PROCREATIVE RIGHTS IN INTERNATIONAL LAW

Draghici contends that the advent of assisted reproductive technologies has given rise to new claims to fundamental, albeit not unqualified, rights. They include the right to use medically assisted procreation (e.g. artificial insemination, in vitro fertilisation, potentially gamete donation, posthumous conception or surrogacy) in order to become a parent (typically where natural procreation is hindered by infertility, sexual orientation, relationship status or adverse life events); the recognition of intention-based parenthood in relation to donor-conceived children jointly planned and raised with the genetic parent; and the right to pursue the conception of a healthy child (e.g. through recourse to pre-implantation genetic diagnosis and embryo selection to avoid severe illness in future offspring). To substantiate this assertion, the book relies on a comprehensive analysis of international case law on procreative autonomy, contextualised by a discussion of highly divisive bioethical controversies, from the status of embryos to the morality of genetic screening and third-party reproduction. This title is part of the Flip it Open Programme and may also be available Open Access. Check our website Cambridge Core for details.

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INSIGHTS FROM THE EUROPEAN COURT OF HUMAN RIGHTS

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477 Williamstown Road, Port Melbourne, VIC 3207, Australia

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www.cambridge.org
Information on this title: www.cambridge.org/9781009443951

DOI: 10.1017/9781009443982

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When citing this work, please include a reference to the DOI 10.1017/9781009443982

First published 2024

A catalogue record for this publication is available from the British Library

Library of Congress Cataloging-in-Publication Data
NAMES: Draghici, Carmen, author.
TITLE: Procreative rights in international law : insights from the European Court of Human Rights / Carmen Draghici, City University London.
DESCRIPTION: Cambridge, United Kingdom ; New York, NY : Cambridge University Press, 2024. | Includes bibliographical references and index.
IDENTIFIERS: LCCN 2023041701 (print) | LCCN 2023041702 (ebook) | ISBN 9781009443951 (hardback) | ISBN 9781009443937 (paperback) | ISBN 9781009443982 (ebook)
SUBJECTS: LCSH: Reproductive rights–Europe. | Human reproduction–Law and legislation–Europe. | Artificial insemination, Human–Law and legislation–Europe. | Human reproductive technology–Law and legislation–Europe. | International law and human rights–Europe. | European Court of Human Rights. | Reproductive rights.
CLASSIFICATION: LCC KJC3575 .D73 2024 (print) | LCC KJC3575 (ebook) | DDC 342.08/5–dc23/eng/20231003
LC record available at https://lccn.loc.gov/2023041701
LC ebook record available at https://lccn.loc.gov/2023041702

ISBN 978-1-009-44395-1 Hardback
ISBN 978-1-009-44393-7 Paperback

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