



SURROGATE MOTHERHOOD: LEGAL MATTERS

PRACTICES SUCH AS SURROGATE MATERNITY, WHICH WERE UNKNOWN UP TO THIRTY YEARS AGO, POSE NEW ISSUES IN THE LEGAL FIELD. THEY ARE, HOWEVER, ISSUES THAT CAN USUALLY BE SOLVED EASILY IF HANDLED WITH THE RIGHT CARE, COMPETENCE AND EXPERIENCE.

THE PRINCIPLE ON WHICH THIS PRACTICE IS BASED IS THAT IT IS THE PARENTS WHO PASS ON THEIR GENETIC MATERIAL. THE PERSON WHO CARRIES THE PREGNANCY FORWARD AND GIVES BIRTH TO A CHILD WHO DOES NOT HAVE HER GENES WILL NOT BE ITS LEGAL MOTHER.

HOWEVER, THIS PRINCIPLE IS NOT RECOGNISED EVERYWHERE. IT IS THEREFORE NECESSARY TO GO TO A COUNTRY WHERE GENETIC PARENTHOOD IS RECOGNISED AND WHICH REGULATES THE TRANSFERRING OF RIGHTS AND DUTIES OF THE BEARER TO THE BIOLOGICAL PARENTS CLEARLY.

A PRECISE AND DETAILED CONTRACT, WHICH WILL PASS THE RIGOROUS CHECKS CARRIED OUT BY THE LEGAL AUTHORITIES, GUARANTEES TRANSPARENCY AND SAFETY THROUGHOUT THE PROCEDURE. THE FINAL RESULT IS A BIRTH CERTIFICATE WHERE THE PARENT IS WHOEVER PASSED ON THE GENETIC MATERIAL. THE DOCUMENT, LEGITIMATE AND BASED ON CONFIRMABLE DETAILS, WILL BE TRANSCRIBED IN REGISTRY OFFICES.

IN SOME CASES, PROBLEMS MIGHT ARISE CONCERNING RECOGNITION UPON RE-ENTRY INTO ITALY. THIS IS WHY IT IS NECESSARY TO RELY UPON THOSE WHO KNOW THE PROCEDURES AND LEGAL ORDER BOTH OF THE HOST COUNTRY AND THE COUNTRY OF ORIGIN.