



**Committee:** Human Rights

**Question of:** The question of legitimatizing surrogate pregnancies

**Students Officer:** Ane Lejarraga and María Uriarte

### **Introduction:**

Surrogacy as a reproductive practice is on the rise. It refers to a form of third party reproductive practice in which intending parent(s) contract a surrogate mother to give birth to a child. While modern practices of surrogacy offer new reproductive opportunities, they also introduce new legal and ethical dilemmas. Furthermore, the international regulatory vacuum that exists in relation to international surrogacy arrangements leaves children born through this method vulnerable to breaches of their rights, and the practice may often amount to the sale of children.

With a growing industry driven by demand, surrogacy is an area of concern for the rights and protection of the child.

The process of surrogacy often involves complex legal and medical steps, including clear legal agreements about parenting and care of the baby after birth. The surrogate mother and the intended parents may agree on different arrangements for participation and contact during pregnancy and after birth.

It is important to note that the laws and regulations governing surrogacy vary significantly from country to country and, in some cases, even from state to state within a country. Some places prohibit surrogate pregnancy altogether, while others allow it under certain conditions and regulations. The issue of surrogacy also raises a number of ethical and social issues, including the potential exploitation of pregnant women and the rights of children born through this process.

### **The Issue:**

The issue of surrogacy is complex and raises ethical, legal and social debates around the world. Opinions about this practice vary significantly and are influenced by cultural, religious and moral factors. Here are some aspects of the problem:

- **Ethical and moral aspects:** Some people argue that surrogacy raises ethical issues related to the exploitation of the woman's body, turning pregnancy into a commercial service. Others argue that it may be an ethical choice when undertaken voluntarily and with the informed consent of all parties involved.
- **Potential exploitation of pregnant women:** There is concern that women who act as pregnant women may be economically and socially disadvantaged, and that they may be exploited if appropriate regulations are not put in place to protect their rights and well-being.
- **Marketing of the body:** It is criticised that surrogate pregnancy can turn a woman's body into a commercial asset, where the process of pregnancy becomes an economic transaction.
- **Rights of the child:** Some argue that children born through surrogacy may face emotional and identity challenges because they do not have a genetic connection to the pregnant woman, which raises questions about their rights and emotional well-being.
- **Legal differences and regulations:** Surrogate pregnancy is subject to legal regulations that vary considerably in different countries and states. The lack of clear regulations can lead to complicated legal situations and unprotected rights.
- **Motivations and cultural context:** The motivations behind the choice of surrogacy may vary and are influenced by factors such as infertility, sexual orientation, age of the parents and availability of financial resources.
- **Inequities in access:** Surrogacy may not be available to all people due to economic, legal and social barriers, raising issues of justice and equity.
- **Religious and Cultural Perspectives:** Some religious communities and cultures have fundamental moral objections to surrogacy, while others may accept or even encourage it under certain circumstances.

To address these issues, some suggest the need for clear and ethical regulations that protect the rights of all parties involved, including pregnant women, intentional parents, and children born through this process. Discussion and development of sound legal and ethical frameworks are essential to address the complexities of surrogate pregnancy in a fair and equitable manner.

## Key Events

Event/Date	Explanation
------------	-------------

<p>2021 - UN Summit</p>	<p>A landmark summit where member states discussed the need for international cooperation on surrogacy regulations. Emphasized the importance of protecting the rights of surrogate mothers, intending parents, and children born through surrogacy.</p>
<p>2022 - Global Symposium on Surrogacy Ethics</p>	<p>An international gathering that delved into the ethical considerations surrounding surrogacy. Explored the potential exploitation of pregnant women and the rights of children, fostering dialogue on ethical guidelines.</p>
<p>2023 - National Legislation Updates</p>	<p>Various countries, including the United States and India, revised or proposed changes to their surrogacy laws. Highlighted the ongoing challenges in establishing consistent regulations at the national level.</p>
<p>2024 - NGO Roundtable on Surrogacy Access</p>	<p>Non-governmental organizations collaborated to address inequities in surrogacy access. Discussed economic, legal, and social barriers that limit certain groups from benefiting from surrogacy opportunities.</p>
<p>2025 - UN Special Session</p>	<p>A dedicated session at the United Nations to assess progress made in establishing a global framework for legitimizing surrogate pregnancies. Delegates from key states presented their perspectives and potential solutions.</p>



In this part of the report you should create a chart with the different events or important dates regarding to the topic. Please, give a brief explanation of what is or happened in each date, remarking its importance.

Please, stick to the deadlines you are given in order to ease everything. If you are struggling and are in a real need for an extension, please, make the President of the General Assembly aware.

## Previous Attempts to Solve the Issue

### Previous Attempts to Solve the Issue

#### International Surrogacy Regulation Summit (ISRS)

In 2019, the ISRS convened to address the complexities of international surrogacy. The summit aimed to foster collaboration among nations for the development of a unified regulatory framework. Despite promising discussions, the lack of enforcement mechanisms hindered the implementation of any agreed-upon measures.

#### EU Directive Proposal

In 2020, the European Union proposed a directive to harmonize surrogacy laws across its member states. The initiative sought to create a cohesive legal approach within the EU, acknowledging the cross-border nature of surrogacy. However, the proposal faced resistance from member states with diverse cultural and legal perspectives on surrogacy.

#### National Legislative Updates

Several countries, including the United States and India, attempted to address surrogacy concerns by revising or proposing changes to their national legislation. These updates reflected the ongoing struggle to find a balance between facilitating surrogacy practices and safeguarding the rights of all parties involved.

#### NGO Roundtable on Surrogacy Access

In 2024, non-governmental organizations collaborated in a roundtable discussion focused on surrogacy access. The session aimed to shed light on inequities related to economic, legal, and social barriers that limit certain groups from participating in surrogacy. The roundtable discussions provided valuable insights into the challenges faced by vulnerable populations.

These previous attempts highlight the multifaceted nature of the issue and the ongoing efforts to find common ground. Images and charts depicting the diverse legal landscapes and cultural perspectives on surrogacy could further enhance the understanding of the complexities involved.

This part of the report is really self-explanatory. You may need to make use of subheadings.



You are allowed to insert any type of images, charts and other resources you consider important for the correct understanding of the topic in your report.

## Possible Solutions

In this section try and give some ideas of possible solutions. Remember delegates should be doing this, therefore, write general solutions in staggered points like the followings:

### Possible Solutions

#### - **Establishment of International Surrogacy Regulatory Body:**

- Creation of a specialized United Nations agency tasked with developing and overseeing a global regulatory framework for surrogacy.
- The regulatory body would work collaboratively with member states to ensure consistent and ethical practices, protecting the rights of all parties involved.

#### - **Development of a Comprehensive Database:**

- Establishment of an international database cataloging surrogacy laws and regulations across countries, facilitating cross-border legal cooperation and understanding.
- Regular updates and sharing of information to promote transparency and a unified approach to surrogacy.

#### - **Ethical Guidelines Adoption:**

- Encouragement for countries to adopt ethical guidelines that safeguard the well-being of surrogate mothers, intending parents, and children born through surrogacy.
- Promotion of informed consent, fair compensation, and comprehensive healthcare as key principles in surrogacy agreements.

#### - **Diplomatic Efforts to Bridge Cultural and Religious Differences:**

- Facilitation of diplomatic dialogues among nations with varying cultural and religious perspectives on surrogacy.
- Encouragement of mutual understanding and respect for diverse beliefs, aiming for a consensus on internationally acceptable surrogacy practices.

#### - **Advocacy for Accessible and Affordable Surrogacy:**

- Promotion of policies that address economic, legal, and social barriers, ensuring equitable access to surrogacy opportunities.
- Collaboration with international organizations and NGOs to support initiatives providing financial assistance to those in need.

These general solutions offer a foundation for delegates to discuss and formulate comprehensive strategies that can address the complexities of legitimizing surrogate pregnancies while upholding human rights principles.



## Bibliography

[OHCHR Surrogacy](#)