



To the attention of:
Ms Helena Dalli, Commissioner for Equality
Mr Didier Reynders, Commissioner for Justice

Brussels, 10 July 2023

Dear Ms Dalli, dear Mr Reynders,

By means of this letter, the undersigned MEPs would like to provide you with information about a case of violation of the rights of a transgender person and the rights of minors. We would also like to request that the European Commission take action to ensure non-discrimination and rights for transgender people as outlined in the European Commission's Equality Strategy for LGBTIQ people.

We present you the case of the Spanish citizen Laura Neumann, who began her transition process four years ago. Her now ex-partner, of Polish origin, after learning of her gender transition process, moved with their children to her country of origin. A priori, this trip was intended to be temporary. As time went by, it became clear that Ms. Neumann's ex-partner was not planning to return, and in 2021 she filed a judicial application in Spain for the international return of the children and another for divorce, thus beginning the judicial process of the case. Following this, her ex-partner initiated legal proceedings in Poland to withdraw parental custody from her at the Sandomierz court.

While the courts in Spain had not yet ruled, the Polish courts ordered the effective withdrawal of parental authority, without Ms. Neumann being able to appear in court. Polish law determines that, in these cases, one of the parents does not have to appear if there is a risk for the children, considering Ms. Neumann a danger as a transgender person. Following these events, Ms. Neumann filed a criminal complaint against her ex-partner for international child abduction, and the case was opened in February 2022 without her ex-partner having appeared. There is currently no judicial pronouncement in Spain.

In Poland, in mid-2022, the courts ordered the immediate return of the children to Ms Neumann within 15 days. Ms Neumann's ex-partner did not comply with the court order and appealed to the Warsaw courts. Psychological and psychiatric examinations were carried out on Ms. Neumann without any findings. Despite this, the court ruled that "all her actions in connection with the sex change are in no way in the best interests of the children, who were raised in a natural family, with their father and mother", and concluded that Ms. Neumann posed an "undoubted and perceptible psychological risk" to her children.

For all these reasons, Mrs. Neumann wishes to convey to you her case in a personal letter, which we are sending you.

Kind regards,

Idoia Villanueva, The Left

Diana Riba i Giner, Greens/EFA

Robert Biedroń, S&D

Malin Björk, The Left

Antoni Comín, Non-attached

José Gusmão, The Left

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