

# Effects of Surrogacy on Health of Women and Child: An Overview

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**Abstract – Nature has bestowed the beautiful capacity to procreate a life within woman and every woman cherishes the experience of motherhood. But, unfortunately some women due to certain physiological conditions could not give birth to their own off-spring, sometime infertility among married couples is a major problem affecting not only their marital life but also their social life and it is generally known as a social stigma in India as in Indian society the family structure has a very stable structural format with a set of parents with a strong desire for children and particularly for son to carry forth the lineage or Vansh. With the tremendous advances in the field of medicine, the infertility would now be able to be treated utilizing the new medical advances all in all called as Assisted Reproductive Technology (ART, for example, in vitro preparation (IVF) or Intra Cytoplasmic Sperm Injection (ICSI), and so on. Surrogacy can help one couple to have child but they least take care about the health of surrogate mother and its effect on the growth of child because they didn't knew the whole medical procedure and its technical issues. Moreover, the emotional and other health factors remain unaddressed even after sentencing the judgments by the courts. So this Article is an initiative to address the problems of health and other issues of surrogate mother and child too.**

**Keywords:** Assisted Reproductive Technology (ART), Surrogacy, In Vitro Fertilization (IVF) or Intra Cytoplasmic Sperm Injection (ICSI), Commissioning parents, Commercial surrogacy, Transvaginal Ultrasound Directed Oocyte Recovery (TUDOR), Ovarian Hyper Stimulation Syndrome (OHSS), Risk factors to health of Surrogate and child.

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## INTRODUCTION

In every human beings life 'marriage' is a turning point. It's the most dominating factor in everybody's life. Once a person attains the age of maturity people start discussing about his/her marriage and further the issue then diverts to a "CHILD". Nature has bestowed the beautiful capacity to procreate a life within woman and every woman cherishes the experience of motherhood. But, unfortunately some women due to certain physiological conditions could not give birth to their own off-spring, sometime infertility among married couples is a major problem affecting not only their marital life but also their social life and it is generally known as a social stigma in India as in Indian society the family structure has a very stable structural format with a set of parents with a strong desire for children and particularly for son to carry forth the lineage or Vansh. However, today having a child is enough be a girl or a boy.

With the enormous advances in the field of medicine, the infertility would now be able to be treated utilizing the new medical advances all things considered called as Assisted Reproductive Technology (ART, for

example, In Vitro Fertilization (IVF) or Intra Cytoplasmic Sperm Injection (ICSI), and so forth. The birth of the world's first child, Louise Brown on July 25, 1978, through the strategy of in vitro treatment was a way breaking step in charge of infertility; and is considered as one of the most significant medical advances of the only remaining century In October 1978, Dr. Subhash Mukherjee, Kolkata (India) reported the birth of nation's first unnaturally conceived child Dr. Mukherjee and his group utilized the cryopreserved incipient organism.

There are various sorts of infertility and now and again it would be genuinely or medically inconceivable/unfortunate to convey an infant to term and subsequently, to satisfy the longing of such fruitless couple to have a child, the surrogacy comes as a significant alternative.

The present moment and long haul effects of pregnancy are exceptionally long in reality. Momentary effects go from exhaustion and retching to the growing of joints and the drawn out effects go from scarring, varicose veins to lose skin and with respect to inconveniences of pregnancy, Some of

these entanglements are even perilous, similar to bosom malignant growth. Poor ladies who lease their belly couldn't care less, think or are even mindful of these things.

Surrogacy requires to be run under an understanding. The commissioning parent(s) will guarantee that the surrogate and the child or children she conveys are fittingly protected until the time the child is given over to the commissioning parent(s) or some other individual according to the understanding and till the surrogate is liberated from all wellbeing inconveniences emerging out of surrogacy. Surrogate mother must enroll as a patient in her own name determining herself as surrogate mother in the medical clinic subsequent to consenting to the fitting arrangement. The birth endorsement will be for the sake of the commissioning guardians. The ART facility ought to likewise give a declaration to the commissioning guardians giving the name and address of the surrogate mother. . Surrogate mother just as the giver will surrender every single parental right related with the posterity's recorded as a hard copy. Initially, surrogacy appears to be an appealing other option:

- As a poor surrogate mother gets particularly required cash,
- An fruitless couple gets there since quite a while ago wanted organically related child and
- The nation acquires outside money,

In any case, the genuine picture uncovers the severe truth. Because of absence of appropriate enactment, both surrogate mothers and proposed guardians are some way or another abused and the benefit is earned by mediators and business organizations. . Business surrogacy or "Belly for lease," is a developing business in India. In India, English talking condition and less expensive administrations pull in the willing customers. If there should be an occurrence of surrogacy in India, it is difficult to tell that whether these ladies are practicing their very own privileges or whether they are compelled to become surrogate mothers because of the family's longing or need to satisfy monetary requirements. At present, no law exists set up to ensure the surrogate mother if there should arise an occurrence of birth difficulty, constrained premature birth and so forth. Since 2002, business surrogacy has nearly gotten lawful in India and India has become a kind of authority in it. The methodology and medications utilized during the procedure of Surrogacy has a great deal of reactions on the Surrogate's wellbeing.

### Definition of Surrogacy

In Latin "Surrogatus" signifies a substitute for example an individual named to act in the spot of another .according to the Black's Law Dictionary surrogacy implies the way toward conveying and conveying a

child for someone else The New Encyclopedia Britannica characterizes surrogacy as a practice in which a woman bears a child for a couple incapable to create children in the standard route According to Warnock Report (1984) HF&E, surrogacy is the practice wherein one woman conveys a child for another with the aim that the child ought to be given over after birth.

There are two types of surrogacy practice winning in India: (I) Traditional/Natural/Partial surrogacy; and (ii) Gestational surrogacy. Like in different nations, in India additionally, the accompanying two types of surrogacy courses of action are being practiced[1]

**Altruistic surrogacy:** Where the surrogate mother gets no money related prizes for her pregnancy or the surrender of the child to the genetic parents with the exception of important medical expenses.

**Commercial surrogacy:** Where the surrogate mother is paid well beyond the vital medical expenses.

Surrogacy prompts a success win circumstance for both the infertile couple and the surrogate mother. The infertile couple can satisfy their most significant want and the surrogate mother gets the reasonable prize.

Bhadaraka has depicted the accompanying confusions in regards to a surrogate mother.

- (i) She isn't the spouse of the dad of the child to whom she conceives an offspring.
- (ii) She isn't an asocial woman.
- (iii) She isn't constrained into this. She herself chooses whether she needs to become a surrogate mother or not.
- (iv) "This is my child", "this child is my legacy" - she can't understandable such contemplations, in light of social, scientific and legal limitations.
- (v) She isn't answerable for the child (when the child is conceived).
- (vi) Surrogacy is a commonly gainful idea of offering types of assistance.
- (vii) She isn't the genetic mother of the child whom she sustains and brings forth.
- (viii) This is a scientific thought, a scientific procedure. There is no requirement for any physical contact.
- (xi) This isn't an illegal practice.

(x) She has no case or rights over the child that is conceived.

(ix) She isn't a woman who sells children.

Bhadaraka<sup>10</sup> similarly point by point that the greater part of the Indian society considered surrogate mother an amalgam of religion, culture and science with following noble services:

- (i) She is a case of a model woman in society.
- (ii) She demonstrates a solid tendency to society by accomplishing something novel,
- (iii) She satisfies her obligation by accomplishing something advantageous for the society, and
- (iv) She abrogates the disgrace of infertility from the society,

Surrogacy is a social demonstration of most elevated level of administration which is logical and overflows with generosity. An individual's feeling dependent on an absence of data ought not hurt others. Like medicine is recommended for treatment of a turmoil, similarly surrogacy is likewise a technique for treatment.

According to the proposed draft Assisted Reproductive Technology (Regulation) Bill the surrogacy and related terms are characterized in the accompanying manners:

- (i) Surrogacy implies a course of action wherein a woman consents to a pregnancy, accomplished through helped regenerative innovation, in which neither of the gametes have a place with her or her better half, with the goal to convey it to term and hand over the child to the individual or people for whom she is going about as a surrogate;
- (ii) Surrogate mother implies a woman who consents to have an incipient organism produced from the sperm of a man who isn't her significant other and the oocyte of another woman, embedded in her to convey the pregnancy to full term and convey the child to its natural parents; and
- (iii) Surrogacy agreement implies an agreement between the people profiting of helped conceptive innovation and the surrogate mother.

A woman chasing or consenting to go about as a surrogate will be medically tried for maladies, for example, explicitly transmitted infections (STD) and all other transferable illnesses which might be unsafe for the soundness of the to be borne child or children, and must proclaim recorded as a hard copy that she has

not gotten a blood transfusion or a blood item over the most recent a half year and other comparative significant strides to be done under the medical oversight.

The commissioning parent(s) will guarantee that the surrogate and the child or children she conveys are properly protected until the time the child is given over to the commissioning parent(s) or some other individual according to the agreement and till the surrogate is liberated from all wellbeing intricacies emerging out of surrogacy. Surrogate mother must enroll as a patient in her own name indicating herself as surrogate mother in the emergency clinic in the wake of consenting to the fitting arrangement. Surrogate mother ought not utilize or enlist in the name of the commissioning couple for whom she is going about as surrogate as this would present lawful issues, especially in the untoward occasion of maternal demise

The birth declaration will be in the name of the commissioning parents. The ART facility ought to likewise give an endorsement to the commissioning parents giving the name and address of the surrogate mother. The surrogate mother would likewise be entitled a financial pay from the commissioning couple for consenting to go about as a surrogate, which ought to be unmistakably spread out in the agreement to dodge clashes later. A surrogate mother ought to never give her own oocyte to the commissioning couple. Surrogate mother just as the contributor will give up every single parental right related with the posterity's recorded as a hard copy. India is viewed as having surrogacy as blasting business nowadays however is to a great extent unmapped yet in 2008, the ICMR had evaluated it as a 6 billion dollar industry. Indian surrogates have been progressively mainstream with outside couples of the industrialized countries due to the generally minimal effort and simple accessibility of surrogate mother. Workmanship centers are simultaneously getting increasingly serious, in the valuing, however in the recruiting and maintenance of Indian females as surrogates. Facilities charge patients between 100, 000 and 400, 000 for the total bundle, including treatment, the surrogate's expense, and conveyance of the infant at the medical clinic. In this manner, when contrasted with others European nations, including the expenses of flight tickets, medical techniques and lodgings, it comes to around 33% of the cost for experiencing similar methodology in India; so India is quickly developing as a principle goal for surrogacy.

#### **Is Surrogacy Profitable for all involved in the Procedure**

Initially, surrogacy appears to be an alluring option in light of the fact that as a poor surrogate mother gets particularly required cash, an infertile couple gets there since quite a while ago wanted naturally

related child and the nation acquires outside money. In spite of the fact that in 2005, ICMR gave rules for accreditation, management, and guideline of ART facilities in India, these rules are more than once damaged.

Disappointment of cross fringe childless couples is effectively reasonable they get the opportunity to adapt up to language boundary and once in a while need to face a long legal conflict to get their child. Regardless of whether everything works out positively, they need to remain in India for 2-3 months for fulfillment of customs after the birth of infant. The cross fringe surrogacy prompts issues in citizenship, nationality, motherhood, parentage, and privileges of a child. There are events where children are prevented nationality from claiming the nation of proposed parents and this outcomes in either a long legal fight like in the event of the German couple with twin surrogate children or the Israeli gay couple who needed to experience DNA testing to set up parentage or have a depressing future in halfway house for the child. There are rates where the child given to couple after surrogacy isn't genetically identified with them and thus, is abandoned by the planned parent and needs to go through his time on earth in a halfway house.

On the off chance that we view the issue of surrogate mothers, things are far and away more terrible and untrustworthy. Poor people, uneducated ladies of rustic foundation are regularly convinced hard and bait in such arrangements by their life partner or brokers for acquiring income sans work. These ladies have no privilege on choice with respect to their own body and life. In India, there is no arrangement of mental screening or legal directing, which is obligatory in USA.

After enlistment by business organizations, these ladies are moved into inns for the whole range of pregnancy so as to maintain a strategic distance from their contact with general network emerging out any inconveniences on scrutinizing their agreement to go into surrogacy. These ladies spend the entire residency of pregnancy stressing over their family and children. They are permitted to go out just for antenatal visits and are permitted to meet their family just on Sundays. The most noticeably awful part is that in the event of horrible result of pregnancy, they are probably not going to be paid, and there is no arrangement of protection or post-pregnancy medical and mental help for them.

Rich vocation ladies who would prefer not to take the difficulty of conveying their own pregnancy are seen as slanted for employing surrogate mothers. There are various good and moral issues with respect to surrogacy, which has gotten to a greater extent a business racket, and there is a critical requirement for confining and execution of laws for the parents and the surrogate mother.

## Surrogacy and Women's Right to Health: Indian Scenario

The idea of surrogacy in India is certifiably not a novel idea. Commercial surrogacy or "Belly for lease," is a developing business in India. In India, English talking condition and less expensive services pull in the willing clients. In instance of surrogacy in India, it is hard to tell that whether these ladies are practicing their own individual rights or whether they are compelled to become surrogate mothers because of the family's craving or need to satisfy budgetary requirements. . . Surrogacy contracts are "dehumanizing and distancing since they deny the authenticity of the surrogate's point of view on her pregnancy. Surrogate mother attempts to stay away from developing extraordinary security with the child in her and perspectives the pregnancy as only an approach to win the much-needed money. The installment for real services dehumanizes the surrogate mother and adventures her conceptive organ sand ability for individual increases of the well off . As of now, no law exists set up to ensure the surrogate mother in the event of birth confusion, constrained fetus removal etc. Since 2002, commercial surrogacy has nearly become legal in India and India has become a kind of command in it.

As indicated by gauges, which may be moderate – the matter of surrogacy in India is as of now contacting \$445-million per year. Surrogate motherhood as a plan, in which a woman takes no responsibility for child conceived, has raised good, moral social and legal inquiries concerning both woman and the "Authorized infant." According to legal specialists "if surrogacy becomes a road by which ladies in more extravagant nations pick less fortunate ladies in our nation to manage their children, at that point it is financial abuse, a sort of natural colonization." The Ministry of Women and Child Development is looking at the issue of surrogate motherhood in India for bringing up an extensive enactment. A draft legislation on surrogacy-arranged by the Indian Council of Medical Research (ICMR) has suggested exacting punishments for wrongdoers and a tight guideline on Assisted Reproductive Techniques (ART).

The draft law limits the quantity of incipient organism moves a mother can experience to multiple times for a similar couple, if the initial two endeavors fizzle and it additionally includes that no woman should go about as a surrogate for in excess of three live births throughout her life. Actually, these are the main guidelines confined by the ICMR and the Ministry of Health and Family Welfare in 2005. ICMR guidelines, states, "A relative, a referred to individual just as an individual obscure to the couple may go about as a surrogate mother for couple. In case of a relative going about as a surrogate, the relative should belong to a similar age as the woman craving the surrogate." The specialists accept that surrogacy drives childless couples unnecessarily toward



commercial surrogacy. Section 3.10.5 of the guidelines expresses that "a surrogate should be under 45 years" being the upper age without referencing the base age to be surrogate. So does that mean a multi-year old or somebody much more youthful, can become surrogate mother? Prior to tolerating a woman as a possible surrogate for a specific couple, the ART Clinic must guarantee (and put on record) that the woman satisfies all the testable rules to experience a fruitful full term pregnancy." These guidelines are slanted and thoughtless. The bifurcated job of woman in surrogate arrangements is inciting renewed appraisal of the importance of motherhood and assignment of maternal rights.[2][3] [4]

### **Effects of Surrogacy on Women and Child health**

The Surrogacy arrangement entails subjecting the Surrogate's body to long-drawn-out and significant medical interventions. Several tests are to be conducted to ascertain the 'fitness' of a prospective surrogate for carrying the pregnancy to term. The surrogate mother is subjected to numerous such medical examination before entering into surrogacy agreement such as to check her hormone levels and uterine lining, and to ensure that she does not suffer from any disease that would make her 'unfit' for the Surrogate pregnancy. The procedure and drugs used during the process of Surrogacy has a lot of side effects on the Surrogate's health.[5]

Some of these complications are even life-threatening, like breast cancer. Poor women who rent out their womb do not care, think or are even aware of these things. And even if middle class women go for it, the motive is money. They do this in a condition when they have nothing to mortgage but their womb. And that sole desire of theirs makes them prone to exploitation. The most difficult of human experiences, a mother has to experience when birth is followed by the abrupt loss/separation from the child is immense.

Concerns are more serious when the prime motive to enter into surrogacy arrangement the financial need. These are enhanced when practices go beyond national borders and into a global market where consumers are wealthy people from developed countries and providers are poor women in the third world.

Let's us now understand in detail the side effects of Surrogacy on the Surrogate's health as well as on the health of Child under the following classified heads:

#### **A. RISK TO THE SURROGATE'S HEALTH**

- i. Side effects and Complications of the Drugs
- ii. Risks with the Procedures
- iii. Post Delivery Care

#### **B. RISKS TO THE CHILDREN'S HEALTH**

- i. Birth Defects
- ii. Multiple Defects
- iii. Neurological Effects
- iv. Breastfeeding

#### **A. Risk to the Surrogate's Health**

##### **i. Side effects and Complications of the Drugs**

The introduction of artificial techniques on the body involves the usages of plenty of drugs causing profuse side effects.

However, this negligent attitude towards health risks for women is not specific to the arena of ARTs. Between the 1940s to the 1970s, Diethylstilbestrol (DES) was administered to pregnant women in order to prevent spontaneous abortions. But this was done without adequate information regarding the potential side effects of this drug. Disastrous consequences were reported. Daughters of women who took DES suffer cancer of the vagina and cervix at a rate higher than that of daughters of women who did not take DES. Other side effects include increased rates of infertility, spontaneous abortions and ectopic pregnancies. Moreover, even after such a long time span, women who took DES suffer from 40 per cent to 50 per cent higher rates of breast cancer even today.[6]

The Dalkon Shield's case is another example of this neglect. The Dalkon Shield was an intrauterine contraceptive device, extensively marketed in the United States in the 1970s. It was inserted in numerous women worldwide, again without being researched thoroughly for potential side effects. Complications, compiled after administration, were numerous. These included severe hemorrhaging, miscarriages, ectopic pregnancies, infertility, mutilated reproductive organs, and even death in some cases.[7]

There is not much literature available on the health risks associated with ARTs. The short-term and specifically long-term side effects of the drugs used and the complications associated with the procedures have also not been studied in depth. A WHO Summary Report[8] 1990 defines IVF as experimental and takes the position that no new technology should become an accepted medical practice until it has undergone a thorough and scientific evaluation which has not been the case with ARTs. The U.S. Office of Technology Assessment (OTA)[9] issued the report "Infertility: Medical and Social Choice" listing ovarian hyper stimulation, ectopic pregnancy, miscarriage and

pre-term birth as some of the common complications resulting during IVF treatment. The clinics often overlook or underplay the associated health risks while providing information to the women undergoing these treatments. An informal review of medical literature suggests that many physical side effects of ARTs are directly related to the drugs used to stimulate the ovaries to produce more eggs. In the following section, the researcher made an attempt to highlight some of the side effects and complications of the drugs and procedures. However, this section is merely a summary of some of the essential health risks posed by ARTs. It is not a comprehensive account of the medical implications of these technologies.

One of the most commonly used drugs in fertility treatment is Lupron. It is often used to “Shut down” a woman’s ovaries for egg retrieval and has been associated with a range of problems like depression, rashes, chest pain, hot flashes, itching, amnesia, nausea, hypertension, thyroid abnormalities, difficulty in breathing, fainting, weakness, asthma, dimness of vision, bone aches, loss of memory, insomnia and so on. Overuse of Lupron may even result in osteoporosis.

In the U.S., Linda Abend started a National Lupron Victims Network after her sister was hospitalized with seizures along with debilitating bone and muscle pain while taking Lupron in 1991.[10] Some drugs like Clomid and Pergonal, are used not only in relation with IVF but also to stimulate multiple egg production. This can result in multiple pregnancies which are high risk. One well-known instance in the U.S. was of the Frustaci septuplets. Four of these babies died within four months and the surviving three were left with lifelong disabilities including cerebral palsy and severe developmental disabilities. Although they were not born of IVF, their birth illustrates the problems that result when women are placed on fertility drugs.[11] Some of the Major Health Risks associated with these Drugs are as follows:

### **Ovarian Hyper Stimulation Syndrome (OHSS)**

The most important risk during the phase of artificial stimulation of the ovaries is OHSS. OHSS is caused by the drugs and hormones given to stimulate the ovaries. Excessive stimulation may cause ovarian cysts and moisture in the chest cavity or the stomach and may result in serious, even fatal, consequences.[12] In mild cases, ovarian enlargement, abdominal distension and weight gain may occur. In severe cases women may also suffer renal impairment, liver dysfunction, and thromboembolism. OHSS can result in death.[13]

### **Ovarian twisting**

An over-stimulated ovary can twist on itself, cutting off its own blood supply. Surgery is required to untwist or even required to remove the ovary.

### **Increased risk of Cancers**

Many small studies suggesting that women on IVF have a higher risk of cancers of the breast, ovary and uterus compared with the numbers expected among women of the same age in the general population. Some studies assert that ovulation induction may be a risk factor for certain types of hormone-dependent cancers.

Researchers have associated excessive estrogen secretion with ovarian and breast carcinoma, and gonadotrophin secretion with ovarian cancer.[14] Studies indicate that hormones play a major role in the development of several human cancers. Hence, techniques such as IVF that rely on massive doses of hormones may be quite dangerous.[15] The drug Tamoxifen used extensively in the treatment of breast cancer carries a slightly increased risk of endometrial cancer. As it has similar properties to the fertility drug Clomiphene, there is a concern that women who use Clomiphene for long periods might have an increased risk of endometrial cancer. Also many women who seek fertility treatment do not ovulate regularly on their own and face an increased risk of endometrial cancer owing to the imbalance between estrogen and progesterone levels.[15] Furthermore, the Surrogates are usually not allowed to breastfeed the child. The injections and pills used to prevent lactation even have serious side effects, ranging from dizziness and nausea to hair loss, etc. There is also the possibility of breast engorgement, an extremely painful condition, which may arise if the woman who is lactating is not allowed to breast feed. In nutshell we can say that the drugs used in the process of Surrogacy have severe long-term effects.

### **Risks with the Procedures**

Apart from the drug-related side effects and risks, there are also risks or surgical complications in relation to the various procedures that are a part of IVF. Procedures normally used for egg retrieval are laparoscopy and ultrasound-guided oocyte retrieval or Trans vaginal Ultrasound Aspiration. Similarly, there are several dangerous Side Effects of Human Artificial Insemination, as stated in Comhaire and Mamoud, such as congenital abnormalities, impaired development and retinoblastoma in the child. Although there are few data about the hazards associated with these two procedures, the general risks from laparoscopy include bleeding from the ovary or from adjacent pelvic structure and abdominal wall, and pelvic infection is also common. Laparoscopy is conducted under anesthesia and the associated risks are allergic rashes, temporary paralysis, vomiting and even, in more extreme cases, death. Patients who have had previous surgery and this applies to many requiring ARTs, may have bowel adhesions. This increases the risk of injury to the bowel.

Another risk is that the Carbon dioxide gas that is placed into the abdomen during laparoscopy may not all be expelled at the end of the operation; again this is more common in patients with adhesions. This may provide some discomfort under the ribs or in the shoulder. Transvaginal Ultrasound Aspiration might cause undetected bleeding. Symptoms should be noted within six hours and nursing observation must be carried out for this period of time.

Another procedure used for egg retrieval, Transvaginal Ultrasound Directed Oocyte Recovery (TUDOR), can result in pain, bleeding, or damage to internal organs, swelling in the pelvic area and infections in the vagina and bladder. Apart from the above risks there are few more risks associated with the procedures of Surrogacy as following:

### **Ectopic Pregnancies**

Up to eight per cent (8%) of pregnancies achieved by IVF may be ectopic, with the consequent dangers of hemorrhage and even death. Emergency laparotomy may be necessary, with its attendant risks. However, most "Patients" are closely monitored with ultrasounds and ectopic pregnancies are identified before they can cause complications. Fewer ectopic pregnancies are seen in GIFT/ZIFT. Occasionally women can have multiple ectopic pregnancy in two different sites which may prove dangerous.[17] Studies also show that five to seven per cent of all IVF pregnancies implant outside the uterus.[18]

### **Multiple Gestation Pregnancies**

Multiple Gestation Pregnancies have been found to occur in up to 25 per cent of ART pregnancies while they occur in only two per cent in the general population.[19] Multiple-Birth pregnancies increase the danger of miscarriages, caesarean sections, early labor, and placental dysfunction. High order Multiple Gestation Pregnancies are associated with an increased risk of pregnancy loss, premature delivery, abnormalities in the infant, pregnancy-induced hypertension, hemorrhage, and other significant maternal complications.

### **Spontaneous Abortions**

The Rate of Spontaneous Abortion increases with increasing age of the Mother and in multiple pregnancies, especially with three or four fetuses, 20 – 35 per cent (%) of such pregnancies results in spontaneous abortions.

### **Risks of Foetal Reduction**

Multiple Gestation Pregnancies are a complication of infertility drugs and treatments. The continued use of fertility drugs and the implantation of more than one embryo to improve success rates can pose a risk to the Mother and foetus. Multiple Gestation Pregnancy

is one such complication. A saline solution is injected into the uterus to abort some fetuses. This can cause uterine bleeding, infection, premature labor and loss of all fetuses.[20] One hazardous technique is used to correct a problem which is the result of the use of another faulty technique.

### **Risks of Multiple Pregnancies**

Obstetrically, carrying two babies places greater pressures on the pregnant woman. There is an increased risk of miscarriage, obstetric complications, premature deliveries and birth complications. Maternal Morbidity is seven times higher in multiple pregnancies than in singletons.[21]

### **Post Delivery Care**

The aftercare of the Surrogates is an important issue. For the healthy growth of the foetus and to reduce any risk to the pregnancy, the Surrogates are provided to consume specific foods according to a prescribed diet. The Commissioning couples and the Medical Practitioners take the utmost care of the Surrogate Mother. Surrogates are either directly provided with nutritious foods such as fruits, juice, curd, almonds, vegetables, coconut water etc or are being paid money to purchase and consume such food so that they may deliver a healthy baby.

But it is being observed that such tender care catered only till the birth of the child and severely compromised later on. None of the stakeholders pay any attention to this important piece of post-delivery care. In cases of defeated surrogacy these inhuman ignorance is unimaginable. Serious conditions like cancer or sterility can also be related to Surrogacy along with mental stigma and stress.

The question remains as to who bears the responsibility for treating health problems deriving from Surrogacy Pregnancies?[22]

Thus, once the Surrogates deliver, there are no proactive steps taken by the Doctors/Clinics in following up with the Surrogates. No regulation as yet is addressing to these issues.

### **B. Risks to the Children's Health**

However, the adverse side-effects of ART are not limited to Women but also affect Children born through these procedures. Most important risk to the baby results from Multiple Pregnancy. The Rate of premature delivery increases from 7 per cent with a Single Gestation to 41 per cent with twins and to 93 per cent with triplets. Concerns have been raised about the wellbeing of ICSI in two regions: Genetics and Child Development. Men with anomalous sperm creation have an increased pace of sex chromosome anomalies, probably expanding the potential for transmission of sex chromosome

anomalies to the offspring. Another concern is Child Development. Despite the fact that no distinction has been noted among IVF and overall public up to the age of 13 years anyway a little report from Australia recommends that the Bayley score at one year is measurably fundamentally lower after ICSI conceived contrasted and IVF conceived and normally conceived children. Issues, for example, unexpected labor, genetic abnormality and contaminations which lead to increased hospitalization of newborn are significant issues to be considered in surrogacy contract.

The list of side effects of these Procedures on a Child's Health is not exhaustive but following are the most common risk associated with them which are as follows:

- i. Birth Defects
- ii. Multiple Defects
- iii. Neurological Effects
- iv. Breastfeeding

#### i. Birth Defects

In a study that analyzed rates of Birth Defects between naturally conceived Children[23] and those conceived through artificial means, Hansen et al found that Children conceived through the latter means were at much higher risk. For example, Babies conceived through Artificial Insemination had an 8.6% chance of having a birth defect compared to 4.2% of naturally conceived babies. Of the Seven the researchers showcased in their study, only two reached significance as being more prevalent in AI (Artificial In – Semination) births. These were 1.3%, Cardiovascular, & Musculoskeletal, at 3.3%. In Naturally Conceived Babies, these were at .6% and 1.1%, respectively. The researchers submitted that some of the likely causes of the higher rate of defects could be owed to the advanced age of infertile couples, the underlying cause of the infertility and the medications prescribed during the insemination process.

#### ii. Multiple births defects

In another study that tested the possible defects associated with assisted conception, Wennerholm in the year 2000 and found that the majority of cases of abnormalities could not be directly correlated with the practice of Artificial Insemination alone. Instead, these cases were linked to those that are typically related to prematurity and multiple births, conceived through non-coital or coital means. It must be taken into account, however, that both prematurity and multiple births are more common in cases of assisted conception.

#### iii. Neurological Effects

In an investigation that examined children conceived through In-Vitro Fertilization in terms of mental health postpartum, Stromberg observed that cases of cerebral palsy were more common in instances of low gestation age, multiple births and low birth weight as a result of assisted conception. For singleton births, there were no significant effects observed.

#### iv. Breastfeeding

Breast milk is best for a Baby, and the benefits of Breastfeeding have researched evidence, which are supremely high. Even exclusive breastfeed is suggested for the first six months. It is even being observed that the babies who are breast fed by their Mothers are more confident and secured when they grow up. That's one reason the American Academy of Pediatrics recommends exclusive breastfeeding for the first six months although any amount of breastfeeding is beneficial.[24] But Doctor's do not make the Surrogates breastfeed because they fear that by breastfeeding surrogate's love for the child may grow. Basically, the decision to not allow the Surrogate to Breastfeed is aimed at preventing her from developing any kind of emotional bond with the newborn. The surrogate mother is expected to hand over the child upon the delivery to the commissioning parents. Breastfeed might create the connection which could later arise the conflict in the smooth hand over of the child to the intended parents. Hence, Most Surrogates are rather given injections to stop them from lactating after giving birth. One of the major draw backs of induced lactation in most Surrogates or Adopting Mothers rarely produced the same quantity of breast milk as a New Mother immediately following child birth However, parents find difficulty in initiating the breast feeding and in establishing the bond between Mother and Child in case of Surrogacy. This presents a problem in terms of infant nutrition.[25]

### CONCLUSION

Human life is aimed at achieving the objectives for his or her family. A family primarily consists of parents and kids. Parent's entire life goes around their child, their care, Education, Marriage and then further their children. This cycle goes on and on. The introduction of infertility or incapability to produce child thereby breaking this routine and a usual chain is a problem, a huge one. After adoption, this is a long process and having no room for producing genetically related child. Surrogacy has emerged out as a ray of hope to such infertile couples and their clan desirous of having child through someone else's womb's help. If this great gesture is done for service purpose is most welcomed but if it demands any amount of money, the desire and need to have a child having tried all other measures to attain parenthood is like nothing for such couples and they eagerly like to fall for it at any cost, which is already



preferably, low in India, especially in the eyes of foreigners desirous couples. This becomes a lure to the prospective surrogate mother as well, burdened under financial needs to readily become that helping womb for them and this is how this surrogacy arrangement is getting a good enough reason to propagate. However, all such terms and conditions should be run under an adequately formulated agreement. Gradually with the advancement in this technology and people opening up in opting for this practice, the laws vaguely started to come up. This practice is becoming professionally active and the most popular in India providing a pool of surrogate mothers. But with every new venture some or other good and bad both points get attached and surrogacy is no exception. Pregnancy and delivery in natural process too is considered akin to second birth for a woman and in this artificial set up, the health hazards risks are very high especially when most of the surrogate mothers are poor, malnourished and not educated enough to understand these technologies and take care of themselves. A careful well specified laws and regulations are required to be created around this practice and the medical supervisors are majorly to be involved with an accountable responsibility to ensure that the purpose of surrogacy is achieved with minimum to zero adverse effect on each of the stakeholder. From selecting a fit surrogate mother, to her pregnancy care to ensuring breastfeed (as its importance can neither be negated, nor undermined) to the delivered child, not to induce health hazardous drugs to the women, to her post-delivery care, to hand over of the child and guiding the intended mother with all requisites to take care of the delivered child etc. Certainly the occurrence of unwanted circumstances to be taken well in account while drafting these regulations by taking expertise advice and old experiences in order to take good benefit of this humble practice of begetting a child by the desirous parents. It can be finally concluded with the Words that if mother is most valuable person on earth and being a woman by she can only give birth to new life so it our collective responsibility to take care of all mothers and especially surrogate mothers who gave birth to child for the happiness of others and the amount she charge for this is very nominal in respect to what she do and bear to give birth to a child.

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