

## **Legal protection of the viability of the embryo under the Infertility Treatment Act and the constitutional jurisprudence**

### **SUMMARY**

Infertility has been an object of many medical and legal discussions for years. This disease is widespread among society since it affects more and more people trying for a baby. The statement that infertility is a disease and in vitro fertilization is one of the methods of its treatment has significant legal consequences. On the one hand we are dealing with the constitutional protection of health of an infertile couple, but on the other hand we have to remember about another constitutional value which should be protected – a life of an unborn child. The legislator noticed a necessity for regulation of methods of infertility treatment and therefore the Infertility Treatment Act of June 25, 2015 was adopted. The main topic of this article is to evaluate whether the legislator managed to provide legal protection for embryo's ability to live and to what extent.

**KEYWORDS:** infertility, embryo's ability to live, fertilization