontariat, no attempt has so far been made to calculate any of the following:

- The income generated through volunteering;

³⁵ <http://www.igf.etat.lu/pb2010.pdf> , page 272

- The economic value of volunteering; and,
- The value of volunteering work as a share of GDP.

Issues of service substitution and job substitution

In Luxembourg, there does not seem to be a concern with regard to service or job substitution with volunteering.

Conversely, as seen in Section 1.5, stakeholder consultation has revealed that the opposite phenomenon is likely to happen in the future as public authorities continue to impose staff criteria on voluntary organisations as a pre-condition to access agreements. More specifically, concerns were expressed in relation to the 'cheque service/accueil' and its extension to voluntary organisations in the fields of sport and music. Whilst a new system allocating more funds to these organisations is a positive development, it has also contributed to the imposition of more restrictions on these organisations i.e. the requirement that trainers in these clubs be fully accredited by an institution. Consequently, this signifies that an additional criteria has been imposed on volunteers in the sector i.e. that of being accredited, and therefore it can further restrict the number of volunteers able to donate their time in this sector.

5 SOCIAL AND CULTURAL DIMENSION OF VOLUNTEERING

5.1 Key benefits for volunteers, the community and direct beneficiaries

One of the key benefits of voluntary organisations and activities in Luxembourg concerns their **pioneering role in delivering services to specific population groups**. As a result of their generally small size, voluntary organisations have very close relationships with the communities within which they operate; in fact, they are often created by the community's members. This privileged position allows these organisations to be the first entities to identify vulnerable groups that are not yet being supported by the government's services and to attempt to fill this protection gap by attending to this population's needs themselves. Consequently, when these groups and the number of organisations attending to their needs start growing significantly, the government slowly takes over the provision of services, thus protecting a group it would not (or at least not as soon) have been aware of without the contribution of voluntary organisations. Therefore, voluntary organisations play a significant role in identifying vulnerable groups that are not yet benefitting from the support of the government.

Furthermore, voluntary organisations appear to be particularly important in the fields of **sport and youth** (e.g. scouts). A study carried out in 2003 by CEPS/INSTEAD³⁶ revealed that of the 9,500 individuals sampled for the study, 21% of people over 16 years old declared they were involved in voluntary activities, and 40% of these are engaged in voluntary activities in the sport and/or artistic sectors. There is therefore a significant share of volunteers in Luxembourg involved in voluntary activities in those two sectors. This can be explained by the fact that the cultural and sport sectors originated from activities undertaken voluntarily by small village inhabitants (e.g. village music groups, organisation of village fair etc.) and have since developed to depend heavily on volunteers.

Finally, stakeholder interviews have revealed that volunteering has a significant value in terms of citizenship and solidarity. Encouraging young people to undertake voluntary activities enables them to understand the value of solidarity.

³⁶ Breulheid S. and Genevois A., *Bénévolat, activités sportives et artistiques: des pratiques encore timides*, CEPS/INSTEAD, 2005, p.1

5.2 Factors that motivate individuals to volunteer

The 2001 study carried out by CEPS on the 'bénévolat' work in Luxembourg, revealed that people had the following motivational factors to undertake volunteering (bénévolat) activities³⁷:

- Be useful (39% of the sample adult³⁸ population)
- Personal growth (19.6%)
- Solidarity with vulnerable groups (10.5%)
- Hobby (8.6%)
- Meet new people (5.7%)
- Obligation towards the community (3.8%)
- Use his/her skills and experiences (3.5%)
- Fight for a cause (3.4%)
- Acquire new skills and knowledge (0.6%)
- Other reasons (4.2%)
- Don't know (1.1%)

6 VOLUNTEERING IN THE CONTEXT OF EDUCATION AND TRAINING

6.1 Recognition of volunteers' skills and competences within the national educational and training system

The main recognition of volunteers' skills (both bénévolat and volontariat) in the national education and training system is the **Commitment Certificate and Portfolio** ('Attestation et Portfolio de l'engagement'). This is delivered by the Youth National Service and it certifies the skills and competences acquired by a young person during his/her involvement in activities of bénévolat or volontariat. It serves two main purposes:

- The Certificate validates the training undertaken by the young person and describes the skills acquired during the training and activities. It can be used as an additional piece of information when searching for employment;
- The Portfolio is a complement to the Certificate and enables the young person to keep a track record of his/her activities as a bénévole or volontaire.

6.2 Education and training opportunities for volunteers

Most volunteers in Luxembourg receive specific training delivered by the organisations they are affiliated to and relevant to the type of activities they are expected to undertake. As seen above in Section 1.5, most of the activities carried out by volunteers are 'field work' based and, in some cases such as civil protection and social assistance, require very specific skills. These organisations therefore provide mandatory training to their volunteers, generally a minimum of 15 hours, before they can start working with the beneficiaries.

³⁷ Lejealle B., *Le travail bénévole au Luxembourg en 2001*, CEPS/INSTEAD, 2001, p.6

³⁸ For the purpose of this study, an adult is defined by the following characteristics: he/she is 16 and older and he/she is not a student anymore. Consequently, this also excludes students.

7 EU POLICIES AND VOLUNTEERING

As highlighted in the introduction and throughout the report, the voluntary sector in Luxembourg has benefitted hugely from one particular event: the international year of volunteering in 2001. The outcome of this event has been the creation of the institutional framework within which volunteering in Luxembourg is now evolving.

In the same spirit, the Luxembourg government, in collaboration with the main national actors, is now preparing for the 2011 **European Year of Volunteering** and a series of significant changes to the existing framework are foreseen to this end. Most importantly, as 'volontariat' was created with its own set of laws and rules, it has become evident in the past decade that the sector of 'bénévolat' was in need of a clearer legislative framework.

Indeed, 'bénévolat' is heavily reliant upon the 1928 law on non-profit organisations which defines the rules to which these organisations are subjected, but fails to establish a clear and concise definition of the term *bénévolat* itself: there are still ongoing debates at the national level as to what criteria a volunteer should fulfil in order to qualify as a 'bénévole'. Consequently, discussions are being held at the national level to draft a more specific definition of the term.

Similarly, whilst the 1928 law has been amended over the years to include various additional contextual elements to the legislative framework, it still fails to take into account the recent development undergone by the voluntary sector in the country. A bill is therefore being drafted by the government in order to modify this law to better respond to the needs of the voluntary sector as it has developed in the past decade (e.g. dispositions on the institutional set up of a non-profit organisation).

Finally, it is also worth noting that, as mentioned in Section 3.4, efforts are also being made to create provisions for the engagement of a company's employees in voluntary activities (e.g. insurance etc.).

8 CHALLENGES AND OPPORTUNITIES FOR VOLUNTEERING

8.1 Challenges for volunteering

Stakeholder interviews revealed that there were three main challenges facing volunteering (*bénévolat*) in Luxembourg.

Society changes

As seen throughout the report, the voluntary sector in Luxembourg originated from small community groups organising themselves to provide support and services to their communities. Over the past decades, however, Luxembourg society has evolved from being essentially focused on community needs in towns and cities where people lived all their lives, to increasingly addressing national and international issues. These changes have been brought by an increased mobility of people and a new desire from young people to travel and 'do good' in countries with more serious concerns than their own.

Consequently, the nature of the voluntary sector has also developed to accommodate these new patterns. Firstly, as the economy has changed and people increasingly move to bigger cities to find employment, the community life of villages and small towns has slowly started revolving around activities and needs of the elderly. Thus, a number of activities, such as

sport groups and village fairs, have slowly disappeared from these places as volunteers' replacement in these community groups was no longer ensured.

Secondly, voluntary activity has become an opportunity for young people to gain experience in a particular field, and a number of them are mainly interested in fixed term projects (such as voluntary service or community projects) rather than continuous involvement in an organisation. This 'project versus long term involvement' pattern has also been found in professionals of all ages who, according to a study carried out by CEPS, no longer have the time to commit over the long term to an organisation due to work and family obligations³⁹. However, it appears that voluntary organisations have not yet adapted to these changes in habits and voluntary engagement, and are therefore not providing relevant options to potential volunteers.

As a consequence of these changes, the existence of many small to medium sized voluntary organisations is threatened as the number of people willing to commit to demanding and time consuming tasks in an organisation declines: boards of directors, which used to be composed of volunteers exclusively, now have to include a majority of staff.

Professionalisation of volunteering

Section 4.2 raised the issue of professionalisation of voluntary activities as a direct consequence of the increasing number of criteria organisations need to fulfil to receive government funding.

Conversely, as seen in Section 1.5, stakeholder consultation has revealed that the opposite phenomenon is likely to happen in the future as public authorities continue imposing staff criteria on voluntary organisations as a pre-condition to access agreements. More specifically, concerns were expressed in relation to the 'cheque service/accueil' and its extension to voluntary organisations in the fields of sport and music. Whilst a new system allocating more funds to these organisations is a positive development, it has also contributed to the imposition of more restrictions on these organisations i.e. the requirement that trainers in these clubs be fully accredited by an institution. Consequently, this signifies that an additional criteria has been imposed on volunteers in the sector i.e. that of being accredited, and therefore it can further restrict the number of volunteers able to donate their time in this sector.

Barriers to the engagement of a share of the volunteers' potential workforce

One stakeholder highlighted the fact that 40% of the Luxembourg population are migrants. Whilst many have indicated an interest in participating in voluntary activities, they have often encountered significant language barriers which have contributed to reducing their engagement.

Indeed, volunteering is often considered as an opportunity to engage in social activities outside work and to integrate into the social life of the community or the city; it therefore presents an excellent tool of inclusion for new migrants. However, Luxembourg has its own language, quite similar to German, which is not taught anywhere else other than in Luxembourg and can prove difficult to learn: this language is the one most commonly used during administrative meetings. Thus, although migrants might wish to contribute to both voluntary activities and boards of directors, the language barriers have prevented them from doing so.

³⁹ Lejealle B., *Le travail bénévole au Luxembourg en 2001*, CEPS/INSTEAD, 2001, p.11

Conclusions

It appears therefore that the changes in society and the lack of flexibility within organisational frameworks have contributed to a decrease in volunteers' renewal: as the population is ageing and young people choose to engage in 'volontariat' rather than 'bénévolat', the number of volunteers is decreasing and organisations are facing serious challenges in terms of continuation of activities and, in certain cases, survival.

This is particularly the case for firemen and ambulance services. These two services have traditionally been secured through volunteers' engagement; however, with the limited number of volunteers willing to engage in such time consuming activities, the existence of these services is severely threatened and the government may have to take over in the long run.

8.2 Opportunities for volunteering

The general conclusion from the above-mentioned challenges is therefore that there is a need to attract more volunteers.

As highlighted in Section 2.3, a number of programmes are in place to encourage young people to engage in voluntary activities. Additionally, as presented in Section 7, in light of the European Year of Volunteering in 2011, the government and main responsible agencies are working together to leave more room for flexibility within the legislative framework for volunteering ('bénévolat'). Actions are therefore being taken to facilitate involvement in voluntary activities by all groups of the population.

In addition to these actions, it would also be very useful to address the barriers preventing migrants engaging in voluntary organisations and activities. Some stakeholders suggested that this could be done by providing training (i.e. language training) in each organisation to ensure that migrants understand the culture and language of the organisation, and by encouraging organisations' staff to speak English or French while the new volunteers work on improving their language skills.

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