

Image not found or type unknown

GYLA to Appeal Injunction on Extracorporeal Fertilization imposed on a Single Men by Law and Order of the Minister of Justice to the Constitutional Court

GYLA is appealing to the Constitutional Court against the Injunction imposed by the Law on Health Care and the Order of the Minister of Justice of Georgia, according to which only couples (spouses or men and women living together for 1 year) can use extracorporeal fertilization. It is noteworthy that, under Georgian law, a single woman can also become a mother through sperm donation. As for a single man, Georgian law prohibits the latter from becoming a father through artificial insemination.

In order for a man to enjoy possibility of an extracorporeal fertilization, he is required to either marry or register with a woman at a specific address for one year. However, such a man must prove that he is infertile and cannot have children naturally extracorporeal fertilization is the only way to have a child. Such a restriction violates the right to private and family life recognized by the first paragraph of Article 15 of the Constitution of Georgia. The right to privacy includes the human right to become the genetic parent of a child through extracorporeal fertilization. This exact right is violated by the Law on Health Care and the order of the Minister of Justice of Georgia.