

Press Release

Inter-American Court of Human Rights

CorteIDH_CP-27/19 Inglés

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Inter-American Court visited new Costa Rican social security medical center to supervise compliance with In Vitro Fertilization Judgments

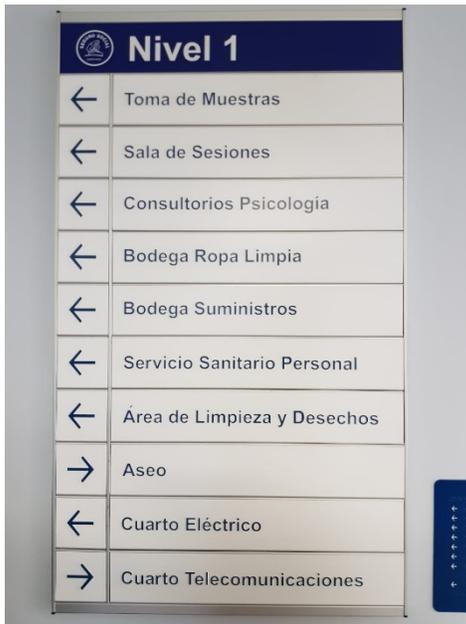
San José, Costa Rica, July 1, 2019.- Today an Inter-American Court's delegation made a monitoring compliance visit to verify the compliance of the judgements issued in the *Artavia Murillo et al. Case ("In Vitro Fertilization")* and in the *Gómez Murillo* case and others, both against Costa Rica. The delegation was composed by Judge L. Pazmiño Patricio Freire and staff attorneys of the monitoring compliance unit at the Registry of the Court.

These cases are related to the prohibition that existed in Costa Rica since 2000 to practice the technique of in vitro fertilization (IVF), and the "arbitrary and excessive" interference that the aforementioned prohibition produced in the rights to private and family life of the victims of both cases, in particular, to the right to reproductive autonomy in deciding whether to have biological children through said technique. Consequently, in its judgments, the Court ordered three reparation measures aimed to ensure that the aforementioned IVF prohibition did not continue to have legal effects in the country, to guarantee the rights of the victims and to guarantee the non-repetition of the violations. Among the measures ordered to guarantee non-repetition, it was decided that Costa Rica should include the availability of IVF within the programs and treatment of infertility of the health services of the State social security.

The visit was possible thanks to the invitation of the State of Costa Rica. Through this judicial procedure, the Court verified, in the field and directly, the actions undertaken by the State to provide the technique of IVF in its health care system.

The Court's delegation visited part of the facilities of the High Complexity Reproductive Medicine Unit, built by the State to provide, as of July this year, the IVF reproduction technique in the public health sector and, therefore, to comply with the reparation ordered in these cases. The tour was in charge of Unit's Medical Coordinator and it's Embryology Coordinator. In addition, during the tour, the delegation of the Court made the questions it considered necessary.





A space was provided in which it was possible to hear explanations of the representation of the State, composed by the State's agents appointed to the international proceeding before the Court, an adviser to the Legal Department of the Ministry of Foreign Affairs and Worship, and a representative of the General Management of the Costa Rican Social Security Fund. The observations of the representatives of the victims and the Inter-American Commission were also heard. In general, they expressed their satisfaction with the actions carried out by Costa Rica. Also, there were two victims of the *Artavia Murillo case and others* case present.



Judge L. Patricio Pazmiño highlighted the will of the State of Costa Rica to comply with the judgments of the Inter-American Court of Human Rights. Judge Pazmiño also expressed the hopeful effect generated by this compliance monitoring visit.

This type of proceedings in the field has the advantage of allowing the Court to directly verify the level of compliance with its reparations, as well as receiving explanations from the authorities and State officials in charge of executing such measures. Said visits also facilitate direct contact between the parties, the victims, and state authorities in order to identify obstacles, provide solutions and express specific commitments to comply with reparations.

All the information and observations provided during the diligence of the compliance monitoring visit will be reported to the Court, so that later, through a resolution, assess it and determine the level of compliance with the reparation ordered in these two cases.

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which has the sole responsibility to do so.

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