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BACKGROUND PAPER

Topic: “ Ethical and legal considerations surrounding in vitro fertilization and reproductive rights”

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UN WOMEN

Chair and Moderator

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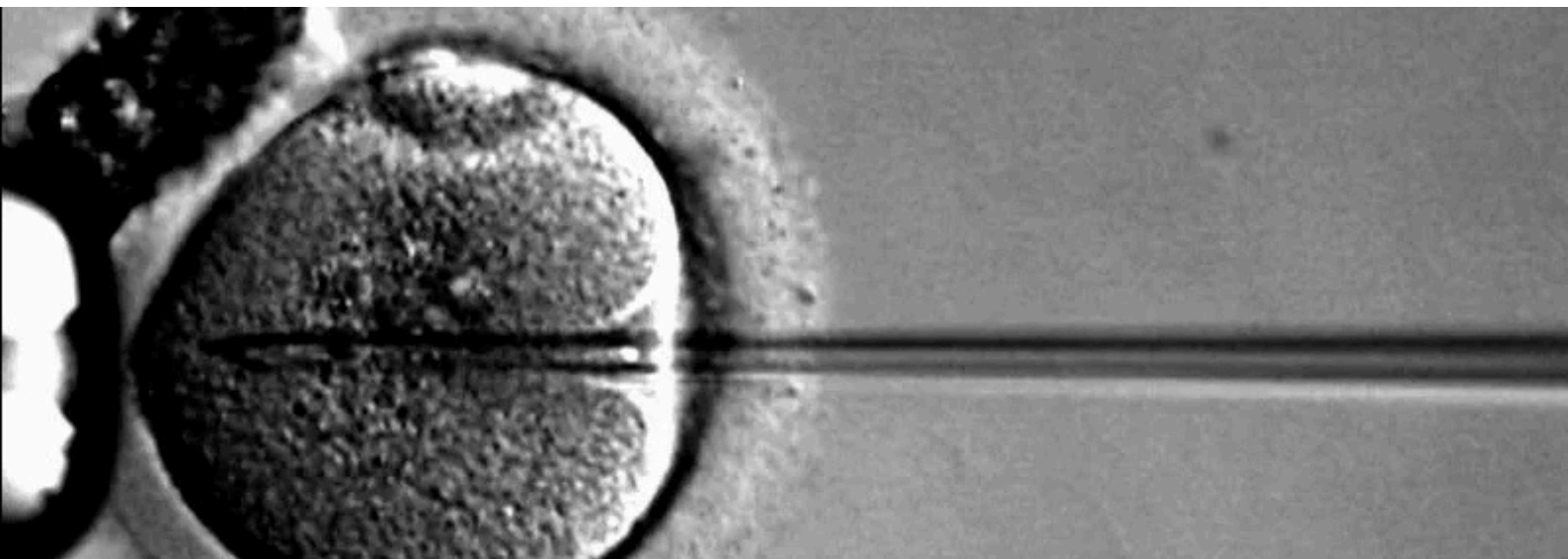


Committee Background

UN Women, officially established in 2010 by the UN General Assembly, is the United Nations Entity for Gender Equality and the Empowerment of Women, created to accelerate progress on women's rights by consolidating four separate agencies into one powerful force. Its mission builds on decades of global advocacy, beginning with the first UN World Conference on Women in 1975 in Mexico City, which launched the UN Decade for Women, and culminating in the landmark 1995 Beijing Conference, where the Beijing Declaration and Platform for Action laid out a comprehensive framework for achieving gender equality. UN Women works through strategic partnerships with governments, civil society, and the private sector, and coordinates efforts across the UN system to create lasting change.

It empowers women economically and politically, combats gender-based violence, promotes their participation in peace and security processes, and leads humanitarian responses tailored to the needs of women and girls. Through initiatives like HeForShe, Safe Cities, and Generation Equality, it mobilizes global action and challenges harmful gender norms. UN Women also plays a critical role in legal reform, helping expand the number of countries with laws protecting women from violence from just 12 in 1995 to nearly every nation today. By supporting grassroots movements, producing gender-disaggregated data, and advocating for inclusive policies, UN Women continues to be a driving force in shaping a more just and equal world.

Introduction of the Topic



In vitro fertilization, commonly known as IVF, is a sophisticated medical technique designed to help individuals or couples conceive when natural conception proves challenging or not feasible. The term "in vitro" translates to "in glass," highlighting the laboratory setting where fertilization takes place—outside the human body. IVF is often recommended for a variety of fertility issues, including blocked fallopian tubes, low sperm count, ovulation disorders, or unexplained infertility.

The process begins with ovarian stimulation, where fertility medications are administered to encourage the production of multiple mature eggs. These eggs are then retrieved through a minor surgical procedure and combined with sperm in a lab setting under strict conditions. If fertilization occurs, the resulting embryos are cultured for several days and monitored for quality and development. The most viable embryo—or sometimes multiple embryos—is then selected and transferred into the uterus, with the goal of initiating a successful pregnancy.

In some cases, additional techniques such as intracytoplasmic sperm injection (ICSI), preimplantation genetic testing (PGT), or embryo freezing may be incorporated to enhance outcomes or preserve future fertility options. IVF has revolutionized reproductive medicine, offering hope to millions of people worldwide and enabling the birth of children who might not have been conceived otherwise. While the journey can be emotionally and physically demanding, the potential reward—a healthy baby—makes IVF a life-changing option for many.



Evolution of the Topic

IVF emerged as a groundbreaking fertility treatment in the late 1970s, with the birth of the first "test-tube baby" in 1978. Throughout the 1980s and 1990s, the technology advanced rapidly, offering hope to couples facing infertility. As success rates improved, IVF became more widely available, though still expensive and limited to certain populations.

During this period, global movements pushed for broader reproductive rights, including access to contraception, abortion, and fertility treatments. Legal frameworks began to recognize reproductive autonomy, though disparities persisted. IVF was increasingly seen not just as a medical service but as part of a broader right to family-building, especially for LGBTQ+ individuals and single parents.

As IVF became more common, complex issues arose: embryo ownership, genetic editing, surrogacy, and insurance coverage. Legal battles and policy debates intensified, especially in regions with restrictive reproductive laws. Today, IVF and reproductive rights are deeply intertwined, raising urgent questions about equity, access, and the future of reproductive justice.



External Actions

In 1978, the birth of Louise Brown in the United Kingdom marked the world's first successful in vitro fertilization (IVF), revolutionizing reproductive medicine and sparking global ethical debates. As IVF technology advanced, international organizations began addressing its broader implications.

In 2002, the World Health Organization (WHO) published a report highlighting global disparities in access to assisted reproduction and the ethical challenges faced by developing countries. A major legal milestone occurred in 2012 when the Inter-American Court of Human Rights ruled that Costa Rica's ban on IVF violated human rights, particularly the right to privacy and family life, compelling the country to lift the ban and setting a precedent for reproductive justice in Latin America.

In 2014, UN agencies including WHO and UN Women issued a joint statement condemning forced sterilization, reinforcing reproductive autonomy as a core human right. Most recently, in 2023, the WHO released updated global infertility data, emphasizing the urgent need for equitable access to fertility treatments like IVF and framing infertility as a public health and human rights issue. These external actions reflect the evolving recognition of reproductive technologies as integral to human rights discourse.



Committee Focus

The UN Women committee is dedicated to advancing gender equality and empowering women and girls across all spheres of life. Its focus includes promoting women's rights, increasing female representation in leadership and decision-making roles, and ensuring equal access to education, healthcare, and economic opportunities. The committee works to eliminate gender-based violence, support legal reforms that uphold women's rights, and address systemic barriers that hinder progress toward equality. It also emphasizes the importance of integrating gender perspectives into global issues such as climate change, humanitarian crises, and peacebuilding efforts. Through advocacy, policy development, and international cooperation, UN Women strives to create inclusive societies where women and girls can thrive and contribute fully to sustainable development.

KEY FOCUS STATEMENTS TO DISCUSS:

- Access and Equity in IVF Treatments
- Legal and Ethical Frameworks
- Reproductive Autonomy and Bodily Rights
- Technological Advancements and Oversight
- International Cooperation and Policy Harmonization



Conclusion

In vitro fertilization (IVF) is a medical technique that helps individuals or couples conceive when natural conception is difficult or impossible. It involves stimulating the ovaries, retrieving eggs, fertilizing them with sperm in a lab (“in vitro”), and transferring viable embryos into the uterus. IVF is used for various fertility issues and may include advanced methods like ICSI, PGT, or embryo freezing.

Over time, IVF has become central to discussions on reproductive rights, which include access to fertility treatments, contraception, and bodily autonomy. Legal and ethical debates have emerged around who can access IVF, how it's funded, and the status of embryos. Landmark actions—like the 2012 Inter-American Court ruling against Costa Rica’s IVF ban and WHO’s global infertility reports—have framed IVF as a human rights issue.

From its first success in 1978 to today’s complex legal landscape, IVF has evolved from a scientific breakthrough into a symbol of reproductive freedom. Ensuring equitable access remains key to advancing both medical care and human rights.





Countries Position

Germany: IVF is permitted only for heterosexual married couples. Egg donation and surrogacy are banned, and embryo creation is tightly regulated.

Russia: IVF is widely available, including to single women. Surrogacy is legal and commonly practiced.

USA: IVF is legal and accessible, but regulations vary by state. No federal restrictions on embryo creation or donation.

UK: IVF is available to heterosexual couples, same-sex couples, and single women. NHS funding varies by region; donor anonymity is not permitted.

France: IVF is state-funded for heterosexual couples, single women, and lesbian couples. Egg/sperm donation is allowed but must be anonymous.

- **Poland:** IVF is legal but controversial. Public funding was withdrawn in 2016, and policy debates are influenced by religious perspectives.

Canada: IVF is legal and regulated. Egg/sperm donation is allowed, but payment for donors is prohibited. Surrogacy is legal but not commercial.

Mexico: IVF is legal and practiced, but regulations vary by state. Access is expanding, though public funding is limited.

China: IVF is legal for married heterosexual couples. Surrogacy is banned, and embryo research is tightly controlled.

India: IVF is widely available. Commercial surrogacy was banned in 2022, but altruistic surrogacy is allowed under strict guidelines.

Israel: IVF is heavily subsidized and widely accessible. The country has one of the highest per capita IVF rates globally.

Denmark: IVF is state-funded for heterosexual couples, single women, and same-sex couples. Donor anonymity is optional.



Countries Position

Spain: IVF is widely accessible and popular for fertility tourism. Egg/sperm donation is anonymous; surrogacy is banned.

Sweden: IVF is available to same-sex couples and single women. State-funded for limited cycles; donation is allowed.

Brazil: IVF is legal and growing in popularity. Public funding is limited, and access varies by region.

Italy: IVF is restricted to heterosexual couples. Surrogacy is banned, and embryo creation is limited.

Norway: IVF is available to heterosexual and lesbian couples. Egg donation is banned; surrogacy is illegal.

Japan: IVF is legal but not widely regulated. Surrogacy is discouraged, and donor anonymity is common.

Turkey: IVF is legal for married heterosexual couples. Egg/sperm donation and surrogacy are banned.

Thailand: IVF is legal, but commercial surrogacy is banned. Access is available to married couples.

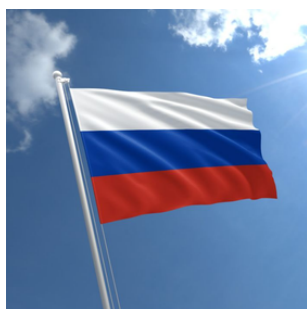
Participation List



Germany



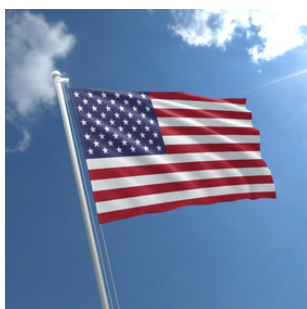
France



Russia



United Kingdom



USA



Canada



Poland



Mexico



China



India



Israel



Denmark

Participation List



Spain



Sweden



Brazil



Italy



Norway



Japan



Turkey



Thailand



References

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