

# MANIFESTO FOR SURROGACY

## (Rome 5th April 2024)

### PREAMBLE

We are a coalition of European Surrogacy Advocacy Associations composed of representative groups from different countries. Our unified goal is to advocate for strong legal structures within each member state and across Europe, striving for the acknowledgment and safeguarding of the rights of all individuals involved in surrogacy, both domestically and internationally.

We acknowledge that the desire to have a family is an inherent human instinct. It is a powerful and universal experience that transcends cultural, geographical and temporal boundaries. It is a fundamental aspect of our human identity and not the unique preserve of any gender or sexual identity. Advocating for surrogacy thus fosters an anti-discriminatory and inclusive movement, benefiting society as a whole.

Surrogacy, also known as Pregnancy for Others, is a form of Assisted Human Reproduction. When a person or couple chooses this fertility treatment, it is because they demonstrate that surrogacy is the only option open to them to overcome a serious medical condition or some other circumstance that prevent the parent/s from conceiving a child in the traditional and natural way.

Surrogacy is a careful and monitored process in which a woman consents to carry a pregnancy for another person or couple, with the intent of helping them have a child. The process must be entirely voluntary, consensual and based on mutual respect, understanding and shared goals between intended parents and the surrogate. Gestational surrogacy ensures that there is no genetic link between the surrogate and child. There must be a genetic link with at least one intended parent and the process approved by a legal authority within a State prior to the creation of any embryo. It is imperative that the surrogate and intended parents receive independent legal advice and formal counselling as part of the process.

Legislation for Surrogacy is essential to safeguard the rights of all parties involved, the child, the surrogate and the intended parents undergoing a surrogacy journey either domestically or internationally.

To adequately and properly vindicate the fundamental rights and protect all parties involved in the surrogacy journey from abuse, it is essential that a legislative framework is implemented. Such action by Government ensures a shared foundation for addressing everyday challenges encountered by families and ensuring that children have a full life long

legal relationship with their intended parents. All children born through surrogacy have the right to know their identity and origin.

Surrogacy advances equality and inclusivity by offering individuals of diverse sexual orientations the opportunity to become parents. LGBTQIA+ individuals and couples encounter distinct obstacles in family-building, where surrogacy emerges as their sole avenue to parenthood. Advocating for ethical surrogacy thus fosters an anti-discriminatory and inclusive movement, benefiting society as a whole.

It is the responsibility of National Parliaments to enact laws that govern surrogacy, ensuring the protection of all individuals involved, surrogates, children born via surrogacy and intending parents. Additionally, European institutions are tasked with safeguarding parental recognition throughout the EU, regardless of the manner of conception, birth, or family structure.

### For these reasons we hereby agree to:

A real debate to set up a regulatory framework for Surrogacy and we are open to any discussion and informative session, as well as any hearing by the national Parliaments and European institutions.

Our common platform of proposals for a regulatory framework in Surrogacy in Europe is based on 6 fundamental principles:

- A legislative framework to provide for solidarity-based Surrogacy for couples and single persons
- That children born via surrogacy have the right to life long legal relationship with their parent or parents
- Informed Consent of all the stakeholders (surrogate and intended parents), where surrogates and intended parents are supported in their decision with a rigorous screening process.
- Reimbursement of expenses of the Surrogate, including loss of earnings, childcare and any other costs that arise during the pregnancy.
- Establishment of the filiation on the basis of the “Anticipated Recognition” made by the intended parents during the pregnancy of the Surrogate.
- Intending parents must be provided with State supported surrogacy leave, on a par with maternity and parental leave.

## SIGNATURES

### FRANCE

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