

To the Members of the Working group - project on filiation /surrogacy arrangements HCCH

Paris, the 8th of April 2024

Dear Madam / Sir,

The working group for the project on filiation, including that relating to international surrogacy arrangements, is meeting for the second time today.

As at the beginning of your work, we ask you to take into consideration the human rights of women, especially those who act as « surrogate » mothers, and of children, especially those born to « surrogate » mothers. Surrogacy motherhood violates these rights.

Arrangements that provide, on the basis of an agreement between adults even before the start of a pregnancy, for the resulting child to be separated from its mother at birth and handed over to the people who have requested it from her, treat the child as an object. But a child is a person. Surrogacy contracts explicitly mention the pain and suffering (physical and psychological) that the surrogacy process entails for the "surrogate" mother; this implies contractualizing violence knowingly inflicted on women (most often in return for payment). Surrogate motherhood is a social practice contrary to the human dignity of women and children.

No movement for women's emancipation has ever called for the legalization of surrogacy. No movement for children's rights has ever demanded that children be brought into the world by contract, in exchange for money. The only people who want this violent, dehumanizing practice regulated are the entrepreneurs who profit from it - and those profits are enormous, as you know.

In 2024, in Ukraine, displaced women from the Donbass are exploited as "surrogate" mothers for Western clients; in Colombia, in Greece, trafficked women are exploited as "surrogate" mothers by unscrupulous agencies and lawyers.

At a time when people born to "surrogate" mothers are beginning to speak out to express the discomfort they feel as a result of their lifelong confrontation with these conditions of their birth; at a time when trafficking networks are stepping up their activity to supply clinics with women who "consent" to their exploitation, the international solution to surrogacy is not its regulation, but its universal prohibition. Slavery cannot be regulated, it must be abolished.

We hope that the group will act responsibly and with respect for human rights, and ask the CAGP to put an end to this project.

Yours sincerely,



Marie Joséphe Devillers Ana-Luana Stoicea-Deram Berta O. Garcia
Co-chairs of the Coalition for the Abolition of Surrogate Motherhood