



Company of
the Daughters of
Charity of St Vincent
de Paul



34th regular session of the Human Rights Council –27 February to 24 March 2017

Agenda Item 3, Interactive Dialogue with the Special Rapporteur on the sale of children, child prostitution and child pornography

Joint Oral Statement¹

“Commercial Maternal Surrogacy amounts to sale of Children”

Mr President,

APG23 and other 8 co-signing NGOs welcome the report of the Special Rapporteur on the sale of children, child prostitution and child pornography².

In paragraph 52, the Special Rapporteur made few references to the phenomenon of commercial maternity surrogacy in relation to illicit adoption saying that the practice of commercial maternal surrogacy often amounts to the sale of children and may lead to illegal adoption.

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

Commercial Maternal Surrogacy undermines the human dignity of the woman carrier as her body and its reproductive function are used as a commodity. Moreover, it disregards the rights and human dignity of the child by effectively turning the baby in question into a product, into an object of a legal contract that can even be ordered and purchased.

The Convention on the Rights of the Child declares that children have a right to be protected from abuse or exploitation and calls on States to act in the best interest of the child. Commercial maternal surrogacy manipulates the identity and parentage of children and robs them of any claim to their gestational carrier, which recent research points to being harmful to the development and wellbeing of the baby.

APG23 believes that the Human Rights Council should urgently address the issue of “international commercial surrogacy”, a phenomenon that needs to be analysed in depth since it includes questions related to morality, parentage, the natural mother–infant bond, and the complexities of inequalities in a globalized world that interface with a multi-million dollar industry.

Above all, the Human Rights Council should address such a practice because it involves the violation of human dignity and human rights of women and children.

Thank You!

¹ Femina Europa, NGO not accredited to ECOSOC, joins this oral statement

² A/HRC/34/55