

Surrogacy made India a hub of medical tourism in recent years. According to Confederation of Indian Industries, surrogacy is estimated to be business of more than 400 million per year.

However, apart from economic potential, the commercial surrogacy poses several socio-economic problems.

## ISSUES

- 1) It is mainly poor women who lend their womb.
- 2) Due to lack of regulation, women are vulnerable to be exploited.
- 3) There have been instances where:
  - the couple refused to take surrogate child and non-payment.
  - as surrogate mother was not provided medical facilities.
- 4) Due to large number of Assisted Reproductive Technology (ART) clinics, women get exploited by medical professionals as:
  - non-payment to surrogate.

methods.

- Limiting of infertile couples charging charging high fees.

Recently, government has passed a bill to regulate surrogacy. Its features are:

- ban on commercial surrogacy.
- only allows altruistic surrogacy by a close relative.
- limited to heterosexual infertile couples excluding single & gay couples.
- provision of medical healthcare facilities & health insurance mandatory during pregnancy.

The Bill do not address the problems faced in commercial surrogacy as:

- It may start black market / underground channels for commercial surrogacy, thus poor & needy women remain vulnerable.
- There is no law currently in India regulating ART, labs. It is like putting

a cart before a horse.

- Exclusion of people like single parents, gay couples take away freedom of choice.
- The 'close relative' definition is not clear, thus \$ women are still vulnerable to family pressures.

### Way forward

- 1) Need of law to regulate ARTs as soon as possible
- 2) Clearing the definitions of terms to avoid confusions & exploitation.
- 3) Involvement of civil society, academics, economists to again deliberate & debate on ban of commercial surrogacy.