



The Honourable Minister of Justice Félix BRAZ  
Ministry of Justice  
13, rue Erasme  
Centre administratif Pierre Werner  
L-2934 Luxembourg  
Luxembourg

January 17<sup>th</sup> 2019, Strassen

Dear Minister BRAZ,

My name is Patryk P. RYBIŃSKI and I am in charge of FAD - Fathers Against Discrimination a.s.b.l. As you are aware 50/50 Shared Parenting - Alternating Residence unlike in Belgium is not part of the Luxembourg Civil Law (Family Law). I am sure you also know that over 90% of child custodies in Luxembourg are awarded to women. Approach that can only be described as backward, inconsiderate, bias and discriminatory standing in contradiction to over 40 years of empirical psychological studies, consensus among researchers, psychologists and specialists in the field confirming that 50/50 Equal Shared Parenting - Alternating Residence is the best model for children during separation and after divorce. Regardless of the age of the children.

Please note that FAD has recently been in contact with LGBTI organizations in different EU jurisdictions including Rosa Luxembourg. Considering the trend in the Luxembourg judicial system and Luxembourg courts is to award custody of children to mothers by a template approach and without much consideration for the well-being of the children resulting in violation of children and fathers' rights for family life and number of different conventions and international instruments we would like to ask following question:

What if, two men or women get married in Luxembourg. They love each other and after few years they adopt a child because they can create good home. A few years after for one reason or another they get divorced. They are in conflict and cannot agree on anything especially on whom the child should live with. Both men or women want full custody, both work full-time and are financially independent, capable of raising the child but neither one of them is the



biological parent. Following the logic of current Luxembourg judicial system and the approach continuously introduced in Luxembourg family courts the custody should go to the mother. If so, who will decide who the mother is and what measures are there to take to determine which one of the two parents is the mother? Thank you in advance for your reply.

Respectfully,  
Patryk P. RYBIŃSKI  
In charge  
FAD - Fathers Against Discrimination a.s.b.l.