

European Parliament
S&D JURI Workshop
“Cross-border family situations.
Recognition of parenthood”

5 July 2022



HCCH Parentage / Surrogacy Project

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91 HCCH MEMBERS

90 States + European Union



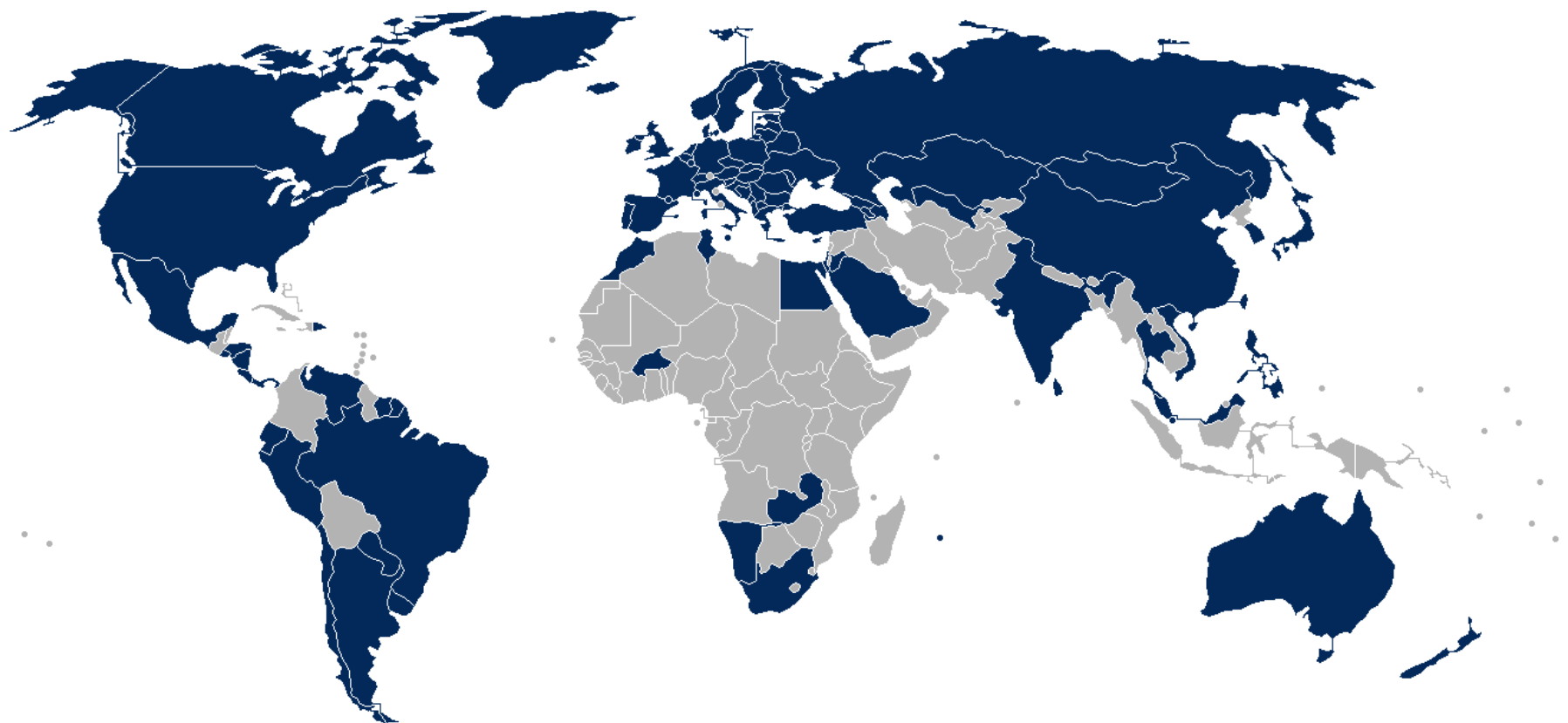
Member State

Admitted State

Colombia



Lebanon





LEGISLATIVE PROJECT

Private International Law regarding

- legal parentage generally
- including legal parentage resulting from an international surrogacy arrangement

PRIVATE INTERNATIONAL LAW



Jurisdiction



Recognition



Applicable law



Cooperation

HCCH EXPERTS' GROUP (2016 – 2022)

- Desirability
- Feasibility
- 2022 Final Report

HCCH WORKING GROUP (From 2023)

- Explore provisions for, if possible, one new instrument
- Further inform CGAP on :
 - policy considerations in relation to the scope and content
 - including feasibility of reaching consensus
- Policy views of States

POSSIBLE AIMS OF AN INSTRUMENT

Predictability
Certainty
Continuity

Taking into account human rights of persons concerned
For children: UNCRC, best interest of the child be a primary consideration

SURROGACY

A priori
system

A posteriori
system



Starting before birth
Enhanced Cooperation
Certification

Only after birth
Cooperation
Certification

WHAT IS THE HCCH NOT DOING



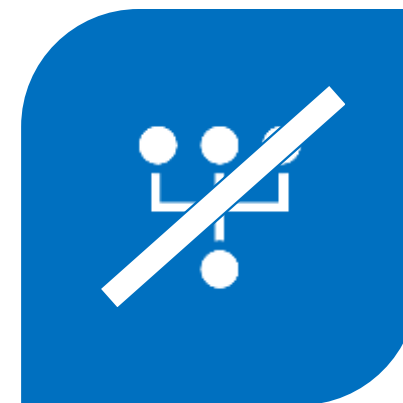
NOT

promoting surrogacy



NOT

prohibiting surrogacy



NOT

unifying practices

**Thank you very much
for your attention**

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