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NEWS

Ukraine surrogates fear ban on births for foreigners

Wealthy couples are still paying women in the war-torn country to carry their babies

Louise Callaghan, Kyiv

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In the sun-dappled lobby of a Kyiv fertility clinic, dozens of Ukrainian women in various stages of pregnancy were reading magazines, scrolling through their phones and waiting for routine scans.

They had come here from their homes in Chernihiv, Dnipro and Lviv. But the children growing inside them were Chinese, Indian, British and French.

The women are just some of the hundreds of Ukrainians who have chosen to become surrogates for foreign couples since

[war began in February last year](#)

— earning between £15,000 and £20,000 each.

Alona, 26, who is five months pregnant, said she didn't know the names of the British couple whose child she was carrying. "I like that I can help them find happiness," she said. "And of course financially it is good too."

Before the war Ukraine was the European capital of surrogacy. Fourteen months on, business is still continuing as couples from the UK to Spain and, increasingly, China, spend up to £45,000 on conceiving a child.

Now, a group of Ukrainian politicians is seeking to pass a law that would shut down the industry after concerns for women's health, and for the country's rapidly plunging population.

"This field is completely unregulated," said Viktoria Wagnier — an MP, gynaecologist and war widow — one of the authors of the bill. "Foreigners come here and use Ukrainian women to carry babies, and who knows what happens to these kids afterwards."

The legislation, which would ban commercial

[surrogacy for foreigners in Ukraine](#)

during the period of martial law, and for three years after, will be voted on in parliament within the coming months.

Surrogacy clinics say that the law goes too far, and will destroy the industry. "The best way would be to regulate [the practice] so that women know that they are protected," said Sviatlana Burkovska, 40, co-owner of Ferta, a surrogacy agency, who has been a surrogate herself. "By regulating it it's possible to take it under control."

Wagnier said the aim of the law was to establish clear rules over surrogacy and other reproductive processes

— including IVF — and assigning criminal responsibility when they are broken. Ukraine, she said, had become a “touristic mecca” for surrogacy. “It is not dignified,” she said.

Yet she also said she was motivated by a desire to replenish the Ukrainian population. The country, she said, was experiencing a “demographic catastrophe” as more young men and women died every day on the battlefield, were killed by shelling, or fled abroad.

Critics say that banning commercial surrogacy will not mean that more babies will be born to Ukrainians. “It’s nonsense,” said Ihor Pechenoha, 53, medical director, at Biotexcom clinic. “It’s dressed up in patriotism.” A legal change would also leave the fate of fertilised embryos stored in Ukrainian clinics unclear: potentially removing a last chance for couples to have a child.

Today, Ukraine is one of the few places in the world — along with countries including Georgia and Kazakhstan, and parts of the United States — where commercial surrogacy is legal. Foreign couples can send their fertilised embryos to be implanted in surrogate’s wombs, and retain full legal parental rights after the birth.

In the two years before Russia’s invasion, according to Wagnier, Ukrainian surrogates gave birth to 1,746 children for foreign couples. Since the war began, officials and clinics estimate that hundreds of implantations have been made.

At the Biotexcom clinic alone, there are currently 140 surrogates who are more than 12 weeks pregnant. Thirty-nine children have been born since February last year. “What’s extraordinary is the sheer number of intended parents who are continuing to engage in Ukraine programmes,” said Sam Everingham, global director of Growing Families, an organisation that supports parents seeking surrogacy. Some couples, he said, were desperate and felt they had no other choice, perhaps because of their age, or because they had run out of funds to start anew. “For people like that, ethics become a secondary consideration,” he said.

Unlike in America, where it can cost more than £200,000 to hire a surrogate, Ukraine is relatively cheap: it usually costs about £40,000, of which about half goes to the surrogate mother.

In the UK, surrogate mothers can be paid only “reasonable expenses” for carrying a child. France, Germany and Italy have banned surrogacy entirely, while Thailand and India (which used to be popular destinations) have restricted the procedure for foreigners over exploitation concerns.

Last December, Russia banned commercial surrogacy for foreign citizens. Many Russian and Ukrainian agencies have since moved to Georgia, where, one company owner said, they were seriously struggling with a lack of surrogates. Ukraine’s large poor population, they said, made it an ideal recruiting ground.

When Russian tanks rolled over the Ukrainian borders last year, hundreds of surrogates were pregnant with embryos provided by foreign couples. Some clinics rushed to evacuate them, while others ignored calls from parents and failed to keep surrogates safe.

“There were also cases with women who had been in occupied territories . . . either they gave birth there or were evacuated to Russia and the biological parents had to pay money to evacuate them to Europe and register them,” said Sergii Antonov, a lawyer working on surrogacy cases. “That was a very difficult process.”

Some parents in countries where surrogacy is banned, he added, were afraid to apply to their embassies in Ukraine for help since they knew it was illegal.

In a handful of cases, parents were manipulated by surrogates. Burkovska, the agency co-owner, said that she had dealt with a case in which a surrogate mother who held pro-Kremlin views had left Ukraine for Russian-occupied Crimea. After giving birth there, she effectively ransomed the child, demanding thousands of pounds to hand it over.

Yet for others, it has been a positive experience that gives them a financial opportunity that would otherwise be out of reach in a country where the average wage is about £400 a month.

Alina Stakhorskaya, 34, was three months pregnant with her fourth surrogate child when the war began. For two weeks, she hunkered down in a basement in her home town of Kharkiv with her husband and children as the bombs exploded around them.

After long discussions over the phone, the child’s Spanish parents paid for her to leave for Poland, and she gave birth in western Ukraine in August. Her motivations, she said, were financial, but she also liked helping

couples conceive. “I could only manage to earn money for a house and car this way. I know how many girls would like to do the same thing,” she said.

Today, couples parents often send their fertilised embryos from clinics in other European countries, and enter Ukraine only briefly to pick up their child in a hospital near the border. Surrogates, meanwhile, mostly live with their own families — including in areas around the front lines in the south and southeast — and travel to western Ukraine later in their pregnancy.

“Some of the parents are Chinese, so they have Russian propaganda and don’t even think there is a war happening,” said one clinic owner, who did not want to be named. “The Europeans, they know. Some of them are too afraid to come to Kyiv to pick up [their children].”

When the process does work out it can mean financial stability for the surrogate and longed-for happiness for the parents. “We’ll tell him about it when he’s older,” said one Argentinian first-time mother, who had to escape Kyiv with her newborn when the war started. “It’ll be a real story.”

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Yelena is one of 140 surrogates at the Kyiv clinic who are 12 weeks pregnant

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Alona, 26, is five months pregnant with a child she is carrying for a British couple

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Ihor Pechenoha, the medical director at the Biotexcom clinic
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The surrogacy process in Ukraine is relatively cheap: it usually costs about £40,000, of which about half goes to the surrogate mother
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