The End of Cross-Border Surrogacy?

By Donna Dickenson

T he global trade in babies born through commercial surrogacy is slowly being shut down. India, Nepal, Thailand, and Mexico have introduced measures that would ban surrogacy entirely or ban it for married heterosexual couples. Cambodia and Malaysia look likely to follow suit.

In an industry in which the conventional wisdom has long insisted that the best way to support the idea that commercial surrogacy is legal, has restricted it to Mexican heterosexual married couples. In April 2015, the state of Tabasco, the only jurisdiction in the country where surrogacy is legal, announced that it would restrict commercial surrogacy to support the argument that the trade can never be stamped out in its entirety. The voices of a few countries promoting commercial surrogacy are those in which the practice takes place. The argument underscores the naivety of that position.

It is no coincidence that the countries cracking down on cross-border surrogacy are those in which the practice is legal. Commercial surrogacy leads to human trafficking and the exploitation of some of the world’s most vulnerable women. (Courtesy Project Syndicate)

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