

Maternita Surrogata

Silvia Dietrich

Maternità surrogata Roberta Fiore, Annalisa Tomasiello, Maurizio Robertaccio, 2023

Fundamental legal problems of surrogate motherhood. Global perspective. Piotr Mostowik, Marta Soniewicka, Nathalie Baillon-Wirtz, Mirosław Boruta, Justyna Holocher, Błażej Kmiecik, Ewa Kozerska, Tomasz Scheffler, Katažyna Mikša, Natalja Žitkevits, Avishalom Westreich, Andrea Nicolussi, Andrei A. Novikov, Carlos Martínez de Aguirre, Monika Wałachowska, Alla Anatoliivna Herts, Witold Borysiak, Agnieszka Czubik, Łukasz Mirocha, Agata Niżnik-Mucha, Aleksandra Dębowska, Marcin Sokołowski, Agnieszka Wedeł-Domaradzka, Olga Bobrzyńska, Dita Frintová, Ondřej Frinta, Janusz Gajda, Rafał Łukasiewicz, Elena Júdová, Martin Píry, Wojciech Lis, Piotr Telusiewicz, Michał Wojewoda, Edyta Figura-Góralczyk, Radosław Flejszar, Piotr Rodziewicz, Konrad Burdziak, Łukasz Pohl, Wojciech Górowski, Agnieszka Laber, Dominik Zajac, Karolina Sęk, 2019-07-01

The observation that mater semper certa est remains accurate under most legal systems in the world. Maternity is defined as the personal status (filiation) of a woman who gave birth to a child. It is typically complemented by the fatherhood of the man from whom the child biologically originates (often quem nuptiae demonstrant). However, in some states, a kind of competitive way of acquiring the legal status of mother and father (or “homosexual parents A and B”) has been introduced via concluding a contract with a surrogate mother. Usually with a woman coming from poorer societies and with the assistance of professional intermediaries and organizers. The postulates to change substantive family law, or at least to recognize the effects of foreign law and procedures (a kind of “procreative tourism”), appear nowadays also in states generally prohibiting surrogate motherhood. The issues discussed in this volume concern both national law and international court cases. Recent examples include the opinion of the European Court of Human Rights of 10 April 2019 initiated by the French Cour de cassation, the judgement of the German Bundesgerichtshof of 20 March 2019, and dilemmas of Polish administrative courts. Focusing on the international perspective, the present volume as well as an accompanying book in Polish are the results of the international cooperation of over 30 experts from both member states and observer states of the Council of Europe. The monograph is structured “from the general to the detail” and includes a comprehensive view as well: from the issues of philosophy and sociology of law, to human rights standards of national constitutions and international agreements, to principles of ordre public of forum and their protection with measures of private, public, and penal law. This allows readers, including legislators and judges, the better understanding of the

fundamental legal problems that surrogate motherhood brings, both in states where law creates them in a narrower or wider extent, and in other countries of the world, to which these problems can be imported with the movement of people and with de lege lata and de lege ferenda postulates.

Muttermaschine Gena Corea, 1986

Leihmutterschaft Nora Bertschi, 2014-02-17 In jüngster Zeit haben sich Praktiken und Techniken zur Erfüllung des Kinderwunsches gewandelt. Dabei scheint es nicht mehr so klar, wer die Eltern sind. Angesichts zunehmender Pluralisierung der Lebensformen und neuen fortpflanzungsmedizinischen Möglichkeiten wird immer häufiger vom klassischen Familienmodell mit einer Mutter und einem Vater abgewichen. Heute muss zwischen sozialer, biologischer und genetischer Elternschaft unterschieden werden. Diese neuen Familienkonstellationen mit einer Vielzahl von Beteiligten stehen im Widerspruch zu bisherigen Vorstellungen von Familie und Verwandtschaft. Im Fall der Leihmutterschaft, bei der eine Frau für Dritte ein Kind austrägt und ihnen dieses nach der Geburt übergibt, werden bisherige Konzepte der Mutterschaft infrage gestellt. Schwangerschaft und Geburt sind hier nicht natürlich mit Mutterschaft verbunden. Die Institution der Leihmutterschaft führt auch im Recht zu Verwirrung. Die Klärung der rechtlichen Elternschaft etwa wirft besonders in internationalen Sachverhalten komplexe Problemstellungen auf. Vom rechtlichen Kindesverhältnis wiederum hängen weitere Bereiche ab, etwa die Staatsangehörigkeit oder das Aufenthaltsrecht der betroffenen Kinder, die es dringend zu klären gilt. Die vorliegende Arbeit nimmt sich diesen, bisher ungelösten Fragen an und untersucht die Institution der Leihmutterschaft, wie sie in der Schweiz, den USA und Indien geregelt und praktiziert wird.

Towards a Professional Model of Surrogate Motherhood Ruth Walker, Liezl van Zyl, 2017-07-10 This book delves deeply into modern surrogacy arrangements, responding to both practical and ethical critiques by offering a radically new model for surrogate motherhood. Current practice distinguishes between two models of surrogacy - the altruistic (unpaid) model and the commercial (paid) model, both of which present social, ethical, and conceptual challenges. This book proposes a novel arrangement for surrogate motherhood - the professional model. Inspired by professions, such as nursing, teaching, and social work, the professional model acknowledges the caring motives that surrogate mothers have while at the same time compensating them for their work. Walker and Van Zyl adopt an evidence-based approach to explain that the professional model enables trust between intended parents and surrogates, provides professional support at every stage of the relationship, affords legal protections against exploitation and commodification, and recognizes the rights and interests of all parties, including the intended baby. The model applies to both transnational and domestic surrogacy and will be of great interest to policy makers, social researchers, bioethicists, legal scholars, fertility professionals, clinicians, and graduate students in psychology, philosophy, medicine and ethics.

Grenzenloser Kinderwunsch Nadine Lederer, 2016 Inhalt: Abstammung - Fortpflanzungstourismus - Adoption von

Leihmutterchaftskindern - Sittenwidrigkeit von Leihmutterchaftsvereinbarungen - Internationales Privat- und Verfahrensrecht - Ordre public-Vorbehalt - Kindeswohl - Anerkennung von Personenstandsurkunden - Haager Konferenz für Internationales Privatrecht.

Maternità surrogata: un figlio a tutti i costi Paola Binetti, 2016

International Surrogacy Arrangements Katarina Trimmings, Paul Beaumont, 2013-05-17 This book addresses the pressing challenges presented by the proliferation of international surrogacy arrangements. The book is divided into three parts. Part 1 contains National Reports on domestic approaches to surrogacy from Argentina, Australia, Belgium, Brazil, China, Czech Republic, France, Germany, Greece, Guatemala, Hungary, India, Ireland, Israel, Mexico, Netherlands, New Zealand, Russia, South Africa, Spain, Ukraine, United Kingdom, United States and Venezuela. The reports are written by domestic specialists, each demonstrating the difficult and urgent problems arising in many States as a result of international surrogacy arrangements. These National Reports not only provide the backdrop to the authors' proposed model regulation appearing in Part 3, but serve as a key resource for scrutinising the most worrying incompatibilities in national laws on surrogacy. Part 2 of the book contains two contributions that provide international perspectives on cross-border surrogacy such as the 'human rights' perspective. Part 3 contains a General Report, which consists of an analysis of the National Reports appearing in Part 1, together with a proposed model of regulation of international surrogacy arrangements at the international level written by the two co-editors, Paul Beaumont and Katarina Trimmings. The research undertaken by Katarina Trimmings and Paul Beaumont from 2010 to 2012 was funded by the Nuffield Foundation.

Wombs in Labor Amrita Pande, 2014-09-30 Surrogacy is India's new form of outsourcing, as couples from all over the world hire Indian women to bear their children for a fraction of the cost of surrogacy elsewhere with little to no government oversight or regulation. In the first detailed ethnography of India's surrogacy industry, Amrita Pande visits clinics and hostels and speaks with surrogates and their families, clients, doctors, brokers, and hostel matrons in order to shed light on this burgeoning business and the experiences of the laborers within it. From recruitment to training to delivery, Pande's research focuses on how reproduction meets production in surrogacy and how this reflects characteristics of India's larger labor system. Pande's interviews prove surrogates are more than victims of disciplinary power, and she examines the strategies they deploy to retain control over their bodies and reproductive futures. While some women are coerced into the business by their families, others negotiate with clients and their clinics to gain access to technologies and networks otherwise closed to them. As surrogates, the women Pande meets get to know and make the most of advanced medical discoveries. They traverse borders and straddle relationships that test the boundaries of race, class, religion, and nationality. Those who focus on the inherent inequalities of India's surrogacy industry believe the practice should be either banned or strictly regulated. Pande instead advocates for a better understanding of this complex labor market, envisioning an

international model of fair-trade surrogacy founded on openness and transparency in all business, medical, and emotional exchanges.

La filiazione Antonio Palazzo,2007 Recoge: I. La procreazione. -- I.1. La tutela delle origini della vita. -- I.2. Procreazione e tutela della salute. -- I.3. Il diritto a conoscere le proprie origini. -- II. L'accertamento degli status di filiazione. -- II.1. Atto di nascita e riconoscimenti per la certezza degli status--II.2. Finzioni e presunzioni di concepimento in matrimonio. -- II.3. Le azioni di accertamento dello stato de matrimonialità. -- II.4. Concepimento e nascita fuori del matrimonio. -- III. Gli effetti della filiazione. -- III.1. La fikliazione nella cultura giuridica europea. -- III.2. Il rapporto di filiazione. -- III.3. La filiazione nelle crisi dei rapporti familiari.

L'etica della vita. I dilemmi della bioetica in una società liberale Max Charlesworth,1996

Mutterschaft für Dritte Silvia Dietrich,1989 Im Zuge der Entwicklung der medizinischen Reproduktionstechniken hat die Frage nach der rechtlichen Beurteilung der Leihmutterschaft stark an Aktualität gewonnen. Die vorliegende Arbeit nimmt zu den wichtigsten Rechtsproblemen der Mutterschaft für Dritte wie Statusfragen, Folgen der Zuordnung, Wirksamkeit von Leihmutterverträgen und Zulässigkeit von Leihmuttervermittlungsagenturen Stellung. Neben einem Vergleich mit den Rechtsordnungen der USA, Australiens, Großbritanniens und Frankreichs werden zur Fundierung der Ergebnisse entwicklungspsychologische und familiensoziologische Erkenntnisse sowie Rechtstatsachen herangezogen. Wesentliche Aussage der Arbeit ist, daß Leihmutterschaft dem Kindeswohl im Regelfall abträglich ist. Deshalb sollte einer Institutionalisierung der Mutterschaft für Dritte mit Hilfe der Präventivwirkungen des Zivilrechts und ergänzender Rahmenregelungen entgegengewirkt werden.

Surrogate Motherhood Rachel Cook,Shelley Day Sclater,Felicity Kaganas,2003-06-24 This book is a multi-disciplinary collection of essays from leading researchers and practitioners,exploring legal, ethical, social, psychological and practical aspects of surrogate motherhood in Britain and abroad. It highlights the common themes that characterise debates across countries as well as exploring the many differences in policies and practices. Surrogacy raises questions for medical and welfare practitioners and dilemmas for policy makers as well as ethical issues of concern to society as a whole. The international perspective adopted by this book offers an opportunity for questions of law, policy and practice to be shared and debated across countries. The book links contemporary views from research and practice with broader social issues and bio-ethical debates. The book will be of interest to an international audience of academics and their students (in law, social policy, reproductive medicine, psychology and sociology), practitioners (including doctors, counsellors, midwives and welfare professionals) as well as those involved in policy-making and implementation.

Handbook of Gestational Surrogacy E. Scott Sills,2016-10-06 A clinical handbook on gestational surrogacy, with thorough guidance for clinicians involved in global third-party reproductive treatment.

Research Handbook on Surrogacy and the Law Katarina Trimmings, Sharon Shakargy, Claire Achmad, 2024-03-14 This essential Research Handbook provides a multifaceted exploration of surrogacy and the law, examining a variety of critical yet under-researched perspectives including globalisation, power, gender, sexual orientation, genetics, human rights and family relations. It covers four distinct topics: surrogacy and rights, the interplay between surrogacy and different areas of the law, cross-border aspects, and regional perspectives.

Leihmutterschaft im Internationalen Privat- und Verfahrensrecht Konrad Duden, 2015-07-17 Immer mehr Deutsche lassen sich im Ausland von Leihmüttern Kinder austragen, die sie als eigene aufziehen wollen. Ist das Kind nach der Rückkehr dann aber rechtlich ihr Kind? Die Leihmutterschaft wird heftig diskutiert. In Literatur und Rechtsprechung wurden dabei bisher die Grund- und Menschenrechte des Kindes häufig vernachlässigt. Das will dieses Buch ändern.

Full Surrogacy Now Sophie Lewis, 2021-08-31 Where pregnancy is concerned, let every pregnancy be for everyone. Let us overthrow, in short, the “family” The surrogacy industry is estimated to be worth over \$1 billion a year, and many of its surrogates around the world work in terrible conditions—deception, wage-stealing and money skimming are rife; adequate medical care is horrifyingly absent; and informed consent is depressingly rare. In *Full Surrogacy Now*, Sophie Lewis brings a fresh and unique perspective to the topic. Often, we think of surrogacy as the problem, but, *Full Surrogacy Now* argues, we need more surrogacy, not less! Rather than looking at surrogacy through a legal lens, Lewis argues that the needs and protection of surrogates should be put front and center. Their relationship to the babies they gestate must be rethought, as part of a move to recognize that reproduction is productive work. Only then can we begin to break down our assumptions that children “belong” to those whose genetics they share. Taking collective responsibility for children would radically transform our notions of kinship, helping us to see that it always takes a village to make a baby.

Surrogate Motherhood Martha A. Field, 1990-10 Martha Field examines the myriad legal complexities that today enmesh surrogate motherhood, and also looks beyond existing legal rules to ask what society wants from surrogacy.

Procreazione medicalmente assistita e fecondazione eterologa: il percorso frastagliato della legge 40/2004 Maria Cristina Campagnoli, 2017-04-19 Si intende approfondire, alla luce della più recente evoluzione giurisprudenziale, alcuni degli aspetti relativi alla tematica relativa alla procreazione medicalmente assistita, con particolare riferimento alle cd. “tecniche di fecondazione eterologa”.

Surrogate Motherhood Helena Ragone, 1994-05-15 To date, thousands of surrogate-assisted births have taken place, but never before have the experiences of the participants and program staff been explored in such detail. Participants who have never before spoken publicly about their involvement in surrogacy here speak out, and their statements are startling and intriguing.

The book delves into Maternita Surrogata. Maternita Surrogata is a vital topic that needs to be grasped by everyone, from students and scholars to the general public. The book will furnish comprehensive and in-depth insights into Maternita Surrogata, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:

- Chapter 1: Introduction to Maternita Surrogata
- Chapter 2: Essential Elements of Maternita Surrogata
- Chapter 3: Maternita Surrogata in Everyday Life
- Chapter 4: Maternita Surrogata in Specific Contexts
- Chapter 5: Conclusion

2. In chapter 1, the author will provide an overview of Maternita Surrogata. This chapter will explore what Maternita Surrogata is, why Maternita Surrogata is vital, and how to effectively learn about Maternita Surrogata.

3. In chapter 2, this book will delve into the foundational concepts of Maternita Surrogata. This chapter will elucidate the essential principles that need to be understood to grasp Maternita Surrogata in its entirety.

4. In chapter 3, the author will examine the practical applications of Maternita Surrogata in daily life. The third chapter will showcase real-world examples of how Maternita Surrogata can be effectively utilized in everyday scenarios.

5. In chapter 4, this book will scrutinize the relevance of Maternita Surrogata in specific contexts. This chapter will explore how Maternita Surrogata is applied in specialized fields, such as education, business, and technology.

6. In chapter 5, this book will draw a conclusion about Maternita Surrogata. This chapter will summarize the key points that have been discussed throughout the book.

The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Maternita Surrogata.

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