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The Office of the High Commissioner for Human Rights  
Special Rapporteur on violence against women and girls, its causes and consequences  
United Nations

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Dear Sir/Madam,

First of all we would like to express our gratitude to be given the opportunity to respond to your Call for inputs – Custody cases, violence against women and violence against children.

We are a research team as well as supporters from the family law practice and mothers affected who jointly launched the study "Family Law in Germany. Taking Stock." in April 2022 ([www.familienrecht-in-deutschland.de](http://www.familienrecht-in-deutschland.de)).

Since, we have received more and more pleas for assistance from mothers who are in the same situation. They are confronted with the charge of "attachment intolerance" („Bindungsintoleranz“ - a synonym for PAS) in court and at the youth welfare offices. The charge is also the guilty verdict. In fact, due to this unscientific and illegal basic orientation, children are repeatedly torn out of beneficial and caring relationships and attachments (including harmful alternating residence models as well) with state support and state means of power.

The GREVIO (Group of experts on action against violence against women and domestic violence) published its first evaluation report on the status of implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in Germany on October 7, 2022. In the area of family court jurisdiction, it was noted that in custody and access disputes, the rights and safety of those affected by domestic violence were often not sufficiently respected.

We would like to express our concern that what is happening to a large degree in the family law system in Germany does not respect the national constitution, the UN Convention on the Rights of the Child, the Istanbul Convention and the German Child and Youth Welfare Act. Results of national and international research are in many cases not only ignored, but even turned into the opposite.



The results of the study are summarized in a fact sheet which you will receive as an attachment (see annex 1). In addition, we are sending you the original study in German (see annex 2) and a makeshift translation of the study in English (see annex 3). Furthermore you will find our answers to your nine questions (see annex 4).

We do authorize the publication of this letter and all attachments except the makeshift English translation of the study. Translations of the study that may be sent in by any other party are not authorized for publication either. A professional translation is on its way.

Yours sincerely,

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