

SCMP 22/5/97

# Adoption battle awaits couple in surrogacy case

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The couple paying a maid \$40,000 to give birth to their baby will have to fight in court to adopt the child.

Under a law passed in 1993, the woman, 29, who signed a deal to have Rika and Kumar Kokredi's child will become its natural mother even though she has no genetic link.

Legislators considering the draft Reproductive Technology Bill, which outlaws commercial surrogacy, confirmed the Quarry Bay couple could ultimately face criminal charges if an adoption went ahead.

Under the present Parent and Child Ordinance the natural mother is the woman who gives birth.

And even though the surrogacy deal does not yet break the law, the ordinance makes it illegal for the Kokredis to give any money to the natural mother when she hands over the child.

Medical ethics professors and legislators said any baby born of the territory's first known commercial surrogacy deal would be the victim of government blundering.

Legislator Dr Leong Che-hung said recommendations were sent to the Government in 1991, yet the bill was only drafted four months ago.

"I think the only reason they

moved on it at all was that their hand was forced by the gender selection issue, and that is regrettable."

Mr and Mrs Kokredi will provide sperm and eggs for the child, which means it will be born ethnically Indian. Dr Leong said it would be up to the courts to decide whether the couple had the right to take the baby.

Medical Council Ethics Committee member Dr Julia Tso Lai Po-wah claimed the Government had assumed Hong Kong would never face a case of surrogacy and its delays had created a legal and ethical minefield.

"If the couple decides not to claim the child because they're not satisfied with the product, then the law can't intervene. What then happens to the baby?" she asked.

"And this surrogate mother has never had a baby before, so giving it up could create psychological damage. If she decides to keep it, the couple is left frustrated and there's no way the law can stand up for them.

"Even if everything goes smoothly, the present law makes it impossible for the couple to adopt the baby.

"This is a minefield. The Government deserves this. The problem is there's an innocent life involved."