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**Re: Call for input to the thematic report of the Special Rapporteur on violence against women and girls to the General Assembly 80th session on surrogacy and violence against women and girls**

Here is the input of the **Réseau éducation, sexe et identité (RÉSI)**, to the Special Rapporteur on violence against women and girls, **Reem Alsalem**.

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**April 18, 2025**

## Who are we?

This report is from Québec, a Canadian province. The province is French-speaking. I am one of two coordinators of an organisation called Réseau éducation, sexe et identité (RÉSI)<sup>1</sup>. In English: Education, Sex and Identity Network. We regroup parents and citizens concerned about the introduction of gender identity theory in the Québec school system and health sector. Several parents in the RÉSI have children who suddenly declared themselves non-binary or trans. They are nearly all girls. In Québec, the health system proposes only one approach for any child questioning their gender, the so-called “gender affirmative care model”<sup>2</sup>.

We believe lying to a child about their body’s reality is wrong. However, GAC proposes to confirm to the child they were somehow born in the wrong body, socially transitioning them in school, blocking puberty (10-14), starting hormone therapy around 15-16 years old, surgically removing breasts at 16, and removing reproductive organs such as the uterus or testes and penis, at age 18. All these medical procedures are reimbursed by our provincial health-care system.

## What is the link between GAC and surrogacy?

We believe surrogacy on its own is immoral and should be banned, for it goes against the dignity of women and child (see below). We also see that surrogacy has collateral damages. Our children are told they can undergo sterilizing procedures that will make it impossible for them to breastfeed, to produce or carry children, but that solutions are possible for them! Chief amongst these is the possibility to have a child through surrogacy. Thus, the possibility of surrogacy is presented to the child as a natural way to obtain children. The destruction of the child’s capacity to procreate (which we think is a kind of violence against the child) is less consequential when a solution is presented<sup>3</sup>.

In Québec, since our civil code was modified to allow surrogacy by contract (in 2023), the gender clinics are telling children they can become parents, later, through surrogacy. If they harvest their eggs or sperm they will be able to use them for future surrogacy plans, if not, they will be able to purchase the genetic material for the surrogacy.

The public health system will pay for “fertility preserving” methods until 25 years of age, or for a maximum of 5 years if the person is 21 or older. Two ovarian stimulation and one ovarian puncture, as well as a surgical sperm collection, are paid for, as well as the 5 years freezing of genetic material (sperm, egg, embryos)<sup>4</sup>.

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<sup>1</sup> Web site: <https://reseau-esi.com/> Facebook : [Rési](#)

<sup>2</sup> This model is neither caring for the child nor affirming the reality of their gender (sex), hence the use of “so-called” in this sentence.

<sup>3</sup> A 14-year-old, in Québec, can make life-changing decisions, such as demand to change sex legally, or undergo hormone therapy. At 16, an adolescent may ask to have a double mastectomy. At 18, surgeries are allowed. All these decisions are taken before the person’s frontal cortex is fully developed.

<sup>4</sup> <https://www.quebec.ca/famille-et-soutien-aux-personnes/grossesse-parentalite/procreation-assistee/programme-procreation-medicalement-assistee> See section called: preservation de la fertilité.

LGBTQ organisations such as the coalition of LGBT+ families<sup>5</sup> were amongst the lobbyists asking the government to legalize surrogacy. They approved of the government's legal project to allow surrogacy by contract in Québec. After the law passed, they produced a guide to surrogacy for 2SLGBTQ+ parents<sup>6</sup>.

An interactive document was created by Laval University, with the Ste-Justine Hospital (a children's hospital in Montreal) and militant organizations such as Gender creative Kids Canada. The document is entitled: The Decision Tree (l'Arbre de décision). The document discusses future fertility for youth heading for a gender transition. The options presented to become parents, if fertility is not preserved, are: adoption, foster-care family, insemination, surrogacy, and co-parenting. Surrogacy was presented as an option even though the document predated the law allowing surrogacy! They just mention that Québec residents usually get surrogate mothers from elsewhere in Canada. See: <https://arbredecision.ca/non-fertile/>. Now of course surrogacy can be done in Québec.

#### The Quebec framework – 2002 to present – a change in paradigm

In 2002, the Québec minister of Justice said that no contract for the purpose of bringing a child to the world could ever be a legal contract, it went against the woman's dignity. Section 541 of the Québec Civil Code was passed, it read: *Any agreement whereby a woman undertakes to procreate or carry a child for another person is absolutely null.*

As a result of this provision, surrogacy was rare in Québec. Most Québec couples seeking surrogacy went to other Canadian provinces or other countries<sup>7</sup>.

However, the idea of surrogacy slowly gained approval in Québec, though a carefully orchestrated media campaign which first showcased despairing couples unable to procreate, and then went on to describe how gay men could also be "socially infertile"<sup>8</sup>. 2014, Radio-Canada, the well-respected public media, reported on happy gay couples who had finally had their baby, through surrogacy. To illustrate the extent of institutional capture for the aim of giving rights to the LGBTQ community: an absurd decision was taken by the Québec government to cover the

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<sup>5</sup> For context, I was once a member of this organisation, having adopted my daughter with my spouse, a woman. The RÉSI has nothing against the idea of gay parents!

<sup>6</sup> <https://familleslgbt.org/famille/gestation-pour-autrui/>

<sup>7</sup> In Canada, surrogacy was introduced under the guise of helping couples to procreate (through reproductive technologies such as IVF, sperm donation, etc.). The Canadian Parliament passed the [Assisted Human Reproduction Act](#) in 2004. The Act aimed to regulate reproductive technologies. Ironically, since health care is under provincial jurisdiction in Canada, the federal government could only introduce surrogacy by the criminal prohibition of *payment for surrogacy*, as well as the prohibition of *using a surrogate mother younger than 21*.

<sup>8</sup> This expression was used in the report given the minister to support making surrogacy legal in Québec. LGBT rights were paramount to the decision to change the law. Comité consultatif sur le droit de la famille, *Pour un droit de la famille adapté aux nouvelles réalités conjugales et familiales*, Éditions Thémis, juin 2015: [https://ancq.qc.ca/wp-content/uploads/2015/07/Rapport\\_droit\\_famille\\_2015.pdf](https://ancq.qc.ca/wp-content/uploads/2015/07/Rapport_droit_famille_2015.pdf). Even the Québec bar association wrote that the right to obtain a child did not exist ... but how else could gay men form their families: *force est de reconnaître que le recours à la procréation assistée est un passage obligé pour les couples de même sexe qui souhaitent devenir parents. Pour les couples formés de deux hommes, le recours à la gestation pour autrui (GPA) est la seule forme de procréation possible.*

whole surrogacy procedure for gay couples, since they had a “medical reason” to be “infertile”: none of the two men had uteruses<sup>9</sup>.

From 2014 on, several Québec gay celebrities had babies made and delivered, their adventure celebrated in the press<sup>10</sup>. The media only reported the bliss of all parties involved: a happy father with his baby and a smiling surrogate mother made the rounds of TV channels, the latter explaining she loved nothing like being pregnant and she was happy to be able to help men get children this way. Even though she actually was the biological mother of each child she carried, using her own eggs, she was actually claiming the baby was not hers<sup>11</sup>.

By 2023, the social consensus got so strong that the Québec National Assembly repealed S.541 and a whole chapter of the civil code is now devoted to surrogacy<sup>12</sup>. In reality, these provisions were barely discussed in the press as well as in Commission, since the government chose to hide the surrogacy provisions behind provisions that got media attention (regarding the rights of a woman to erase the father from a child’s filiation when the child was a product of a rape)<sup>13</sup>. When pressed, the minister said the surrogacy provisions were intended to [protect children!](#)

The law in summary:

- The parties (surrogate mother and clients) have to follow an information session about the surrogacy process (given by social workers, sexologists, psychologists or midwives). This is not an evaluation of the capacities of the woman to understand the medical problems related to such a risky pregnancy, nor an evaluation of the client’s intentions or capacities as future parents (such as is done in adoption cases).
- It provides for a notarised contract to be signed for the production of the child, between the mother and the clients (called: intended parents).
- Clients have to provide an address in Québec for the last 12 months. No obligation of Canadian citizenship.
- The mother retains all rights to her body (including abortion at any moment since in Canada here are no restrictions to abortions).
- Only reimbursement of expenses (and loss of salary) are permitted for the surrogate.
- The contracts state that the mother relinquishes parental rights, this has to be confirmed between the 8<sup>th</sup> and the 30<sup>th</sup> day after the birth. However, the baby is given to the clients at birth (if present).

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<sup>9</sup> <https://ici.radio-canada.ca/nouvelle/664273/naissances-meres-porteuses-ramq>

<sup>10</sup> Two cases : [Joel Legendre](#); [Gérald Fillion](#)

<sup>11</sup> Therefore, depriving the children she gave away from any link with their mother, and depriving the children she kept (4) from any links to their brothers and sisters.

<sup>12</sup> Only a few feminist organisations protested against surrogacy, one of them being PDF Québec, which produced a memoire for the government, asking for a moratorium, a social debate, and various provisions to protect women and children in the meantime. I was one of the authors of the [memoir](#) deposited by PDF Québec at a [hearing](#) on the subject at the National Assembly in Québec City.

<sup>13</sup> As is clear from the title : *Projet de loi n° 12, Loi portant sur la réforme du droit de la famille en matière de filiation et visant la protection des enfants nés à la suite d’une agression sexuelle et des personnes victimes de cette agression ainsi que les droits des mères porteuses et des enfants issus d’un projet de grossesse pour autrui*

- The agencies cannot advertise to entice woman to become surrogates (however, after the law was passed, the Québec government paid for half-page ads in the major newspapers for weeks, and paid for radio announcements, informing the whole Québec population that surrogacy contracts were now legal and binding – these ad campaigns were certainly worth a lot of money to the private agencies!)
- If the clients change their minds about the baby, in spite of the contract, said baby would be given to the Province's youth services.
- Contrary to adoption provisions in the same law, no provisions were stipulated about the interest of the child to be produced by surrogacy<sup>14</sup>.

After the law was passed, the government ruled that the terms: “surrogate from outside Québec” could only designate women living in other Canadian provinces. This was a relief for us, since at least clients using the Québec law could not use women from developing countries. In spite of this, French Facebook groups created by clients and women are flooded with proposals from women from Cameroon...

#### Our objections to allowing legal surrogacy in Québec

1. Fundamentally, surrogacy negates motherhood. Carrying a child becomes a gestational journey. Various words are used to avoid using “mother”, such as “gestational carrier”, or even “surrogate worker”, similar to “sex worker”. In their guide to surrogacy, the coalition of LGBT+ families use “person”, because the persons providing eggs or carrying the baby *might not be women* and the person providing sperm *might not be a man*<sup>15</sup>. In France, some use the expression “nounou in utero<sup>16</sup>”, or “in-utero nanny”, as if the woman was taking care of the child while their parents were absent! The mother-child bond which forms in the womb through the child-bearing process<sup>17</sup> is also negated. The woman may rationalize that the baby is not hers, but her body knows it is, and the baby certainly can only feel this person is their mother<sup>18</sup>. The whole process encourages a body-mind dissociation, which is psychologically harmful for the woman (dissociation is often used in traumatic situations such as rape).
2. Surrogacy negates the rights of the child. That child is conceived under a contract, and a harmful, violent separation from the mother is planned, without its consent, even though the child is supposedly born with rights. Surrogacy should be illegal under article 35 of the Convention on the Rights of the Child<sup>19</sup>. Abandonment shock is programmed by the

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<sup>14</sup> Section 543 states: No adoption may take place except in the interest of the child and on the conditions prescribed by law.

<sup>15</sup> <https://familieslgbt.org/famille/gestation-pour-autrui/> See the Guide at pages 8-9.

<sup>16</sup> <https://www.youtube.com/watch?v=rBdfP2odAzM>

<sup>17</sup> The French word: *enfantement*, better encapsulates the action of creating a child in a woman's womb.

<sup>18</sup> In a [documentary](#) for Channel 4, a surrogate mother in Georgia explains it: *You have feelings for the baby as you would for your own child. Your body doesn't know it is someone else's. So it's nurturing the child. You have to be very strong psychologically because the feelings are the same as for your own child.* 6:07.

<sup>19</sup> **Article 35:** States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

surrogacy industry, ignoring years of research about adopted children. Often children are not allowed to be touched by mothers at all, even though clients are not always present. We saw dozens of baby cribs in war-torn Ukraine, waiting for parents. This was also depicted in a Channel 4 documentary, where a baby waited weeks until the clients could pick him up<sup>20</sup>.

3. As described above, surrogacy is used to validate the possibility of sterilizing youth that are following the GAC model. As parents, we are terrified about possible harm to their bodies our children may be pushed to do, as they are told they can be parent by other means.
4. Surrogacy shifts emphasis from the legitimate desire for children to the right to become parents, is not hidden. From the website <https://surrogacy.ca/>: *At Surrogacy in Canada Online, we believe every person has a right to become a parent via third party reproduction regardless of their ethnic origin, religion, age, marital status, gender or sexual orientation*. Nowhere is the right if children considered, except to say (rather condescendingly) that these children will become part of well-to-do families who will take care of them (assuming that richer people are better people).
5. Surrogacy represents a type of amnesia, or cognitive dissonance, for Québec society. The forced separations of mothers and children post WWII, because the mother was unmarried (in a very catholic society), or the forced separation of indigenous children, were seen as profoundly wrong both for the mother and the child, creating choc and trauma. However, surrogacy exalts the capacity of the mother to abandon the child willingly.
6. Human dignity is incompatible with surrogacy. The woman puts herself entirely at the disposal of a third party, “renting” her body (not only her womb) for a variable period of time (up to a year for a pregnancy since trials and preparations may last months before the woman gets pregnant). No one should be able to “enslave” herself 24/7 for the benefit of another. No one should be able to rent part or whole of her body. It should be noted that we have yet to see an example of a rich woman bearing a child for a poor one. Surrogates are almost always women who are in more vulnerable economic positions.
7. Surrogacy is a eugenics paradise, where one may order the best “product” possible. One can choose the baby’s characteristic, starting with sex, since embryos can be selected before in-vitro fertilization. Agencies have on-line catalogs where egg “donors” are chosen. Tall blondes with a high IQ are the most expensive. Joel Legendre (see note 10 above) chose a blond blue-eyed nurse. Sperm is purchased, not given, because otherwise, we are told, men will not provide it<sup>21</sup>.

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<sup>20</sup> See note 18. 16:50 – 17:15 and 23:13. This documentary clearly demonstrates the exploitative dynamics of the industry, as women escaping their husband’s violence use surrogacy to be able to buy an apartment for themselves and their other children. Agencies recruit surrogate mothers in women’s shelters.

<sup>21</sup> During the Commission hearing pertaining to Bill-12, I was witness to the comments made by a young member of the Québec parliament, seeking to become a mother herself. She informed the commission that there was a shortage of sperm from blond blue-eyed men, which was a problem for her family.

## Conclusion

The reality of surrogacy: a global industry. The industrialisation of the human reproduction process led to the development of a capitalistic [market](#)<sup>22</sup> enterprise, disguised as an altruistic undertaking by [fairy surrogates](#), for the benefit of clients who can afford to pay for the service and the products. To move the product from country to country as well as to change the parentage to the benefit of the clients (removing or breaking the legal bond to the mother), an international organisation, the Hague Conference<sup>23</sup>, works actively to invent and propose new rules that states could adopt throughout the world, for the benefit of the clients.

The industry needs to be stopped, not regulated, since it is premised on creating the “right to a child”, breaking the bonds between mother and child, fostering dissociation, planning and implementing abandonment shock, exploiting vulnerable women, monetizing women and children, helping to persuade kids to go through sterilization and mutilation of their bodies, etc.

We feel let down by international organizations, not recognizing the harm of surrogacy (or of GAC for that matter).

We hope your report on the situation will help.

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<sup>22</sup> A market estimated at USD 22.4 billion in 2024. The market is expected to grow from USD 27.9 billion in 2025 to USD 201.8 billion in 2034.

<sup>23</sup> <https://www.hcch.net/en/projects/legislative-projects/parentage-surrogacy>