
In Kaliningrad Oblast, a Representative of a Foreign Surrogacy Company Will Appear in Court on Charges of Child Trafficking



The investigating authorities of the Investigative Committee of the Russian Federation for Kaliningrad Oblast have completed the investigation of a criminal case against a representative of a foreign company engaged in the implementation of surrogate programs. A 37-year-old man is accused of committing a crime under Paragraph b, Paragraph h, Part 2 of Article 127.1 of the Criminal Code of the Russian Federation (human trafficking, purchase and sale of a person committed in relation to a minor, in relation to a person who is obviously in a helpless state for the perpetrator). The decision to initiate a criminal case was made by the investigation based on materials from joint operational and search activities carried out by the Department of the Ministry of Internal Affairs and the Department of the Federal Security Service of Russia for Kaliningrad Oblast.

According to investigators, since June 2019, the defendant, being a representative of an organization located in the Kingdom of Spain, has been implementing surrogacy programs such as advisory services to customers from among foreign citizens to accompany them in Kaliningrad, to accommodate and care for children born under the surrogacy program. In October 2019, an embryo was transferred from genetic parents to a female citizen of the Russian Federation, who participated

in the surrogacy program, which the accused was supervising as a representative of the Spanish company. The operation was conducted in a specialized clinic on the territory of the Republic of Ukraine in the city of Kiev, as a result of which the woman became pregnant. However, later on, the customer renounced the rights to the child being carried by the surrogate mother. Further, according to the investigation, from December 2019 to April 2020, a group of persons, including the accused and a number of foreign citizens, offered an infertile citizen of the Kingdom of Spain a deal to acquire for an amount of at least EUR 27,000 the rights of the said child born by the surrogate mother, who had been abandoned by the customer, under the guise of participating in a surrogacy program. Being misled about the legality of her participation in this program and the subsequent transfer of the child to her for a monetary reward, the foreign citizen agreed and transferred the required amount to one of the group members, which was 1.9 million rubles at the minimum exchange rate of the Central Bank of the Russian Federation in 2020.

Further, according to the investigation, on September 24, 2020, in Kaliningrad Oblast, the woman received from the accused a girl born on July 10, 2020 by the surrogate mother, as well as a birth certificate, according to which she is her mother.

On December 6, 2020, the suspect was detained, he was charged and, at the request of the investigation, a preventive measure in the form of detention was chosen, which – at the final stage of the investigation, after performing a full range of investigative actions – was changed to a written undertaking not to leave and behave properly. Currently, by a court ruling, the right to motherhood is recognized for the surrogate mother who carried and gave birth to the girl. The child was handed over to her for care.

The defendant pleaded not guilty to the crime. At the same time, the investigation in the criminal case collected an exhaustive amount of irrefutable evidence: witnesses were interrogated, searches and seizures were carried out, material evidence and necessary documentation were examined, findings of molecular-genetic and other forensic examinations were obtained, other investigative and procedural actions were performed.

At present, the collection of evidence has been completed, the criminal case with the approved indictment will soon be filed to court for consideration on the merits. The criminal case against other members of the criminal group has been separated into a separate proceeding.

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