

APPEAL TO THE UKRAINIAN AUTHORITIES AND ALL PEOPLE OF GOOD WILL

The coronavirus pandemic reveals many pathologies in our modern public life. One of them is the phenomenon of surrogacy, where persons are treated as a commodity that can be ordered, manufactured and sold. Unfortunately, this practise is allowed in Ukraine according to the current legislation. **We, the Catholic bishops of Ukraine, have already drawn the attention of the competent state bodies to this problem. Such a trampling of human dignity urges us to appeal to the Ukrainian authorities at all levels to condemn and ban this shameful phenomenon.**

In recent days, we have witnessed a video posted on the *BioTexCom* clinic page from the *Venice Hotel* in Kyiv, which shows an improvised children's room and 46 crying babies, deprived of maternal touch, parental warmth, selfless care, much-needed love, but are seen as a purchased product for which the buyer did not come. Such a demonstration of contempt for the human person and his dignity is unacceptable. And all this is possible due to legalized surrogacy.

The so-called surrogate motherhood, which should not be called "motherhood", entails not only the horrible phenomena now manifested, but, at its core, is a moral evil and brings countless sufferings and hardships to all participants of this deal, including the child, surrogate mother, members of her family, and, finally, the people, who order and "produce" children.

The practice of surrogacy, its subject, purpose and means of achievement are morally unacceptable. The same applies to the so-called altruistic surrogacy because even if the intention of the surrogate mother is good, the means and the subject itself are bad. The commercial basis of surrogacy from a moral point of view deserves an even harsher assessment, because it adds the moral evil of buying and selling the functions of the body and the person of the new-born child. **No circumstances or consequences can justify the practice of surrogacy.**

Every child is a gift of God that should be gratefully accepted in the marriage of a man and a woman. Every child has the right to be conceived naturally, and every child has the right to be born into a family and to be brought up in the atmosphere of love by father and mother. Surrogacy severely violates this right and makes it impossible for Ukraine to follow the path of development, the path of a great European heritage. Such a gap in Ukrainian legislation significantly destroys European integration efforts and discredits our country in the eyes of European society.

We stand in solidarity with the call of the Ukrainian Parliament's Commissioner for Human Rights to ban international child trafficking in Ukraine at the legislative level and **demand to prohibit the surrogacy in any form (altruistic and commercial) and ensure the new-borns proper custody and adoption.**

We support this demand by the condemnation made by a number of international institutions for this shameful phenomenon, which we present in the appendix to this letter.

Also, we demand from the State authorities to finally pay attention to family policy in Ukraine - to create an appropriate body of state power that would take care of Ukrainian families and ensure that Ukrainian mothers do not have to trade their bodies and children born for their own and their families' survival.

On behalf of the Synod of Bishops of the Kyiv-Halych Supreme Archdiocese of the Ukrainian Greek Catholic Church His Beatitude Sviatoslav, Supreme Archbishop of Kyiv-Halych, Head of the Ukrainian Greek Catholic Church.

On behalf of the Conference of Bishops of the Roman Catholic Church in Ukraine Archbishop Mechyslav Mokshytskyi, Metropolitan of Lviv, Acting Chairman of the Conference of Bishops of the Roman Catholic Church in Ukraine.

Explicatory Appendix

The practice of surrogacy violates international and European and International law, in particular the Charter of Fundamental Rights of the European Union, Art. 1 and 3, (2000), the Convention on the Rights of the Child, Art. 7 and 3 (1989), and the Protocol on Trafficking in Children, Art. 2 (2000), Convention on the Elimination of All Forms of Discrimination against Women, Art. 6 (1979), On the adoption of children, Art. 4c (3) (1967 and 1993), On human trafficking, Art. 4; (2005), Human Rights and Biomedicine Art. 21 (1997).

The European Parliament has unequivocally condemned the practice of surrogacy, without distinguishing between its "altruistic" and "commercial" aspects. On 5 April 2011, the European Parliament adopted a resolution asking "*Member States to recognize the serious problem of surrogacy, which is the exploitation of the female body and its reproductive organs*" (*European Parliament resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight*

violence against women, §20). The resolution also states that the practice of surrogacy leads to trafficking in human beings: "Women and children are subject to the same form of exploitation, and both can be considered as goods in the international reproductive market, and new reproductive arrangements such as surrogacy expand trafficking in women and their children, illegal transportation across national borders" (Ibid., §21).

"The Annual Report on Human Rights and Democracy in the World 2014 and the EU Policy on this Issue", adopted by the European Parliament on 30 November 2015, condemns the practice of surrogacy, "which undermines the human dignity of the woman since her body and its reproductive functions are used as a commodity" (§115).

In the 2018 UN Report of the Special Rapporteur on the Sale and Sexual Exploitation of Children, including Child Prostitution, Child Pornography and Other Materials of Sexual Violence against Children (15 January 2018), we read warnings against abuse and practices of all forms of surrogacy, and Ukraine is criticized as one of the international centres of commercial surrogacy.