

Surrogacy Contracts in the Iranian Law

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Abstract

Introduction: The law of Iran makes no provisions for contracts such as foster parents including surrogacy. Surrogacy is the practice whereby one married woman carries an embryo for another with the intention that the child should be handed over after birth or after a specific period of time.

Results: Agreements cannot be made to transfer parental responsibility. Commercial arrangements for surrogacy are illegal. An unmarried woman can not act as a surrogate mother.

Conclusion: Under a surrogacy contract, a surrogate mother acts as for the commissioning parents and agrees to hand the child over to them soon after birth. The surrogate mother cannot change her mind after handing over the baby. As a general rule, the child's legal father is the man whose sperm leads to the child's creation; except where the sperm is used after a man's death or where the man is the donor for the purpose of a licensed treatment under article number one of Iran's amendment to Act 1382 regarding sperm donation to infertile couples.

Key Words: Surrogate uterus, Surrogate mothers, Surrogacy contract, Surrogacy, Infertility.

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