

ABSTRACT

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THE LEGAL STATUS OF CHILDREN BORN BY SURROGATE MOTHER THROUGH THE BOOK BY LAW CIVIL LAW AND THE LAW OF MARRIAGE

(xi + 72 pages, 1 attachments)

Every couple who have been married would have been very much like to be able to have children. With the presence of the child, will create a complete and ideal family with father, mother and children. Along with the times, for couples who can not have children, but want to have a biological child can make efforts pregnancy outside the natural way (in vitro fertilization) such as the use of surrogate mothers. The emergence of the idea of surrogate mothers is caused because the wife can not contain as abnormalities / damage to the womb, or at birth do not have a uterus. Surrogate mother is an agreement between a woman who bind themselves through an agreement with another party (husband and wife) to become pregnant against fertilized husband and wife is implanted into her womb and after birth are required to hand over the baby to the couple by agreement be made. Surrogate Mothers services provide solutions to the problem for couples who can not have children, but cause more problems for the legal status of children born by positive law in Indonesia. Indonesian law does not recognize and prohibit Surrogate Mothers services causing confusion as to how the legal status for children born through surrogate mothers. There is no definite clarity regarding the legal status of children born by Surrogate Mother later feared would pose complex problems later for the various parties concerned.

References: 25 (1974-2014)