

Migrant women and reproductive exploitation in the surrogacy industry

Joint Investigation

By ENoMW and ICASM
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Coalition for the **Abolition**
of Surrogate Motherhood





International Coalition for the
Abolition of Surrogate Motherhood



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Migrant women and reproductive exploitation¹ in the surrogacy industry

Introduction

The International Coalition for the Abolition of Surrogacy (CIAMS-ICASM) and the European Network of Migrant Women (ENoMW) have become aware, through national and international media reports and social networks, of the existence of practices that amount to trafficking in human beings, namely, women, for the purposes of exploitation in the reproductive industry². These situations are inherently contrary to human dignity and equality between women and men as practices of exploitation of women's bodies.

Noting the lack of research on the subject, CIAMS and ENoMW decided to jointly carry out a survey on women exploited as “surrogate mothers”, oocyte donors or forced to carry a pregnancy (forced pregnancies) in cross-border practices. The aim was to identify and document the presence of women who are led to act as “surrogate mothers”, oocyte donors or forced to carry pregnancies in a country other than their country of origin, or on behalf of foreign third parties, in order to be able to alert states, competent authorities and partner NGOs, to how the above-mentioned practices may manifest in the context of migration (voluntary or forced) putting at risk the fundamental rights and human dignity of migrant women.

More specifically, ENoMW and CIAMS have sought to document these practices, which include

- Exploiting migrant women for reproductive purposes in a variety of ways, including egg harvesting, forced pregnancy and surrogacy.
- Organising a network of trafficking in women with the aim of making them “surrogate mothers” against their will (forced migration of women from their country of origin to another to force them to carry pregnancies (cases of forced pregnancy)).
- Moving “surrogate mothers” to organise their delivery in a country other than their country of origin for the convenience of the clients (purchasing parents) or to circumvent legislation (the infant is thus born in the country where the purchasing couple/individuals are based, thus simplifying the administrative procedures for recognising the filiation between the infant and the clients(s))

¹ By "reproductive exploitation" we mean the exploitation of women's bodies, and in particular their wombs and uteruses, for reproductive purposes on behalf of others. Specifically, women provide (willingly or unwillingly) a reproductive service whereby their bodies and the materials derived from them are exploited for economic gain by and for others. In other words, women's reproductive capacity is appropriated and exploited within what Melinda Cooper and Catherine Walby call the "international market for human reproductive labour", a market that is not always legal but always exploitative. In "International Market for Human Reproductive Labour": Melinda Cooper and Catherine Waldby, *Clinical Labor: Tissue Donors and Research Subjects in the Global Bioeconomy*, Ed. Duke University Press, Durham, 2014 quoted by Delphine Gardey, "Introduction. Quelle économie de la reproduction humaine pour quelle société?", in *Travail, genre et sociétés*, n°38, February 2017, p. 31. It should be noted that we consider the notion of work applied to surrogacy to be totally inappropriate, but we understand the approach of the authors who position this practice within the framework of market relations.

² By "reproductive industry" we mean the economic sector (and its actors) of medically and socially assisted reproductive technologies such as surrogacy, oocyte retrieval, IVF techniques, etc. We include both legal and illegal practices.

This study therefore aims to answer two questions;

- 1. Are migrant women recruited as “surrogate mothers”, egg donors or for forced pregnancies in their country of arrival and without this being the reason for their migration?**
- 2. Are women forcibly or willingly moved from their home country to a foreign country specifically for the purpose of surrogacy, egg donation or forced pregnancy?**

More specifically, we hypothesise that there is a phenomenon of human trafficking behind the practices of surrogacy, egg donation and forced pregnancy, as well as multiple trafficking networks that use women in these practices as well as the children born from them. Indeed, as mentioned above, many disturbing reports of trafficking, particularly in Asia but also in Europe, have emerged over the past decade. It would also seem that these networks of trafficking in women for reproductive exploitation and of the children born from this exploitation are similar in their methods and organisation to prostitution networks, a fact that is all the more worrying when one knows how the latter operate. ENoMW and CIAMS therefore intend, through this report, to combat such practices.

In an attempt to answer our research questions and validate our hypothesis, we conducted a field survey. Firstly, the data collected during the survey and the methodology adopted to do so will be submitted to the readers. Then, the results of the survey will be analysed and discussed. To help us in this task and to enrich both our data and our reflection, we will draw on academic sources which, while not addressing this specific subject, sometimes evoke related issues such as migration, trafficking or surrogacy. Finally, a conclusion will be proposed in which we will return to the elements supported in this report and present what we intend to achieve as a continuation of this investigation.

Theoretical framework

In order to understand and analyse *surrogacy* in the complexity of the relationships and relations it contains, the notion of women's **appropriation is the most effective framework.**

Theorised by Colette Guillaumin, social appropriation is "the fact that individuals of a class are *material* properties", and it constitutes a specific form of social relations. The particularity of this relation, at present, is that it exists only between *classes of sex*, and that it is made invisible by the refusal to consider that it can still characterise the relations between women and men. The appropriation of women, "the fact that it is their materiality as a whole that is acquired", lies in their reduction to the state of a tool, and it concerns both the materiality of bodily and psychic individuality ("when one is appropriated materially one is dispossessed mentally of oneself").

In the social, economic, legal and political processes that lead to and contribute to women becoming mothers in *surrogacy* one finds several of the means of appropriation identified by Guillaumin, namely:

- the labour market - which, even today, in the 21^e century, forces mothers to endure inequalities (E. Cukrowska-Torzewska, A. Matysiak) in terms of salary, status and career, when it is not openly a place of violence against them.
- confinement in space, which takes the form of women's obligation to obey the wishes and instructions of the people in charge, either not to move or to move, as is the case in

displacement and forced migration in connection with *surrogacy*. In women's relationship to space and displacement, appropriation is also exercised through the 'internalisation of the fence' (Guillaumin), achieved through positive and negative injunctions. It thus appears that the paradox is constantly present for women exploited in surrogacy, as the same arguments can be formulated to forbid them to move, as well as to ask them to do so (for those who do so voluntarily and deliberately, as well as for those who are forced or coerced, as it is the case in Ukraine, it is less important which arguments are used to control women's movement).

- The legal arsenal and customary law - if the collective appropriation of women is not formulated and codified as such, private appropriation is fixed in contracts. Moreover, this legal formulation of the use of a woman's body, which is accepted today in the states that legalise surrogacy, is also based on a paradox. On the one hand, the woman who signs the contract to become a mother in the context of *surrogacy* is considered to be acting as a subject of law, free to make her own choices (without questioning the conditions under which this choice is made); on the other hand, by signing the contract, she is considered to be a tool, losing any capacity to decide for herself; moreover, her choice to engage in this process directly and materially implies lives other than her own: those of her children and, possibly, of her life partner.

Given the essential role that the state plays in organising the labour market, through the development and guarantee of labour laws and the adoption of macroeconomic measures for access to work and socio-professional integration, state action for sex equality is crucial for women. However, when states accept and encourage legal approaches in which women contribute to their appropriation by others, it is neoliberalism and exploitation that are reinforced by these states, not the human rights of women (Falquet).

Neo-liberalism, as it characterises the functioning of contemporary economic and political systems, is "a programme of destruction of collective structures capable of standing in the way of the logic of the market" (Bourdieu). Motherhood, as an individual and collective experience of women, is always deeply rooted in the social structures - family and community - in which women, as individuals, live. The links, solidarities, individual, collective and institutional relationships that are part of the exercise of motherhood in contemporary societies are essential for any woman who voluntarily becomes pregnant in order to carry a pregnancy and give birth to a child. However, the imprint of neo-liberalism is now well marked in our societies, through the flexibility and individualisation demanded of individuals. This leads individuals to adopt "techniques of rational subjugation" that lead to an "over-investment in work" that is explicit in the behaviour and discourse of the mothers exploited in surrogacy, and even stronger among those who migrate for its purposes. Flexibility and individualisation "contribute to the weakening or abolition of reference points and collective solidarities", which allows the markets - and by extension, as we also observe the globalised market of surrogacy - to have a "reserve army of labour of women made compliant by precariousness".

Finally, appropriation is accompanied by a utilitarian view of being treated as a thing: 'an object is always in its place and what it is used for, it will always be used for' (Guillaumin). This intrinsically naturalistic dimension of what women are and should be used for, namely, to bear children for those who wish to obtain them from them, is at the root of the displacement and movement of exploited women in the globalised and neoliberal *surrogacy* market.

Women have long been considered absent or invisible in international migration, even though they have always participated in it.

Their presence began to be identified and made visible in studies of international migration from the late 1970s and early 1980s (Christou, Kofman). The invisibility of women in studies of migratory phenomena was due to the fact that these were viewed through the prism of the project's motivations: in labour immigration, women were a very small minority (as they were in the labour market in general before the second half of the 20th century^e); in family immigration, they remained mostly in the domestic sphere, and therefore, not very present in the public arena; finally, for a long time, the main figure of the asylum seeker was that of a man. On the other hand, from the 1990s onwards, the presence of women in international migration was mainly linked to global chains of *care* (Kofman). This approach, which highlighted the participation of migrant women both in the domestic sphere (in their families or elsewhere) and in the labour market, contributed to making migrant women visible, particularly with the exponential commodification of local services. Since the 2000s, the presence and specificity of female migration has been clearly identified and described ("Men and women circulate differently in the new global economy [...] Men often constitute the 'elite' of migratory flows [...] while women provide services largely associated with the traditional role of the wife - child and elderly care, domestic chores..." (Kofman).

The main role of migrant women thus appears to be linked to social reproduction, which includes both family and systemic reproduction. Migrant women are present, make possible or even ensure the systemic reproduction of the organisation and functioning of health, education or labour systems (by enabling women in the host country to work, for example), and also by participating in family reproduction, when this takes place outside the home, by participating in the commercialisation of services. Although academic studies and the concerns of international institutions have made these women visible, including their life experiences and their journeys, and such studies have analysed and deciphered the deployment of their migratory strategies (Roulleau-Berger), many of these women remain invisible because of their personal trajectory or the fields in which they are involved.

This is the case of women who migrate - or become displaced - as part of a surrogacy process, and whose existence is ignored because of an accumulation of layers of invisibilisation. This happens, firstly, because of the status they are given. In terms of international or bilateral arrangements, it is the satisfaction of the clients that counts, and the mother is systematically ignored, considered as a tool (since she is *appropriated* by those who pay her); this leads to an epistemological gap: information and knowledge are only produced on what is considered important. The pregnant woman or the woman who is going to become pregnant is only important for the satisfaction of the clients, because giving birth to children is *natural* for her, as is her supposed generosity.

Migrant mothers giving birth to children on commission and handing them over to the clients are little identified, except in a few qualitative surveys (on a limited number of women, Nilsson). When the clients resorted to trafficking, women exploited in this way could be identified, as shown by the OSCE report on trafficking in human beings, which mentions, among the new trends, the trafficking of pregnant women for the purpose of selling *their* newborn babies.

Considering pregnancy and childbirth as strictly private reinforces the appropriation of migrant women within the framework of surrogacy regardless of the woman's desire to participate in international displacement. These displacements lead to the loss of reference points and the fragility inherent in any migration, and even more so for women who migrate within the

framework of surrogacy, due to their initial precariousness and the precariousness generated by the absence of protection both from their state of origin and from the state to which they travel to be inseminated and/or to give birth and/or to hand over the child to the clients. Multi-situated inequalities are characteristic of migratory trajectories in general, with the specificity, as far as women are concerned, that they also include sexual discrimination, which is doubly present (in the country of origin and in the host country, to which the status of foreign woman is added): "Inequalities are constructed in graduated invisibilities of resources and competences which can be related to forms of ethnic discrimination and sexual stigmatisation" (Roulleau-Berger).

The strict instrumentalisation of migrant women within the framework of surrogacy arrangements reinforces their invisibilisation: they are pregnant, but will not be mothers; their state of pregnancy may be denied to avoid administrative difficulties; their access to information and rights is not considered important since their presence on the soil of the country where they go to be inseminated or to give birth or to hand over the child to the sponsors, is not supposed to last.

Everything about their status as “surrogate mothers” and what they experience as such contributes to making them invisible, as pregnant women, as women giving birth, as foreign women, as mothers of children who are sometimes present at their side.

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Data and methodology

As a reminder, the aim of this study is to alert states around the world to this new phenomenon of trafficking in women for the purpose of reproductive exploitation. Whether it is surrogacy, egg donation or forced pregnancy.

In order to do this, we have tried to meet several objectives during the year 2021, such as:

- Documenting this new type of trafficking through a field survey: To our knowledge, such surveys have never been conducted by anyone (neither associations nor states). Only the Council of Europe's Bioethics Committee has attempted to document the issue somewhat by sending a questionnaire to multiple states at the international level on four occasions (in 2019, 2020 and 2021)³, asking them about their legislation on assisted reproductive technologies and surrogacy as well as the mechanisms put in place to ensure the proper application of their laws.
- Raising awareness and sensitising states: Our intention was of course to collect data but also to raise awareness among states about this new trafficking phenomenon.
- Identify actions and mechanisms that states have put in place to monitor and stop this type of trafficking.
- Develop an action plan for 2023 based on the results of the survey to continue awareness raising and data collection.

The methodology adopted to conduct this study consisted mainly of a quantitative data collection carried out in three stages.

As a first step, CIAMS undertook research, using the Google search engine which identified press articles based on keywords (19 keywords)⁴ in 72 countries as of January 2021 and targeting 5 languages: German, English, French, Italian and Spanish. In addition to the daily Google alerts, "manual" searches by country were carried out in order to identify surrogacy - related items and their context in each country, as broadly as possible, from the legislative, political and industrial angles through press articles, academic publications, scientific reports and other available sources. We also carried out an in-depth study on three countries where surrogacy is legal: Ukraine, Greece and Mexico. We are aware that, due to the lack of official data on surrogacy, we used the tools provided by Google, which pre-selects information according to opaque algorithms. It is therefore possible that the cases selected are not exhaustive. Nevertheless, these cases present a rich variety of situations that allow us to map the practice in a concrete way.

In a second step, we launched a questionnaire (Annex 4) which aimed at identifying cases in the field, and which are not published and therefore undetectable by the previous method. This questionnaire was sent to all non-governmental organisations, members and/or friends of

³ Council of Europe Bioethics Committee, "Surrogacy: Addendum to the replies to the questionnaire on access to medically assisted reproduction (MAP) and on the right to know one's origins for children born after MAP", DH-BIO/INF (2016) 4 Addendum, 23 October 2019; 28 July 2020; 23 October 2020; 14 June 2021.

⁴ List of key words: egg donation; egg donation; reproductive exploitation; surrogate motherhood; surrogate motherhood; eggs harvesting; maternity traffic; reproductive exploitation; surrogacy; surrogate mothers; Vientres de alquiler; subrogación; explotación reproductiva; utero in affitto / Leihmutterchaft

ENoMW and CIAMS, which in total represents 2,613 people contacted throughout the world and 288 organisations in 37 countries⁵.

In a third stage, a second questionnaire for states (Annex 4) was sent by email to all the embassies of the countries represented in Paris as well as to all the representatives of the Member States of the Hague Conference on Private International Law (HCCH)⁶, for which we had email addresses (standard email in Annex 4). In total, 115 states and the Europe Union (Directorate-General JUST Justice and Consumers) were contacted either through their Ministry of Justice, Foreign Affairs or Interior.

The aim of this questionnaire was to collect data on the management by these states of these practices but also on the means implemented to control them, enforce the laws regulating them as well as to obtain additional data such as the number of women forcibly displaced or migrated in their state and involved in these practices.

Finally, the study also draws on all available scientific literature addressing the issues of assisted reproduction and related technologies, surrogacy and human trafficking as well as migratory movements, thus providing a sound theoretical framework.

To date, extensive research on the legislative, political, economic and trafficking situation has been conducted in 72 states.⁷ In addition, six states have been partially researched.⁸ These 78 states are part of the 115 states to which our second questionnaire was sent. The following is a table summarising the legal frameworks on surrogacy in these 78 countries, categorised by the following criteria: Regulated, i.e. countries in which surrogacy is expressly legal and regulated; Illegal, i.e. countries in which surrogacy is expressly illegal; and Unregulated, i.e. countries in which surrogacy is not subject to a specific law regulating it.

Regulated*.	Illegal	Non-regulated
South Africa	Germany	Algeria
Albania	Austria	Angola
Belarus	Bulgaria	Benin
Cyprus	Spain	Cameroon
Denmark	Finland	Ghana
Greece	France	Niger
Hungary	Italy	Nigeria
Netherlands	Latvia	Uganda
Portugal	Lithuania	Senegal

⁵ List of the 37 countries whose non-governmental organisations were contacted: Afghanistan, Australia, Austria, Argentina, Belgium, Bulgaria, Brazil, Bolivia, Canada, Croatia, Colombia, Denmark, Dominican Republic, Ecuador, Estonia, France, Germany, Greece, Italy, Japan, Mexico, New Zealand, Peru, Poland, Portugal, Romania, Slovenia, Senegal, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States, Uruguay.

⁶ Link to the website of the Hague International Organisation: <https://www.hcch.net/fr/states/hcch-members>

⁷ See "Annexes 3" for a list of the states concerned.

⁸ See "Annexes 3" for a list of the states concerned.

Czech Republic	Malta	Andorra
Regulated*.	Illegal	Non-regulated
United Kingdom	Norway	Belgium
Russia	Sweden	Bosnia and Herzegovina
Ukraine	Switzerland	Ireland
India	Saudi Arabia	Luxembourg
Israel	Azerbaijan	Poland
Thailand	Cambodia	Romania
Vietnam	Singapore	Afghanistan
Brazil	Costa Rica	Armenia
Colombia	Montenegro	Bangladesh
Ecuador	Dominican Republic	North Korea
United States	Turkey	South Korea
Mexico		Japan
Uruguay		Nepal
Australia		Philippines
New Zealand		Argentina
Georgia		Puerto Rico
Hungary		Croatia
		San Marino
		Taiwan

Presentation of results and discussion

Step 1- Research

In this research, we used Google search engine, keywords and Google alerts on 72 countries since January 2021. Among these 72 countries, 3 of them, considered as the most emblematic of the issue of migration linked to surrogacy, have been the subject of more in-depth analysis. These are Greece, Ukraine and Mexico.

Although a considerable amount of information has been collected - including numerous press articles on cases of trafficking in women in the cross-border practices of surrogacy, egg donation and forced pregnancy, too few academic elements or official reports on the migration (forced or voluntary) of women in the context of the above-mentioned practices have been uncovered. This reinforced our desire to carry out this investigation, which we feel is very relevant.

Summary of research data

The processing of the trafficking cases identified by ICASM and ENoMW was done as follows: All updated trafficking cases are listed in alphabetical order in Annex 1. They number 46 and have been supplemented by the eight cases reported in the responses to the first questionnaire (see below and in Annex 4). These are also presented in Appendix 1. Our selection of cases does not claim to be exhaustive, but we believe that we have identified the most significant cases in the study period. They probably represent only a small part of the totality of such cases. The practices and networks of traffickers are clandestine and thus very difficult to trace. Moreover, it is impossible for us to list all the press or academic articles on this type of trafficking on our own. Indeed, the Internet and what is published on it constitute a "bottomless pit", not to mention the fact that the geographical location of the researcher and the language in which the research is carried out will influence the results proposed by the search server. It would be impossible to perform keyword searches in the official language(s) of each of 72 countries, which also limits our searches and the results that are produced. For the time being, our 'manual' searches with more than 20 keywords have been done for each country covered in this survey in English, French and Spanish. If it was an Italian- or German-speaking country, we carried out an additional search in Italian or German respectively.

The analysis of these cases has enabled us to draw up a typology of cases. We could not present here a detailed analysis of all the cases that we have already been able to identify and from which we have drawn up this typology, as they are so numerous, but a complete list is available in Appendix 1. Below are several cases which best illustrate our typology:

1. Migrant women used as 'surrogate mothers' in the destination country

Europe

- Migrant women who come to Greece to work as domestic and care workers are recruited as 'surrogate mothers'⁹
- Migrant women from Bulgaria to Greece, recruited in Greece for eggs harvesting and then exploited twice as "surrogate mother". of a woman from her country of origin (, Bulgaria), to a country of arrival, (Greece), with the intention of becoming a 'surrogate mother' to meet her financial needs.¹⁰

⁹ <https://www.publicsenat.fr/article/societe/grece-le-commerce-lucratif-de-la-gpa-75298>

¹⁰ De Abreu S. Les dessous de la mondialisation Public Sénat: l'histoire bouleversante de Maria, mère porteuse en Grèce", in *Télé Star*, [online], published on 28.05.2016, accessed on 10.08.2021,

Asia

- Chinese women, who have migrated to Japan, are recruited locally in a surrogacy process for Chinese clients.¹¹

Transcontinental

- Deceitful recruitment of a Venezuelan migrant woman by a client couple in Spain as part of a surrogacy.¹²
- A woman who immigrated to Belgium from Nigeria and became exploited as a 'surrogate mother' there.¹³

2. Women recruited and then moved to another country to be exploited through surrogacy

In the context of mafia practices

- Kazakh women displaced to Russia as part of surrogacy exploitation.¹⁴

For the convenience of customers: the child is delivered to their home

Asia

- Vietnamese women migrate to Thailand to become exploited as 'surrogate mothers' driven by financial needs and are then held captive and at the mercy of their exploiters.¹⁵

Europe

- Polish women moved to the Netherlands to be used as 'surrogate mothers'.¹⁶
- Roma women transported to France to be exploited as surrogates.¹⁷

<https://www.telestar.fr/culture/les-dessous-de-la-mondialisation-public-senat-l-histoire-bouleversante-de-maria-mere-porteuse-en-grece-211285>.

¹¹ Shimbun M. Investigation. Au Japon, des mères porteuses au service des riches Chinois", in *Courrier international*, [online], published on 12.05.2016, accessed on 17.03.2021, <https://www.courrierinternational.com/article/enquete-au-japon-des-meres-porteuses-au-service-des-riches-chinois>.

¹² EFE, 'Dos hombres contratan a una mujer par hacer de vientrel de alquiler', in *Diari de Tarragona*, [online], published 24.11.2018, accessed 9.08.2021, <https://www.diaridetarragona.com/amp/catalunya/Dos-hombres-contratan-a-una-mujer-para-hacer-de-ventre-de-alquiler-20181124-0042.html>.

¹³ Uchechukwu O., "#JusticeforAjimaandSusan: The Belgium press conspiracy of silence", [online], published on 13.04.2021, accessed on 12.08.2021, <https://www.icimigeria.org/justiceforajimaandsusan-the-belgium-press-conspiracy-of-silence/>.

¹⁴ Stewart W. , 'Three babies born to surrogates abandoned by mums due to pandemic', in *Mirror*, [online], published 18.12.2020, accessed 17.03.2021, <https://www.mirror.co.uk/news/world-news/three-babies-born-surrogates-abandoned-23186539>.

¹⁵ AFP, "Thailand: dismantling of a vast network of Vietnamese surrogate mothers", in *20 Minutes*, [online], published on 24.02.2011, accessed on 16.03.2021, <https://www.20minutes.fr/675983-20110224-societe-thaillande-demantelement-vaste-reseau-meres-porteuses-vietnamiennes>.

¹⁶ Leibowitz-Dori I. Womb for rent: The Future of International Trade in Surrogacy", in *Minnesota Journal of International Law*, 1997, pp. 329-354.

¹⁷ Ana-Luana Stoicea-Deram, co-president of ICASM, was informed about the issue by some of her sources.

To circumvent legislation

Asia

- Relocation of Indian maternity centres to Cambodia following the 2015 surrogacy ban and recruitment of Thai, Vietnamese, Lao and Indian women.¹⁸

3. Moving women used as 'surrogate mothers' to another country during the gestation process, to circumvent legislation, for the convenience of clients or to benefit from medical techniques not available in the destination country

Asia

Recruitment of Indian women, impregnated in India and transported to Nepal for delivery, (and delivery of the child), to clients.^{19, 20}

- Movement of Vietnamese women to China for illegal surrogacy. The embryo transfer is carried out in China, the women then return to Vietnam for their pregnancy and are transported to China for the delivery.²¹
- Thai women recruited as 'surrogate mothers' are moved to Laos for the implantation of the embryos and then brought back to Thailand to carry out the pregnancy before being moved to China, to the Chinese clients, for the delivery.²²
- Irregular immigration of Cambodian women to Vietnam to give birth in surrogacy for Chinese clients.²³
- Cambodian women moved to China to give birth as 'surrogates' to circumvent the prohibitions of the respective laws of the two states.²⁴

Europe

- Ukrainian women recruited as "surrogates" are sent to Northern Cyprus (under Turkish control), a "grey" zone which, unlike Ukraine, gives access to surrogacy to same-sex couples and allows the intended parents to choose the sex of the child. The women are sent there for the implantation of the embryos and then returned to

¹⁸ Anonymous, "India, surrogacy centres relocate to Cambodia", in *European Institute of Bioethics*, [online], published 7.07.2016, accessed 15.03.2021, <https://www.ieb-eib.org/fr/actualite/debut-de-vie/gestation-pour-autrui/inde-les-centres-de-maternite-de-substitution-se-delocalisent-au-cambodge-1111.html?backto=search>.

¹⁹ Oswald K., 'Earthquake throws spotlight on Israeli use of Nepalese surrogacy', in *Bionews*, [online], published 5.05.2015, accessed 12.08.2021, https://webcache.googleusercontent.com/search?q=cache:6BoO1t9MUJEJ:https://www.bionews.org.uk/page_95016+&cd=16&hl=en&ct=clnk&gl=en

²⁰ Duttgupta I., 'Why surrogacy issue emerges after Nepal earthquake', in *ET The Economist Times*, [online], published 5.05.2015, accessed 15.03.2021, <https://economictimes.indiatimes.com/blogs/globalindian/why-surrogacy-issue-emerges-after-nepal-earthquake/>.

²¹ Lao Dong N., "Vietnamese women arrested for surrogacy," in *Vietnam net*, [online], published 11.04.2019, accessed 12.08.2021, <https://vietnamnet.vn/en/society/vietnamese-women-arrested-for-surrogacy-521586.html>.

²² Watcharakwet W., "Bangkok Police Arrest Chinese Couple, 7 Thai Women in Surrogate Sting," in *BenarNews*, [online], published 13.02.2020, accessed 17.03.2021, <https://www.benarnews.org/english/news/thai/surrogacy-arrests-02132020163520.html>.

²³ Cheang S., "Cambodian women face surrogate charges after Vietnam births," in *abcnews*, [online], published 19.07.2019, accessed 9.08.2021, <https://abcnews.go.com/Health/wireStory/cambodian-women-face-surrogacy-charges-vietnam-births-64436596>.

²⁴ Bernard V., "Le nouveau trafic des mères surrogues au Cambodge", in *Le petit journal*, [online], published 25.12.2018, updated 26.12.2018, accessed 9.08.2021, <https://lepetitjournal.com/cambodge/actualites/le-nouveau-traffic-des-meres-porteuses-au-cambodge-247016>.

Ukraine for the first seven months of the pregnancy before being sent back for the birth.²⁵

- Travel of a Bulgarian woman, candidate to become a ‘surrogate mother’ in Cyprus, to then give birth in the country of her clients (France).²⁶
- Vietnamese women, taken to Cambodia for embryo transfer, returned to Vietnam during pregnancy and taken to China to give birth for Chinese clients.²⁷

North America

- Movement of Mexican women to give birth in the United States in the context of surrogacy.²⁸

4. Displacement of pregnant women to sell their children (illegal adoptions and baby trafficking):

Europe

- Bulgarian, Georgian and Roma women were taken to private clinics in Greece to give birth before their babies were sold for illegal adoption. Others were taken to private clinics to have their eggs harvested and some were used as ‘surrogate mothers’.²⁹
- Moving pregnant Bulgarian women to Greece to give birth and sell their babies.³⁰
- Movement of Bulgarian women to Greece to sell their eggs.³¹

Asia :

- Trafficking of new-born babies in Russia to Chinese citizens.³²

²⁵ Maria Varenikova, "Mothers, Babies Stranded in Ukraine Surrogacy Industry, in *The New-York Times*, [online], published 15.08.2020, accessed 17.03.2021, <https://www.nytimes.com/2020/08/15/world/europe/ukraine-baby-surrogate.html>.

²⁶ Moreau F., "Bordeaux : un couple condamné pour une surrogacy avec une mère porteuse bulgare", in *Sud Ouest*, [online], published on 1.07.2015, updated on 2.07.2015, accessed on 10 April 2021, <https://www.sudouest.fr/2015/07/01/bordeaux-deux-hommes-condamnes-suite-a-une-gestation-pour-autrui-1981209-2780.php?nic>.

²⁷ VN Express, "Cambodia a top trafficking destination for Vietnamese surrogate mothers," in *The Cambodia Daily*, [online], published 20.12.2019, accessed 15.03.2021, <https://english.cambodiadaily.com/crime/cambodia-a-top-trafficking-destination-for-vietnamese-surrogate-mothers-157648/>.

²⁸ Ilaya medical company, "The new cross-border surrogacy program in the US with ilaya", in *Ilaya medical company*, [online], published 10.11.2016, accessed 12.08.2021, <https://ivf.ilaya.com/fr/le-nouveau-programme-de-gpa-aux-etats-unis/>.

²⁹ Press Release, "66 suspected of arranging illegal adoptions and surrogacies, and human egg trafficking in Greece," in *Europol*, [online], published 26.09.2019, accessed 19.03.2021, <https://www.europol.europa.eu/newsroom/news/66-suspected-of-arranging-illegal-adoptions-and-surrogacies-and-human-egg-trafficking-in-greece>.

³⁰ AFP, "Bulgarian babies for sale: the trade in misery that pays big", in *La Dépêche*, [online], published on 18.02.2016, accessed on 10.08.2021, <https://www.ladepêche.fr/article/2016/02/18/2279648-bebes-bulgares-vendre-commerce-misere-rapporte-gros.html>.

³¹ AFP, "Grèce : démantèlement d'un réseau de trafic d'ovaires et de nourrissons", in *Le Figaro*, [online], published on 25.09.2019, accessed on 10.08.2021, <https://www.lefigaro.fr/flash-actu/grece-demantelement-d-un-reseau-de-traffic-d-ovaires-et-de-nourrissons-20190925>.

³² Solid Structure, "Who chose a surrogate for Pugacheva and Galkin detained for child trafficking?", in *Lenta.Ru*, [online], published 16.07.2020, accessed 18.03.2021, <https://m.lenta.ru/news/2020/07/16/doctor>.

Case study of three countries

Ukraine

Ukraine is a major European hub for commercial surrogacy where migration and movement of women exploited through surrogacy to other countries was already present before Russia's war against Ukraine, though the war accelerated the process. The legislation on surrogacy in Ukraine is based on two texts. The first is Article 123 of the Family Code of Ukraine from 2002, which states that if the embryo of a client couple is implanted in the body of another woman (the 'surrogate mother'), the clients will be considered as parents from the moment of conception. The second text is the Order of the Ministry of Health No. 787 of 9th September 2013, which explicitly allows surrogate motherhood. The Ukrainian provisions allow the use of a surrogate mother in the framework of "infertility treatment" for foreign married couples of the opposite sex, which makes the country very attractive for those who come from countries where the practice is illegal. Under this law, a woman contracted to be used as a 'surrogate mother' must have had at least one healthy child previously. It is therefore legal in Ukraine to advertise surrogacy and to recruit and pay women to be used as 'surrogate mothers'. As a result, many fertility clinics and agencies (including couriers and lawyers) have been established in the country- both native to the country, and those founded by foreigners to serve clients in their home country and abroad. The most obvious example is BioTexCom, founded by German Albert Totchilovsky in 2008, which presents itself as the largest agency in Ukraine, with multilingual staff to cater for the widest possible range of clients³³. Fees for clients range from €30,000 to €55,000 which adds a new attraction for foreigners since in other countries where commercial surrogacy is legal, fees are much higher.

In Ukraine, the women used as 'surrogate mothers' are mostly recruited from the countryside and poor regions of the country, as the payment they receive in exchange for renting out their uterus - about €15,000 - is about five times the average annual salary. It is therefore vulnerable women, generally single mothers, or mothers from families in economic and/ or social difficulty, who resort to becoming used as 'surrogate mothers' in order to meet the needs of their families. Testimonies from recruiters (themselves often formerly exploited as 'surrogate mothers') who oversee canvassing other women for the trade, also mention their displacement to war-torn areas, notably to Crimea and the Donbass and Luhansk regions, as the women are destitute, often homeless, and very vulnerable³⁴. Furthermore, Maria Dmitryeva, a Ukrainian human rights activist, revealed in March 2022 that women refugees from the ongoing conflict were targeted by fertility agency recruiters to be used as 'surrogate mothers'³⁵. It is therefore clear that the victims and targets of this trade are vulnerable women. Additionally, women used as 'surrogate mothers' are often bound by the terms of the contracts they sign to move closer to clinics and hospitals³⁶. This forced migration of these women from the periphery to large urban centres could be done with their families before the war, but the war has changed the configuration of the arrangements and the way in which the agencies manage the women used as 'surrogate mothers' and their accommodations.

³³ *BioTexCom* website, accessed on 27.04.2022, <https://biotexcom.com/>.

³⁴ Foreign Correspondent "Motherland" *ABC* [online] published 20.08.2019, accessed 27.04.2022, <https://www.abc.net.au/foreign/motherland/11432194>.

³⁵ Gendron, G. & Trilling, C. "Chronique d'un drame annoncée" *La Presse* [online] published on 16.04.2022, accessed on 27.04.2022, <https://www.lapresse.ca/debats/opinions/2022-04-16/recours-aux-meres-porteuses-en-ukraine/chronique-d-un-drame-annonce.php>.

³⁶ Motluk, A. "Ukraine's Surrogacy Industry Has Put Women In Impossible Positions" *The Atlantic* [online] published 01.03.2022, accessed 28.04.2022, <https://www.theatlantic.com/health/archive/2022/03/russia-invasion-ukraine-surrogate-family/623327/>.

In addition to internal displacement, Ukrainian women used as ‘surrogates’ could also be moved to other countries that have similar regulations to Ukraine or to grey areas. For example, many Ukrainian women travel to Russia to be used as ‘surrogate mothers’ there³⁷, although it can be assumed that these women are recruited and moved by agencies. There is also evidence of Ukrainian agencies offering their commissioning clients the possibility to move the mothers used as ‘surrogates’ to the Turkish part of Cyprus, a grey area in terms of surrogacy. This move allowed for the satisfaction of types of clients not allowed under Ukrainian regulations, including same-sex couples, single persons, or those who want to choose the sex of the child³⁸. When war broke out again following the Russian invasion on 24th February 2022, the issue of children born through surrogacy, and the views of the commissioning clients, was covered by the media. Few articles dwelt on the fate of the women used as ‘surrogate mothers’, and even fewer on the issue of their displacement and forced migration. Their displacement highlights the behaviour of two types of actors that can be interpreted as trafficking. Firstly, that of the agencies and the way in which they managed the contracted women, and secondly, that of the foreign clients who decide univocally on their displacements thus denying the women any capacity for autonomy.

Some agencies, such as *Delivering Dreams*, a US-based agency operating in Ukraine, announced that they had organised the movement of the women they used as ‘surrogates’ from mid-February onwards to Lviv and then to the border countries. Founder Kersh-Kibler in February stressed that these women were not happy with the move but had buckled under pressure from clients anxious about the worsening situation. The mothers used as ‘surrogates’, who were already several months into their pregnancies, had to go to Lviv alone because they did not want to uproot their families again, as they had done for the first migration in order to be closer to the clinic. But when Russian troops invaded the rest of the country, Kersh-Kibler wanted to move other newly impregnated mothers and even those who were only at the stage of undergoing hormonal treatment before implantation of the foetus. Here again, she encountered difficulties, as some women refused to be moved or to go to safe places separate from their families. They wanted to be able to decide what to do, whether to leave their home, or to migrate elsewhere, and under the conditions of their choice³⁹. Testimonies from the mothers exploited as ‘surrogates’ about their displacement by the *Delivering Dreams* agency were collected by Susan Dominus for *The New York Times* magazine and highlight their conflicting feelings of being displaced against their will and losing control over their bodies and their autonomy, while clients and agencies argue about logistics, displacement, delivery dates etc.⁴⁰. Relocations are therefore as a consequence of pressure from the agency, resulting in the women’s families being left to fend for themselves in Ukraine. The World Center of Babies agency, based in Kiev, also claimed to have moved the women they used as ‘surrogates’ to the city of Lviv and it can be assumed that these women were again acting under duress and

³⁷ Kirpichenko, M. & Weiss, C. "The impact of the war in Ukraine on the Russian fertility industry" *BioNew* 1139, published on 04.04.2022, accessed on 28.04.2022, https://www.bionews.org.uk/page_163451.

³⁸ Varenikova, M. "Mothers, babies Stranded in Ukraine Surrogacy Industry" *The New York Times* [online] published 15.08.2020, accessed 28.04.2022, <https://www.nytimes.com/2020/08/15/world/europe/ukraine-baby-surrogate.html>.

³⁹ Motluk, A. "Ukraine's Surrogacy Industry Has Put Women In Impossible Positions" *The Atlantic* [online] published 01.03.2022, accessed 28.04.2022, <https://www.theatlantic.com/health/archive/2022/03/russia-invasion-ukraine-surrogate-family/623327/>.

⁴⁰ Dominus, S. "It's a Terrible Thing When a Grown Person Does Not Belong to Herself" *The New York Times Magazine* [online] published 03.05.2022, accessed 03.05.2022, <https://www.nytimes.com/2022/05/03/magazine/surrogates-ukraine.html>.

without much room for manoeuvre⁴¹. Furthermore, one of the agencies that saw women used as ‘surrogate mothers’ fleeing to the border countries demanded that they return to Ukraine for the delivery, regardless of the situation in the country, otherwise the surrogacy contract they signed in Ukraine would be null and void according to the laws making surrogacy illegal in the border countries⁴². The Israeli agency International Fertility Group (IFG), which usually operates in Ukraine, has proposed to their clients to move Ukrainian ‘surrogate mothers’ to Georgia- another country that allows commercial surrogacy. The argument put forward is the possibility of organising the filiation between the newborn child and the genitor in conditions similar to those present in Ukraine, because Georgia allows foreign women to be used as ‘surrogate mothers,’ unlike Ukraine. The agency assures that the transfer of the existing administrative formalities will be carried out by their service, but that new documents will have to be drawn up, required by the Georgian clinic. The agency also promises to take care of the ‘surrogate mother’s’ travel and accommodation, assuring that if the pregnancy goes well she could go back to Poland, Romania or Slovakia, but says that if it is "problematic" - that is, if the mother's health or life is in danger - she will have to stay in Georgia.⁴³⁴⁴

In other cases, it was the commissioning clients who arranged for the women they used as ‘surrogates’ to be moved to their own country. For example, one mother named Tatiana was moved to France by the client couple living in Paris, leaving her children and her husband in Ukraine, as he did not want the children to leave.⁴⁵⁴⁶. A lawyer appointed by clients cited the case of several Ukrainian ‘surrogate mothers’ who arrived in France, including in the Vendée, Rhône, Provence and Somme regions. One client couple from the Vendée explained the steps they took to bring Ella, the woman they used, and her two daughters to France: first by putting them on a secure convoy from Kiev to Poland, then by booking a flat in Warsaw and a Flixbus to France. Another mother acting as ‘surrogate’, Yullia, fled Ukraine in the hope of joining her husband in Poland, but due to lack of space in his accommodation, was picked up at Przemysl train station by the clients client⁴⁷. Katarina was also moved to France by the clients, first through Poland, to receive papers from the French embassy in Warsaw, before flying to Bordeaux alone, without her two daughters who remained in Ukraine with their grandmother. The clients claim that the agency no longer sends her payment and that they are the ones who pay her⁴⁸. French clients are not the only ones who have women exploited as ‘surrogate

⁴¹ Leclair, A. "Ukraine: war raises concerns about surrogate mothers and children born of surrogacy" *Le Figaro* [online] published on 03.03.2022, accessed on 28.05.2022, <https://www.lefigaro.fr/actualite-france/ukraine-la-guerre-fait-peser-l-inquietude-sur-les-meres-porteuses-et-enfants-nes-de-gpa-20220302>.

⁴² Well, D. "Ukraine's surrogate mothers trapped between the frontlines" *The Indian Express* [online] published 30.03.2022, accessed 28.04.2022, <https://indianexpress.com/article/world/ukraines-surrogate-mothers-trapped-between-the-frontlines-7844149/>.

⁴³ Mahmoud, Z & Horsey, K. "Ukrainian Surrogates: a surprising silence" *BioNews* 1135 [online] published 07.03.2022, accessed 29.04.2022, <https://www.progress.org.uk/ukrainian-surrogates-a-surprising-silence/>.

⁴⁴ Motluk, A. "What's next for intended parents working with Ukraine?" *Ukraine Surrogacy Dispatches*, published 24.04.2022, accessed 29.04.2022, <https://ukrainesurrogacydispatches.substack.com/p/whats-next-for-intended-parents-working?s=r>.

⁴⁵ Hearty, S. & Layhe, E. "Ukraine: Impossible choices for surrogate mothers and parents" *BBC News*, published 22.03.2022, accessed 29.04.2022, <https://www.bbc.com/news/world-europe-60824936>.

⁴⁶ Well, D. "Ukraine's surrogate mothers trapped between the frontlines" *The Indian Express* [online] published 30.03.2022, accessed 28.04.2022, <https://indianexpress.com/article/world/ukraines-surrogate-mothers-trapped-between-the-frontlines-7844149/>.

⁴⁷ Pascual, J. "Des mères porteuses ukrainiennes prises au piège de la guerre" *Le Monde* [online] published 24.04.2022, accessed 29.04.2022, https://www.lemonde.fr/m-le-mag/article/2022/04/24/des-meres-porteuses-ukrainiennes-prises-au-piege-de-la-guerre_6123417_4500055.html.

⁴⁸ Leclair, A. "La guerre en Ukraine déplace des surrogacy en France" *Le Figaro* [online] published on 28.04.2022, accessed on 29.04.2022, <https://www.lefigaro.fr/actualite-france/la-guerre-en-ukraine-deplace-des-gpa-en-france-20220427>.

mothers' move around: Spanish clients have arranged for Viktoria, the carrier of twins, to be moved first to Poland, before flying to Barcelona. But since surrogacy is illegal in Spain, it was decided that Viktoria would give birth in Georgia, for the same reasons explained above. This is also the case for Marina, whose Italian clients agreed with the agency that she would go to Poland before flying to Georgia⁴⁹. The UK has even taken a position on the issue of 'surrogate mothers' of "future British citizens" who have fled the war: they will be granted a three-year residence visa⁵⁰. This decision was taken following a letter from the lawyers of 24 clients asking the Home Secretary, Priti Patel, in early March 2022 to take into account the war situation and the fact that the foetuses are "future British citizens"⁵¹. This visa grant circumvents all UK immigration laws, with the sole purpose of ensuring that mothers used as 'surrogates' carry the foetuses into the world and that the newborns are handed over to the clients. It is worth noting that although so-called "altruistic" surrogacy is permitted in the UK, commercial contracts such as those signed in Ukraine are illegal.

The situations described here are thus similar to trafficking as defined by the Palermo Protocol, with the recruitment, transportation and reception of persons who are very often deceived and in a vulnerable position in relation to the position of power of the buyer and/ or agency, with the aim of exploiting their reproductive capacity. These elements also provide answers to two of the questions posed by this survey. Additionally, it is also possible to observe situations in which women are recruited as 'surrogate mothers' and moved within their own country, either forcibly or voluntarily. However, free consent cannot be fully established as the women are in a vulnerable position, are moved to be closer to the clinics, and are dependent on the money received to support themselves. In addition, Ukrainian women are also moved from their country of origin to a foreign country in the context of surrogacy to give birth either in the country of the clients or in a country whose legislation also allows for surrogacy, e.g. Cyprus, where the rules are even more lax than in Ukraine, or Georgia, whose regulation of surrogacy is similar to that of Ukraine.

Greece

Greece has become another European hub for fertility treatment⁵², *as well as for surrogacy* and oocyte retrieval, due to its economic situation and geographical location (Davaki, 2017). Greece legalised surrogacy and, more generally, medical assistance in human reproduction in 2002 with Law 3089/2002, as the title of the law states. This law provides for the consent of the spouse or partner of the woman wishing to be a 'surrogate mother' or from whom the oocytes are taken and prohibits cloning and the choice of the sex of the foetus. This law also provides that both the commissioning client and the 'surrogate mother' must be permanent residents of Greece, which was intended to prevent Greece from becoming a country of reproductive tourism. The law provides that only so-called "altruistic" surrogacy is allowed. A subsequent law in 2005, Law 3305/2005 called "Application of medically assisted reproduction methods" provides for criminal and administrative sanctions in case of non-compliance with the law and

⁴⁹ Pascual, J. "Des mères porteuses ukrainiennes prises au piège de la guerre" *Le Monde* [online] published 24.04.2022, accessed 29.04.2022, https://www.lemonde.fr/m-le-mag/article/2022/04/24/des-meres-porteuses-ukrainiennes-prises-au-piege-de-la-guerre_6123417_4500055.html.

⁵⁰ Flynn, H. "UK visas made available to Ukraine surrogates as babies stranded in Kyiv" *BioNews* 1137 [online] published 18.03.2022, accessed 29.03.2022, https://www.bionews.org.uk/page_162995.

⁵¹ "Daniel, H. "Bring our unborn British babies home from Ukrainian surrogate mothers" *The Times* [online] published 06/03/2022, accessed 29.03.2022, <https://www.thetimes.co.uk/article/bring-our-unborn-british-babies-home-from-ukrainian-surrogate-mothers-x6v22cshd>.

⁵² Krithani, E. "Making Babies, Pushing Boundaries: The Great Greek Fertility Market" *Balkan Insight* [online] published on 09.06.2021, accessed on 03.06.2022, <https://balkaninsight.com/2021/07/09/making-babies-pushing-boundaries-the-greek-fertility-market/>.

created the National Supervisory Authority for Assisted Reproduction (ANRMA) which monitors the proper conduct of procedures and makes ethical decisions. This law requires future ‘surrogate mothers’ to be physically and mentally assessed before signing the contract. This law is based on individual liberties and the best interests of the child by ensuring that children born of surrogacy have the same rights as all others. This law also establishes the financial compensation of the mother used as a ‘surrogate’, which includes health costs and also related expenses such as transport to medical centres and compensation for loss of income in the event of cessation of activity. Non-monetary compensation is also allowed. In 2014, Law 4272/2014 abolished the need for ‘surrogate mothers’ and clients to be permanent residents in Greece as was required by the 2002 law. Now they can be temporary residents, with no minimum length of stay, which has accelerated the country's tendency to become a place for reproductive tourism for surrogacy. Other legal provisions are present in Articles 1455 to 1464 of the Greek Civil Code. These articles stipulate that the client must prove her inability to bear a child or the risk of transmitting a genetic disease. The client must not be post-menopausal in order to prevent the parents from being too old. In addition, same-sex couples and single men cannot use surrogacy. According to Article 1458, the authorisation of a court is necessary beforehand to validate the procedure and the contract. It is also this article that defines ‘surrogate motherhood’ as "the transfer of fertilised eggs to another woman resulting in a pregnancy in the latter" (*Addendum 2021*). Article 1564 in particular deals with genetic material, and states that surrogacy can only be gestational, so that there is no genetic link with the ‘surrogate mother’ and she cannot claim parentage with the newborn. Decision no. 73/24.01.2017 of the Code of Ethics for Assisted Reproduction also ensures that the ‘surrogate mother’ must be over 25 years of age, have had a child and not undergone a caesarean section. As far as egg retrieval is concerned, there is no limit placed on the number extracted.

Despite these provisions, Greece is today one of the hubs of surrogacy and many of the women who become used as ‘surrogate mothers’ or from whom oocytes are retrieved are migrant women. Prostitution or surrogacy are seen as palliatives in a country where there is a lack of jobs, a decreasing average salary and difficult access to employment⁵³. A significant number of women exploited as ‘surrogate mothers’ in Greece are migrants from Eastern Europe, especially from Bulgaria, Moldova or Georgia, who come to Greece as domestic workers. With the crisis, their employers dismissed them and, out of necessity, they had to become ‘surrogate mothers’, with 17% of ‘surrogate mothers’ in Greece previously being domestic workers⁵⁴ (Davaki, 2017). The altruistic aspect, emphasised by the legislation, is difficult to observe. A survey showed that out of 92 surrogacy cases, only 13 were intrafamily surrogacy, the other 79 cases featured ‘surrogate mothers’ who were allegedly "best friends" of the client, often ten or twenty years younger than her and mainly from Eastern Europe (Hatziz, 2010). In view of these data, it is possible to question the reality of the emotional ties between clients and women used by them as ‘surrogate mothers’. Knowing that the compensation that these women receive can be around €20,000, it appears more likely that there are financial reasons for these women to become ‘surrogates’ (Davaki, 2017). The commercial and exploitative reality of surrogacy in Greece is revealed in the possibility for the women used in surrogacy to be exchanged during preparation according to medical criteria (Davaki, 2017:155). It should also be noted that surrogacy between relatives does not exclude psychological pressure and abuse of the ‘surrogate mother’ (Davaki, 2017).

Let us also underline the emblematic case reported in the documentary of Public Sénat which reveals the story of a young woman of 18 years old – i.e. below the legal age – of foreign origin

⁵³ Moreau, B. "Grèce : le commerce lucratif de la surrogacy" *Public Sénat*, published on 29.06.2022, accessed on 03.06.2022, <https://www.publicsenat.fr/article/societe/grece-le-commerce-lucratif-de-la-gpa-75298>.

⁵⁴ Moreau, B. "Grèce : le commerce lucratif de la surrogacy" *Public Sénat*, published on 29.06.2022, accessed on 03.06.2022, <https://www.publicsenat.fr/article/societe/grece-le-commerce-lucratif-de-la-gpa-75298>.

forced to become a 'surrogate mother'. The journalists met her through a "madam", which suggests that this young woman is also a victim of prostitution. She explained to the journalists, unrecorded and, that she was not allowed to leave her home and that she had promised to return home with the money once the process was completed and she had given birth. Since this woman was under the control of a madam, it is possible to wonder whether the "madam" was not receiving a commission from the clinic for the exploitation of this 18-year-old foreign woman. There is also the testimony of Maria (mentioned in the previous list of cases) a Bulgarian woman who initially migrated to Greece for financial reasons and was hired as a domestic worker, but faced with economic hardship became a 'surrogate mother'. Although she claims to have done so out of altruism, her son admitted to journalists that at the time of filming she was undergoing her second surrogacy to allow them greater financial comfort and to buy a flat in Athens. The documentary also reveals the existence of Greek mafia involvement in surrogacy, and a powerful doctors' lobby that does not hesitate to bribe Greek parliamentarians to keep the state out of this market. Another example is Dr Pantos, the owner of a very famous fertility clinic, called Genesis, who has close links with the entertainment industry, the media, the Orthodox Church and right-wing and far-right political circles⁵⁵.

The trafficking in women for the purpose of reproductive exploitation for financial gain in Greece was exposed in 2019 by a Greek police investigation supported by the Europol agency. The investigation revealed that an organised crime group had recruited pregnant and vulnerable Bulgarian women, some of whom held surrogacy contracts, to sell their children in Greece for illegal adoption for €25,000 to €28,000 each. The payment included money for the woman used as a 'surrogate mother', administration fees, hospital fees and payment to the criminal group. The group was also involved in trafficking young women of Bulgarian, Georgian and Roma origin for the extraction of oocytes. It was estimated that the activities of the group, which included a lawyer, an obstetrician-gynaecologist, employees of clinics in Athens and Thessaloniki as well as intermediaries, generated approximately €500,000 laundered through financial institutions, via the purchase of luxury items and real estate. The article published by Europol clearly speaks of human trafficking for these criminal activities⁵⁶⁵⁷.

The exploitation and trafficking of women for egg retrieval in Greece, as well as for surrogacy, finds its victims among the poorest women who seek an economic alternative to the financial hardship they and their families face, while hijacking a system that claims to be altruistic. The *Balkan Insight* newspaper investigated the phenomenon and its findings highlight the system of exploitation of vulnerable young women, and especially migrant women. Like 'surrogate motherhood', egg "donation" is supposed to be considered an altruistic gesture; the reality shows young women who are paid but also intermediaries looking for poor and migrant young women to collect their eggs. This is the case of Lina (real name withheld), a Bulgarian woman who migrated to Greece as a waitress, and who admits to having accepted the harvesting of her oocytes for financial reasons. Lina was recruited by an intermediary paid by both the clinic and the "egg donors". These intermediaries act illegally but seem to be widespread nonetheless. The demand for oocytes on the market far exceeds the supply, which leads clinics and doctors to be proactive in recruiting women willing to sell their genetic material. Because of the shortage of oocyte supply, doctors can put young women's lives at risk by encouraging them to undergo

⁵⁵ Moreau, B. "Grèce : le commerce lucratif de la surrogacy" *Public Sénat*, published on 29.06.2022, accessed on 03.06.2022, <https://www.publicsenat.fr/article/societe/grece-le-commerce-lucratif-de-la-gpa-75298>.

⁵⁶ Press Release, "66 suspected of arranging illegal adoptions and surrogacies, and human egg trafficking in Greece," in *Europol*, [online], published 26.09.2019, accessed 19.03.2021, <https://www.europol.europa.eu/newsroom/news/66-suspected-of-arranging-illegal-adoptions-and-surrogacies-and-human-egg-trafficking-in-greece>.

⁵⁷ Petrakis, P. "Greek police smash alleged €500,000 baby-smuggling network" *Euronews* [online] published 27.09.2019, accessed 03.06.2022, <https://www.euronews.com/2019/09/27/greek-police-smash-alleged-500-000-baby-smuggling-network>.

maximum retrieval without informing them of the risks to their health. Lina remembers a friend who had a very bad experience with hormone treatments and developed serious complications as a result of over-stimulation of her ovaries. For the same reasons, many doctors resort to unethical practices, such as omitting to register all procedures, while some obtain women's genetic material through organised crime groups that, in fact, practice human trafficking, as the 2019 case exposed. An employee of a fertility clinic states that she is aware of a doctor who uses Georgian migrant women to harvest their eggs and that they are also victims of prostitution. It can be assumed that there are many other cases like this. Indeed, clients look for foreign oocytes with a racist preference for oocytes from Poland or Romania because of the physical characteristics of the "donor": skin colour, eyes, hair. According to Diane Tober, Bulgarian and Georgian women are the ones from whom most eggs are taken⁵⁸.

Greece is a perfect example demonstrating that the regulation of the so-called altruistic surrogacy can only lead to a corruption of the system and the continued exploitation of women's reproductive capacities. Greece wanted to put in place a strict framework to avoid any exploitation. However, over time, and under pressure from medical lobbies increasingly concerned with increasing their profits, a predatory system has developed based on the exploitation of women for reproductive purposes and trafficking in human beings. Due to its geographical position, Greece has become the ideal place to exploit the weakest, most economically, culturally and socially vulnerable categories of the population: migrant women, especially in a country that has experienced the worst economic crisis on the continent since the beginning of the century. The Europol agency recognises this, stressing that "we are dealing here with cases of human trafficking".

Mexico

As Mexico is a federation of states, there is no national law on surrogacy and each federative entity decides on its own legislation. The states of San Luis Potosi and Querétaro completely prohibit surrogacy in all its forms and when surrogacy is discovered, the newborn child will be legally recognised as the child of the 'surrogate mother'. The state of Coahuila had also banned the practice but lifted the ban in 2015, without any further legislation. In 2010, Mexico City, which has the status of a federal district, drafted a law allowing surrogacy, but the text was never officially published or put into force. The majority of the 32 federal entities have no legislation on the issue, neither prohibiting it nor expressly allowing it- with the exception of the two states of Sinaloa and Tabasco. In both states, however, the legislation is very lax, with a lack of protection and guarantees for the personal integrity, health of 'surrogate mothers', identity and best interests of the child. There is no monitoring system, no verification of the identity of the clients, and no mechanism to ensure that the practice is not used for trafficking, exploitation and/ or smuggling.

In June 2021, after the state of Tabasco tried in 2016 to restrict access to surrogacy to Mexican citizens only, the Supreme Court repealed this law, and by its judgement, recognised the practice of surrogacy across the whole country. Remuneration is prohibited; technically only "altruistic" surrogacy is allowed, but the agencies find ways to get around this prohibition. Indeed, the terms used to qualify the money given to the mothers used as 'surrogates' are:

⁵⁸ Krithani, E. "Making Babies, Pushing Boundaries: The Great Greek Fertility Market" *Balkan Insight* [online] published on 09.06.2021, accessed on 03.06.2022, <https://balkaninsight.com/2021/07/09/making-babies-pushing-boundaries-the-great-greek-fertility-market/>.

gratuity or compensation, but also economic assistance⁵⁹. Thus, the difference between "altruistic" and "commercial" surrogacy is theoretical and artificial. There is no public data on the number of children born to women exploited as 'surrogate mothers'.

Throughout Mexico, private hospitals, regardless of the state, find ways to practice surrogacy despite the lack of regulation or the ban⁶⁰. For example, the city of Cancun is a popular destination for clients seeking to use women as 'surrogate mothers', in a state where there is no legislation governing the practice.

In general, the socio-economic class of women recruited as 'surrogate mothers' is much lower than that of the clients (Amador, 2011:202). The non-governmental organisation GIRE (*Grupo de Información en Reproducción Elegida*) points out that women exploited in surrogacy in Mexico may also be migrant women from South American countries and Mexican women fleeing gang violence in their region. She also notes that the women used as 'surrogate mothers' are often at risk of not being well informed about the contract and the risks they face (Fulda & Tamés, 2017).

It is worth highlighting the situation of Arely as reported by the IWRG, who migrated from Colombia to join family in Mexico City. She was unable to find work and was put on the surrogacy path by a friend. The IVF fertilisation was carried out in Mexico City before going to Cancun, staying in a surrogacy accommodation. She did not sign a contract, but the agency promised her \$1000 at the beginning of the pregnancy and then about \$600 per month until the birth. She became pregnant with twins but miscarried at 5 months. As a result, she did not receive the agreed amounts during the pregnancy and did not receive care afterwards. She does not know if she can still have children nor does she have access to her medical records. Since she did not sign a contract, she has no proof of her involvement in a surrogacy arrangement and does not know what legal recourse to take.

Journalist Melissa Amezcua of the newspaper EL Universal points out that there is a lot of internal migration related to surrogacy. In many cases, women recruited as 'surrogate mothers' are inseminated in private hospitals in their state of residence and then moved to Tabasco and Sinaloa for the delivery, with the aim of making the procedure legal and ensuring that the clients are related to the newborn⁶¹. In another article, she describes the situation of Sandra, a resident of Mazatlán, a city in the state of Sinaloa, who was recruited as a 'surrogate mother' for a wealthy Mexican woman. For the insemination, she was moved to the city of Guadalajara in the state of Jalisco, where surrogacy is not regulated. Moreover, although she lives in a state where the practice is legal, she did not sign a contract according to state regulations and is afraid of having to appear in court. Due to pre-eclampsia, she had to give birth before her due date, so the doctor who should have handled the delivery was absent and the plan of the client and her family (to have Sandra return to the hospital under the name of the client to establish parentage directly in her favour) failed. She also suffered from post-partum syndrome after giving birth and medical problems, including hormone levels so high that she lost her hair. She did not have

⁵⁹ Tuckman, J. "Surrogacy boom in Mexico brings tales of missing money and stolen eggs" *The Guardian* [online] published 25.09.2014, accessed 09.05.2022, <https://www.theguardian.com/world/2014/sep/25/tales-of-missing-money-stolen-eggs-surrogacy-mexico>.

⁶⁰ Mora, K. "'Madres subrogadas' ofrecen en renta su vientre, sin regulación" *Publimetro* [online] published 13.05.2014, accessed 09.05.2022, <https://www.publimetro.com.mx/mx/noticias/2014/05/14/madres-subrogadas-ofrecen-en-renta-su-vientre-sin-regulacion.html?page=1&word=noticias&blog=mx&kind=category>.

⁶¹ Espinosa Guetierrez, A. "Piden reconocer maternidad subrogada como una forma de explotación contra las mujeres" *Cimacnoticias* [online] published on 05.04.2021, accessed on 09.05.2022, <https://cimacnoticias.com.mx/2021/04/05/83932>.

time to see the twins she gave birth to, except at the notary's office, where she broke down in tears. The client refused all contact afterwards^{62,63}.

In Mexico, through social networks, women advertise themselves as 'surrogate mothers', ready to be moved to the United States to give birth. This is the case of "Brenda" who advertises the fact that she is from Tijuana, on the border with the United States, and has a tourist passport that allows her to come to San Diego for the purpose of being used as a 'surrogate'. She gives her pregnancy history and the children she has had⁶⁴. The city of Tijuana is also known to be a place where agencies and clients seek out women for surrogacy because of its border location, making it easier for women to travel^{65,66}.

The movement of Mexican 'surrogate mothers' to the US is even offered directly by several agencies. Ilaya offers a service where a woman is inseminated in Mexico, spends her first six months of pregnancy there and then is moved to the US for the remaining time and delivery⁶⁷. The MFC Surrogacy agency offers a similar programme⁶⁸. Finally, the Care Surrogacy Center agency, in the opposite direction, offers to use a US woman as a 'surrogate', move her to Mexico for insemination and then return her to the US⁶⁹. In all three cases, the agencies put forward two main arguments for this practice: cost reduction, as prices in Mexico are much lower than in the US; and legal access to parentage, especially in the state of California, whose laws are very advantageous to surrogacy clients. Women used as 'surrogate mothers' are also moved during their pregnancy, simply in order to give birth in a country more comfortable for the clients. Bertha O. Garcia in her speech at the NGO forum of the UN Commission on the Status of Women, reported the testimony of a man who was defrauded by a surrogacy agency in Mexico. Investigating his own case, he discovered the story of a Mexican woman exploited as a 'surrogate mother' who was moved to San Diego for the birth, but left behind by the agency, without a return ticket to Mexico, and having to pay for the hospitalisation herself⁷⁰. This situation shows how agencies use the women for the comfort of their clients, but also to avoid the costs involved in the practice, employing methods resembling those of organised criminal groups.

⁶² Amezcua, M. "Renta de vientres: Explotación ilegal de mujeres" *El Universal* [online] published 11.10.2019, accessed 09.05.2022, <https://interactivo.eluniversal.com.mx/2019/maternidad-subrogada/index.html>.

⁶³ Amezcua M. "La historia de Sandra" *El Universal* [online] published 11.10.2019, accessed 09.05.2022, <https://interactivo.eluniversal.com.mx/2019/maternidad-subrogada/sandra.html>.

⁶⁴ Comment by "Brenda" on 07.11.2015 on the article by Miret Lucio, C., "Entrevista: Vientre de alquiler en Estados Unidos", Reproducción Asistida ORG, published 08.07.2013, accessed 10/05/2022, <https://www.reproduccionasistida.org/entrevista-vientre-de-alquiler-en-estados-unidos/>.

⁶⁵ Ortiz, E., "Los "vientres de alquiler", una realidad en México que genera ganancias millonarias" *UGTV* [online], published on 27.11.2021, accessed on 10.05.2022, <https://udgtv.com/noticias/los-vientres-alquiler-una-realidad-mexico-genera-ganancias-millonarias/#>.

⁶⁶ Alonso Meneses, M., "Resiliencia | Gestación subrogada en México" *El Sol de Tlaxcala* [online] published on 02.02.2022, accessed on 10.05.2022, <https://www.elsoldetlaxcala.com.mx/analisis/resiliencia-gestacion-subrogada-en-mexico-7811014.html>.

⁶⁷ Ilaya medical company, "The new cross-border surrogacy program in the US with ilaya", in *Ilaya medical company*, [online], published 10.11.2016, accessed 12.08.2021, <https://ivf.ilaya.com/fr/le-nouveau-programme-de-gpa-aux-etats-unis/>.

⁶⁸ Medical fertility Centersurrogacy "Programa cross Border" in *MFCSubrogación* [online], accessed 10.05.2022, <http://mfcsurrogacion.com/cross-border-program/>.

⁶⁹ Care Surrogacy "What are cross border surrogacy packages offered?" in *Care Surrogacy Center Mexico* [online] accessed 10.05.2022, <https://www.surrogacymexico.com/faq/what-are-cross-border-surrogacy-packages-offered/>.

⁷⁰ Intervention by Bertha O. Garcia, co-president of ICASM, at the seminar "Gender equality public policies and the choice to become a surrogate mother" on 19.03.2022, *Abolition surrogacy*, published on 22.03.2022, accessed on 10.05.2022, <https://www.youtube.com/watch?v=NJx7MoBf9EA>.

However, this type of behaviour is not limited to agencies. In 2017, Esthela Clark, a Mexican woman living in the United States, was brought to justice for human trafficking, as well as sex trafficking. In 2012 and over a period of several years, she participated in the trafficking of a young Mexican woman to be used as a 'surrogate mother' for herself and her partner. In 2012, Clark approached a young Mexican woman from the same village as her to become a 'surrogate mother', assuring her that the process would be legal and medically supervised. Clark hired "coyotes" (smugglers) to get her into the United States. When she arrived in Florida, where Clark lives, the reality was not what was promised: the young woman had to sleep on the floor, eat only beans and was subjected to inseminations with Clark's partner's sperm. Clarke collected her husband's sperm in a condom before using a syringe to inject it into the young woman's womb. The young woman was rescued by a neighbour in 2015 after she was seen washing a car in clothing that was not appropriate for the cold weather⁷¹.

These situations of displaced women used as 'surrogate mothers' - both inside and outside the country - for the convenience of the agencies and clients, represent cases of trafficking, which take advantage of women's vulnerable situations with the aim of gaining economic benefits for the agencies, or emotional and material benefits for the clients. It is also important to underline the fact that agencies manage to circumvent restrictive laws in countries to organise forms of commercial surrogacy. Finally, it is impossible not to notice the racial character of the practice of surrogacy in Mexico. The use of racialised women to enable the birth of white children to US citizens through gestational surrogacy aligns with the white supremacist policies promoted by some US political circles.

Analysis of the results

After analysing the various cases that have been identified, it is clear that there are many commonalities among the situations this study covers

Economic and social insecurity is a source of vulnerability and the recruiters' terrain

First of all, it is clear that women - whether they migrate from their country of origin to another country to be used as 'surrogate mothers' or oocyte donors, or are recruited once there - present very similar profiles. The vast majority of them, if not all, are in a situation of great economic, professional and social insecurity. This explains why intermediaries find it so easy to recruit them in exchange for financial remuneration, or merely a promise of remuneration that is not always fulfilled.

We believe that the great precariousness in which these women find themselves also explains why it is so easy for traffickers to lure them (often by deceiving them about the reasons for their contact), to sequester them and to make them victims of human trafficking by moving them against their will from one state to another, and by forcing them to carry a pregnancy. These women become victims of human trafficking and reproductive exploitation through forced pregnancies, but also of sequestration and physical and psychological abuse. In the eyes of their traffickers, these women are nothing but machines for producing babies that can be sold on the illegal adoption market.

⁷¹ Bever, L. "Smuggled to the U.S. to be a surrogate, one woman claims she was abused and used for her womb" *The Washington Post* [online], published 01/04/2017, accessed 10.05.2022, <https://www.washingtonpost.com/news/morning-mix/wp/2017/04/01/smuggled-to-the-u-s-to-be-a-surrogate-one-woman-claims-she-was-abused-and-used-for-her-womb/>.

All the actors involved in this practice - intermediaries, clinics, laboratories, lawyers, bankers, psychologists, etc., and the clients who commission them - shamelessly take advantage of the vulnerability of these women to achieve their respective ends, which are, for the former, financial gains and for the latter, a child; a child which is bought as a commodity and also, in many occasions, is a victim of trafficking.

It should also be noted that the commissioning people are generally financially well-off and in a stable social, professional and financial situation, which places them in a dominant role in relation to the women recruited, whether or not they are forced to take part in this process of surrogacy and egg donation.

The analysis of the types of displacement to which the mothers used as 'surrogates' are subjected, opens a new chapter in human trafficking.

We note that the migratory movements (forced or not) of the women involved in the processes of surrogacy, oocyte donation and forced pregnancies are very particular and do not entirely overlap with the usual categories of migration.

Our observations identified the following cases:

- Women are recruited in their country of origin and sent to another country to be used as 'surrogate mothers', to meet the demand⁷² where the practice is allowed or, in other cases, under illegal arrangements. This type of cross-border movement is of temporary nature and rarely results in permanent migration⁷³ ;
- Women who have already migrated are recruited for the purposes of exploitation through surrogacy and/or egg harvesting;
- The surrogacy process, because it uses sophisticated medical technologies (IVF, pregnancy monitoring, etc.), requires the candidates for 'surrogate motherhood' to travel from their place of origin to a specialised urban centre to undergo preparatory treatments and embryo transfer. To escape social opprobrium or the curiosity of their neighbours, and often to satisfy the control requirements imposed by contract or by clients, they spend their pregnancy far from home and close to the hospital, which provides treatment, follow-up and delivery;
- A final case is the movement of surrogate mothers during their pregnancy. In order to optimise costs, the industry assigns each production phase to a different geographical area. Similarly, the surrogacy process is divided into three phases: embryo transfer, pregnancy and delivery, each of which can be based in different locations in order to :
 - Access the reproductive technologies not available in the country of origin or are of better quality in another country;
 - Circumvent legislation ;
 - Offer "home delivery" of babies by having the mother used as a 'surrogate' give birth in the country of the commissioning clients;
 - Reduce costs⁷⁴ for the clients;
 - Reduce the risks of non-recognition of parentage between the infant and its buyer(s) by organising the birth in the buyer(s)' country where the justice system, in the name of the child's best interests, will facilitate the recognition of parentage.

⁷² "The Underbelly of Globalisation: Greece-the Price of a Child", <https://www.youtube.com/watch?v=JHwKiCS3gyI>, June 2016.

⁷³ Duttagupta I. Why surrogacy issue emerges after Nepal earthquake", *Op. cit.*

⁷⁴ Ilaya medical company, "The new US cross-border surrogacy programme with ilaya", *Op. cit.*

The prohibition or regulation of surrogacy does not prevent the trafficking of women for reproductive exploitation

The clientele is drawn from wealthy Western countries and the wealthy elite of poor and/or developing countries. The women exploited through the practice of surrogacy are women from the countries considered poor or from the less privileged strata of Western societies. They are subjected to one or more of the trafficking mechanisms listed above.

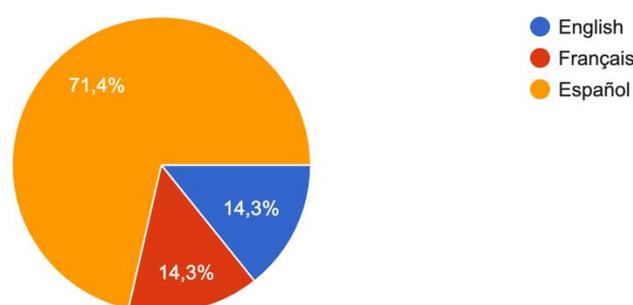
One might imagine that countries that have outlawed or restricted the use of surrogacy on their territory would not be familiar with these practices. This is not the case. No country is free from this form of exploitation. Countries that prohibit surrogacy on their territory see their citizens resort to reproductive tourism, an obvious source of trafficking: surrogacy agencies (e.g. Biotexcom) offer to organise childbirth in the country of the clients. Such cases have been detected to have taken place in a clandestine manner. More officially, France, Spain, Ireland and the United Kingdom brought in Ukrainian mothers used as ‘surrogates’, hired by their citizens during the Russian invasion.

Step 2 - Questionnaire 1 (to individuals and organisations) - Results :

Data from the questionnaire to individuals and organisations

We received 61 responses to this questionnaire out of the 350 questionnaires sent. 71.4% (= 43 responses) were from Spanish speakers, 14.3% (= 9 responses) from English speakers and 14.3% (= 9 responses) from French speakers (see graph below). The individuals and organisations that responded to this survey are based all throughout the world.⁷⁵

Language of the questionnaire - Langue du questionnaire - Lengua del cuestionario
7 réponses



Five individuals and six organisations out of the 61 individuals/organisations⁷⁶ that participated in the survey stated that they had been aware of cases of surrogacy involving immigrant women in their country through social networks and the press (print and broadcast). Six acknowledged the same facts concerning cases of forced pregnancy and three concerning cases of egg harvesting. The countries concerned are Italy and Spain.

⁷⁵ List of countries from which the respondents to the questionnaires came: Bulgaria; Quebec; Brazil; Italy; Spain; France; Sweden; USA; Argentina; Australia; Galicia; Colombia.

⁷⁶ 24 individuals and 36 organisations responded to our questionnaire.

In addition, seven organisations and one individual reported their knowledge of cases of migrant women in their country being recruited as ‘surrogates’, egg donors or forced to carry pregnancies. The cases are presented below and in Annex 4.⁷⁷

- An Italian association has been informed of immigrant women in Italy who have given birth in the country as part of a surrogacy. This association has also heard of cases of immigrant women in Italy who have been forced to carry pregnancies on behalf of others.
- A Spanish association has also heard of immigrant women in Spain who have given birth in the country as part of a surrogacy. This association has also heard of cases of immigrant women in Spain who have been forced to carry pregnancies on behalf of others.
- An international collective has learned of the cases of oocyte retrieval from migrant women as well as the cases of migrant women who have been forced into a pregnancy through surrogacy process.
- A Spanish federation of libertarian youths has been informed of cases of egg harvesting from migrant women.
- A Colombian association had the knowledge of women immigrants to Colombia who have given birth in the country in a surrogacy situation.
- A US association said it had heard of cases of migrant surrogate mothers giving birth in the US and of women being forced to carry pregnancies in the US.
- One person stated that she was aware of cases of immigrant women in her country who had oocytes harvested from them.
- The co-president of ICASM (Spain and Latin America region), Berta O. Somnia, is aware of cases of oocyte harvesting from migrant women in Spain.

Three of these respondents became aware of these cases in the context of their professional activities and three in the context of their activism to combat violence against women. One of our respondents was informed of these cases by immigrant friends in her country where they sold their oocytes out of financial necessity. One of the organisations did not wish to disclose any additional details on the reported cases so as not to endanger the women concerned.

In total, 1/3 of the people who completed our questionnaire (seven out of 24 people) and 22.22% of the responding organisations (eight out of 36 organisations) were therefore aware of the practices studied.

Analysis of the results

As ENoMW and ICASM had anticipated, there were few responses to the questionnaires and even fewer useful responses acknowledging that they were aware, in one way or another, of the cases of migrant women being displaced for the purpose of their recruitment as ‘surrogate mothers’ or oocyte donors in the country of arrival, or being recruited locally for the same purpose, or being forced to carry pregnancies.

This may indicate, on the one hand, that this is a subject little explored by the media or feminist organisations and little known by the public. Few organisations and individuals, although sensitive to situations of exploitation of women's bodies and human trafficking, would be aware of these various practices. It is certain that the communication power of the artificial fertilisation

⁷⁷ Please note that we have guaranteed the anonymity of our respondents, which is why we do not name the organisations and the person who made these statements in our questionnaire, except for Ms Berta O. Somnia, whom we know personally and whose explicit agreement we have obtained to quote her.

and assisted reproductive technologies market with its enormous financial resources⁷⁸ discourages any desire for criticism by presenting surrogacy in a glamorous way, adorned with the positive but false concepts of altruism and ethics.

On the other hand, it could also indicate a reluctance on the part of organisations to share their experiences and cases out of their desire to protect the anonymity of victims who have sought protection by confiding in these organisations.

Finally, while the issue of femicide was really taken into account as soon as the cases of "murder by spouse or companion" were counted and made public, giving an idea of the extent of the phenomenon, surrogacy suffers from the absence of data⁷⁹. No one knows the number of children born each year from this practice⁸⁰. No one knows how many mothers exploited as 'surrogates' have died in the process. No one knows how many children are born under contract, abandoned by the clients who ordered them⁸¹. In the absence of figures, and in the absence of analyses of the practices within the surrogacy industry, the use of surrogacy in the world risks remaining largely ignored and therefore neglected.

Step 3- Questionnaire 2 (to States)

Data from the questionnaire to the States :

We received 3 responses to this questionnaire:

3.1. Ireland :

On 25 June 2021, the Irish Department of Foreign Affairs contacted us by email to confirm receipt of our invitation to respond to the questionnaire we had sent them on 24 June 2021. On 3 August 2021, we were informed that our invitation would be forwarded to the Irish Department of Justice as they would be better placed to respond. We are currently waiting for the Irish Department of Justice to send back their responses to our questionnaire.

3.2. Denmark :

On 25 June 2021, the Danish Embassy in Paris contacted us by e-mail to confirm receipt of our invitation to reply to the questionnaire we had sent them on 24 June 2021. We are currently waiting for the embassy to send back their answers to our questionnaire.

⁷⁸ The surrogacy market was worth more than USD 4 billion in 2020 and is estimated to be worth USD 33.9 billion by 2027, according to a Global Market Insights report. -> Global Market Insights, "Surrogacy Market Size By Type (Gestational Surrogacy, Traditional Surrogacy), By Technology (Intrauterine Insemination {IUI}, In-vitro Fertilization {IVF} [Classical/Standard IVF, Intracytoplasmic Sperm Injection (ICSI)]), By Age Group (Below 35 Years, 35-37 Years, 38 - 39 Years, 40-42 Years, 43-44 Years, Over 44 Years), By Service Provider (Hospitals, Fertility Clinics), COVID19 Impact Analysis, Regional Outlook, Application Potential, Competitive Market Share & Forecast, 2021 - 2027", published in June 2021, accessed on 6 September 2021, <https://www.gminsights.com/industry-analysis/surrogacy-market>.

<https://www.mysurrogacyjourney.com/blog/surrogacy-trends-for-uk-nationals-our-exclusive-findings/>

⁷⁹ The only known official census is the one carried out in the United Kingdom:

⁸⁰ A report by Silvia Blanco indicates that commercial surrogacy accounts for 98% of all cases of surrogacy in the world, and its limited version under the guise of altruism, ethics or any other restrictive motive; only the remaining 2%. Blanco, S. (2017): 'Gestación subrogada, el dilema de gestar al hijo de otros', in *EL PAIS*, 19/2/2017. https://elpais.com/politica/2017/02/17/actualidad/1487346402_358963.html

⁸¹ In Ukraine, half of the children entrusted to orphanages are said to be children born of surrogacy, which the clients have renounced. Maria Dmitryeva in <https://youtu.be/5-SaT3VsAwA>

3.3. Australia :

On 6 August 2021, the Australian Department of Justice contacted us by email to acknowledge receipt of our invitation to participate in our questionnaire. They informed us that they were not in a position to respond to the questionnaire as the legislation and management of surrogacy processes, egg donation, forced pregnancy cases and cases of women forcibly or voluntarily moved to Australia to participate in the above processes are under the authority of the individual Australian states.

However, the Australian Department of Justice has provided us with a list of public documents issued by the Australian government compiling information on the issues of interest to us.

Analysis of the results :

To date, few responses to the invitation to participate in the survey have been received and no completed questionnaires have been returned. This is not a surprise to ENoMW and ICASM, who had anticipated this very low return rate from the beginning of the survey. That being said, and as mentioned above, the primary objective of this questionnaire was to raise awareness of the issues addressed in this survey. Indeed, few states seem to be concerned about trafficking through surrogacy, egg donation and forced pregnancy. Tracing and stopping these networks, when they are cross-border, requires inter-state coordination that is often complex and slow to implement because of the diplomatic protocols that need to be respected and insufficient technical means. It is also conceivable that some states did not wish to respond to us because ENoMW and ICASM are openly feminist and abolitionist organisations, believing that they were not "accountable" to us.

Conclusion

It is recognised that there are many networks trafficking women for reproductive exploitation and a black market in which the children born from this exploitation are sold. On 8 February 2021, Members of the European Parliament debated measures to combat trafficking in human beings. On this occasion, it was stated that human trafficking also applies to the process of surrogacy and illegal adoption.⁸² . Europol in its 2021 threat assessment⁸³ of serious organised crime in the EU (SOCTA 2021), refers to "forced participation in criminal activities, forced begging and obtaining economic and social benefits by using their identity, trafficking for organ and tissue removal." It points out that women are also trafficked to participate in illegal surrogacy programs, to sell their newborn babies, to enter into sham marriages and to be victims of domestic slavery.

⁸² The Editor, "Trafficking in human beings: the European Parliament calls for a revision of the directive", in Vie Publique, [online], published on 17.02.2021, accessed on 18.03.2021, <https://www.vie-publique.fr/en-bref/278567-parlement-ue-reviser-la-directive-sur-la-traite-des-etres-humains>.

⁸³ Europol report

https://www.europol.europa.eu/cms/sites/default/files/documents/socta2021_1.pdf

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FORCED CRIMINALITY AND OTHER FORMS OF EXPLOITATION

Traffickers abuse their victims to force them into begging, to involve them in forced crime, to force organ and tissue harvesting and, sometimes, to obtain financial and social benefits by using their identity. Women are also trafficked to participate in illegal surrogacy programmes, to sell their newborn babies, to enter into sham marriages and to be victims of domestic slavery. As with other types of human trafficking, recruitment of victims is increasingly taking place online.

Victims are lured by false job offers, advertisements for marriage to strangers and offers to buy babies. Most victims of trafficking are homeless, mentally or physically disabled, single parents with children, or elderly.

It also appears that women used in surrogacy, egg donation and forced pregnancies are often very vulnerable economically and socially. The people behind these networks of trafficking in women and and trafficking and/or smuggling in children have full power over them and can confine them or move them at will. Despite this, it is still a little studied phenomenon, especially in Europe.⁸⁴ It is more than urgent to bring these internationally organised trafficking networks out of the shadows and to analyse their workings so that the competent authorities can act. Human trafficking in all its forms is a complex phenomenon that follows the law of supply and demand.

In this study, we have also highlighted the displacement imposed on the women recruited as 'surrogate mothers': domestic displacement, displacement towards fertilisation centres, transnational displacement, for embryo implantation or for childbirth. This forced movement of women used as 'surrogates' contributes to their fragility and their vulnerability. Transferred far away from their home base, they lose their networks and their support, find themselves isolated, subject to the agencies that have recruited them, to the doctors who carry out IVF and to the demands made by the clients, throughout their pregnancy.

In the forms of human trafficking studied here, male clients, whether in heterosexual or homosexual couples or single, follow a patriarchal logic. They are looking exclusively for a genetic filiation with their offspring⁸⁵. Being a man, according to the codes of virility, means passing on these genes to ensure the continuation of the family line. Spermatocytic filiation takes precedence over oocyte filiation, which is totally ignored. The social injunction to reproduce⁸⁶, leads to the provision of women's bodies to others. Several women are mobilised: the egg donor, the mother used as 'surrogates', and the wife of the client (heterosexual) couple or the nanny who will be responsible for raising the child. Women who engage in surrogacy do so for financial reasons, but rarely to satisfy their own needs, always for the benefit of their family, sometimes even forced by the men around them (fathers, husbands, brothers, etc.).⁸⁷. Surrogacy, oocyte extraction and forced pregnancies constitute an attack on the human dignity of women, an attack on the free disposal of their bodies, an attack on the rights promoting and ensuring equality between women and men. Finally, when these practices are cross-border they often involve forced movement of women, whereas domestically, they often involve restrictions of movement, and, as such they are also an infringement on freedom of movement.

⁸⁴ Akm Ahsan Ullah and Faraha Nawaz, 'Surrogacy-led migration: reflections on the policy dilemmas', in *Public Administration and Policy*, vo. 23, no. 2, 2020, p. 157.

⁸⁵ Aurélie Carton, "Olivia Gazalé: L'homme ne naît naït viril mais le devient", in *La Chronique d'Amnesty International*, [online], published on 8.03.2018, accessed on 6.09.2021, <https://www.amnesty.fr/discriminations/actualites/olivia-gazale-lhomme-ne-nait-pas-viril-mais-ledevient>.

⁸⁶ Anne-Françoise Praz, Marianne Modak and Françoise Messant, "'Produire des enfants' aujourd'hui: un défi pour l'analyse féministe", in *Nouvelles Questions Féministes*, vol. 30, January 2011, p. 6.

⁸⁷ Martine Segalen, 'Why so-called "ethical" surrogate motherhood cannot be', in *Travail, genre et sociétés*, n°38, February 2017, p. 59.

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Annexes

Annex 1. Cases of trafficking in women and children in the context of cross-border surrogacy, forced pregnancy and oocyte donation practices at the international level, as documented by ICMICA:

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Cases reported in Questionnaire 1 - "Questionnaire to Organisations and Individuals" (this questionnaire is presented in detail in the annexes):

N.B. Please note that we have guaranteed the anonymity of our respondents.

- An Italian association has been informed of immigrant women in Italy who have given birth in the country as part of a surrogacy. This association has also heard of cases of immigrant women in Italy who have been forced to carry pregnancies on behalf of others.
- A Spanish association has also heard of immigrant women in Spain who have given birth in the country as part of a surrogacy. This association has also heard of cases of immigrant women in Spain who have been forced to carry pregnancies on behalf of others.
- An international collective has learned of cases of oocyte retrieval from migrant women as well as cases of migrant women who have been forced into a surrogate pregnancy.
- A Spanish federation of libertarian youths has been informed of cases of egg collection from migrant women.
- A Colombian association has been informed of women immigrants to Colombia who have given birth in the country in a surrogacy situation.
- An American association said it had learned of cases of migrant surrogate mothers who had given birth in the USA and of women forced to carry pregnancies, also in the USA.
- One person stated that they were aware of cases of immigrant women having their eggs removed.
- The co-president of CIAMS (Spain and Latin America region), Berta O. Somnia, is aware of cases of oocyte retrieval from migrant women in Spain.

Annex 2. Phasing of the survey :

Phase 1:

- Design of questionnaire 1 for organisations and individuals.
- Design of the relationship to be organised with the States (Ministries of Justice, Interior and Foreign Affairs).

Phase 2:

- Dissemination of the survey to our networks (members and friends of ENoMW and CIAMS).

Phase 3:

- Organisation of communication on social networks.
- Promotion and re-launch of questionnaire 1.

Phase 4:

- Design of questionnaire 2 for States (their embassies and the ministry responsible for assisted reproductive technologies and surrogacy. This ministry is usually the Ministry of Justice, Foreign Affairs or the Interior).
- Promotion and re-launch of questionnaire 2.
- Data collection and analysis.

Phase 5:

- Conducting further interviews.
- Formalisation of results.

Phase 6:

- Dissemination of results.
- Dissemination of specific alerts to the authorities of the States concerned depending on the results of the investigation.

Phase 7:

- Publication of results, design and production of materials.
- Organisation of the public presentation of the results.
- Dissemination of the survey results on ENoMW and CIAMS social networks and address books.

Phase 8:

- Design of the 2022 action plan

➔ To date, **phases 1 to 5 have been completed.**

Annex 3. States surveyed in the course of the investigation :

Extensive research was conducted on 72 states.

African States :

1. South Africa
2. Algeria
3. Angola
4. Benin
5. Cameroon
6. Ghana
7. Niger
8. Nigeria
9. Uganda
10. Senegal

European States :

1. Albania
2. Germany
3. Andorra
4. Austria
5. Belgium
6. Belarus
7. Bosnia and Herzegovina
8. Bulgaria
9. Cyprus
10. Denmark
11. Spain
12. Finland
13. France
14. Greece
15. Ireland
16. Italy
17. Lithuania
18. Luxembourg
19. Malta
20. Norway
21. Netherlands
22. Poland
23. Portugal
24. Czech Republic
25. Romania
26. United Kingdom
27. Russia (Europe/Asia)
28. Sweden
29. Switzerland

30. Ukraine

Asian states :

1. Afghanistan
2. Saudi Arabia
3. Armenia
4. Azerbaijan
5. Bangladesh
6. Burma (Myanmar)
7. Cambodia
8. China
9. North Korea
10. South Korea
11. India
12. Israel
13. Japan
14. Nepal
15. Philippines
16. Singapore
17. Thailand
18. Viet Nam

American states :

1. Anguilla
2. Antigua and Barbuda
3. Argentina
4. Aruba
5. Brazil
6. Colombia
7. Costa Rica
8. Ecuador
9. United States of America
10. Mexico
11. Puerto Rico
12. Uruguay

Oceanian States :

1. Australia
2. New Zealand

In addition to these, partial searches were carried out on the following states:

1. Croatia (Europe)
2. Georgia (Asia)
3. Hungary (Europe)
4. Montenegro (Europe)
5. Dominican Republic (America)
6. San Marino (Europe)
7. Taiwan (Asia)

8. Turkey (Asia)

Appendix 4. Questionnaires used in data collection :

Questionnaire 1 - "Questionnaire to associations" :

This questionnaire was created by Google Form by CIAMS and sent by email to CIAMS and ENoMW member associations as well as to the associations that signed the CIAMS appeal against the work of the International Private Law Conference in The Hague. In total, the questionnaire was sent to 2,901 individuals and organisations and 60 responses (from 24 individuals and 36 organisations) were received.

Below is the link to the questionnaire which was issued in English, French and Spanish as well as screenshots of the questionnaire:

- https://docs.google.com/forms/d/e/1FAIpQLSd71Obf9TJCuZV8j8YxV1vf3d8hzQR197X7RQV3SE1mnkJfqg/viewform?usp=sf_link
- Screenshots :



ICASM
International Coalition for the
Abolition of Surrogate Motherhood

**EUROPEAN NETWORK
OF MIGRANT WOMEN**

**Migrant women and surrogacy -
Femmes migrantes et maternité de
substitution - Mujeres migrantes y
gestación subrogada**

***Obligatoire**

Adresse e-mail *

Votre adresse e-mail

Name of your organisation - Nom de votre organisation - Nombre de su organización *

Votre réponse

Country - Pays -País *

Votre réponse

Adresse mail -Mail address - Dirección de correo *

Votre réponse

Language of the questionnaire - Langue du questionnaire - Lengua del cuestionario

- English
- Français
- Español

English version :

Are migrant women recruited as surrogate mothers?

The International Coalition for the Abolition of Surrogate Motherhood (ICASM) and the European Network of Migrant Women (ENoMW) wish to carry out a survey/study on the use of women as surrogate mothers in cross-border practices. This study will result in a publication of a joint report between ICASM and ENoMW, addressed to multiple stakeholders at the European level, including the European institutions.

More specifically, these practices consist of:

- Displacing women to arrange for their delivery in a country other than their own to give the child (or children) they are carrying to third parties
- Hiring migrant women or trafficking women as surrogate mothers
- Multiple reductive exploitation of migrant women including egg harvesting, forced pregnancy, and surrogacy

The aim of this survey is to identify and show the presence of women exploited as surrogate mothers in a country other than their country of origin, as well as the risk to such exploitation, in order to examine the relationship, and to have a discussion about it with the European authorities, between migration and displacement of women, trafficking in women and the organized cross-border surrogacy industry.

To achieve this, we need the watchfulness and contribution of organisations as well as individuals.

Therefore, we would like to thank you for helping us to gather the necessary data by answering the following questions:

Guaranteed protection of your data :

The International Coalition for the Abolition of Surrogate Motherhood (ICAMS) and the European Network of Migrant Women (ENoMW) guarantee the protection of your data according to the international standard for the protection of personal data ISO 27701 published in August 2019.

We also remind you that according to this standard you have the following rights :

1. Right to information
2. Right of access
3. Right of rectification

We invite you to find out more about your data protection rights according to the international standard for the protection of personal data ISO 27701 published in August 2019.

Concerning the length of time your data will be kept: Your data is stored according to the principle of "active storage", which means that we will only store your data for the time of our investigation and until February 2022 at the latest.

We guarantee that your data will only be used for the purposes of our survey. Your data will be the exclusive property of ICAMS and ENoMW. ICAMS and ENoMW undertake to keep all your data confidential and anonymous and never to rent/sell/loan them to any entity whatsoever. Under no circumstances will your data be the subject of transactions.

All your data will only be used for the purposes of documentation and certification of sources within the survey conducted jointly by ICAMS and ENoMW.

Confirmation of consent to the use of my data *

By completing this questionnaire, you confirm that you consent to the International Coalition for the Abolition of Surrogacy (ICAMS) and the European Network of Migrant Women (EWNW) using the data you have submitted in the framework of its study on the use of women as surrogate mothers in cross-border practices.

- Yes, I consent to the use of my data by ICAMS and ENoMW in the framework of their study on the use of women as surrogate mothers in cross-border practices. I am therefore filling in their form.
- No, I refuse that ICAMS and ENoMW use my data in the framework of their study on the use of women as surrogate mothers in cross-border practices. I am therefore not filling in their questionnaire.

A.1. Has the press in your country reported situations of surrogacy, forced pregnancy or egg retrieval involving migrant or foreign women?

- No
- No, but I would inform you by email if this happened.
(abolition.surrogacy@gmail.com)
- Yes, of surrogate maternity situations
- Yes, from situations of forced pregnancy
- Yes, from egg harvesting situations

A.2. If so, what type of press was it?

- Written press
- Audio-visual press
- Social Media
- Autre : _____

A.3. Please write a presentation of these situations below or in a word document, specifying the source and the circumstances in which you became aware of them (by whom, where, when, how, etc.). You can then send us your word document by email at the following address: abolition.surrogacy@gmail.com

Votre réponse

A.4. Please send us all types of documents related to these situations. To send us links, please copy and paste them below or into a word document. You can send us your document(s) by email at the following address:
abolition.surrogacy@gmail.com

Votre réponse

B.1. Have you ever been aware of any of the following situations : - Foreign or migrant surrogate mothers who gave birth in your country - Foreign or migrant women who had a forced pregnancy in your country - Egg harvesting from foreign or migrant women in your country

- No
- No, but I will inform you by email if this happens. (abolition.surrogacy@gmail.com)
- Yes, I have had experience with foreign or immigrant surrogate mothers who have given birth in my country.
- Yes, I have had experience of foreign or migrant women who have had a forced pregnancy in my country.
- Yes, I have been aware of egg harvesting from foreign or migrant women in my country.

B.2 If so, was it in one of the following situations :

- One of your relatives has used a migrant woman to carry out a gestation for another person.
- One of your relatives has used a migrant woman for egg harvesting.
- One of your relatives has used a migrant woman in the context of a forced pregnancy.
- As part of your activism
- In the context of your professional activity
- Through an association fighting violence against women or a feminist association
- Autre : _____

B.3. Please, write below or provide a word document presenting these situations, specifying the source and the circumstances in which you became aware of them (by whom, where, when, how, etc.) and in which the person(s) concerned found themselves in a situation of surrogate motherhood/forced pregnancy/egg retrieval (who and by whom, when, where, age of the person concerned at the time of the events, his/her life situation and life course, etc.). You can send us your file by e-mail to the following address: abolition.surrogacy@gmail.com. As mentioned above, we guarantee the anonymity and data protection of the persons concerned.

Votre réponse _____

B.4. Please share with us all types of documents (photos of places, videos of places, reports, etc.) relating to this type of situation. All photos and videos featuring people will be immediately deleted and are in no way desired. You can send them to us by e-mail at the following address:

abolition.surrogacy@gmail.com. As mentioned above, we guarantee the anonymity and data protection of the persons concerned.

Votre réponse

Your questionnaire is finished ! Thank you !

Send my answers !



**EUROPEAN NETWORK
OF MIGRANT WOMEN**

**Migrant women and surrogacy –
Femmes migrantes et maternité de
substitution – Mujeres migrantes y
gestación subrogada**

Thank you for your answers !
Merci pour vos réponses !
Gracias por sus respuestas !

[Modifier votre réponse](#)
[Envoyer une autre réponse](#)

French version :



Migrant women and surrogacy - Femmes migrantes et maternité de substitution - Mujeres migrantes y gestación subrogada

*Obligatoire

Adresse e-mail *

Votre adresse e-mail

Name of your organisation - Nom de votre organisation - Nombre de su
organización *

Votre réponse

Country - Pays -País *

Votre réponse

Adresse mail -Mail address - Dirección de correo *

Votre réponse

Language of the questionnaire - Langue du questionnaire - Lengua del
cuestionario

- English
- Français
- Español

Migrant women and surrogacy - Femmes migrantes et maternité de substitution - Mujeres migrantes y gestación subrogada

Des femmes migrantes sont-elles recrutées comme mères porteuses ?

La Coalition internationale pour l'abolition de la maternité de substitution (CIAMS-ICAMS) et le Réseau européen des femmes migrantes (ENoMW) souhaitent réaliser une enquête/étude sur l'utilisation des femmes comme mères porteuses dans des pratiques transfrontières.

Plus précisément, il s'agit de pratiques qui consistent :

- à déplacer des femmes pour organiser leur accouchement dans un pays autre que le leur afin d'y délivrer le ou les enfants qu'elles portent à des tierces personnes
- à engager des femmes migrantes comme mères porteuses ou à mettre en place un réseau de trafic de femmes dans le but d'en faire des mères porteuses contre leur gré
- à exploiter de multiple façons des femmes migrantes à des fins de reproduction, y compris le prélèvement d'ovules, la grossesse forcée et la maternité de substitution

L'objectif de cette enquête est d'identifier et de donner à voir la présence de femmes agissant comme mères porteuses dans un autre pays que leur pays d'origine, afin de pouvoir alerter les autorités européennes sur le lien entre la migration/le déplacement des femmes et la pratique de maternité de substitution.

Pour la réaliser, nous avons besoin de la vigilance et de la contribution de chacun et chacune, organisations comme individu.e.s ...

Aussi, nous vous remercions de bien vouloir nous aider à rassembler les données nécessaires en répondant aux questions suivantes :

Migrant women and surrogacy - Femmes migrantes et maternité de substitution - Mujeres migrantes y gestación subrogada

*Obligatoire

Garantie de protection de vos données :

La Coalition Internationale pour l'Abolition de la Maternité de substitution (CIAMS) et le Réseau européen des femmes migrantes (ENoMW) vous garantissent la protection de vos données d'après la norme internationale pour la protection des données personnelles ISO 27701 publiée en août 2019.

Nous vous rappelons également que d'après cette norme vous disposez des droits suivants :

1. Droit d'information
2. Droit d'accès
3. Droit de rectification

Nous vous invitons à vous renseigner plus avant sur vos droits en matière de protection de vos données d'après la norme internationale pour la protection des données personnelles ISO 27701 publiée en août 2019.

Concernant la durée de conservation de vos données : La conservation de vos données se fait d'après le principe de « conservation en base active » signifiant que nous ne conserverons vos données que le temps de notre enquête et au plus tard jusqu'en février 2022.

Nous vous garantissons que vos données seront utilisées uniquement au service de notre enquête. Vos données seront exclusivement la propriété de la CIAMS et la ENoMW. La CIAMS et le ENoMW s'engagent à garder toutes vos données confidentielles et anonymes et à ne jamais louer/vendre/prêter ces dernières à quelque entité que ce soit. Vos données ne feront en aucun cas l'objet de transactions.

L'intégrité de vos données ne sera utilisée que dans un soucis de documentation et certification des sources au sein de l'enquête menée conjointement par la CIAMS et le ENoMW.

Confirmation de consentement d'utilisation de mes données *

En remplissant ce questionnaire, vous confirmez consentir à ce que la Coalition Internationale pour l'Abolition de la Maternité de Substitution (CIAMS) et le Réseau Européen des Femmes Migrantes (REFM) utilisent les données que vous aurez transmises dans le cadre de son étude sur l'utilisation des femmes comme mères porteuses dans des pratiques transfrontières.

- Oui, je consens à ce que la CIAMS et le ENoMW utilisent mes données dans le cadre de leur étude sur l'utilisation des femmes comme mères porteuses dans des pratiques transfrontières. Je remplis donc leur formulaire.
- Non, je refuse que la CIAMS et le ENoMW utilisent mes données dans le cadre de leur étude sur l'utilisation des femmes comme mères porteuses dans des pratiques transfrontières. Je ne remplis donc pas leur questionnaire.

A.1. La presse de votre pays a-t-elle fait état de situations de maternités de substitution, grossesses forcées ou prélèvements d'ovules impliquant des femmes migrantes ou étrangères ?

- Non
- Non mais je vous en informerais en vous écrivant par mail si cela arrivait.
(abolition.surrogacy@gmail.com)
- Oui, de situations de maternités de substitution
- Oui, de situations de grossesses forcées
- Oui, de situations de prélèvements d'ovules

A.2. Si oui, de quel type de presse s'agissait-il ?

- Presse écrite
- Presse audio-visuelle
- Médias sociaux
- Autre : _____

A.3. Veuillez rédiger sur un document word une présentation de ces situations, en précisant la source et les circonstances dans lesquelles vous en avez eu connaissance (par qui, où, quand, comment, etc.). Vous pouvez ensuite nous faire parvenir votre fichier par mail à l'adresse suivante :

abolition.surrogacy@gmail.com

Votre réponse _____

A.4. Veuillez nous faire parvenir tous types de documents en lien avec ces situations. Pour nous transmettre des liens, merci de les copier/coller ci-dessous sur un document word. Vous pourrez ensuite nous envoyer votre/vos document(s) par mail à l'adresse suivante : abolition.surrogacy@gmail.com

Votre réponse _____

B.1. Avez-vous déjà eu connaissance de l'une des situations suivantes : - Mères porteuses étrangères ou migrantes ayant accouché dans votre pays - Femmes étrangères ou migrantes ayant subi une grossesse forcée dans votre pays - Prélèvements d'ovules sur des femmes étrangères ou migrantes dans votre pays

- Non
- Non mais je vous en informerais en vous écrivant par mail si cela arrivait. (abolition.surrogacy@gmail.com)
- Oui, j'ai déjà eu connaissance de mères porteuses étrangères ou immigrées ayant accouché dans mon pays
- Oui, j'ai déjà eu connaissance de femmes étrangères ou migrantes ayant subi une grossesse forcée dans mon pays
- Oui, j'ai déjà eu connaissance de prélèvements d'ovules sur des femmes étrangères ou migrantes dans mon pays

B.2. Si oui, était-ce dans l'une des situations suivantes :

- L'un.e de vos proches a eu recours à une femme migrante pour effectuer une gestation pour autrui
- L'un.e de vos proches a eu recours à une femme migrante pour un prélèvements d'ovules
- L'un.e de vos proches a eu recours à une femme migrante dans le cadre d'une grossesse forcée
- Dans le cadre de votre activité militante
- Dans le cadre de votre activité professionnelle
- Par le biais d'une association luttant contre les violences faites aux femmes ou d'une association féministe
- Autre : _____

B.3. Nous vous remercions de bien vouloir rédiger sur un document word une présentation de ces situations, en précisant la source et les circonstances dans lesquelles vous en avez eu connaissance (par qui, où, quand, comment, etc.) et dans lesquelles la ou les personnes concernées se sont retrouvées en situation de maternité de substitution/grossesse forcée/prélèvement d'ovules (qui et par qui, quand, où, âge de la personne concernée aux moments des faits, sa situation de vie et son parcours de vie, etc.). Vous pouvez ensuite nous faire parvenir votre fichier par mail à l'adresse suivante :

abolition.surrogacy@gmail.com. Comme susmentionné, nous garantissons l'anonymat et la protection des données des personnes concernées.

Votre réponse

B.4. Veuillez partager avec nous tous types de documents (photos de lieux, vidéos de lieux, rapports, etc.) relatifs à ce genre de situation. Toutes photos et vidéos mettant en scène des personnes seront immédiatement supprimées et ne sont aucunement souhaitées. Vous pouvez nous les faire parvenir par mail à l'adresse suivante : abolition.surrogacy@gmail.com. Comme susmentionné, nous garantissons l'anonymat et la protection des données des personnes concernées.

Votre réponse

Votre questionnaire est terminé ! Merci ! *

Envoyer mes réponses !

[Retour](#)

[Suivant](#)

Migrant women and surrogacy -
Femmes migrantes et maternité de
substitution - Mujeres migrantes y
gestación subrogada

Thank you for your answers !

Merci pour vos réponses !

Gracias por sus respuestas !

[Modifier votre réponse](#)

[Envoyer une autre réponse](#)

Spanish version:

Migrant women and surrogacy -
Femmes migrantes et maternité de
substitution - Mujeres migrantes y
gestación subrogada

*Obligatoire

Adresse e-mail *

Votre adresse e-mail

Name of your organisation - Nom de votre organisation - Nombre de su organización *

Votre réponse

Country - Pays -País *

Votre réponse

Adresse mail -Mail address - Dirección de correo *

Votre réponse

Language of the questionnaire - Langue du questionnaire - Lengua del cuestionario

- English
- Français
- Español

Migrant women and surrogacy - Femmes migrantes et maternité de substitution - Mujeres migrantes y gestación subrogada

Se contrata a mujeres inmigrantes como madres de alquiler?

La Coalición Internacional para la Abolición de la alquiler de vientres (CIAMS) y la Red Europea de Mujeres Migrantes (REFM-ENoMW) desean realizar una encuesta/estudio sobre la utilización de mujeres como madres de alquiler en prácticas transfronterizas.

Más concretamente, se trata de prácticas consistentes en :

- desplazar a las mujeres para que organicen su parto en un país distinto al suyo con el fin de entregar a terceros el hijo o los hijos que esperan
- contratar a mujeres inmigrantes como madres de alquiler o crear una red de tráfico de mujeres con el fin de convertirlas en madres de alquiler contra su voluntad
- explotar a las mujeres migrantes de múltiples maneras con fines reproductivos, incluyendo la extracción de óvulos, el embarazo forzado y la maternidad subrogada

El objetivo de esta encuesta es identificar y mostrar la presencia de mujeres que actúan como madres de alquiler en un país distinto al de origen, para poder alertar a las autoridades europeas sobre el vínculo entre la migración/desplazamiento de mujeres y la práctica de la maternidad subrogada.

Para lograrlo, necesitamos la vigilancia y la contribución de todas y todos

Por ello, le agradeceríamos que nos ayudara a reunir los datos necesarios respondiendo a las siguientes preguntas:

Protección garantizada de sus datos :

La Coalición Internacional para la Abolición de la Maternidad Subrogada (CIAMS) y la Red Europea de Mujeres Migrantes (REM) garantizan la protección de sus datos según la norma internacional de protección de datos personales ISO 27701 publicada en agosto de 2019.

También le recordamos que, según esta norma, tiene los siguientes derechos:

1. Derecho a la información
2. Derecho de acceso
3. Derecho de rectificación

Te invitamos a conocer tus derechos de protección de datos según la norma internacional de protección de datos personales ISO 27701 publicada en agosto de 2019.

En cuanto a la duración de la conservación de sus datos: Sus datos se almacenan de acuerdo con el principio de "almacenamiento activo", lo que significa que sólo almacenaremos sus datos durante el tiempo de nuestra investigación y hasta febrero de 2022 como máximo.

Le garantizamos que sus datos sólo se utilizarán para los fines de nuestra encuesta. Sus datos serán propiedad exclusiva de CIAMS y ENoMW. CIAMS y ENoMW se comprometen a mantener la confidencialidad y el anonimato de todos sus datos y a no alquilarlos/venderlos/prestarlos nunca a ninguna entidad. En ningún caso sus datos serán objeto de transacciones.

Todos sus datos se utilizarán únicamente a efectos de documentación y certificación de fuentes dentro de la encuesta realizada conjuntamente por el CIAMS y la ENoMW.

Confirmación del consentimiento para el uso de mis datos *

Al rellenar este cuestionario, usted confirma que da su consentimiento para que la Coalición Internacional para la Abolición de la Gestación Subrogada (CIAMS) y la Red Europea de Mujeres Migrantes (REFM) utilicen los datos que ha presentado para su estudio sobre el uso de mujeres como madres de alquiler en prácticas transfronterizas.

- Sí, doy mi consentimiento para que mis datos sean utilizados por el CIAMS y la REFM en su estudio sobre el uso de mujeres como madres de alquiler en las prácticas transfronterizas. Por lo tanto, estoy completando su formulario.
- No, me niego a que el CIAMS y la REFM utilicen mis datos en su estudio sobre el uso de mujeres como madres de alquiler en prácticas transfronterizas. Por lo tanto, no voy a rellenar su cuestionario.

A.1. Ha informado la prensa de su país sobre situaciones de gestación subrogada, embarazo forzado o extracción de óvulos en las que están implicadas mujeres inmigrantes o extranjeras?

- No
- No, pero le informaré por correo electrónico si esto ocurre.
(abolition.surrogacy@gmail.com)
- Sí, situaciones de maternidad subrogada
- Sí, de situaciones de embarazo forzado
- Sí, de situaciones de recuperación de óvulos

A.2. En caso afirmativo, qué tipo de prensa era?

- Prensa escrita
- Prensa audiovisual
- Medios de comunicación social
- Autre : _____

A.3. Por favor, escriba una presentación de estas situaciones a continuación o en un documento de Word, especificando la fuente y las circunstancias en las que tuvo conocimiento de ellas (por quién, dónde, cuándo, cómo, etc.). A continuación, puede enviarnos su documento de Word por correo electrónico a la siguiente dirección: abolition.surrogacy@gmail.com

Votre réponse _____

A.4. Por favor, envíenos todo tipo de documentos relacionados con estas situaciones. Para enviarnos los enlaces, cópielos y péguelos a continuación o en un documento de Word. Puede enviarnos su(s) documento(s) por correo electrónico a la siguiente dirección: abolition.surrogacy@gmail.com

Votre réponse

B.1. Ha tenido conocimiento de alguna de las siguientes situaciones : - Madres de alquiler extranjeras o inmigrantes que dieron a luz en su país - Mujeres extranjeras o inmigrantes que han sufrido un embarazo forzado en su país - Extracción de óvulos de mujeres extranjeras o inmigrantes en su país

- No
- No, pero le informaré por correo electrónico si esto ocurre.
- Sí, he tenido experiencia con madres de alquiler extranjeras o inmigrantes que han dado a luz en mi país.
- Sí, he tenido conocimiento de mujeres extranjeras o inmigrantes que han tenido un embarazo forzado en mi país.
- Sí, he tenido conocimiento de la extracción de óvulos de mujeres extranjeras o inmigrantes en mi país.

B.2. En caso afirmativo, fue en una de las siguientes situaciones :

- Uno de sus familiares ha utilizado a una mujer migrante para llevar a cabo un embarazo de otra persona.
 - Uno de tus familiares ha utilizado a una mujer inmigrante para la recogida de óvulos.
 - Uno de sus familiares ha recurrido a una mujer migrante en el contexto de un embarazo forzado.
 - A través de una asociación de lucha contra la violencia hacia las mujeres o una asociación feminista
 - Como parte de su activismo
 - En el marco de su actividad profesional
 - Autre : _____
-

B.3. Le agradeceríamos que nos facilitara un documento en formato word en el que se presenten estas situaciones, especificando la fuente y las circunstancias en las que tuvo conocimiento de ellas (por quién, dónde, cuándo, cómo, etc.) y en las que la persona o personas afectadas se encontraron en una situación de maternidad subrogada/embarazo forzado/extracción de óvulos (quién y por quién, cuándo, dónde, edad de la persona afectada en el momento de los hechos, su situación y trayectoria vital, etc.). A continuación, puede enviarnos su expediente por correo electrónico a la siguiente dirección: abolition.surrogacy@gmail.com. Como se ha mencionado anteriormente, garantizamos el anonimato y la protección de los datos de las personas afectadas.

Votre réponse

B.4. Por favor, comparta con nosotros cualquier documento (fotos de la escena, vídeos de la escena, informes, etc.) relacionado con este tipo de situación. Garantizamos que todos los vídeos y fotos en los que participen personas se eliminarán inmediatamente y no se utilizarán bajo ninguna circunstancia. Puede enviarnoslos por correo electrónico a abolition.surrogacy@gmail.com. Como se ha mencionado anteriormente, garantizamos el anonimato y la protección de los datos de las personas afectadas.

Votre réponse

Su cuestionario ha terminado ! Gracias ! *

Vaya a enviar sus respuestas !



Migrant women and surrogacy - Femmes migrantes et maternité de substitution - Mujeres migrantes y gestación subrogada

Thank you for your answers !

Merci pour vos réponses !

Gracias por sus respuestas !

[Modifier votre réponse](#)

[Envoyer une autre réponse](#)

Questionnaire 2 - "Questionnaire to States" :

This questionnaire was made on Microsoft Word and was sent by e-mail to all the embassies present in Paris. It was also sent to the ministries in charge of the surrogacy issue in the Hague Member States whose email addresses we had. The questionnaire was locked before being sent, leaving only the possibility of answering the questions and avoiding any further modification by the recipients.

The list of states that were invited to respond to our questionnaire is as follows

Argentina; Armenia; Australia; Austria; Azerbaijan; Belgium; Burma; Bolivia; Bosnia and Herzegovina; Botswana; Brazil; Burundi; Cambodia; Canada; Chile; China; Colombia; Costa Rica; Croatia; Cyprus; Denmark; Estonia; Finland; France; Gambia; Georgia; Germany; Guatemala; Guinea; Greece; Hungary; Iceland; Iran; Ireland; Italy; Japan; Kazakhstan; Kosovo; Kuwait; Estonia; Ecuador; Finland; France; Gambia; Georgia; Guatemala; Guinea; Greece; Hungary; Iceland; Iran; Ireland; Italy; Israel; Japan; Kazakhstan; Kosovo; Kuwait; Latvia; Lebanon; Liberia; Lithuania; Madagascar; Malaysia; Malta; Mauritius; Mexico; Moldova; Morocco; South Korea; United Arab Emirates; Monaco; Mongolia; Montenegro; Mozambique; Namibia; Nepal; Netherlands; New Zealand; Nicaragua; Niger; Nigeria; Norway; Pakistan; Panama; Paraguay; Peru; Philippines; Poland; Portugal; Qatar; Republic of Macedonia; Dominican Republic; Uzbekistan; Republic; Romania; Russia; Rwanda; El Salvador; Serbia; Sierra Leone; Singapore; Slovakia; Slovenia; Sri Lanka; Sweden; Switzerland; Suriname; Syria; Tajikistan; Tanzania; Thailand; Tunisia; Turkey; Turkmenistan; Ukraine; United Kingdom; Uruguay; Venezuela; Vietnam; Zambia; Zimbabwe

è 115 States were contacted in the context of this questionnaire, as well as the European Union's Directorate-General for Justice and Consumer Affairs. None of these States, except for Denmark, Ireland and Australia, replied to our questionnaire or announced that they would reply. Indeed, the Danish embassy in Paris replied by e-mail saying that they would answer the questionnaire. The Irish embassy informed us that they had forwarded our questionnaire to the persons concerned. Finally, the Australian embassy replied that it was not possible for them or the Australian Departments of Justice, Foreign Affairs or Home Affairs to respond to our questionnaire, but pointed us to reports that could help us in our research and advised us to contact each of the Australian states, as the regulations on surrogacy are specific to each of them.

Here is the standard email sent to the states as an invitation to respond to our questionnaire:

Dear Sir or Madam,

The International Coalition for the Abolition of Surrogacy (CIAMS-ICASM) and the European Network of Migrant Women (ENoMW) are seeking a study on the use of women as surrogate mothers, egg donors or forced pregnant in cross-border practices.

The aim of this survey is therefore to identify and document the presence of women who are led to act as surrogate mothers and egg donors in a country other than their country of origin in order to measure the link between the migration (forced or voluntary) of women and the practice of surrogacy, egg retrieval and forced pregnancy.

In the framework of this survey, we have created a questionnaire addressed to more than 100 States all over the world in order to collect data on the topic under study.

We would therefore be very grateful if you could participate in this study by answering the questionnaire that we have attached to this e-mail and if you could forward this e-mail to the Ministries of the Interior, Justice and Foreign Affairs of your State.

Thank you for your attention to this e-mail,

Yours sincerely,

Team ICASM and ENoMW

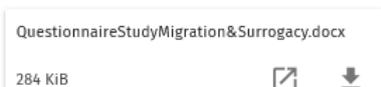
For questions, please contact surrogacy@abolition-ms.org

Marie Josèphe Devillers

Ana-Luana Stoicea-Deram

Berta O. garcia

Co-chairs of the Coalition for the Abolition of Surrogate Motherhood



Here is the questionnaire (English version):



**International Coalition for the Abolition
of Surrogate Motherhood**

ENoMW - ICASM Joint Study

**"Migrant women and reproductive exploitation in the surrogacy
industry**

The International Coalition for the Abolition of Surrogacy (CIAMS-ICASM) and the European Network of Migrant Women (ENoMW) are seeking a study on the use of women as surrogate mothers, egg donors or forced pregnant in cross-border practices.

More specifically, these are practices that consist of:

- moving surrogate mothers as part of a surrogacy/egg donation/forced pregnancy process and to organise their delivery in a country other than their own in order to deliver the child or children they are carrying to third parties.
- hiring migrant women as surrogate mothers or setting up a network for trafficking in women with the aim of making them surrogate mothers against their will (cases of forced pregnancies).
- exploiting migrant women in multiple ways for reproductive purposes, including egg retrieval, forced pregnancy and surrogacy.

The aim of this survey is therefore to identify and document the presence of women who are led to act as surrogate mothers and egg donors in a country other than their country of origin in order to measure the link between the migration/displacement (forced or voluntary) of women and the practice of surrogacy, egg retrieval and forced pregnancy.

More specifically, we hypothesize that there is a phenomenon of human trafficking behind the practices of surrogacy, egg donation and forced pregnancy, as well as multiple networks of trafficking in women used in these practices and in the children born from them. Indeed, many worrying reports of trafficking, particularly in Asia but also in Europe, have been emerging over the past decade. It would appear that these networks of trafficking in women used for reproductive purposes and in the children born of them are similar in their jurisdictions and functioning to those of prostitution networks.

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[PART 1: Surrogacy](#)

1.1 Status of surrogacy legislation in your State

1.1.1 Is surrogacy legal in your country?

Yes, commercial and "altruistic/regulated" surrogacy are legal in our country.

Yes, but only "altruistic/regulated" surrogacy is legal.

Yes, but only commercial surrogacy is legal.

No, neither commercial surrogacy nor altruistic/regulated surrogacy is legal in our country.

Commercial surrogacy was neither legal nor illegal, as there was no legislation on the subject.

Surrogacy is not regulated in our country. It is therefore neither legal nor illegal, since there is no legislation on the subject.

In your country, is there currently a discussion at the political level on the legislation of surrogacy in your country?

Yes, discussions are under way at political level.

No, there is no ongoing discussion on the matter.

1.1.3 In your country, is the legislator currently discussing legislation on surrogacy issues?

Yes, discussions are under way at legislative level.

No, there is no ongoing discussion on the matter.

1.2 Data collection on surrogacy processes

1.2.1. Do you collect information about surrogate mothers giving birth on your territory?

Yes

If yes, which body/institution collects this information?

No

1.2.2. Do you collect information about your citizens born by surrogacy (abroad or on your territory)?

Yes

If yes, which body/institution collects this information?

No

1.2.3 What are you doing to get a global view of surrogacy processes and their effects in your country?



1.2.4 Is there organised monitoring of surrogacy in your country?

Yes

If yes, in what form?

No

1.2.5. Does your government have statistics on cases of legal disputes related to surrogacy at home or abroad but with your citizens involved?

Yes

If yes, what are these statistics?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

1.2.6. Do you organise a collection of information on contentious cases related to surrogacy involving nationals of your country?

Yes

If yes, which institution is responsible for this?

No

1.2.7. Does your government have statistics on the number of cross-border surrogacy cases (citizens of your country travelling abroad to use a surrogate mother)?

Yes

If yes, what are these statistics?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

1.2.8. Does your government have statistics on the countries (which countries, how often, etc.) your citizens go to use a surrogate mother?

Yes

If yes, what are these statistics?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

1.2.9. For States where surrogacy is prohibited: Since surrogacy is prohibited in your country, do you have any means to know and measure the possible use of this practice by your nationals in other countries?

Yes

If yes, what are they?

No

1.2.10. Does your government have statistics on the number of surrogate mothers present in your territory?

Yes

Yes, what are these statistics?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

1.2.11. Does your government have statistics on the number of births per surrogate mother in your territory?

Yes

If yes, what are these statistics?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

1.2.12. Does your government have statistics on the country of origin of intended parents in your territory?

Yes

If yes, what are these statistics?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

SECTION ADDRESSED TO STATES WHERE SURROGACY IS LEGAL:

1.2.13. Since surrogacy is legal in your country, do you have any means to ensure the safety of surrogate mothers and prevent their exploitation?

Yes

If yes, what are they?

No

1.2.14. Since surrogacy is legal in your country, do you have any means to prevent the sale of children?

Yes

If yes, what are they?

No

1.2.15. Has the legalisation of the practice of surrogacy given rise to systematic monitoring of the practice: monitoring of the conditions under which the practice is carried out, monitoring of children's safety?

Yes

If yes, what means of follow-up have been put in place?

How is the practice of surrogate mothers regulated (maximum number of children per surrogate mother during a career, minimum/maximum wages, others?)

No

1.2.16. Is there a systematic collection of data on the number of:

- women involved in surrogacy arrangements?

Yes

If yes, what means of collecting this data have been put in place?

If yes, what is your data? Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

- the number of children born by surrogacy ?

Yes

If yes, what means of collecting this data have been put in place?

If yes, what is your data? Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

- the number of fertility agencies present on your territory?

Yes

If yes, what means of collecting this data have been put in place?

If yes, what is your data? Can you send them to us by email (abolition.surrogacy@gmail.com) ?

No

1.2.17. Does the State know the amount of profits generated by the surrogacy sector?

Yes

If yes, what is the amount of these profits?

How do you calculate them?

No

1.3 Immigrant women in your state and surrogacy:

1.3.1. Have you registered any cases of migrant women becoming surrogate mothers in your territory?

Yes

If yes, how much and how did you get this data?

No

1.3.2. Have you identified any cases of surrogate mothers who have been brought to your territory to give birth/spend their pregnancy in the country of the intended parents?

Yes

If yes, how much and how did you get this data?

No

1.3.3. Have you identified any cases of women who have been displaced within your territory to work as surrogate mothers?

Yes

If yes, how much and how did you get this data?

No

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[PART 2: Egg retrieval](#)

Is egg donation legal in your country?

Yes, egg retrieval is legal our country.

If so, what legislation is in force?

No, egg retrieval is not legal in our country.

Egg retrieval is neither legal nor illegal, as there is no legislation on the subject.

2.2 In your country, is egg retrieval's legislation currently discussed at the political level?

Yes, discussions are under way at political level.

No, there is no ongoing discussion on the matter.

2.3 In your country, is the legislator currently discussing legislating it on issues of egg retrieval?

Yes, discussions are under way at legislative level.

No, there is no ongoing discussion on the matter.

2.4. Have you set limits for egg retrieval procedures such as the maximum number of donations per woman?

Yes

If so, what are they?

No

2.5. Do you have any restrictive means to monitor compliance with the rules surrounding the practice of egg retrieval, such as the number of oocytes taken per woman?

Yes

If so, what are they?

No

2.6 What is the legislation in your country on access to personal origins?

2.7. How many fertility agencies do you have on your territory?

2.8. Do you have data on the clients of these agencies?

Yes

If so, what is this data?

Can you send them to us by email (abolition.surrogacy@gmail.com) ?

How did you get access to this data?

No

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[PART 3: Forced pregnancies and inducement to abandon children](#)

3.1. Does your legislation provide for the preventing or punishment of those who would be guilty of forcing a woman to carry a pregnancy?

Yes

If so, how?

No

3.2. Does your legislation provide for the preventing or sanctioning of incitement to abandon a child?

Yes

If so, how?

No

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[PART 4: Involvement of NGOs](#)

4.1. Does the State cooperate with non-governmental organizations with a view to respecting the "Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption"?

Yes

What are these non-governmental organizations?

No

4.2. Does your State provide assistance measures for victims of human trafficking?

Yes

If so, which ones?

No

[PART 5: Additional information to be provided](#)

If you wish to add something you can write to us at abolition.surrogacy@gmail.com or leave a comment here:

The end

ICASM warmly thanks you for taking the time to answer this questionnaire and will come back to you as soon as the first results of the survey are available.

Yours faithfully,