
Introduction

KATARINA TRIMMINGS AND PAUL BEAUMONT

This book grew out of research undertaken by Katarina Trimmings and Paul Beaumont from 2010 to 2012, funded by a grant of over £112,000 by the Nuffield Foundation. The research focused on the growing social phenomenon of international surrogacy and how it could be regulated at the global level. To facilitate the research a workshop was organised in Aberdeen from 30 August to 1 September 2011, funded by the Nuffield Foundation, University of Aberdeen, Royal Society of Edinburgh and the Clark Foundation. This workshop was the genesis for the National Reports and two papers providing an international perspective that are published in this book. Part Three of the book contains the General Report which gives a comparative law overview of the range of domestic approaches to surrogacy. It then highlights the legal problems caused by cross-border surrogacy. The empirical research into cross-border surrogacy that was attempted as part of the two-year research project produced disappointingly meagre results. This was in particular due to the unwillingness of private intermediaries to share information for research purposes. The findings are set out in the General Report even though they are of very limited value. Lastly, an attempt is made to set out a framework for a future Convention that could be constructed in The Hague to regulate international surrogacy arrangements.

We should like to acknowledge the help of William Duncan, the former Deputy Secretary General of the Hague Conference on Private International Law, for lending us his support in our search for funding for the project; of Hannah Baker, Senior Legal Officer at the Hague Conference on Private International Law and Nicolas Sauvage, former Legal Officer at the Hague Conference on Private International Law, for hosting Katarina Trimmings during her research visit at the Hague Conference; of Vishwam Jindal of the National Law University, Delhi, India, for his assistance in obtaining some valuable resources on surrogacy in India; of the anonymous external reviewers for the National Reports contained in Part One of the book; of Jean Stevenson of the Law School of the University of Aberdeen, for her invaluable administrative assistance; and of the anonymous surrogacy agencies and legal practitioners that participated in the empirical part of the study.