ASSOCIAZIONE LUCA COSCIONI
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Surrogacy and the United Nations: what the Alsalem report really says

Since July 2025, several Italian media outlets have enthusiastically circulated the United Nations report ***Violence against women and girls, its causes and consequences*** by Reem Alsalem portraying it as a document on surrogacy and attributing to it a significance it does not possess.

In an interview given to Italpress, while at Italy's Permanent Mission to the UN, Italian Minister for Family, Natality and Equal Opportunities, Eugenia Roccella, MP, stated that "Ms. Alsalem's report establishes that surrogacy is a form of violence against women. It is a form of exploitation, objectification of the female body, and its commodification."

Ms. Roccella's statements contributed to spreading the notion that the UN has adopted an official and binding document against surrogacy. However, this interpretation does not correspond to what the report is about and/or the reality at the United Nations. The document in question is neither a normative act nor a decision of the United Nations itself.

What is a "Special Report" for the UN?

The text produced by Special Rapporteur Reem Alsalem falls within the so-called "special procedures" of the UN Human Rights Council, a subsidiary body of the General Assembly. Special Rapporteurs are independent experts, appointed regardless of their nationality, to monitor and report to the mandating body on specific issues or situations concerning recognised Member States or territories. These documents do not speak on behalf of the UN as a whole, nor do they have the power to adopt or enforce rules.

Their reports are:

- discussed but not voted upon;
- not formally approved by the Human Rights Council or the General Assembly;
- at times are merely "taken note of" or "welcomed" through separate political resolutions, which themselves are non-binding documents for Member States.

In legal terms, these reports constitute "soft law" instruments: they carry political and interpretative weight but do not create legal obligations for Member States or UN agencies.

The report **Violence against women and girls, its causes and consequences**, published in mid-July 2025, focuses - as per its title, that is its mandate - on alleged forms of violence within the context of surrogacy. Unfortunately, upon close reading, the text reveals ideological bias, methodological shortcomings, and serious breaches of impartiality that compromise the neutrality expected of such documents.

The most significant concerns include:

- **Excess of mandate: the Rapporteur goes beyond her assigned role of analysing gender-based violence by delving into bioethical and reproductive law issues outside her remit.**
- **Lack of pluralism: there is no evidence of consultation with members or representatives of families formed through surrogacy, nor with adults born via this practice.**
- **Misuse of sources: peer-reviewed scientific studies were cited selectively, distorting their meaning.**
- **Ideological involvement: the Rapporteur has publicly and repeatedly interacted with groups opposing LGBTQIA+ rights and reproductive freedom, violating the neutrality required by her position.**

These flaws inevitably result in a partial and ideologically driven depiction of the reality of the phenomenon all over the world, disregarding the concrete experiences and legal frameworks demonstrating that surrogacy can be practised ethically and in a regulated, altruistic manner in many Member States.

In many UN Member States, surrogacy is governed by laws that protect the freedom and dignity of all parties involved, starting with the most vulnerable. For example, Ireland's Assisted Human Reproduction Act 2024 regulates non-commercial surrogacy with specific safeguards for gestational carriers, intended parents, and children. Similarly, Canada's Assisted Human Reproduction Act (AHRA, 2004) allows only altruistic surrogacy, expressly prohibiting payments or advertising compensation.

These models demonstrate that criminalising or stigmatising surrogacy disregards the complexity of the situations it seeks to address, as well as the rights of all the people that are involved.

The position of Associazione Luca Coscioni

The Luca Coscioni Association, together with a network of European organisations, has called for the withdrawal of the Alsalem report and the appointment of a new figure capable of maintaining impartiality in addressing such complex and diverse matters.

The United Nations should aim at delivering messages of neutrality, capable of highlighting all the necessary concerns and requirements essential to advancing human rights, in accordance with the principles of transparency, scientific rigour, and pluralism that should guide international

institutions, especially when discussing personal freedoms.

It is equally important to present the work of the various UN mechanisms for what it truly is, without distorting, if not abusing, the mandate of a report according to the moral or ethical affinities that governments, or the rapporteurs, may have with particular "special reports," that is so-called contentious issues.

Finally, no non-normative report can:

- **repeal or delegitimise national laws regulating surrogacy or currently under development;**
- **impose ethical visions upon States or territories;**
- **deny the dignity of the individuals and families involved, or propose national or international sanctioning systems.**

The Luca Coscioni Association will continue to promote a model of what we call "altruistic" surrogacy in a dialogue among stakeholders based on verifiable data, concrete experiences, and the principles of self-determination and non-discrimination central to human rights law.

Promoting and protecting human rights means, among other things, listening to all voices: those of the women who freely choose to carry a pregnancy for others, of intentional parents, and of children born through surrogacy. Reducing such a structured phenomenon to the "commodification of the female body" or "universal violence" and "exploitation" obscures the complexity of the lives of real people behind such words.

Among the purposes of the United Nations there is the protection of freedom of choice, not its restriction.

In the unlikely event that the General Assembly mandates its Legal Committee (Sixth Committee) to begin drafting a convention inspired by the so-called Italian "Varchi Law," that introduced the legally questionable definition of "surrogacy as a global crime", the Luca Coscioni Association will act—as it did successfully 20 years ago in the case of a proposed convention on "human cloning"—to prevent such a process from taking shape.

Filomena Gallo
Francesca Re
Marco Perduca