



## Law and Practice of Surrogacy

- The legal regime of surrogacy in Europe
- Reframing parenthood?
- Surrogacy and human rights
- Is there a need for action?

Cambridge, 25-26 June 2018



## Speakers

**Rose-Marie Drury**, Senior Associate, Mills & Reeve, Manchester

**Anatol Dutta**, Professor at the Ludwig Maximilian University of Munich

**Esther Farnós Amorós**, Professor at the Pompeu Fabra University of Barcelona

**Claire Fenton-Glynn**, University Lecturer, University of Cambridge

**Deirdre Fottrell QC**, Barrister, 1 Garden Court, London

**Susan Golombok**, Professor and Director of the Centre for Family Research, University of Cambridge

**Nick Hopkins**, Professor at the University of Reading; Law Commissioner, Law Commission of England and Wales, London

**Anne-Marie Hutchinson OBE, QC (Hon)**, Partner, Dawson Cornwell, London

**Laura Martínez-Mora**, Principal Legal Officer, Hague Conference on Private International Law, The Hague (to be confirmed)

**Walter Pintens**, Emeritus Professor at the Catholic University of Leuven

**Jane Russell**, Barrister, Essex Court Chambers, London

**Jens M. Scherpe**, Director of the Cambridge Family Law Centre and Reader in Comparative Law, University of Cambridge

**Velina Todorova**, Member of the UNHR Committee of the Rights of the Child, University of Plovdiv

**Katarina Trimmings**, Lecturer, University of Aberdeen

**Eleni Zervogianni**, Assistant Professor, Aristotle University of Thessaloniki

This conference will discuss the legal consequences of the rise in surrogacy arrangements and, in particular, reproductive tourism.

## Key topics

- The legal regime of surrogacy in the EU Member States and beyond
- Surrogacy in the context of employment law
- Surrogacy and human rights
- Re-framing parenthood?
- Filiation, ART and surrogacy: what comes next?

Language  
English

Event number  
118DP100

Organisers  
ERA (Dr Angelika Fuchs) in cooperation with Cambridge Family Law, University of Cambridge



With the support of the Erasmus+ programme of the European Union

# Law and Practice of Surrogacy

## Monday, 25 June 2018

08:30 Arrival and registration of participants

09:00 **Welcome**

*Jens M. Scherpe, CFL*

*Angelika Fuchs, ERA*

*Daniela Kreidler-Pleus, IAFL*

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### I. THE LEGAL REGIME OF SURROGACY IN EUROPE

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Moderator: *Anne-Marie Hutchinson*

09:15 **Restrictive approaches to surrogacy in the light of reproductive tourism**  
*Anatol Dutta*

09:45 **The tolerant approach and its consequences**  
*Deirdre Fottrell*

10:15 Discussion

10:45 Coffee break

11:15 **Adopting a regulatory scheme: chances and pitfalls**  
*Eleni Zervogianni*

11:45 Discussion

12:00 **Comparative summary**  
*Claire Fenton-Glynn*

12:30 Discussion

13:00 Lunch

Moderator: *Esther Farnós Amorós*

14:00 **Surrogacy in the context of employment law**  
*Jane Russell*

14:30 Discussion

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### II. REFRAMING PARENTHOOD?

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14:45 **Surrogacy families: A psychological perspective**  
*Susan Golombok*

15:30 Discussion

15:45 Coffee break

16:15 **ROUND TABLE**  
**Who is a parent, and who belongs to the “family”?**  
Moderator: *Jens M. Scherpe*

- *Esther Farnós Amorós*
- *Anatol Dutta*
- *Jane Russell*

17:45 End of first seminar day

19:30 Dinner in the Main Hall of Selwyn College

## Contents

Over the past 15 years, we have seen the rapid expansion of surrogacy, both in frequency and in geographical scope. Across Europe, there are vast differences in approach, ranging from prohibitive regimes (e.g. France and Germany) to the more tolerant (e.g. England and Wales) and those that adopt a regulatory approach (e.g. Greece). For surrogates, intended parents and children, the situation remains highly complex and fraught with legal difficulties.

This conference will discuss the legal regime of surrogacy in the EU Member States and will also address how such systems operate in the context of employment law. It will discuss questions of parenthood and conflict of laws through the lens of domestic law in European jurisdictions, as well as the case law of the European Court of Human Rights.

## Who should attend?

Lawyers in private practice dealing with family law, interest group representatives, judges, notaries, ministry officials and academics

## Your contact persons



Dr Angelika Fuchs  
Head of Section  
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Assistant  
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## Location

University of Cambridge  
Faculty of Law  
10 West Road  
UK – Cambridge CB3 9DZ

## Tuesday, 26 June 2018

### III. SURROGACY AND HUMAN RIGHTS

Moderator: *Walter Pintens*

- 09:00 **Surrogacy in the ECtHR case law**  
Recognition of parent-child relationship as a result of surrogacy?  
Private life considerations: child's best interest vs. parents' intentions?  
*Katarina Trimmings*
- 09:30 Discussion

### IV. QUO VADIS SURROGACY?

- 09:45 **The Law Commission and surrogacy**  
*Nick Hopkins*
- 10:00 Discussion
- 10:15 Coffee break
- 10:45 **Legal parentage and surrogacy: a project of the Hague Conference**  
*Laura Martínez-Mora*
- 11:15 **ROUND TABLE**  
**Assisted reproductive technology (ART), surrogacy and filiation:**  
**Is there a need for action at EU level? Could an international convention**  
**provide a solution?**  
Moderator: *Velina Todorova*
- *Rose-Marie Drury*
  - *Laura Martínez-Mora*
  - *Walter Pintens*
  - *Katarina Trimmings*
- 12:45 **Closing remarks**  
*Walter Pintens*
- 13:00 End of seminar

For programme updates: [www.era.int](http://www.era.int)

Programme may be subject to amendment.

### Conference Dinner

After a day's intensive exchange, enjoy the conference dinner in the Main Hall of beautiful Selwyn College.  
(<http://www.sel.cam.ac.uk/selwyn-college/>)



The special price for the dinner is £39 for participants (£72 for accompanying persons), including a champagne aperitif and wine. Please book your dinner ticket: <http://era-comm.eu/go/cfl>  
- there are limited places available.

### Accommodation

Accommodation for conference attendees and accompanying persons is available in the traditional Selwyn College, located in Cambridge and right next to the conference and dinner venue.



Experience what it is like to be a student at a Cambridge College, with room rates (singles only) considerably cheaper than those offered by any city centre hotels (£80 / £ 96 for accompanying persons, including breakfast in college). Please book you accommodation through this link: <http://era-comm.eu/go/cfl>

### CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to 10 CPD hours.

### Save the date

**Annual Conference on EU Family Law**  
Focus on the new EU Regulations on (Matrimonial) Property Regimes

Trier, 25-26 October 2018

### e-Learning

In addition to a wide range of seminars and workshops, the Academy of European Law also offers a wide range of e-learning courses and e-presentations on the most varied legal areas:  
[www.era.int/elearning](http://www.era.int/elearning)

# Registration

## Law and Practice of Surrogacy

Cambridge, 25-26 June 2018 / Event Number: 118DP100



Europäische Rechtsakademie  
Academy of European Law  
Académie de Droit Européen  
Accademia di Diritto Europeo

### Registration

Fax: +49 (0) 651 93737-773

E-mail: [info@era.int](mailto:info@era.int)

Online registration:  
[www.era.int/?127290&en](http://www.era.int/?127290&en)

Postal address:  
ERA  
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D-54206 Trier

Location  
University of Cambridge  
Faculty of Law  
10 West Road  
UK - Cambridge CB3 9DZ

Language  
English

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### Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**	Discount Voucher Code**
Registration by 25/05/2018	€ 360.00 <input type="checkbox"/>	€ 216.00 <input type="checkbox"/>	€ 270.00 <input type="checkbox"/>	€ 270.00 <input type="checkbox"/>
Registration after 25/05/2018	€ 400.00 <input type="checkbox"/>	€ 240.00 <input type="checkbox"/>	€ 300.00 <input type="checkbox"/>	€ 300.00 <input type="checkbox"/>

☐ Voucher Code:

The registration fee includes lunch, coffee breaks and the conference documents. If you are also registering for the evening function a contribution of £39 has to be paid.

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- Fellows of the European Law Institute

### \*\* Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation
- If you have a discount voucher code, please enter the code in the voucher field when you register.

### Method of payment

- ☐ Credit card For registration with credit card payment please go to our website [www.era.int/?127290&en](http://www.era.int/?127290&en)
- ☐ Cheque Cheque number
- ☐ Bank transfer

I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:  
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Place, Date

Signature