

# **INTERNATIONAL WORKSHOP ON RECENT LEGAL DEVELOPMENTS CONCERNING GESTATIONAL SURROGACY**

**John Cabot University  
Guarini Campus - Via della Lungara, 233  
AULA MAGNA REGINA  
Friday, 8 November 2024  
10:00 AM - 1:30 PM**

## **Concept note**

The aim of this Conference is to discuss international, European Union (EU) and selected national legal issues surrounding gestational surrogacy, focusing on the growing pressure faced by national bans on surrogacy, the increase of procreative tourism and the evolving legal landscape regarding family relationships. The ethical issues connected with shifting away from prioritizing biological ties in favor of the desire to become parents and form families is examined and the eventual existence of a 'right to be born' in the context of gestational surrogacy as part of international human rights law is assessed. Given the illegality of gestational surrogacy in many countries, the legal challenges posed by national laws recognizing familial bonds of children born abroad through this assisted procreational practice are discussed in light of the principle of the best interest of the child. The recent inclusion of the 'exploitation of surrogacy' among the forms of exploitation enumerated in the definition of 'trafficking in persons' contained in the new EU Directive 2024/1712 on trafficking in human beings will also be analyzed. Overall, the Conference aims to contribute to the debate on the role of international law, EU law and selected national laws in the field of gestational surrogacy by exploring recent legal developments regarding this contentious issue.

**Scientific Committee:** Ilja Richard Pavone (CNR); Silvia Scarpa (JCU); Emanuela Midolo (CNR)

## WORKSHOP PROGRAM

### OPENING REMARKS:

Stefano Arnone, Dean of Academic Affairs (John Cabot University)

### Keynote speech:

Stefan L. Sorgner (John Cabot University): *From Nature to Culture and the Separation of Sex and Reproduction*

### Gestational Surrogacy and International Human Rights Law

**Moderator:** Angelo Schillaci (Sapienza University of Rome)

Ilja Richard Pavone (CNR and Catholic University of the Sacred Heart): *Gestational Surrogacy and Procreative Tourism.*

Pamela B. Harris (John Cabot University): *Gestational Surrogacy: The View from California.*

Alessandro Stiano (University of Foggia): *Gestational Surrogacy, Public Order and the Best Interest of the Child.*

### Coffee Break: 11:30 am - 12:00 noon

### Gestational Surrogacy in the European Framework

**Moderator:** Pamela B. Harris (John Cabot University)

Roberto Baratta (Roma Tre University): *The continuity of the status filii in the EU: a contentious legislative project.*

Emanuela Midolo (CNR): *The Relevant Case-Law of the European Court of Human Rights on Gestational Surrogacy.*

Silvia Scarpa (John Cabot University): *The new EU Directive 2024/1712 on Trafficking in Persons and Exploitation in Gestational Surrogacy.*

### Concluding Remarks

Ilja Richard Pavone and Silvia Scarpa