

FIBIP COMMUNIQUÉ ABOUT THE RESOLUTION DRAFT PRESENTED TO THE EUROPEAN COUNCIL ON “MATERNITY REPLACEMENT”.

As from 16th December , the European Council Parliamentary Assembly Commission for Social Affairs, Health and Family, will have to analyze a Resolution Draft , which claims the “maternity replacement” legalization within the old continent.

The Resolution, submitted by Mr Michael Hancock MP, is titled: “*For recognition and supervision of surrogacy as an alternative to sterility*”.

The FIBIP (The International Federation of Bioethics Centres and Institutes of Personalist Inspiration), representative of more than 40 centres around the world, would like to propose some reflections concerning this Resolution Draft.

The opinion expressed by Mr Michael Hancock MP is based on the current legal discrepancy existing between the European Countries, as regards the maternity replacement practice: “In some States it is considered as a medical alternative to the impossibility of pregnancy and it is tolerated and supervised; in other States, it is forbidden and sometimes heavy penalties are applied to all those who participate”. It is also added that new information technologies make “every prohibition, stated within the National survey, somehow illusory”. It is moreover said that, the legal differences existing among the various Countries “cause harmful consequences for the gestational mother, parents and child himself”.

It’s astonishing that a Resolution proposal, which claims to be serious, could be based on such a banal premise. The discrepancy existing between various legislations of the same country especially if related to delicate matters which are so deeply tied to the values of every society, can not justify the universal imposition of a unique model. For example, the fact that in some countries the pets abandonment is not punished as it is in other neighbouring countries, with some citizens crossing the border for this sake, doesn’t mean that the abandonment should be allowed in all legislations. Rather, each Parliament should question itself about how to define a proper regulation.

What is more, if we get to know that only 3 States Members of the European Council allow maternity replacement in specific circumstances(Greece, United Kingdom and Russia), while 11 explicitly forbid it, the basis of this proposal are considered even more fragile .

Maternity replacement (or: “surrogate maternity”) represents one of the most decadent practice of assisted reproduction. Expression of a mindset which leads to justify any behaviour aimed at achieving the desired goal. According to this attitude, the desire of a son, which in many cases becomes some sort of a “right to the son”, may justify even a practice which deeply offends the dignity of the woman and the child.

More and more accurate studies show that among the pregnant mother and the son in her womb exists a deep emotional relationship, which is very important for the child’s growth in the early months after the birth. Planning a pregnancy which voluntarily breaks this relationship represents a serious injustice against the child. It, in facts, deprives the child of his natural right to be conceived, carried in the womb, brought into the world and educated by his parents.

The woman who lends herself to this practice, paying or for free, uses her body in a so intimate and meaningful function, as the experience of pregnancy is, in a purely instrumental manner. A real downgrade, deeply offensive to its dignity. Here, indeed, is not the case of the eventual adoption of a human being who has been frozen during his/her embryonic stage in order to save his/her life and

welcome he/she as a proper son; but rather to continue the pregnancy on behalf of others, as a mere instrumental process aimed at giving a child to all those women who can not generate it.

Thus, the majority of the European States does the right thing by rejecting maternity replacement. The proposal submitted by Mr Michael Hancock ^{MP} shows his ideological and manipulative office when, instead of inviting a serious and serene analysis of the problem, he dares to claim that: “the impassionate debate” on this issue is made difficult by the fact that “many negative reactions against maternity replacement are often based on stereotypes and fixed ideas”

This attempt to an aprioristic disqualification of all those who present a different opinion underlies the spirit of a proposal, which claims to unify European legislations (aligning them to a small minority of countries) in order to reach the common good.