

(English version)

**Question for written answer E-002535/26
to the Commission**

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(18 June 2026)

Subject: Inclusion of surrogacy in the new EU strategy to combat trafficking in human beings

During the joint hearing of 3 June 2026 of Parliament's Committees on Civil Liberties, Justice and Home Affairs and on Women's Rights and Gender Equality concerning the forthcoming strategy to combat trafficking in human beings, the Commission's EU Anti-Trafficking Coordinator, Diane Schmitt, stated that surrogacy would not be included in the strategy.

This statement is surprising, given that Directive (EU) 2024/1712 ⁽¹⁾, which amended Directive 2011/36/EU on preventing and combating trafficking in human beings, expressly included surrogacy among the forms of exploitation that Member States must classify as trafficking in human beings. Furthermore, in its news article of 12 July 2024 on the entry into force of the new anti-trafficking rules ⁽²⁾, the Commission itself highlighted that the exploitation of surrogacy is one of the new forms of exploitation covered by the legislative revision.

Can the Commission clarify:

1. whether it considers surrogacy to constitute a form of trafficking in human beings within the meaning of Directive (EU) 2024/1712?
2. whether it intends to explicitly include measures to combat surrogacy in the forthcoming EU strategy to combat trafficking in human beings?
3. what concrete initiatives it intends to adopt to tackle transnational criminal networks involved in cross-border surrogacy arrangements and the sale of children?

Submitted: 18.6.2026

Answer given by Mr Brunner on behalf of the European Commission
(4 August 2026)

As the Commission noted in its reply to Written Question P-003805/2025, the exploitation of surrogacy, among others, is included as a form of exploitation in the Anti-Trafficking Directive, modified by Directive (EU) 2024/1712 of 13 June 2024 ⁽¹⁾.

It targets those who coerce or deceive women into acting as surrogate mothers, without prejudice to the national rules on surrogacy, including criminal and family law. Rules on surrogacy fall exclusively within the competence of the Member States.

As regards cross-border operational cooperation, the European Multidisciplinary Platform Against Criminal Threats (EMPACT) has a dedicated operational action on illegal commercial surrogacy and the exploitation of illegal adoption, through which Member States exchange operational intelligence and cooperate on concrete cross-border trafficking cases.

¹ 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 (OJ L, 2024/1712, 24.6.2024, ELI: <http://data.europa.eu/eli/dir/2024/1712/oj>).

² European Commission 'Stronger EU rules to fight trafficking in human beings enter into force', news article, 12 July 2024, https://home-affairs.ec.europa.eu/news/stronger-eu-rules-fight-trafficking-human-beings-enter-force-2024-07-12_en.

⁽¹⁾ <https://eur-lex.europa.eu/eli/dir/2024/1712/oj/eng>.