

Women's organisations from five countries write to the Chilean Congress: "no legal framework protected us"

Santiago, 3 September 2026. Five women's organisations based in Nigeria, the United Kingdom, Australia, South Korea and Canada have addressed an open letter to the Chamber of Deputies concerning Boletín 17.337-07, which prohibits surrogate motherhood without distinguishing between its commercial and so-called altruistic forms.

The signatories write from the countries whose models are cited in the Chilean debate. All answer the same question: when the arrangement went wrong, what protection did the legal framework actually deliver to the woman who had carried the child?

In Australia, where the altruistic form is permitted in all six states and both territories, two surrogate mothers who carried a child for a friend and for a cousin told a national conference in Melbourne in August 2026 that they had not seen those children in ten years, the courts having left the decision to the commissioning parties; one remains sixty thousand dollars in debt from unpaid bills.

In Canada, an Ontario surrogate mother claiming ten thousand dollars in unreimbursed pregnancy expenses brought her case to the Small Claims Court only to discover that her contract required arbitration, so that her claim was never adjudicated. Quebec, which had declared every surrogacy contract absolutely null since 1991, repealed that provision in June 2023 in order to regulate the practice; three years later its residence requirement is circumvented in neighbouring Ontario, and in 2025 its courts recognised filiations established in states its own legislature had expressly excluded.

In the United Kingdom, regulated since 1985, international surrogacy now accounts for the bulk of parental order applications in England and Wales, granted once the child is already born. In Nigeria, where no law exists, a single woman has managed to bring a case before a court and judgment is awaited. In South Korea, motherhood is determined by birth and the Supreme Court reaffirmed on 24 April 2025 that surrogacy contracts are void.

The signatories, who work for the abolition of surrogate motherhood, conclude that neither payment nor the licensing of an agency nor the existence of a statute changes what happens at the same moment: the child is born, the transfer occurs, and the woman who gave birth is left without remedy. They see in this not a drafting failure that better safeguards could repair, but the structure of the arrangement itself.

Signatories: Naija Feminists Media (Nigeria), Stop Surrogacy Now UK (United Kingdom), FINRRAGE Australia and ABSA (Australia), Women's Right Plus of Korea (South Korea), SOS-GPA (Canada). Letter coordinated by the International Coalition for the Abolition of Surrogate Motherhood. Transmitted in Chile by María Elena Abarca of WDI Chile.

Interviews available in English with Dr Renate Klein and Dr Catherine Lynch.

Press contact: abolition.gpa@gmail.com

About ICASM. The International Coalition for the Abolition of Surrogate Motherhood brings together sixty organisations in twenty countries across four continents and holds special consultative status with the United Nations Economic and Social Council. Founded in 2018, it works towards the abolition of surrogate motherhood and of all forms of reproductive exploitation, on the basis of the inalienability of the human body, the prohibition of the sale of children and the universality of women's rights. It defends bodily autonomy in its entirety, including the right to abortion and access to contraception, and contributes to the work of United Nations mechanisms, notably to report

A/80/158 of the Special Rapporteur on violence against women and girls and to General Recommendation 41 of the Committee on the Elimination of Discrimination against Women.

<https://www.lemondediplomatique.cl/organizaciones-de-mujeres-de-cinco-paises-escriben-al-congreso-chileno-ningun.html>

<https://tribunafeminista.org/2026/09/organizaciones-de-diferentes-paises-piden-al-congreso-chileno-que-prohiba-la-gestacion-subrogada/>

<https://abolition-ms.org/es/nuestras-acciones/carta-abierta-al-senado-de-la-republica-de-chile/>

https://naijafeministsmedia.org.ng/nfm-surrogacy-now-uk-others-urge-chilean-congress-to-abolish-surrogacy/#google_vignette

https://lacostillarota.com/2026/09/14/organizaciones-feministas-de-cinco-paises-advierten-sobre-las-fallas-estructurales-de-regular-la-gestacion-subrogada/?fbclid=PAVERFWAUWtUdwZG9mAmZkaWQWUOddAO7gEZJKE_cnJGJgSK1wZSJHImV4dG4DYWVtAjEwAHNyDGMGYXBwX2lkDzEyNDAYNDU3NDI4NzQxNAABp27yTw1R8CVWQk96BvrCoOKV8QDAT3VaCxEVffDrjeYsxVjXnFp9wjTI5os6_aem_zKkozDvG243ah_x3lZa2YA#google_vignette