

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

19 June 2023, Luxembourg

Maison de l'Avocat
Bâtonnière Pit RECKINGER
2A, boulevard Joseph II L-1840 Luxembourg
BP 361
L-2013 Luxembourg

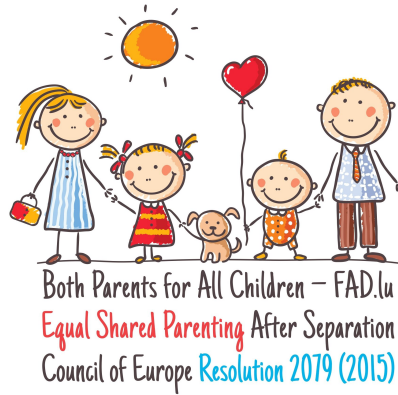
Dear Bâtonnière RECKINGER,

Following our correspondence dated 14 March 2023 we would like to thank you for accepting our requests to publish the list of children's attorneys on the Luxembourg Bar website – www.barreau.lu. It is important that we finally reached the point where Luxembourg citizens and residents have access to the information in question.

In our latest correspondence we also asked if it was possible *"to receive more information about the training Luxembourg attorneys go through when submitting their applications for children's lawyers' status. If the training indeed exists, we would like to know who provides the training? How many hours does the training consist of? What is the curriculum of the training? Is the training done in groups or conducted on an individual basis? How often is the training offered during a year? Are there any requirements to become child's attorney or restrictions that excludes a lawyer to become children's counsel?"*

Please disregard this request. Minister Sam TANSON on 28 September 2022 answering to Parliamentary Question No. 6361 (15 June 2022) confirmed to the Luxembourg Parliament that: *"[...] Neither the Bar Association nor the Ministry of Justice can prohibit lawyers who have not completed training to become child advocates from representing children in court. It is up to the individual lawyer in which domain he wants to practice [...]"*

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Considering this official clarification, we know now that a child can be represented by any practicing lawyer who will agree to do so. As such can we kindly ask you to communicate internally to Luxembourg lawyers and associates advise them to stop misleading their clients that, if in search of child's attorney, the attorney must be chosen only from "the list". Thank you.

This directs us to our second inquiry presented in our letter from 14 April 2023. The common understanding is that in accordance with the EU judicial system transparency, the names of presiding judges in specific courts should be publicly available allowing those interested to have free access to the information. Denying this information to Luxembourg citizens, residents or any individual awaiting trial or legal proceedings is a serious matter as such practice violates [Article 6 of the European Convention on Human Rights and the right to fair trial](#).

The usual approach of other European countries respecting EU judicial system transparency is to have the names of judges to available on courts' websites. Surprisingly and similarly (until recently) to the names of children's attorneys this is not the case in Luxembourg. Judges are public figures and GDPR cannot be used as a reason for the information not to be public. As such there is absolutely no reason to deny this information to the public.

Can we kindly request you to take appropriate measures to publish the names of the judges of respecting courts and respect the legal rights of access to such information by Luxembourg citizens and residents. Thank you.

Most respectfully,

Patryk P. RYBIŃSKI

President

with Luxembourg children, parents, grandparents, families, and members of FAD - Fathers Against Discrimination a.s.b.l.



Both Parents for All Children – FAD.lu
Equal Shared Parenting After Separation
Council of Europe Resolution 2079 (2015)



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