

SPOTLIGHT

02

EXPLOITATION
& CONTROL

ANTICIPATING EXPLOITATION

SPOTLIGHT SERIES

Examining emerging threats in modern slavery and human trafficking

Forced Surrogacy



Independent
Anti-Slavery
Commissioner

Compelled to carry

Forced Surrogacy, exploitation and why it matters to the UK

Executive Summary

Forced surrogacy is an emerging and poorly understood form of reproductive exploitation.¹ There is evidence that some surrogacy arrangements can involve force, coercion, deception or the abuse of vulnerability that may amount to modern slavery or human trafficking. This Spotlight focuses specifically on these exploitative situations, where a person cannot freely give, refuse or withdraw consent, and considers why the UK should act now to strengthen its response.

- **Potential cases have already been identified in the UK.** In 2023, the Modern Slavery and Exploitation Helpline identified three potential victims of forced surrogacy, representing the first publicly reported UK cases.
- **The UK may not currently be equipped to identify the scale of the problem.** Forced surrogacy is not separately recorded within National Referral Mechanism (NRM) statistics, there are no published estimates of its prevalence, and there is limited specific guidance or training for frontline professionals. A lack of recorded cases therefore does not necessarily mean exploitation is not occurring.
- **International evidence demonstrates how exploitation can occur.** Investigations in several countries have identified cases where surrogacy and fertility markets have intersected with alleged human trafficking, organised criminality, deceptive recruitment and the abuse of vulnerable women. Poverty, economic inequality, conflict and displacement can increase vulnerability to such exploitation.
- **The UK's exposure to international surrogacy is increasing.** More UK residents are entering surrogacy arrangements overseas and across a growing range of

¹ Reproductive exploitation refers to the exploitation of a person's reproductive capacity through coercion, deception, abuse of vulnerability or other forms of exploitation. This may include forced surrogacy, forced or exploitative egg harvesting, trafficking for reproductive purposes, forced pregnancy, and other practices in which reproductive labour, reproductive tissues or reproductive functions are exploited for the benefit of others. The revised EU Anti-Trafficking Directive recognises the 'exploitation of surrogacy' as a potential form of human trafficking.

countries with different legal, regulatory and safeguarding frameworks. This is not evidence of exploitation, but it increases the likelihood that UK authorities will encounter complex cross-border cases where concerns about coercion or exploitation may arise.

- **Conflict may increase the risk of exploitation.** Ukraine is particularly relevant as a major international surrogacy destination continuing to operate in the context of war, displacement and economic insecurity. These are recognised drivers of vulnerability to trafficking and exploitation. In 2022, when the conflict escalated, Ukraine was the second most common overseas surrogacy destination for UK parental order applications, after the United States. By 2025, it remained among the top four destinations, with applications involving Ukraine increasing by 25% between 2024 and 2025.
- **Other countries and international organisations are recognising the threat.** In 2024, the European Union amended its Anti-Trafficking Directive to explicitly recognise the exploitation of surrogacy as a form of exploitation within human trafficking. Eurojust, Europol and United Nations experts have also raised concerns about trafficking, coercion and abuse of vulnerability within some cross-border reproductive arrangements.
- **This reflects the Commissioner's own assessment of future threats.** The Independent Anti-Slavery Commissioner's *Anticipating Exploitation: A Futures Analysis*, an assessment of emerging risks, drivers and forms of exploitation through insights from over 50 stakeholders and futures-based research, identified reproductive exploitation, including forced or coerced surrogacy, as an emerging threat. It also identified trends that could increase the risk over the next decade, including conflict and displacement, economic inequality, demographic change, advances in reproductive technology and increasingly transnational forms of exploitation.
- **There are gaps in the UK's current response.** There is no specific legal or policy framework addressing forced surrogacy as a form of exploitation. Existing modern slavery, trafficking and other criminal offences may apply, but there is limited operational guidance on how these laws should be used or how

healthcare professionals, fertility services, police, prosecutors, border officials and safeguarding agencies should respond.

- **The Government should conduct a review of the UK's response to forced surrogacy.** Potential cases have already been identified in the UK, international recognition of the threat is growing, and the conditions that could increase the risk are developing. A review should consider whether existing legislation and policy are adequate to respond to this threat: including the need for frontline guidance and training; safeguarding and victim support; NRM data and intelligence; the criminal justice response; and cross-border risks.

Introduction

Forced surrogacy sits at the intersection of modern slavery and human trafficking, violence against women and girls, reproductive rights, assisted reproduction, migration, child protection and family law. The terminology in this area is not yet settled, with different organisations referring to reproductive exploitation, exploitation of surrogacy, trafficking for the purpose of exploitation of surrogacy and other related concepts.

This Spotlight uses the term ‘forced surrogacy’ to describe situations where a person cannot freely give, refuse or withdraw consent to a surrogacy arrangement because of use of force, coercion, deception or the abuse of vulnerability which may amount to modern slavery or human trafficking. It looks specifically at forced surrogacy through this lens and does not examine surrogacy more broadly.

The issue has received increasing international attention. In 2024, the European Union amended its Anti-Trafficking Directive to explicitly recognise the exploitation of surrogacy as a form of exploitation within human trafficking.² European law enforcement agencies and United Nations experts have also raised concerns about circumstances in which cross-border surrogacy arrangements can involve coercion, abuse of vulnerability, organised criminality or trafficking.

These developments reflect concerns identified through the Independent Anti-Slavery Commissioner’s *Anticipating Exploitation: A Futures Analysis*,³ a futures-based assessment of the critical threats likely to shape the prevalence and nature of modern slavery and human trafficking through to 2036. Drawing on participatory futures methods and insights from over 50 stakeholders, including policymakers, academics, frontline professionals and those individuals with lived experience, the analysis identified emerging drivers and forms of exploitation and assessed how the threat may evolve over the next decade. The analysis identified reproductive exploitation, including forced or coerced surrogacy, as an emerging threat, alongside wider trends such as conflict and displacement, economic

² European Parliament and Council of the European Union (2024) *Directive (EU) 2024/1712 of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims*. Official Journal of the European Union, L 1712, 24 June 2024.

³ Independent Anti-Slavery Commissioner (2024) *Anticipating Exploitation: A Futures Analysis*. London: Independent Anti-Slavery Commissioner. Available [here](#)

inequality, demographic change, advances in reproductive technology and increasingly transnational forms of exploitation.

The report found that several long-term trends could create new opportunities for this form of abuse. These include the growth of cross-border fertility and reproductive service markets, widening economic inequalities that increase vulnerability to coercion, advances in reproductive technologies, and the ability of criminal networks to operate across jurisdictions with differing levels of regulation and oversight. It also noted that exploitation is increasingly occurring at the nexus of legitimate markets and criminal activity, making emerging harms more difficult to identify and regulate. As a result, reproductive exploitation was highlighted as an area requiring greater monitoring, awareness and safeguarding.

The purpose of this Spotlight is therefore not to suggest that forced surrogacy is widespread in the UK. Rather, it considers whether the UK is sufficiently prepared to identify, prevent and respond to it.

Forced surrogacy and human trafficking

Modern slavery and human trafficking can occur in almost any sector where people are exploited for another person's benefit. The form of exploitation may differ, but the legal principles remain the same. The key question is not whether an activity is lawful or unlawful in itself, but whether a person has been subjected to force, coercion, deception or the abuse of vulnerability for the purpose of exploitation.

International law defines trafficking in persons as involving three elements:

- an act, such as recruiting, transporting or harbouring a person;
- means, including force, coercion, deception, fraud or abuse of vulnerability; and
- a purpose, namely exploitation.⁴

These same principles underpin trafficking offences in the Modern Slavery Act 2015. Applied to forced surrogacy, the act might involve recruiting women through agencies or online advertisements, transporting them across borders, or accommodating them during pregnancy. The means could include deception about payments or medical treatment, exploiting financial hardship, confiscating passports, restricting movement, threatening family members or pressuring a woman to continue a pregnancy or surrender a child against her wishes. The purpose is the exploitation of a woman's reproductive capacity for another person's benefit.

Not every exploitative surrogacy arrangement will meet the legal threshold for trafficking. Equally, the fact that money changes hands or that a surrogacy arrangement takes place overseas does not, by itself, indicate exploitation. Each case must be assessed on its own facts. However, where a surrogacy arrangement involves coercion, control or exploitation, it may fall within existing modern slavery and human trafficking frameworks.

⁴ United Nations (2000) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), Article 3(a). New York: United Nations. Available [here](#)

Growing international recognition

Although research regarding the prevalence of forced surrogacy remains limited, international recognition of the issue has increased significantly over the past decade. What was once discussed primarily within debates about family law and assisted reproduction is now increasingly being considered through the lenses of human trafficking, modern slavery, violence against women and girls, and children's rights.

Perhaps the most significant development occurred in 2024 when the European Union amended its Anti-Trafficking Directive to explicitly recognise "the exploitation of surrogacy" as a form of exploitation within the legal definition of trafficking in human beings.⁵ This represented the first major international legislative instrument to expressly acknowledge that, where force, coercion, deception or the abuse of vulnerability are present, surrogacy arrangements may amount to human trafficking.

This reflects growing international recognition that reproductive exploitation should be capable of being identified and investigated within existing anti-trafficking frameworks where the legal threshold is met. Europol has supported investigations into trafficking for reproductive exploitation linked to illegal surrogacy operations,⁶ and Eurojust has warned, following the adoption of the revised EU Anti-Trafficking Directive: "Cross-border surrogacy arrangements, where a woman agrees to bear a child and to hand it over, on birth, to another party, can lead to human trafficking and the sale of children."⁷ The agency further clarified that this was because organised criminal groups may exploit significant differences in national surrogacy legislation across Europe, creating opportunities for trafficking and other forms of organised criminality.

⁵ European Union (2024) Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. Official Journal of the European Union, L 2024/1712, 24 June 2024. Available [here](#)

⁶ Europol (2023) *66 suspected of arranging illegal adoptions and surrogacies, and human egg trafficking in Greece*. Europol Newsroom, 13 September 2023. Available [here](#).

⁷ Eurojust. *Surrogacy and Human Trafficking*. European Union Agency for Criminal Justice Cooperation, 18 October 2024. Available [here](#)

European evidence

Across Europe, reported concerns have generally focused on cross-border commercial surrogacy, particularly where women are recruited from economically disadvantaged backgrounds or where arrangements involve multiple countries, commercial intermediaries and limited regulatory oversight.

European anti-trafficking organisations have identified a range of safeguarding concerns including:

- deceptive recruitment;
- abuse of economic vulnerability;
- restrictions on freedom of movement;
- inadequate independent legal advice;
- pressure to undergo repeated medical procedures;
- control by agencies or intermediaries;
- document fraud; and
- limited opportunities to withdraw from arrangements.⁸

Several investigations in Greece, and other European countries have demonstrated how organised criminal groups may seek to exploit weaknesses within fertility markets and cross-border reproductive services.

Case Study: Greece *Organised Criminal Exploitation*

In 2023, Greek authorities dismantled an alleged organised criminal network operating through a fertility clinic on the island of Crete. Prosecutors alleged that vulnerable foreign women, primarily from Ukraine, Romania, Moldova, Georgia and Albania who were experiencing financial hardship, had been recruited to act as surrogate mothers and egg donors through deception and the abuse of vulnerability.

⁸ ibid

According to Greek police, women were housed in accommodation linked to the operation, with around 30 women, including pregnant surrogates, reportedly found living in poor conditions during police raids. Authorities documented at least 182 suspected cases of exploitation involving surrogacy and egg retrieval, alongside more than 400 suspected cases of fraud linked to sham IVF procedures.

The investigation, which reportedly lasted eight months, resulted in the arrest of eight individuals, including senior medical and administrative staff associated with the clinic. Prosecutors alleged that the group generated substantial profits by arranging surrogacy programmes for intended parents from Greece and abroad, charging between €70,000 and €120,000 per arrangement while using falsified medical records, fraudulent documentation and deceptive practices to conceal criminal activity. Charges included human trafficking, participation in a criminal organisation, illegal mediation of adoptions, document forgery, fraud and offences related to assisted reproduction legislation.⁹

The case attracted international attention because it illustrated how legitimate medical services may be exploited by organised criminal groups where regulatory oversight is weak or deliberately circumvented. It also demonstrated the overlap between reproductive exploitation, document fraud, trafficking and transnational organised crime.

The Greece case demonstrates the severe harm that can arise where women are subjected to reproductive exploitation and children are treated as commodities for financial gain. The seriousness of such cases should not be understated, and even a small number of victims represents a significant safeguarding and criminal justice concern.

At the same time, La Strada International cautions against drawing conclusions about the prevalence of trafficking for the exploitation of surrogacy from the cases

⁹ *eKathimerini* (2023) 'Eight arrests as baby-trafficking ring dismantled on Crete', *eKathimerini*, 13 September 2023. Available [here](#). Neos Kosmos (2023) 'Major human trafficking and baby adoption ring dismantled in Chania, Greece', *Neos Kosmos*, 14 August. Available [here](#).

currently known. A comprehensive comparative review examining legislation and available trafficking evidence across 38 European countries concluded that: "Most surrogacy situations do not meet the criteria of human trafficking."¹⁰

The review identified eleven documented trafficking cases relating to surrogacy across Europe over the previous decade, highlighting the significant gaps in current evidence base. La Strada called for continued evidence gathering, improved monitoring and proportionate safeguarding responses.

United Nations and international organisations

Concern about the potential for exploitation within some surrogacy arrangements has also increased within the United Nations system. In 2025, the United Nations Special Rapporteur on Violence against Women and Girls argued that commercial surrogacy may expose women to exploitation, coercion and reproductive violence, particularly where arrangements are shaped by economic inequality or involve cross-border recruitment.¹¹

The Special Rapporteur concluded that: "The practice of surrogacy is characterised by exploitation and violence against women and children." The report raised particular concerns about economic coercion, unequal bargaining power, restrictions imposed on surrogate mothers during pregnancy, the commercialisation of reproductive capacity, risks to children's identity and nationality, and transnational commercial surrogacy markets. It called for significantly stronger safeguards and greater international cooperation to prevent exploitation.

The Special Rapporteur's conclusions on surrogacy have generated debate about whether some forms of commercial surrogacy should be understood through the lens of trafficking and exploitation.¹² However, it is important to examine the

¹⁰ Đorđe Popović, *Comparative Analysis of the Legal and Policy Landscape on (Trafficking for the Exploitation of) Surrogacy Across Europe* (La Strada International, October 2025)

¹¹ Reem Alsalem, *The Different Manifestations of Violence against Women and Girls in the Context of Surrogacy* (Report of the Special Rapporteur on Violence against Women and Girls, UN General Assembly, UN Doc A/80/158, 2025 Available [here](#))

¹² Jackie Leach Scully, "UN special rapporteur's report on surrogacy encourages us to ask difficult questions" *BMJ Opinion* (16 October 2025) Available [here](#)

specific circumstances and experiences of those involved. The central safeguarding question is whether there are indicators of coercion, deception, abuse of vulnerability, or other forms of exploitation. This is not simply a matter of terminology or legal interpretation.

How authorities understand these circumstances can directly affect how women involved in surrogacy arrangements are treated. Where indicators of exploitation are overlooked, individuals who may have experienced coercion, abuse of vulnerability or trafficking can instead be viewed primarily as participants in unlawful activity. This can have significant implications for victim identification, access to support and protection, and the pursuit of justice. The experience of Cambodia demonstrates particularly clearly the consequences that can arise when potential victims are not recognised as such.

Case Study: Cambodia

Distinguishing victims from offenders

Cambodia became a significant destination for international commercial surrogacy after neighbouring countries, including Thailand, introduced restrictions on the practice. Following Cambodia's prohibition of commercial surrogacy in 2016, authorities undertook a series of investigations into alleged cross-border surrogacy networks.

In 2018, Cambodian police raided apartments in Phnom Penh and discovered 32 pregnant Cambodian women who had reportedly agreed to act as surrogate mothers for Chinese intended parents. Authorities alleged that each woman had been promised around US\$10,000 for carrying a child, while several organisers were charged with human trafficking offences. Reuters reported that police alleged the women had received an initial payment once pregnancy was confirmed, with the balance payable following delivery.¹³

¹³ Ferrie, J. (2018) 'Cambodia frees 32 surrogate mothers charged with human trafficking', Thomson Reuters Foundation, 6 December. Available [here](#)

The treatment of the women themselves, however, generated significant concern among international human rights organisations. Rather than being considered solely through the question of whether they might have been vulnerable to exploitation, the pregnant women themselves faced prosecution under Cambodia's anti-trafficking legislation. They were subsequently released after agreeing to keep and raise the children they were carrying.

More recent cases have continued to expose this tension between criminal enforcement and victim identification. Cambodian authorities have again prosecuted women involved in alleged cross-border surrogacy arrangements, including foreign nationals.¹⁴

These cases highlight a significant challenge for modern slavery responses: involvement in an unlawful activity does not, by itself, resolve the question of whether a person has also experienced coercion, deception or abuse of vulnerability. The Cambodian experience demonstrates why effective identification is critical. Where authorities focus first on a person's participation in an illegal surrogacy arrangement, there is a risk that indicators of trafficking or exploitation may be overlooked. For modern slavery systems, the priority must be to establish the circumstances in which a person became involved, the degree of control they exercised over their decisions, and whether another person exploited their vulnerability for gain.

¹⁴ CamboJA News (2024) 'Cambodian and Thai Authorities Investigate Surrogacy Case as Filipino Surrogate Mothers Are Detained Until Delivery', 22 October. Available [here](#)

Why this matters for the United Kingdom

Forced surrogacy is not separately recorded within National Referral Mechanism (NRM) statistics so at present, there is little evidence that forced surrogacy is a widespread form of modern slavery or human trafficking in the UK however the Modern Slavery and Exploitation Helpline identified three potential victims in 2023, representing the first publicly reported UK cases.¹⁵ There have been no reported prosecutions specifically relating to forced surrogacy and no published prevalence estimates.

This does not mean the issue can be overlooked. One of the central findings of the Independent Anti-Slavery Commissioner's *Anticipating Exploitation* project was that emerging forms of exploitation should be identified before they become established. Waiting until criminal methodologies are widespread risks allowing organised offenders to exploit gaps in legislation, regulation, safeguarding and operational awareness.

The international evidence demonstrates that concerns about reproductive exploitation are increasing. The European Union has explicitly recognised exploitation of surrogacy within its Anti-Trafficking Directive, while Europol, Eurojust and United Nations mechanisms have all highlighted circumstances in which surrogacy arrangements may involve trafficking, coercion or the abuse of vulnerability. Although documented cases remain relatively limited, these developments suggest that forced surrogacy is increasingly being recognised as a potential form of exploitation requiring attention within wider anti-trafficking efforts.

Increasing international surrogacy

One reason the issue is becoming increasingly relevant for the UK is the growing internationalisation of surrogacy. Over the past two decades, international surrogacy has expanded considerably as intended parents increasingly seek arrangements overseas. Differences in domestic regulation, availability of

¹⁵ Unseen (2024) *Modern Slavery & Exploitation Helpline Annual Assessment 2023*. Bristol: Unseen. Available [here](#).
Fox, A. (2024) 'Record calls to slavery helpline include first suspected forced surrogacy cases', *The Independent*, 18 April. Available [here](#)

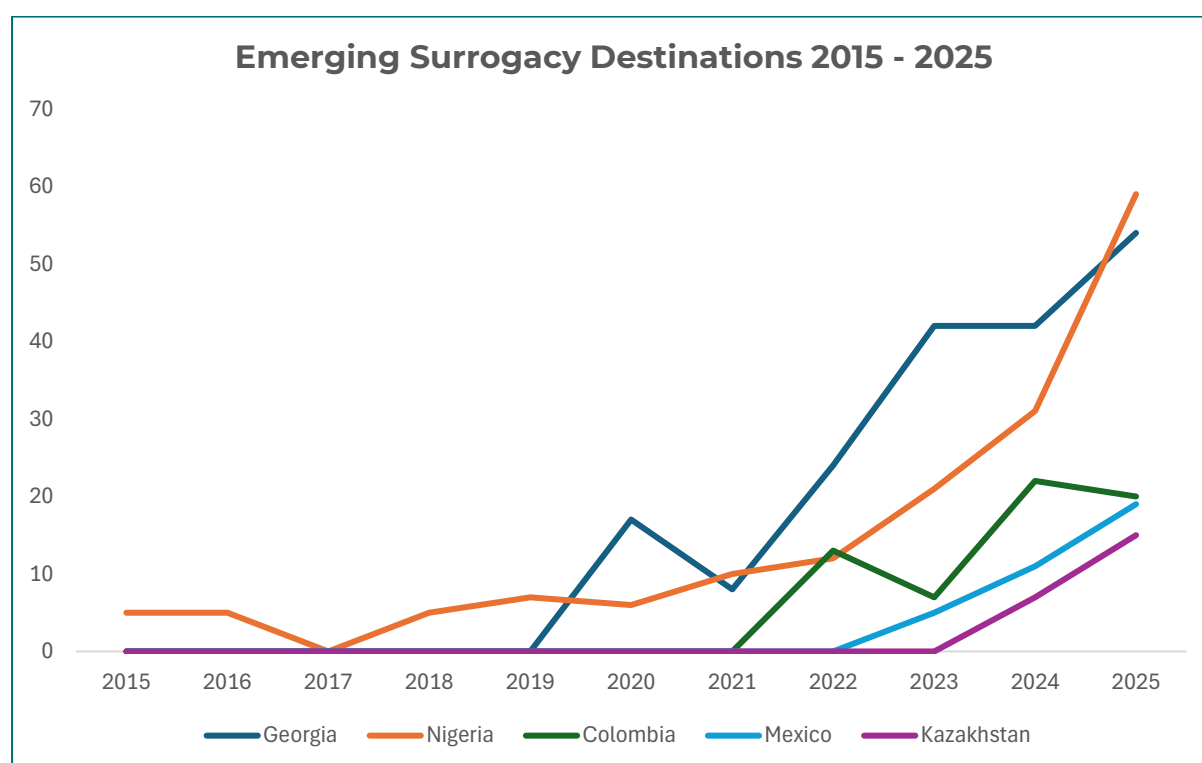
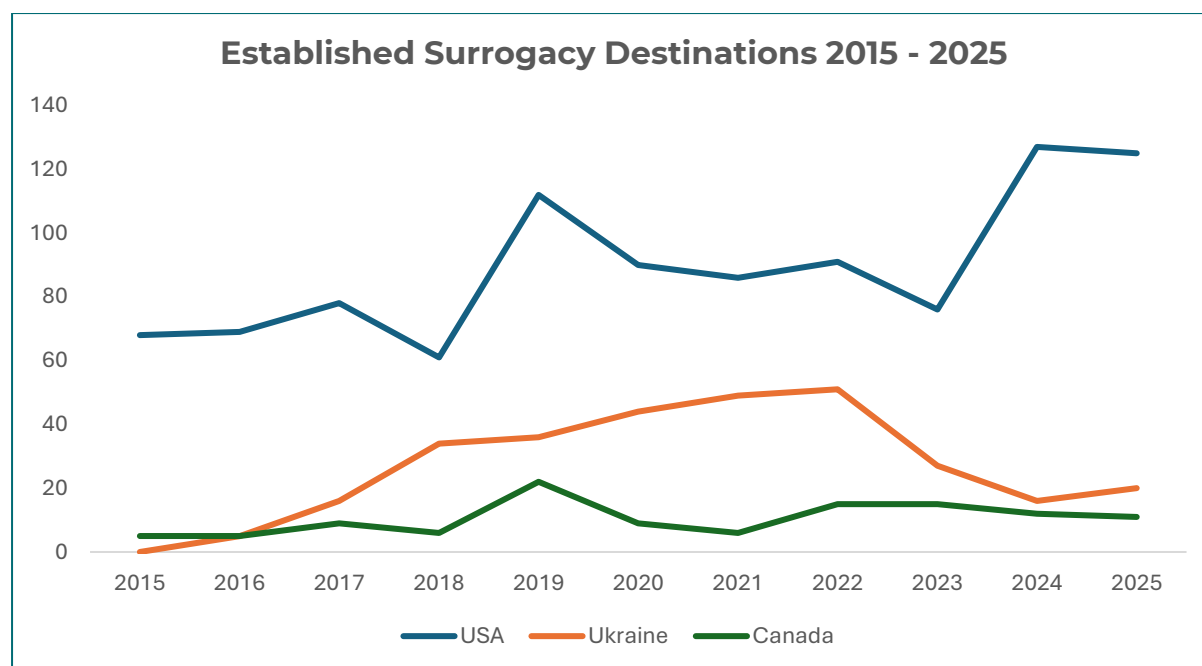
surrogate mothers, waiting times and commercial opportunities have contributed to the development of global fertility markets spanning multiple jurisdictions.

This trend is also true of the UK. Available data from the Children and Family Court Advisory and Support Service (Cafcass) indicates the growing significance of international surrogacy within parental order applications. Cafcass is a non-departmental public body sponsored by the Ministry of Justice which represents the interests of children in family court proceedings in England and independently advises the family courts on children's welfare and best interests.

Analysis of Cafcass data for 2024–25 found that there were more parental order applications involving surrogates based overseas than involving surrogates in the UK. This included applications involving surrogates based in the United States, Georgia, Nigeria and Ukraine.¹⁶

The figures below present the Cafcass parental order data from 2015 to 2025 obtained through a Freedom of Information requests. The data demonstrates not only the growing international nature of surrogacy involving UK residents, but also an increasing diversification of destination countries. While the United States continues to account for the largest number of parental order applications, recent years have seen significant growth in countries such as Georgia and Nigeria, alongside the emergence of Colombia, Mexico and Kazakhstan. The data should not be interpreted as evidence that exploitation has occurred in individual cases. However, they illustrate that UK intended parents are engaging with a wider range of surrogacy markets, each operating within different legal, regulatory and safeguarding environments.

¹⁶ UK Parliament, Parliamentary Office of Science and Technology, *Surrogacy in the UK*, POSTnote 761 (25 February 2026), p. 15, drawing on Cafcass data for 2024–25.



From a preventative perspective, this trend is significant. The '*Anticipating Exploitation*' project identified the potential for exploitation risks to emerge where growing international demand overlaps with uneven regulation, economic vulnerability and complex cross-border markets.

As surrogacy arrangements become spread across a more diverse range of jurisdictions, UK authorities may face increasing challenges in understanding local safeguarding arrangements, identifying potential indicators of coercion and responding effectively where concerns arise.

The circumstances within individual countries can also change rapidly. Conflict, economic disruption and changes to domestic regulation can alter both the vulnerabilities experienced by women and the conditions in which international surrogacy markets operate. Ukraine provides a particularly important example.

Case Study: Ukraine

Conflict, displacement and increased vulnerability.

Ukraine has long been a major destination for international commercial surrogacy, including for intended parents from the UK and other European countries. Its surrogacy industry has continued to operate following Russia's full-scale invasion in 2022, despite the widespread displacement, economic disruption and loss of livelihoods caused by the conflict.

The impact of these conditions on women's decisions to enter surrogacy arrangements was explored in the 2026 BBC documentary *Born in a War Zone*. The documentary follows 22-year-old Karina Tarasenko, whose home in Bakhmut was destroyed during the conflict. After moving to Kyiv with her family and struggling to find stable employment, she decided to become a surrogate for a Chinese couple. Karina told the BBC that the war had “led me to surrogacy” and that, without it, she would not have considered becoming a surrogate.¹⁷

Her experience does not establish that her surrogacy arrangement was exploitative. It does, however, illustrate how conflict, displacement and financial insecurity can change the circumstances in which women make decisions about surrogacy. Loss of homes and livelihoods, limited employment opportunities and increasing financial pressures can heighten vulnerability and, in some

¹⁷ BBC (2026) *Born in a War Zone*. BBC Global Women. Available [here](#).

circumstances, create conditions that may be exploited by recruiters or intermediaries.

The Ukrainian model can also create particular safeguarding challenges where intended parents do not take responsibility for a child following birth. Under Ukrainian law, in eligible gestational surrogacy arrangements the intended parents, rather than the woman who gives birth, are recognised as the child's legal parents from birth. BBC reporting has highlighted cases in which babies born through surrogacy have effectively been abandoned after intended parents decided not to take them, including where children were born with disabilities or serious health conditions.

These concerns are now part of a wider debate within Ukraine about the future regulation of its surrogacy industry with legislation under consideration by the Ukrainian Parliament that would introduce tighter oversight and effectively restrict foreign intended parents from accessing surrogacy in the country. The BBC reported that foreign intended parents account for approximately 95% of Ukraine's surrogacy market. If enacted, the reforms could significantly alter Ukraine's role as an international surrogacy destination.¹⁸

Ukraine provides an important example of how the environment surrounding an established international surrogacy market can change rapidly. The continuation of the industry during a major conflict, alongside displacement and economic insecurity, demonstrates why changes in women's vulnerability and the operation of international reproductive markets should be closely monitored from a trafficking prevention and safeguarding perspective.

Wider strategic trends

The *Anticipating Exploitation* project identified several global trends likely to influence the future nature of modern slavery and human trafficking, including widening economic inequality, conflict and displacement, demographic change,

¹⁸ Bettiza, S. (2026) 'Ukraine war "led me to surrogacy" to earn money but a new law could end those plans', *BBC News*, 7 May. Available [here](#).

declining fertility rates, technological advances, increased mobility and the expansion of digital markets.

Many of these same trends are reshaping the international market for assisted reproduction. Research describes cross-border reproductive care as a growing global phenomenon, driven by advances in reproductive technology, differences in national laws, variations in treatment availability and significant cost disparities between countries.¹⁹ International surrogacy forms part of this broader market, enabling intended parents to access reproductive services across national borders. This is directly relevant to the UK. As the Cafcass data shows, a significant and growing proportion of parental order applications involve children born through international surrogacy arrangements. UK intended parents increasingly engage with surrogacy providers, clinics and agencies operating across multiple jurisdictions.

These arrangements can exist against a backdrop of significant global inequality. Research has highlighted the socioeconomic disparities that can arise between intended parents from wealthier countries and women acting as surrogates in lower-income settings.²⁰ While such disparities do not in themselves amount to exploitation, they may create conditions in which vulnerability can be more readily exploited where appropriate safeguards are absent.²¹

UK legal framework

The UK already has a legal framework governing surrogacy. Surrogacy is permitted on an altruistic basis and is regulated primarily through the Surrogacy Arrangements Act 1985 and the Human Fertilisation and Embryology Acts 1990 and 2008. The framework prohibits commercial surrogacy, including acting as a paid intermediary or advertising surrogacy arrangements for profit, reflecting longstanding concerns about exploitation and commodification.²²

¹⁹ Salama, M., Isachenko, V., Isachenko, E., Rahimi, G., Mallmann, P., Westphal, L.M., Inhorn, M.C. and Patrizio, P. (2018) 'Cross border reproductive care (CBRC): a growing global phenomenon with multidimensional implications (a systematic and critical review)', *Journal of Assisted Reproduction and Genetics*, 35, pp. 1277–1288

²⁰ Deonandan R. Recent trends in reproductive tourism and international surrogacy: ethical considerations and challenges for policy. Risk Manag Healthc Policy. August 2015

²¹ Whittaker, A. and Speier, A. (2011) 'Cycles of global fertility: the future of cross-border reproductive care', *Reproductive BioMedicine Online*, 23(7), pp. 814–816.

²² Surrogacy Arrangements Act 1985 (c. 49) (1985) London: HMSO. Available [here](#)

Surrogacy agreements are not legally enforceable in the UK, legal parenthood initially rests with the surrogate, and any transfer of parenthood requires a parental order made by the family court, usually within six months of birth, and with the surrogate's consent given no earlier than six weeks after delivery.²³ These provisions are intended to preserve the autonomy of the surrogate and ensure judicial oversight of the transfer of legal parenthood. While this framework enables surrogacy to take place within a regulated environment, it is often described as complex and outdated which may encourage some intended parents to pursue arrangements abroad.²⁴

The greater challenge may lie in identifying and responding to exploitation within complex international surrogacy arrangements. Much of the existing UK surrogacy framework was designed to regulate domestic surrogacy rather than identify exploitation occurring within reproductive arrangements overseas. Where recruitment, medical procedures or coercion take place in another jurisdiction, a case may only come into contact with UK authorities through immigration processes, healthcare services or parental order proceedings, by which point opportunities for early identification and intervention may be limited.

This also raises questions about whether the UK's existing modern slavery framework is sufficiently equipped to respond. Forced surrogacy and reproductive exploitation are not specifically recognised within the Modern Slavery Act 2015 or expressly addressed in the associated Home Office Statutory Guidance. While some cases may fall within existing trafficking or modern slavery offences, depending on their individual circumstances, the absence of explicit recognition creates uncertainty about whether the current framework provides sufficient legal clarity and whether practitioners would readily identify such conduct as a potential form of exploitation.

²³ Olaye-Felix, B., Allen, D.E. and Metcalfe, N.H. (2022) 'Surrogacy and the law in the UK', *Postgraduate Medical Journal*, 99(1170), pp. 358–362.

²⁴ UK Parliament POST (2026) *Surrogacy in the UK*. POSTnote 761. Published 25 February 2026.

Looking ahead

As international recognition of forced surrogacy develops, there is therefore a case for the Government to examine whether existing legislation adequately captures the forms of coercion and exploitation that may arise within surrogacy arrangements and whether greater legislative or policy clarity is required. Regardless of whether legislative change is ultimately considered necessary, clearer guidance, improved intelligence sharing and stronger safeguarding mechanisms may be needed to ensure that potential indicators of reproductive exploitation are recognised and acted upon at the earliest possible stage.

The Government should conduct a review of the UK's preparedness to prevent, identify and respond to forced surrogacy as a potential form of modern slavery and human trafficking. The purpose should not be to prejudge the need for new legislation or to characterise international surrogacy as exploitative. It should establish whether existing legislation, policy, safeguarding arrangements and operational systems provide an adequate response to the forms of coercion and exploitation.

The review should consider the following areas:

1. Improving awareness and early identification

The Government should consider what guidance and training frontline professionals need to recognise potential indicators of forced surrogacy and reproductive exploitation. This should include professionals working in healthcare, fertility services, social care, policing, immigration and border agencies, as well as other settings likely to encounter international surrogacy arrangements.

2. Strengthening safeguarding across healthcare and fertility services

Healthcare settings may provide important opportunities to identify reproductive coercion or enable a person to disclose concerns privately. The review should consider whether existing safeguarding guidance adequately supports professionals to recognise potential exploitation, establish whether consent is freely given and maintained, and understand when concerns should be referred to adult safeguarding, child protection, law enforcement or the National Referral Mechanism. It should also consider whether fertility clinics and other regulated

organisations require additional guidance on due diligence where arrangements involve overseas agencies or intermediaries.

3. Reviewing the legislative and policy framework

The Government should assess whether existing legislation adequately captures forced surrogacy where the circumstances may amount to modern slavery or human trafficking. This should include examining whether the Modern Slavery Act 2015 and associated statutory guidance provide sufficient clarity, or whether greater legislative, policy or operational recognition of reproductive exploitation is required.

4. Improving data collection and intelligence

The absence of consistent recording makes it difficult to understand the nature or scale of the threat. The Government should consider whether the National Referral Mechanism and other relevant data and intelligence systems should enable forced surrogacy or reproductive exploitation to be identified and recorded, allowing emerging trends and criminal methodologies to be monitored. Research should draw on the perspectives of survivors and surrogates with lived experience alongside intended parents, healthcare professionals, family law practitioners, law enforcement and anti-trafficking experts.

5. Ensuring specialist support is available for victims

The review should consider whether existing modern slavery and safeguarding services would be equipped to meet the particular needs of victims of forced surrogacy. These may include access to reproductive and maternity healthcare, psychological support, independent legal advice, immigration assistance and protection from further exploitation or retaliation.

6. Strengthening the criminal justice response

The Government should assess whether law enforcement and prosecutors have the legal clarity, expertise and operational guidance necessary to investigate cases involving reproductive exploitation. Particular consideration should be given to the evidential, jurisdictional and safeguarding challenges arising where recruitment, medical procedures, financial transactions and exploitation take place across multiple countries.