

National Conference on Surrogacy: Issues & Challenges

**GNLU Centre for Private
International Law
Gandhinagar (Gujarat), India**

Saturday, September 17, 2011



Gujarat National Law University

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1. Aims of the Conference

- To assess the effectiveness of approaches taken by governments and national coordination organisations for dealing with surrogacy issues
- To discuss the moral and ethical issues relating to surrogacy
- To discuss commercial surrogacy vis-a-vis altruistic surrogacy
- To critically analyse the ART Bill
- To discuss the viability of surrogacy courts to specialise in surrogacy related issues
- To offer a comprehensive exchange database for an organised record of donors and surrogates in order to facilitate commercial surrogacy transactions
- To discuss the role of Indian Council of Medical Research (ICMR) in surrogacy laws.
- To debate the issues of citizenship laws relating to surrogacy
- To discuss whether same sex couples should be allowed to enter into surrogacy agreements
- To debate if we are moving towards the commoditisation of children
- To analyse the ART Bill with respect to the surrogacy laws of other countries
- To discuss if advertisement of surrogacy offers be allowed

2. Expected Tangible Outcomes of the Conference

- Knowledge creation and sharing on innovative and effective strategies to deal with surrogacy issues.
- Assessment of the scale of the issues in terms of *Ethics vs. Technological Advances*.
- A Comparative study of various legislations governing surrogacy throughout the world. This will enhance knowledge of comparative law.
- Discussion on the drawbacks and benefits of the ART Bill, 2010.
- Understanding of the various short-term and long-term problems/benefits if commercial surrogacy is legalized in India.
- In depth knowledge of the concept of this socio-legal issue and the situation created when law collides with morality.
- Understanding of ideas and strategies that executives, government & legislators plan to undertake to regulate and overcome surrogacy issues.

3. Measurement of Outcome

- Preparation of legal guidelines and presenting the same to policy-makers and executives.
- Promoting research and development of critical issues understood to be important during conference discussion.
- Preparation of a comprehensive database addressing the issues of commercial surrogacy and citizenship laws relating to children born out of surrogacy arrangements.
- Publication of the conference report and proceedings.

4. Contemporary Relevance of the Conference

- Surrogacy is a contemporary practice, especially in a developing country like India. This 'Rent-a-womb' industry in India is estimated to be around \$445 million.
- The developed nations like the United Kingdom and Canada prohibit commercial surrogacy. The position of law governing surrogacy has different faces in various countries across the world. Majority of the countries prohibit commercial surrogacy.

- There are various issues clouding the concept of surrogacy. It is an ongoing war of *Morals and Ethics vs. Technological Advances*. In this plethora of ethical and scientific arguments, lies one unanswered question, “Why should commercial surrogacy be legalized, even after knowing the possible drawbacks and disadvantages?”
- India is possibly the only country in the world to legalize commercial surrogacy by virtue of the Assisted Reproductive Technology Bill, 2010.
- The said bill is a proposed law to deal with the haphazard and unorganized medical tourism industry developed by the unregulated surrogacy laws in the country. The bill intends to protect the rights of the various parties to the agreement. It also makes the legal status of surrogacy clear.
- It is very necessary to know the legal, judicial and the practical applicability of the bill, as it is one of the major legislations introduced by India to regulate a contemporary issue.

5. Conference Audience/Resource Persons/Participants

- **Government:** Representatives of Governments, Ministry of Women & Child Development, Ministry of Social Justice & Empowerment, Ministry of Law & Justice, National Human Rights Commission, State Human Rights Commission(s), National Commission for Protection of Child Rights (NCPCR), Central Adoption Resource Authority (CARA), National Commission for Women, Medical Council of India, State Commission (s) for Women, Policy Makers.
- **Inter-governmental Organisations:** World Health Organisation (WHO), United Nations Population Fund (UNFPA), United Nations Children's Fund (UNICEF), United Nations High Commissioner for Human Rights (UNHCHR), United Nations Development Fund for Women (UNIFEM).
- **Others:** Non-Governmental Organisations, Social Activists, Academicians, Researchers, Law Firms, Medical Practitioners, Students.

6. Conference Themes

- Medico - Ethical Perspectives
- Surrogacy: Legal Issues & Challenges
- Socio - Economic Implications

Participants who wish to present a paper are requested to select a sub-theme of their choice for writing a paper under any of the given themes.

7. Conference Paper Guidelines

- Minimum word limit: 3,500 words Maximum word limit: 6,500 words
- Title size: Maximum 15 words
- Abstract: 350-500 words.
- Organisation of paper: Abstract, introduction, literature review, findings/discussion, summary, conclusion, implications & suggestions.
- Word limit for full paper is including abstract & excluding footnotes.
- Maximum 2 authors are allowed.
- Please mention 5 key words in the abstract.
- Please mention the theme of the paper in your e- mail.

Conference Paper Checklist:

- Title of paper centered and 16 fonts.
- Author name(s), below title of the paper centered and 14 fonts
- Leave two empty lines before and after the name of author(s)
- A4 Paper margin top 1 58” bottom 2 32” left 1 63” right 1 63” width 8.27” length 11.69”
- Footnotes, 10 font
- Header 1.18” footer 2.02”
- Sections/sub-titles are in numbered sequentially, in bold and 14 font
- Leave one empty line before and after each section/sub-title
- Line spacing throughout paper is single-spaced (no double spacing)
- Abstract in italics, justified both with 2.5 inch margin on both sides
- All text Arial only, All text is in 12 fonts, except sub-titles
- Author affiliation and email at the bottom of the first page, 10pfont
- Figures, tables and charts are included within the body of the paper
- Figures, text or tables are not coloured, shaded
- Tables or figures do not break across two pages
- All text justified
- No space left at the beginning of the sentence of the new paragraph
- Heading of the table or figure is provided on the top of the table or figure
- Grammar and spelling check
- Style of Reference as per below illustrations:

1. Style of footnotes

- 1) For Books: Name of the Author with Surname first and then First Name or Initials, *the Title of the Book in Italics*, Publisher's Name, Place of Publication, Edition No., Year of publication, at p. or pp.
 - (a) S. P. Sathe, *Administrative Law*, LexisNexis Butterworths, 7th edn. 2004, 2nd reprint 2007, pp. 160-1.
- 2) For Article: Name of the Author with First Name and then Surname or Initials, “Title of the Article in Double Quotes”, *the Journal or Yearbook name in Italics*, vol. no., year, pp. i.e., the beginning and ending pages with hyphen in between, at p. (the page referred to).
 - (a) M.H. Arsanjani, “The Rome Statute of the International Criminal Court,” *American Journal of International Law*, vol. 93, 1999, pp. 22-28, at p. 23.
 - (b) K. R. R., Sastry, “Hinduism and international Law,” *Recueil de Cours*, The Hague Academy of International Law, MartinusNijhoff, Leiden, vol. 117, 1966-I, pp. 503-615, at pp.610-1.
- 3) For Article in an edited book, soon after the title of article in double quotes, give Editor's name as in Rule No. 1, then write, ed., then the Book Title in Italics, etc, as in Rule No. 1.
 - (a) P. S. Rao, “The Indian Position on Some General Principles of International Law,” in B. Patel, ed., *India and International Law*, MartinusNijhoff, Leiden, 2005, pp. 33-64, at p. 63.
- 4) When the reference of the same book or article occurs after a few other footnotes, then, write surname of the author, then, note no., and at p.
 - (a) Sastry, note 2, at p. 510. (Reference is to KRR Sastry, noted earlier.)
- 5) Cases are referred to with names of parties in italics, and with the style followed by each Reporter e.g. AIR 2005 SC 1009, 1021.
 - (a) *Chinta Lingam v. Union of India*, (1970) 3 SCC 768, 772. (Supreme Court Cases, 3rd vol. of 1970, beginning page 768, referred page 772)
 - (b) *Lal Chandra v. Vice-Chancellor, Allahabad University*, AIR 2002 All. 208. (AIR is All India Reporter, and All. Is Allahabad High Court)

- 6) UN records are referred to as follows:
- (a) UNGA Res 2625(XXV) of 1970, or Res 95/50, 1995 (Reference is to a UN Resolution)
 - (b) UNSC Res 1373/2001 (Reference is to Security Council Resolution No. 1373 of 2001)
 - (c) UN GAOR, 1st sess, 6th cmtee, 5th mtg, 12 Dec. 1946, p. (General Assembly Official Records, meeting of the 6th legal) committee).

Kindly ensure strict adherence to the above-mentioned guidelines.

8. Deadlines: Call for Papers

- Last date for submission of abstract : **20 August, 2011**
- Intimation of selection of abstract : **21 August, 2011**
- Last date for submission of full papers : **8 September, 2011**
- Intimation of selection of full papers : **9 September, 2011**

Submissions shall be made to the Conference Organisers at ncs@gnlu.ac.in

Tentative Programme

Saturday, 17 September, 2011

Refreshment Break: 0815-0900 Hours

Inauguration: 0900-1000 Hours

- Inauguration of the Conference

Refreshment Break: 1000-1015 Hours

First Session: 1015-1145 Hours

- Medico-Ethical Perspectives

Refreshment Break: 1145-1200 Hours

Second Session: 1200-1330 Hours

- Surrogacy: Legal Issues & Challenges

Lunch Break: 1330-1415 Hours

Third Session: 1415-1545 Hours

- Socio-Economic Implications

Refreshment Break: 1545-1600 Hours

Closing Session: 1600-1700 Hours

Registration fee & Mode of Payment

Registration Fee:

1) Indian Nationals (Author)	Rs. 1,000/-
2) Indian Nationals (Participation only)	Rs. 500/-

- Payment can be made through a **demand draft** in favour of “**Gujarat National Law University**” payable at “**Ahmedabad**”.
- Authors of selected papers, speakers & resource persons will be provided local hospitality.

About GNLU

Gujarat National Law University (GNLU), Gandhinagar, established under the Gujarat National Law University Act, 2003 recognized by the Bar Council of India and the University Grants Commission for 12(B) purposes, aims for excellence in letter and spirit. GNLU has created a unique learning environment that will empower the students with necessary skills needed to achieve their professional ambitions. Research and training coupled with solid grounding on theory, with a vision to address the user requirement be it judiciary, academic or legal profession, is the objective of GNLU. At the same time GNLU endeavours to create a concerned and responsible citizen who will uphold human value and the cause of the civil society at large. Our aim is to produce professionals who are technically sound, professionally competent and socially responsible.

GNLU is the only premier National Law University which offers integrated Law Degree in five stream - B.A., LL.B. (Hon.), B.Com., LL.B. (Hon.), B.B.A., LL.B. (Hon.), B.Sc., LL.B. (Hon.), B.S.W., LL.B.(Hon.), two - year LL.M. and Ph.D. in Law and inter-disciplinary fields as well as diploma / certificate courses in various areas. GNLU is also a nodal agency, mandated to enhance standards of legal education, research, training and extension in 32 law colleges of Gujarat, catering to nearly 15,000 students every year.

The GNLU has Centres of Excellence working in niche areas of the economy - Centre for Private International Law, Centre for Public International Law, Centre for Sports Law, Centre for Food Security & Agro-Economy, Centre for Foreign Policy & Security Studies, Centre for Environmental Law & Climate Change, Centre for Corporate Law, Banking & Investment are research centers for specialized knowledge and professional excellence.

GNLU has entered into active academic/research partnerships and collaborations, signing MoUs at international, national and state levels with institutions like United Nation Institute for Training and Research (UNITAR, Geneva), World Trade Institute (WTI, Bern), University of Malaya (Kuala Lumpur, Malaysia), University of Barcelona (Spain), Gujarat Forensic Science University, Pandit Deendayal Petroleum University, Adani Institute of Infrastructure Management, Nirma University, etc. Efforts are under way for collaborative relationships with 37 nations across the globe.

About GNLU Centre for Private International Law

The Centre for Private International Law is one of the full fledged Centres of Excellence for research and publication at GNLU. It was set up in 2010 with the objective of spreading awareness about private international law among people engaged in cross national business, commercial & professional activities, particularly the immigrant communities. It is also engaged in dissemination of knowledge on private international law among the Judges, Lawyers, Arbitrators and Academicians, etc. It also aims to provide assistance to various International Organisations, Governments, Policy Makers, NGO's and other stake holders in framing guidelines in terms of various issues concerning conflict of laws. The Centre is developing PG Diploma courses as well as encouraging students to carry out doctoral research in private international law.

Organizing Committee

- Prof. Bimal N. Patel, Director, Gujarat National Law University, Gandhinagar
- Dr. Udayakumara Ramakrishna B.N., Dean of Academic Affairs & Director, Centre for Private International Law, GNLU.
- Mr. Anant Deogaonkar, Assistant Professor of Law, GNLU.
- Dr. Anand Kumar Tripathi, Assistant Professor of Law, GNLU.
- Dr. Bindu Vijay, Assistant Professor of Science & Technology, GNLU.
- Mr. Jagdeesh Chandra T. G., Assistant Professor of Law, GNLU.
- Mr. Hitesh Thakkar, Assistant Professor of Economics, GNLU.
- Mr. S. Sivamanithan, Assistant Professor of Law, GNLU.
- Ms. Chandreshwari Minhas, Teaching & Research Associate, GNLU.

For any queries, please contact:

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