



PRESS RELEASE

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IACHR TAKES CASE INVOLVING COSTA RICA TO INTER-AMERICAN COURT

Washington, D.C., August 16, 2011—The Inter-American Commission on Human Rights (IACHR) filed an application with the Inter-American Court of Human Rights in Case No. 12.361, Gretel Artavia Murillo *et al.* (*In Vitro* Fertilization), Costa Rica.

The case involves the violation of the right to private and family life, the right to found a family, and the right to equality and nondiscrimination—established in the American Convention on Human Rights—as a result of the general ban on practicing the assisted reproductive technique of *in vitro* fertilization. The ban has been in effect in Costa Rica since 2000, following a decision handed down by the Constitutional Chamber of the Supreme Court of Justice.

In the Report on the Merits of the case, the Commission deemed that this absolute ban constituted arbitrary interference in the right to private and family life and the right to found a family. The Commission also deemed that the ban constituted a violation of the victims' right to equal protection, inasmuch as the State prevented the victims from availing themselves of a treatment that would have allowed them to overcome the disadvantage they had with regard to the possibility of having biological children. This impediment also had a disproportionate impact on women.

The case was sent to the Inter-American Court on July 29, 2011, because the Commission deemed that the State had not complied with the recommendations contained in the Report on the Merits.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for human rights in the region and acts as a consultative body to the OAS in this matter. The Commission is composed of seven independent members who are elected in an individual capacity by the OAS General Assembly and who do not represent their countries of origin or residence.

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