



The Honourable  
Minister Taina BOFFERDING  
Ministère de l'Égalité entre les femmes et les hommes  
Ministry of Equality between Women and Men  
6A, boulevard Franklin D. Roosevelt  
L-2450 Luxembourg  
Luxembourg

March 24<sup>th</sup> 2019, Strassen

Dear Minister BOFFERDING,

We hereby confirm receipt of your correspondence dated February 26<sup>th</sup>, 2019 and we would like to thank you for taking the time to reply to us. Although your efforts are highly appreciated we regret to inform you that you have not answered most of our questions.

In your letter you “remind us that the main mission of the Ministry of Equality between Women and Men consists of sensitizing women, men, girls and boys as much as possible by organizing campaigns on this subject, creating programs, actions and taking all kind of measures that apply to everyone.” **Question No.1:** Should this be the case could you please provide us with at least one example of any campaign, program, action or measure that the Ministry has taken in the last 5 years where men and boys’ rights were the subject of?

You also mention that “equality between women and men at work leads to equality between women and men in private life”. During the official conference organized by the Ministry on Feb. 9<sup>th</sup>, 2019 it was stated that “the so-called pay gap” in Luxembourg is below 5% making it one of the lowest in Europe. If so, in reality and in accordance with basic principals of statistics almost non-existing. If women were only willing to increase their presence in hardship type professions the mentioned 5% would be closer to 2% or equal to 0%. Either way the inequality at work place and “the pay gap project” should be considered by all means as nearly completed in Luxembourg. **Question No.2:** Considering the 97% to 3% Luxembourg ratio in awarded children’s custody in favor of mothers will the Ministry for Equal Rights for Women and Men now finally focus on raising awareness about gender inequality in Luxembourg courts?

It has been pointed in your letter that “Our (the Ministry’s) actions are mainly, guided by legislation, studies and statistics we get from institutions or other ministries”. **Question No.3:** If this is the case could you please advise if the Ministry is in possession of statistical data about gender representation in the Luxembourg judicial system (judges, children family lawyers etc.)? If the Ministry does not have such data, please advise where can we obtain the mentioned statistics?

Also, please be informed that FAD is aware that European Council Resolution 2079 from October 2015 does not have legal bounding character for EU Member States, yet the Resolution 2079 reflects the evidence provided by psychological and empirical studies performed over the last 40 years. The Resolution is also a result of the consensus among 110 top psychologists, researchers and specialists from around the world confirming importance and positive outcome Equal Shared Parenting – Alternating Residence has on children mainly by protecting their well-being during separation and after divorce of the parents. Facts and evidence the Luxembourg judicial system remains immune to.

LET'S MAKE IT HAPPEN --- this is the new Luxembourg signature. You can see it all over the country. We would like to be perceived as a modern, dynamic and open-minded society, competitive financial center, innovative and environment friendly economy with number of government initiatives such as establishing Luxembourg Space Agency, legalizing cannabis, same sex marriages, gay children custody, building new tram, new football stadium etc. Yet we fail as a society in assuring parental and gender equality in Luxembourg institutions.

"Mir wëlle bleiwe wat mir sinn an mir kënnen e Beispill fir den Rescht vun Europa sinn." ---  
"We want to remain what we are, and we can be an example for the rest of Europe".

Below is again the list of questions FAD - Fathers Against Discrimination a.s.b.l. has asked in our latest correspondence. **Questions** we have not yet received answers to:

4. Has the Ministry ever initiated any discussion with the Ministry of Justice about the institutional gender inequality in Luxembourg courts? If so, could you please provide us with examples, samples of literature, pointing out to any events that the Ministry has ever organized to raise the awareness of gender inequality and violation of children rights in Luxembourg institutions?
5. Has the Ministry ever taken any actions in raising awareness of an on-going problem and struggle Luxembourg families, men, women and children deal with following discriminatory treatment of fathers at custody hearings during separation and after divorce? If so, what actions specifically has the Ministry taken in the past 5 years?

6. Has the Ministry ever reached out to the Luxembourg Parliament asking the Members of the Luxembourg Chambres de Deputes to vote on the European Council Resolution 2079 from 2015 calling all EU member states to introduce Equal Shared Parenting - Alternating Residence as base for Family Law and a rule for children custody proceedings? It has been over 3 years and Luxembourg is still waiting for that vote.
7. Has there ever been any project introduced by the Ministry setting course of actions to stop parental and gender inequality in Luxembourg government institutions? If not, is there a plan to introduce such project?
8. Unless the Ministry believes that 97% to 3% ratio in awarded children custodies in favor of mothers means equity what plan does the Ministry have to raise awareness among government officials and members of the Luxembourg legal system that the Luxembourg Family Law does not reflect the changes our society has gone through in the last three decades educating the public that the roles of parents are no longer defined as they have been in the past promoting Equal Shared Parenting – Alternating Residence to become a rule and a starting point for custody hearings in Luxembourg?
9. Has there ever been any conference or discussion panel formed or organized by the Ministry of Equality for Women and Men to promote Equal Shared Parenting- Alternating Residence in Luxembourg?
10. If not, is the Ministry willing to participate in promoting International Conference on Shared Parenting, last year held in Strasburg, France and sponsor the event to be organized in Luxembourg raising awareness and need for gender equality in Luxembourg courts and across all EU member states?
11. Is the Ministry in contact with its colleagues from different EU Member States exchanging information and experiences about their successful introduction of the Equal Shared Parenting – Alternating Residence as a rule in children’s custody proceedings. A rule and a starting point not an option followed by extensively long process to introduce it as it currently is in Luxembourg. A model confirmed by empirical psychological studies over the last 40 years to be the best solution protecting the children but also reducing the gender gap and inequality between parents during and after divorce.

Also, we would like to ask again for the Ministry to stop misleading the public and introduce appropriate measures to correct the information on the [mega.public.lu](http://mega.public.lu) website under “Shelters for women, girls, women with children and men”. Among 10 shelters listed as available in Luxembourg none of the them are for men but the title suggests otherwise.

**Question No.12** Does the Ministry plan to initiate a project to create at least one proper shelter for men victims of domestic violence and their children? We offer our help and support.



As mentioned in our previous correspondence the Ministry has informed FAD about a new project currently worked out with the Luxembourg Red Cross Association in cooperation with Riicht Eraus. The project is called "HOLD" and it is specifically dedicated to "Male Perpetrators of Domestic Violence". **Question No. 13:** As the project is so gender specific and considering that on average 1 out of 3 victims of domestic violence are men do we understand correctly there is also a separate project dedicated to "Female Perpetrators of Domestic Violence"? If this is not the case, we find promotion of such activity discriminatory and highly inappropriate further adding to the profound misrepresentation of facts and promotion of bias insinuation communicating to the public that men are the only cause of domestic violence and women are the only victims of it.

Further as a reply to your correspondence we will follow your advice and contact CET (Center for Equal Treatment) but we are not entirely sure about the relevance behind the idea of reaching out to Mr. Claude JANIZZI an Advisor of the Ministry of Education, Children and Youth.

In the last months FAD has held numerous meetings, discussions with influential figures in Luxembourg, members of the Luxembourg and EU parliament, lawyers, judges, the media, journalists and government officials. We have now a very good overview of the Luxembourg political landscape. Although it has been pointed out to us that this is not the case, we would like to believe that the Ministry for Equal rights for Women and Men remains impartial and looks equally after the best interest of both men and women and does not favor any social group.

As widely publicized the Ministry quite frequently meets with different associations and non-profit organizations. We entrust of being able to find time to arrange a meeting between FAD's representatives and the Ministry of Equality for Women and Men with an aim to openly discuss our cooperation, appropriate steps and measures to be taken in resolving the ongoing problem associated with gender and parental inequality in Luxembourg courts. Distressful situation families, mothers, fathers and children in Luxembourg face every day during and after divorce. Thank you in advance for your reply.

Respectfully,

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