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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