

Artavia Murillo et al. (“In Vitro Fertilization”) v. Costa Rica

I. COMPLIANCE AND FOLLOW-UP ADDENDUM¹

November 22, 2019: The Court found that the State had fully complied with the obligation to repeal the prohibition of in vitro fertilization (“IVF”) in both the public and private medical sectors.² It found that the State had fully complied with the obligation to adequately regulate several issues in order to ensure access to IVF treatment.³ In particular, the Court noted that the State legislature had passed Executive Decrees No. 39210-MP-S, 39616-S, and 39646-S, which were fully in force and in compliance with the second remaining reparation measure.⁴ The Court also declared that the State complied with its duty to ensure that IVF was available in public health services.⁵ Finally, the Court declared that the State had complied with the obligation to provide the victims with up to four years of free psychological care.⁶ Given the State had fully complied with all ordered reparation measures, the Court decided to close the case.⁷

¹ Emily Bernstein, Author; Charley Chen, Editor; Selene Estrada-Villela, Senior IACHR Editor; Aaron Kircher, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

² Artavia Murillo et al. (“In Vitro Fertilization”) v. Costa Rica, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R., “Resolves” ¶ 1(a) (Nov. 22, 2019).

³ *Id.* “Resolves” ¶ 1(b).

⁴ *Id.* “Considering That” ¶¶ 14, 17-22.

⁵ *Id.* “Resolves” ¶ 1(c).

⁶ *Id.* “Resolves” ¶ 1(d).

⁷ *Id.* “Resolves” ¶ 2.