



Ordine internazionale e diritti umani

International Legal Order and Human Rights
Ordenamiento Jurídico Internacional y Derechos Humanos
Ordre juridique international et Droits de l'Homme

THE CONTROVERSIAL DEBATES BETWEEN MEDICALLY ASSISTED REPRODUCTION ACT (N°.40/2004) AND EUROPEAN CONVENTION ON HUMAN RIGHTS: A THEME ALWAYS TOPICAL?

European Court of Human Rights examined a lot of aspects of Italian law on medically assisted reproduction, with reference to following aspects: reproductive rights, children's rights, parental rights, gestational surrogacy. As a consequence of European judgments, Italy has been condemned because of the contrast between law n°. 40/2004 and European Convention on human rights. Also the recent judgment of Grand Chamber on case of Paradiso and Campanelli is a serious condemnation for our country. For this reason a new law is needed in order to ensure better protection of fundamental rights of those who are interested to various aspects of medically assisted reproduction.