



## Economic and Social Council

Distr.: General  
18 December 2017  
English  
Original: French

---

### Commission on the Status of Women

Sixty-second session

12–23 March 2018

Follow-up to the Fourth World Conference on Women and  
to the twenty-third special session of the General Assembly  
entitled “Women 2000: gender equality, development and  
peace for the twenty-first century”

### Statement submitted by La Manif Pour Tous, a non-governmental organization in consultative status with the Economic and Social Council\*

The Secretary-General has received the following statement, which is being  
circulated in accordance with paragraphs 36 and 37 of Economic and Social Council  
resolution [1996/31](#).

---

\* The present statement is issued without formal editing.



## Statement

The empowerment of women and girls will be possible only if all Member States come together to put an end to the trafficking of which women and girls are victims. How can we imagine achieving Sustainable Development Goal 5 of the 2030 Agenda for Sustainable Development without concerted and vigorous efforts to free women and girls from trafficking?

These efforts must not overlook any kind of trafficking, including new and emerging forms, such as the practice of using surrogate mothers. Women victims of trafficking are exploited for reproductive purposes; they are denied their reproductive freedom, which is taken from them for the benefit of others.

To combat poverty, target 1.4 of the 2030 Agenda provides for the restoration of the rights of vulnerable persons to the full enjoyment of their fundamental human rights. The rights to sexual and reproductive health are the rights of which women are most frequently deprived.

The eradication of poverty will also not be possible without the guarantee of access to health care for all, as referred to in target 3.7 of the 2030 Agenda. “For all” means, in particular, for the women and girls who are too often deprived of this right.

Surrogate mothers are, in addition, always economically poor or poorly educated women, subjected to various pressures and forms of blackmail, and often live in rural areas. Our work on the ground has reaffirmed our belief that trafficking victims are overwhelmingly women from rural areas, far from any health network and from any possible recourse to public authorities or non-governmental organizations and therefore helplessly exposed to those who exploit the women’s vulnerability. The traffickers entrap them with the lure of employment and resources elsewhere, move them from one region to another and then from one country to another, take away their identity papers, and so on. The women lose all freedom and independence. Their rights and dignity are violated because they are treated as objects, as incubators.

Women from isolated rural areas are particularly subject to exploitation from this trafficking. It is inconceivable to achieve lasting action against poverty and to work for the empowerment of women without condemning the principle of surrogate motherhood and staunchly opposing this practice everywhere in the world.

The success of the 2030 Agenda hinges on combating all forms of trafficking, as was emphatically repeated during the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons: “We reiterate our strong condemnation of trafficking in persons, especially women and children, which continues to pose a serious challenge to humanity, violates and impairs the enjoyment of human rights and fundamental freedoms and constitutes a crime and a serious threat to human dignity and physical integrity, and a challenge to sustainable development.”

We therefore draw the attention of this Committee to the protection and defence of women victims of trafficking who have no other choice than to become a surrogate mother, crushed by a powerful global market, against which they are powerless.

What could they effectively do in the face of a market worth billions of dollars and which helps to enrich numerous intermediaries, including doctors, clinics, lawyers, sales representatives and insurance providers. These women have no

possessions and even their uterus is no longer their own as it is transformed into commercial property.

The legal framework governing surrogate motherhood cannot be a sufficient response. Legislation to prevent abuses and to ensure that women become surrogate mothers only on a voluntary basis is illusory for two main reasons.

The first is that no woman wishes to place her body at the disposal of a third party, except in cases of necessity or ignorance. If she does it out of ignorance, it is our duty to protect her and to give her the keys to her reproductive freedom. If she does it out of necessity, it should be remembered that under no circumstances can a woman be empowered by giving up her uterus. It is also well known that victims of trafficking tell themselves or believe that they are acting voluntarily, but that is not the case. This was made abundantly clear during the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons, on 27 and 28 September 2017. Indeed, surrogate motherhood leaves women feeling alienated.

The second reason is that the law fails to curb abuses. Legal regulations in one country push traffickers to increase their movements of women from one country to another and to exploit more women in other countries. We have learned this from local research into the situation of surrogate motherhood agencies, which, when legal regulations were introduced in Thailand, had transferred their activities elsewhere, to Laos and Kenya.

Regulating or legalizing surrogate motherhood is tantamount to condoning, and ultimately encouraging, the exploitation of the most vulnerable women. It is equivalent to authorizing trafficking in women and approving the seizure of their reproductive capacity. The women most at risk, especially those in rural areas, urgently need robust action from the entire international community, and the only action that can help them is the universal abolition of surrogate motherhood.

We must support their empowerment by breaking the chains of trafficking.

---