

FAD - Fathers Against Discrimination a.s.b.l.
"Both Parents for All Children™"
29, Boulevard Prince Henri
L-1724 Luxembourg
Luxembourg

27 June 2020, Luxembourg

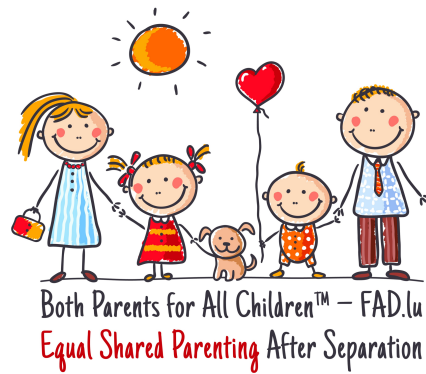
L'honorable Xavier BETTEL
Premier ministre, ministre d'État
4, rue de la Congrégation
L-1352 Luxembourg
Luxembourg

Dear Mr. Prime Minister,

As you know FAD - Fathers Against Discrimination a.s.b.l. has been created to become a platform of dialog to promote gender equality of chance for both parents, to stop violation of children's rights and to assure their well-being.

As an association we believe a child should never be deprived of his natural human right to family life and equal access to both parents. Nor does anyone have the right to decide which of his parents' love has more value. We seek equal treatment of both parents during custody hearings in Luxembourg family courts. We support the rights of fathers and mothers to equal parenthood and successful professional career. We address the importance of family values promoting the positive impact a full and healthy family has on the upbringing of children.

When in New York in 2019 and delivering remarks in U.N. you said *"I never wanted to be the gay Prime Minister but I am the minister and I'm gay [...] Homophobia is a personal choice and we need to fight against it"*.



Listening to your speech I understand that even though being homosexual and a part of a minority group yet holding a prestigious and the highest position within Luxembourg government for the past 7 years you as well, from time to time face what can be considered as intolerance of your sexual orientation.

Over the course of last years the public has grown accustomed to the typical narrative presented by the leftist Luxembourg organizations, political parties and feminist government funded offices such as the Ministry of Equality between Women and Men continuously evolving around gender-bias modern feminist ideology and fraudulent topics such as pay gap or domestic violence against women. This narrative used to include homophobia. Yet, we do not really hear much about homophobia anymore. Why?

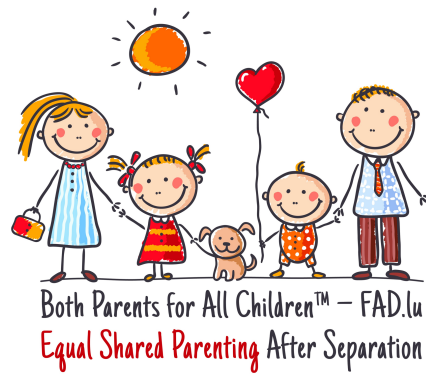
Most likely because Eurobarometer shows that 87% of Luxembourgers believes gay, lesbian and bisexual people should enjoy the same rights as heterosexual people. One of the highest approval ratings in EU. I am sure you agree it is by any definition quite a good result. Most definitely because Luxembourg unlike other countries in EU has adopted changes in legislation that resulted in legalizing homosexual marriages. Further amendments the same year (2015) were introduced allowing couples of the same sex to adopt children.

Homophobia, pay gap, racism is not the problem Luxembourg government should be most concerned about. Violation of children's rights and parental discrimination of fathers in Luxembourg family courts leading to fatherless homes is. A serious challenge our society faces, yet we never hear you or any member of the current government raising awareness of the problem. Why? Is it because there is no political incentive or is it because of worry to antagonize feminist lobby in Luxembourg?

As just one example of many exposing the magnitude of the problem but also grotesque situations taking place as a result of it I would like to bring your attention to a probable scenario Luxembourg Judicial system may encounter or already have had.

What if,

Two men get married in Luxembourg. They love each other and after a few years they adopt a child because they legally can and 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 want full custody, they 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 the current Luxembourg judicial system and the approach continuously introduced by the judges of the Luxembourg Family Courts the custody and registered address of the child should be awarded to the mother. If so, would you by any chance know who will decide who the mother is and what measures are there to take to determine which one of the two men is the mother?

Possible scenario? Absolutely. So, what if?

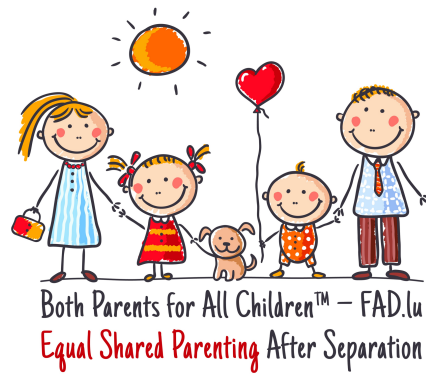
We have reached out to number of law firms and discussed the matter with numerous practicing lawyers in Luxembourg. The legal opinion we have received provided us with only one conclusion. It is more than certain that should the above scenario occurred, the decision of the Luxembourg family court would lead to an automatic introduction of Equal Shared Parenting - Residence Alternee model.

But what would happen if the same scenario happened to heterosexual couple? In Luxembourg after separation or divorce at least 97% of all children custodies are awarded to women. Regardless of the age of the children and the level of involvement of each parent in their children's lives prior to the separation. **If this is not gender discrimination what is?** Further examples of gender-parental discrimination can be found here – <http://fad.lu/examples-of-gender-parental-discrimination-in-luxembourg-institutions/>

Luxembourg wants to be considered 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, adoption of children by homosexual couples, attempt of introducing third gender, building new tram, new football stadium etc. yet, we fail to assure parental-gender equality in Luxembourg institutions that could STOP violation of children's rights in Luxembourg Courts.

Decisions of Luxembourg family courts after separation of parents, assigning children to one of the parents during custody hearings using template approach and without consideration for family life, ignoring gender-parental equality and children's rights stand in violation of numerous conventions and international legal instruments. Backward, bias and discriminatory approach.

Such rulings can be easily put back to 1950's or the 60's of the last century as they simply ignore the fact that our society has gone through significant changes. The roles of a mother and father are no longer defined as they were in the past. Yet, the approach often taken in Luxembourg family courts follow some sort of closely undefined 19th century doctrine and the set of mind falsely assuming that a mother is the only appropriate caretaker of children undermining the important role fathers play in children's lives.



We have recently reached out to all judges of the Luxembourg family courts kindly asking to consider using Article 378-1 of the Luxembourg Civil Code and start introducing Equal Shared Parenting – Résidence Alternée not as an option but a **default** rule in all custody proceedings in the best interest of children. All this to protect Luxembourg children by removing the possibility for either parent to use kids as an instrument of blackmail. Behavior that in severe cases lead to disastrous results in a form of Parental Alienation.

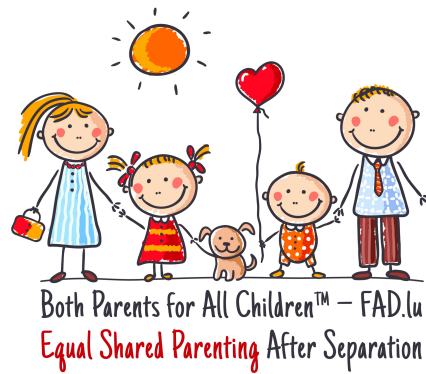
Despite the changes in the law from 2018 majority of judges of the Luxembourg Family Court in most cases still remain immune to the evidence provided by over four decades of empirical studies, scientific conclusions and consensus among internationally recognized psychologists confirming that Equal Shared Parenting – Résidence Alternée is the most effective model bringing emotional stability to children during separation and after divorce of the parents.

In 2015 European Council voted on [Resolution 2079](#) calling all EU member states to introduce Equal Shared Parenting as base for Family Law and a rule for children custody proceedings. So far, FAD has been unable to obtain explanation why after 5 years!!! from the European Council vote Luxembourg Parliament has still not yet voted on the Resolution calling for gender equality in Luxembourg. The reasons behind the non-vote of the Luxembourg Parliament on the European Council Resolution 2079 remain a mystery, especially since the Resolution 2079 was initiated in 2015 by Ms. Françoise HETTO-GAASCH, Luxembourg politician (CSV), former Minister of Equal Rights Between Woman & Men, past and present member of the Luxembourg Parliament.

For a parent and child, being together is an essential part of family life. Their separation has irremediable negative effects on their relationship and the up-bringing of the children. Equality between parents must be guaranteed and promoted from the moment the child arrives.

Luxembourg as a society can set example for the rest of Europe by starting to introduce Equal Shared Parenting – Résidence Alternée as a default legal rule to ensure equality between parents is guaranteed while most importantly ensuring the crucial parent-child relationship is not deteriorated in spite of a divorce taking place between adults.

We wish to find people of good will that could be a driving force supporting the efforts to stop child abuse as a result of gender biased discrimination in any family court system. This can be only done through education of those who decide about the future of the Luxembourg children after separation of parents. Influential and prominent figures like yourself Mr. Prime Minister can help getting this message across and this is why we are asking for your support.



Considering the above we the Luxembourg parents and grandparents, members of FAD – Fathers Against Discrimination a.s.b.l. would like to know what is the current government planning to do for Luxembourg children and Luxembourg fathers to assure gender equality of chance in Luxembourg Family Courts?

Most respectfully,

Board Members of the Association and Members
FAD - Fathers Against Discrimination a.s.b.l.



"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."