

**For Immediate Release
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LOYOLA'S INTERNATIONAL HUMAN RIGHTS CENTER PERSUADES U.N. BODY TO DECLARE PARTS OF ITALIAN REPRODUCTIVE LAW CONTRARY TO INT'L LAW

LOS ANGELES – The International Human Rights Center (IHRC) at LMU's Loyola Law School, Los Angeles has secured a favorable ruling from the United Nations Committee on Economic, Social and Cultural Rights in a challenge to the key law regulating assisted reproductive technology in Italy. Because the decision was issued by a U.N. body, it has global reach and significance.

The case (S.C. and P.G. v. Italy, CESCR No. 22/2017) stems from a challenge brought by an Italian couple who sought help from a private clinic specializing in reproductive technology. Clinic personnel threatened a lawsuit against the woman if she refused transfer into her uterus of the only embryo resulting from an in vitro fertilization (IVF) procedure that was not affected by a genetic disorder, because, they argued, she could not withdraw consent to the procedure after her eggs had been fertilized. The clinic justified its refusal by citing Law 40/2004, which regulates assisted reproductive technology in Italy.

The IHRC and other advocates alleged that Law 40/2004 violates the International Covenant on Economic, Social and Cultural Rights. The Committee on Economic, Social and Cultural Rights, the U.N. body that supervises implementation of the covenant, found that elements of Law 40/2004 are in violation of the covenant and urged Italy to bring it in line with international human rights standards.

In its opinion, the Committee noted “that the right to health includes the right to make free and informed decisions concerning any medical treatment a person might be subject to. Thus, laws and policies that prescribe involuntary, coercive or forced medical interventions violate the State’s responsibility to respect the right to health. The Committee further observes that forcing a woman to have an embryo transferred into her uterus clearly constitutes a forced medical intervention.”

The ruling is expected to be far-reaching. “Before this, only the European Court of Human Rights had discussed cases regarding human embryos and reproductive rights,” said IHRC Director Professor Cesare Romano. “This one, being decided by a U.N. body, has global impact.”

In its decision, the Committee elaborated that the “right to sexual and reproductive health is also indivisible from and interdependent with other human rights. It is intimately linked to civil and political rights underpinning the physical and mental integrity of individuals and their autonomy, such as the rights to life; liberty and security of person; freedom from torture and other cruel, inhuman or degrading treatment”.

Of the opinion, Romano also noted: “With this case, the Committee reminds all states that their capacity to regulate reproductive health, and interventions on the human embryo, is not

boundless. It is limited by international human rights standards, including the rights of the parents, and, in particular, the right of the woman to control her reproductive functions.”

About the International Human Rights Center

Rooted in the Loyola Law School's values and tradition of social justice, academic freedom, personal integrity and professional ethics, the overarching mission of the International Human Rights Center at Loyola Law School, Los Angeles (IHRC) is to contribute to the attainment of the fullest exercise of human rights by all human beings throughout the world. In carrying out this mission, the IHRC aims to maximize the use of global and regional legal and political institutions through litigation, advocacy and capacity-building. The center's work, conducted by students under the supervision of attorneys, involves litigation of human rights violations before a wide array of international bodies, and advocacy and international policy-making on pressing human rights issues.

About Loyola Law School, Los Angeles

Located on an award-winning Frank Gehry-designed campus in downtown Los Angeles, Loyola Law School is home to prominent faculty, dedicated students and cutting-edge programs. Loyola Law School is part of Loyola Marymount University, a Catholic, Jesuit and Marymount university. The Law School strives to instill in students the knowledge they need to excel on their chosen paths. It dedicates itself to preparing students for the rigors of practice with an extensive portfolio of practical-training opportunities, an 18,000-strong alumni network and a focus on social justice. Learn more at www.lls.edu.

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