

Child commissioner finds ‘no objection’ to altruistic surrogacy ‘in principle’

Joanna Demarco Wednesday, 25 April 2018, 13:42 Last update: about 6 days ago



Child commissioner Pauline Miceli does not object to altruistic surrogacy 'in principle', however, is waiting to see how it will be regulated.

Miceli was replying to questions by The Malta Independent which were sent to her following her press release stating her opinion on the new embryo act amendments. In the press release, Miceli's opinion on surrogacy was not mentioned.

"Surrogacy is a complex concept albeit not a new one," she said. "In principle, I find no objection to altruistic surrogacy from the perspective of the rights of the child."

"However, one must wait and see how it is going to be regulated," she continued. "As an office we are concerned with the legal and ethical issues which would impinge on the best interest in principle of the child. One must ensure that there is no danger of exploitation of both the child and the surrogate mother, and of human trafficking."

The current law regarding surrogacy is that all types of surrogacy are illegal and punishable. With the new law, surrogacy against payment will continue to be illegal and punishable, however altruistic surrogacy will be legal. Minister for Health Chris Fearne has said that this part of the law will be allowed and regulated following public consultation.

If altruistic surrogacy is legalised, women unable to carry a child in their womb will be able to have a child by means of a surrogate mother. This will also allow LGBTIQ individuals to use surrogacy to have children. However, factors depend on how it is regulated.

On Monday, Miceli articulated her approval towards the Embryo Protection Act amendments proposed by the government and currently being debated in parliament. The amendments have been the subject of controversy and protest since their announcement.

Last Sunday, thousands of people rallied for embryo protection in Valletta. Over the last few weeks, InDepth, the Malta Independent program interviewed [Miriam Sciberras, Chairperson of Life Network Malta](#) and [Deputy Prime Minister and Minister for Health Chris Fearne](#) regarding the amendments.