

To the attention of

**President Ursula von der Leyen**

Secretariate General  
European Commission  
Rue de la Loi 200  
B - 1049 Bruxelles

Brussels, March 8<sup>th</sup> 2021

Subject: International Women's Day and EU Mutual Recognition of family relations

Honourable Madam President,

On International Women's Day, we would like to congratulate you on your role model as a woman with the highest responsibilities as well as a mother.

We, a group of NGOs defending women's rights at the EU level, would like to express our concern following your State of the Union address on October 14, 2020. In fact, the project on "Mutual Recognition of Family Relations", as you expressed it would allow the actual transcription of a birth certificate for a child born from a surrogacy arrangement into a member state's civil registry and establish a fallacious parental affiliation between a child and one or more commissioning parents.

Among the deleterious effects of such legislation, we would like to point out that the practice of surrogacy would proliferate and that the mother who carried the baby during nine months and gave birth to him or her would be made invisible and discriminated against. Legislating on the mutual recognition of family relationships would encourage reproductive exploitation as well as the sale of oocytes and sperm within the European Union.

Celebrating International Woman's day encourages us to recall that women have rights and dignity and that reproductive exploitation (surrogacy and the collection of oocytes) is a new form of slavery whereby the female body and her reproductive organs are exploited.<sup>1</sup>

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<sup>1</sup> Surrogacy is slavery, as per Article 1 of the Supplementary Convention on the Abolition of Slavery

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More than seventeen EU countries<sup>2</sup> prohibit surrogacy. The European Union already enacted a wide array of legislation in that realm, such as directives against trafficking in human beings. As recently as January 2021, the European Parliament adopted two resolutions recalling:

" acknowledges that sexual exploitation for surrogacy and reproductive purposes or purposes such as forced marriages, prostitution and pornography is unacceptable and a violation of human dignity and human rights "

[EU Strategy for Gender Equality](#)

" trafficking for other forms of exploitation accounted for 18 % of victims, involving activities in the area of [...] traffic of human beings through surrogacy ".

[Implementation of the Anti-Trafficking Directive](#)

As NGOs protecting women's rights and denouncing reproductive exploitation as a violation of these rights, we call on the European Union to take the following steps:

- 1/ Provision that the "Mutual recognition of family relations" exclude children born from surrogacy or, best, to not legislate on the "Mutual recognition of family relations", leaving it to *ad hoc* provisions;
- 2/ Modify the Directive 2011/36/EU on preventing and combating trafficking in human beings to include reproductive exploitation, namely any form of surrogacy;
- 3/ Oppose the Hague Conference on International Private Law project on "Parentage / Surrogacy"<sup>3</sup>, as the European Union is a member of HCCH;
- 4/ Partake in the enactment of an International Ban of Surrogacy.

Please accept, Madam President, the expression of our deep and respectful consideration.

**Finland** Aito Avioliitto - Arto Jääskeläinen, Chairman



**France** La Manif Pour Tous – Ludovine de la Rochère, President



**Germany** Aktionsbündnis für Ehe & Familie – DemoFürAlle - Hedwig von Beverfoerde, spokeswoman



**Hungary** Human Dignity Center - Edit Frivaldsky, Director



<sup>2</sup> Prohibition of surrogacy in the European Union: Austria, Bulgaria, Croatia, Denmark, Estonia, France, Germany, Hungary, Italy, Latvia, Lithuania, Slovakia, Slovenia, Norway, Romania, Sweden, Spain.

<sup>3</sup> This HCCH project aims at providing a framework to recognise parenthood of intended parents at the expense of the biological mother or the sperm/oocyte donor.

Romania PRO VITA - Bogdan Stanciu, President



Romania Alliance of Romania's Families - Petre Costea, President



Slovakia Aliancia za rodinu - Anton Chromík, President



International Femina Europa - Anne GIRAULT, President



International Europe for Family - Aurianne Lestienne President



International Women of the World - Leonor Tamayo, President



International WomanAttitude - Laetitia Pouliquen, Director

