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The Right to Life. Legal Status of the Human Embryo

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This aim is to review the controversial issues in the field of human rights: the status of the human embryo. Since the moment, the creation of human embryos in laboratory condition became available, ethical questions continued to arise and emphasize its irascible status. During pregnancy the embryo is part of another human being's body lacking a legal status distinct from that of his mother's. Defining the right to life and its prime beneficiaries is an important step in gaining a unitary position on a special status of the human embryo.

Intrauterine life occurs at the time of conception, and the legal implications can be observed only after the embryo becomes a fetus. Given its uncertain nature defined by the absence of a unanimous opinion, the status of the human embryo oscillates between its definition as “biological material”, “item” or “person”.

The uncertain legal status of the embryo, which is not included in the category of persons, leaves room for many debates and contradictions that are based in the absence of those important definitions that would allow a status of embryos to be outlined more easily. It goes without saying that the placement of the human embryo in one of the two major categories does not overlap with the needs of a contemporary society.

The difficulty lies in the plethora of views that seem impossible to reconcile despite the acute need to have an internationally regulated and unitary view. In fact, the jurisprudence practice of many states offers to the progenitors the right of property over their sexual gametes and embryos, even if it limits operations such as sale or purchase. This is an unsatisfactory solution for religious communities, as well as for some opponents of the *in vitro* fertilization procedures who aspire that the *in vitro* embryos would be the subjects of custody or adoption.

Human embryos, through their potential to become human beings, are a powerful symbol of human life, but it is not possible to grant it an equivalent status to individuals, or any direct collision with the interests of already born human beings would deprive it of any legal protection.