



Fathers against discrimination asbl  
117, route d'Arlon  
L-8009 Strassen

Our reference: PL-09/19

Luxembourg, 21<sup>st</sup> of January 2019

**Subject: Your letter addressed to the Minister of Justice**

Dear Mr. RYBIŃSKI,

I hereby confirm receipt of your letter dated 17<sup>th</sup> of January 2019, which arrived at the Ministry of Justice on the 18<sup>th</sup> of January 2019.

With regard to your request on the introduction of shared parenting, I suggest that you consider the latest changes in Luxembourgish family law that have been adopted by the law of the 27<sup>th</sup> of June 2018 on the judge in charge of family matters (« *juge aux affaires familiales* »).

Since the entry into force of the law of the 27<sup>th</sup> of June 2018, the judge in charge of family matters is competent for proceedings related to children custody.

Among the previously mentioned changes, the amendments of articles 375, 376 and 378-1 of the Luxembourgish Civil Code are particularly relevant.

The most recent version of article 375 of the Civil Code guarantees that, as a principle, both parents now equally exercise the parental authority over a child (this means, more specifically, the rights and duties that have as a common goal the child's best interest).

According to article 376 of the Civil Code, the separation of the parents principally has no impact on the equal exercise of the parental authority by both parents.

Despite the separation of the parents, the recent legal changes guarantee that each parent must have a personal relation with its child and has the obligation to respect the relation between the child and the other parent.