



CURRENT RESEARCH IN PRIVATE INTERNATIONAL LAW

Nieve Rubaja

University of Buenos Aires

“International Surrogacy Agreements From the
Latin American Perspective. An Overview.”

Tuesday, 10 September 2024 2:00 p.m. – 3:30 p.m. (CEST)

The virtual workshop will be held as a video conference via Zoom.
Please register for the workshop using this [LINK](#).

Ralf Michaels and Philipp Kronier



About the speaker:

Nieve Rubaja is a Professor of Private International Law at the University of Buenos Aires, Argentina. She is specially interested in Family International Law. She is a member of the Commission on Private International Law of the Argentinean Ministry of Foreign Affairs. She is also a member of the Working Group on “Parentage / international surrogacy” of the Hague Conference of Private International Law. She is the Academic Vice President of the American Association of Private International Law (ASADIP).

About the topic:

The media, judicial cases and administrative constraints show that surrogacy is a reality in Latin American countries. Regulation on this subject matter has become a need in order to protect the human rights involved, especially the rights of the children born. Over the last decades, legal systems in Latin America have been transversely affected by the emergence and progressivity of human rights. In addition, there are more than 20 countries in the region and each of them has its own historical, social and cultural shades; therefore, human rights have been a key factor for the unification of some conceptions in the region. This imprint impacts on surrogacy regulation (and bills) both for domestic and for cross-border cases. The few countries which provide rules regarding cross-border surrogacy cases choose a recognition approach. According to this, the legal parentage established abroad must be recognised in the forum if it is compatible with their international public policy, taking into account the best interest of the child. Among Latin American countries Argentina, Brazil, Mexico and El Salvador have designated representatives to participate in the Working Group on the Parentage/Surrogacy Project of the Hague Conference of Private International Law, which brings an opportunity to include Latin American voices. This meeting aims at providing an overview of the comparative analysis carried out considering the distinctive features of the region.

About the virtual workshop series:

The virtual workshop series „Current Research in Private International Law” is organised by Ralf Michaels and Philipp Kronier. The series features guest speakers and Institute staff members who present and discuss their work on current developments and research topics in private international law. The workshops are geared to scholars who are researching in the field of private international law, but attendance is open to all individuals having an academic interest (including doctoral candidates and students).