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01 July 2014

## Human Rights and ethical issues related to surrogacy

### Motion for a resolution

tabled by Mr Valeriu GHILETCHI and other members of the Assembly

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This motion has not been discussed in the Assembly and commits only those who have signed it

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The practice of surrogacy whereby a woman accepts to undergo a pregnancy and give birth to a baby for someone else is an increasingly growing phenomenon posing complex challenges for the human rights of the women and children involved.

Surrogacy undermines the human dignity of the woman carrier as her body and its reproductive function are used as a commodity.

Commercial surrogacy, where a woman receives payment beyond expenses incurred for carrying a child for someone else, although banned in most European States, is nevertheless a highly encountered practice: Europeans go abroad to obtain a baby, then demand the recognition of the filiation in their home country. The unregulated nature of surrogacy poses additional concerns regarding the exploitation of women in disadvantaged positions and fertility tourism resulting in a black market of 'baby selling'.

The practice of surrogacy also disregards the rights and human dignity of the child by effectively turning the baby in question into a product. The Convention on the Rights of the Child declares that children have a right to be protected from abuse or exploitation and calls on States to act in the best interest of the child. Surrogacy arrangements turn the baby into a commodity to be bought and sold. Moreover, surrogacy manipulates the identity and parentage of children and robs them of any claim to their gestational carrier, which recent research points to being harmful to the development and wellbeing of the baby.

The Parliamentary Assembly should further examine the issues arising from the practice of surrogacy, especially its links with the reproductive health of women, human trafficking and the rights of children, and discuss tools for addressing the problem.

*Signed (see overleaf)*



*Signed*<sup>1</sup>:

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1. EDG: European Democrat Group  
EPP/CD: Group of the European People's Party  
SOC: Socialist Group  
NR: Representatives not belonging to a Political Group