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**The Constitutional Concept of the Family in the Light
of Assisted Reproduction. The Case Law of the Lithuanian
Constitutional Court in a Comparative European Context**

Keywords: Lithuania, equality, constitutional law, reproductive rights, family concept, european constitutional courts

Słowa kluczowe: Litwa, równość, prawo konstytucyjne, prawa do posiadania potomstwa, koncepcja rodziny, europejskie sądy konstytucyjne

Abstract

Constitutional jurisprudence plays a central role in redefining family-related rights. Courts across Europe have increasingly been called upon to resolve legal disputes concerning assisted reproductive technologies. Their rulings illustrate the growing importance of constitutional review in this field. This article analyses the ruling of the Constitutional Court of the Republic of Lithuania of 10 April 2025 on assisted reproduction services. It situates the decision within a comparative framework by examining similar

constitutional court decisions in other European states. Specifically, the analysis pursues three main objectives: to contextualize the issue within the legal and social environment of European countries, with particular attention to constitutional court jurisprudence; to assess the Lithuanian Constitutional Court's jurisprudence on the constitutional concept of family; and to present the context, reasoning, and legal consequences of the 2025 ruling on assisted reproduction.

Streszczenie

Konstytucyjna koncepcja rodziny w świetle wspomagania dzietności. Orzecznictwo litewskiego Sądu Konstytucyjnego na europejskim tle porównawczym

Jurisprudencja konstytucyjna odgrywa kluczową rolę w redefiniowaniu prawa do posiadania rodziny. Sądy w całej Europie coraz częściej są wzywane do rozstrzygnięcia sporów prawnych dotyczących technik leczenia bezpłodności. Ich orzeczenia ilustrują rosnące znaczenie kontroli konstytucyjności w tej dziedzinie. Niniejszy artykuł analizuje orzeczenie Sądu Konstytucyjnego Republiki Litewskiej z 10 kwietnia 2025 r. w sprawie usług wspomagania dzietności. Umieszcawia orzeczenie w kontekście porównawczym, analizując podobne orzeczenia sądów konstytucyjnych w innych państwach europejskich. Analiza ma trzy główne cele: kontekstualizację zagadnienia w kontekście prawnym i społecznym państw europejskich, ze szczególnym uwzględnieniem orzecznictwa sądów konstytucyjnych; ocenę orzecznictwa litewskiego Sądu Konstytucyjnego w zakresie konstytucyjnej koncepcji rodziny oraz przedstawienie kontekstu, uzasadnienia i konsekwencji prawnych orzeczenia z 2025 r. w sprawie wspomagania dzietności.

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I. Introduction

Assisted reproductive technologies have emerged in recent decades as one of the most significant innovations in modern medicine. Beyond their medical dimension, however, these technologies raise profound legal and bioethical questions. The ethical-legal debate surrounding assisted reproductive technologies is typically concentrated on several key areas: 1) the scope of acceptable family building, encompassing issues such as post-mortem insemination

ination and same-sex parenting; 2) patient safety, guaranteed through the licensing and supervision of medical centers and compliance with quality standards; 3) justice and equality in access, particularly in relation to public funding and reimbursement of treatment; and 4) the protection of the welfare of the child, including donor anonymity, health safeguards, and embryo transfer practices¹.

The principles of reproductive justice require that assisted reproductive technologies laws and practices be fully inclusive, ensuring that all individuals – regardless of gender identity, sexual orientation, or marital status – have equal opportunities to pursue biological parenthood. At the same time, the regulation of these technologies must carefully address the ethical risks they entail, including questions of safety, responsibility, and the welfare of children².

These questions have generated a diversity of legal approaches across Europe, reflecting the influence of cultural values, religious traditions, and political ideologies. Due to these tendencies, some European Union countries continue to impose restrictions on access to assisted reproductive technologies for single women and same-sex couples. Legal reform in this area often encounters resistance rooted in conservative social norms and religious doctrines. As a result, constitutional courts frequently become decisive arbiters, balancing the demands of human rights law with deeply entrenched societal traditions.

In this evolving context, constitutional jurisprudence plays a central role in redefining family-related rights. Courts across Europe – including in Lithuania, Italy, and Slovenia – have increasingly been called upon to resolve legal disputes concerning assisted reproductive technologies. Their rulings illustrate both the growing importance of constitutional review in this field and the gradual convergence of European constitutional thought toward more inclusive understandings of family and reproductive rights.

¹ E. Turillazzi et al., *Mother, father, son and the Italian Law 40/2004. No ‘delete’ key*, “Reproductive BioMedicine Online” 2024, vol. 49, iss. 1.

² C. Onwuachi-Saunders, Q.P. Dang, J. Murray, *Reproductive rights, reproductive justice: Redefining challenges to create optimal health for all women*, “Journal of Healthcare, Science and the Humanities” 2019, vol. 9(1), pp. 19–31.

This article analyses the ruling of the Constitutional Court of the Republic of Lithuania of 10 April 2025 on assisted reproduction services³. It situates the decision within a comparative framework by examining similar constitutional jurisprudence across Europe. Specifically, the analysis pursues three main objectives: 1) to contextualise the issue within the legal and social environment of European countries, with particular attention to constitutional court practice; 2) to assess the Lithuanian Constitutional Court's jurisprudence on the constitutional concept of family; and 3) to present the context, reasoning, and legal consequences of the 2025 ruling on assisted reproduction.

II. Comparative analysis of Slovenian and Italian constitutional courts' decisions on assisted reproduction procedures

As noted in the introduction, between 2024 and 2025, constitutional courts in three European Union Member States examined similar questions concerning the constitutionality of legislation on assisted reproduction procedures. This section presents the most recent decisions of the Slovenian and Italian Constitutional Courts. At the same time, the ruling of the Lithuanian Constitutional Court on a related issue will be discussed in the fourth section of this article. This comparative perspective highlights that the Lithuanian ruling reflects broader European tendencies rather than an isolated approach.

The Slovenian Constitutional Court was the first to decide among this triad. On 16 October 2024, it ruled that legislation excluding single women and women in same-sex relationships from access to assisted reproduction procedures was unconstitutional⁴. The contested provisions were part of the Treatment of Infertility and In Vitro Fertilization Procedures Act, originally adopted in 2000. Amendments introduced in 2001 that would have granted access to single women were overturned by a referendum, in which 73.3% of participating voters rejected the reform. Nearly two decades later, petitions by members of Parliament and the Advocate of the Principle of Equality prompted

³ The Constitutional Court of the Republic of Lithuania, Ruling of 10 April 2025. No. KT19-N4/2025.

⁴ The Constitutional Court of the Republic of Slovenia, Decision of 16 October 2024, No. U-I-123/19.

a constitutional review. The Court concluded that excluding single women and women in same-sex marriages or partnerships from accessing assisted reproduction violates Art. 14(1) in conjunction with Art. 55 of the Slovenian Constitution. The exclusion was found to constitute discrimination based on personal circumstances, namely, sexual orientation and marital status⁵.

The Court emphasized that state protection of human rights must evolve alongside societal changes and scientific progress. It further noted that Slovenian law⁶ already permitted adoption by single individuals and same-sex couples, thereby undermining arguments that children must be raised exclusively in heterosexual two-parent households⁷. Recognising that annulling the law outright would produce a legal vacuum, the Court issued a declaratory decision requiring the National Assembly to address the inconsistency within one year. The contested provisions remained in force temporarily to avoid disrupting ongoing procedures⁸.

The ruling was broadly supported by the majority of judges; three concurring opinions criticized earlier policy choices as politically rather than scientifically or legally grounded. These judges argued that denying a child the right to be born due to family structure was unjustifiable and emphasized the lack of evidence that children of single mothers are disadvantaged. The decision was hailed as a historic affirmation of reproductive rights and equality, reflecting the need for laws to adapt to evolving family realities⁹.

On 22 May 2025, the Italian Constitutional Court delivered a decision on related questions. In the constitutional justice case in question, a female couple underwent heterologous insemination in a foreign country in accordance with the requirements of that country's legislation, as artificial insemi-

⁵ *Court rules against barring single and gay women from assisted reproduction*, "The Slovenian Times", <https://sloveniatimes.com/41693/court-rules-against-barring-single-and-gay-women-from-assisted-reproduction> (14.11.2025).

⁶ These amendments to Slovenian legislation were also adopted following a case examined by the Constitutional Court. For more information, see: The Constitutional Court of the Republic of Slovenia. Decision of 9 July 2022, case No. U-I-486/20.

⁷ T. Pirnovar, *The Slovenian Constitutional Court's Decision: Equal Access to Biomedically Assisted Fertilisation for All?* <https://esthinktank.com/2025/09/22/the-slovenian-constitutional-courts-decision-equal-access-to-biomedically-assisted-fertilisation-for-all> (14.11.2025).

⁸ *Court rules...*

⁹ T. Pirnovar, *op.cit.*

nation procedures in Italy are only permitted for heterosexual couples. Italian law at the time granted parental rights only to the biological mothers and fathers of the child, so the competent authorities refused to recognize the biological mother's partner, also known as the child's social mother, who had consented to the insemination and assumed parental responsibility for the child, as the mother on the child's birth certificate¹⁰.

The Court declared Art. 8 of Law No. 40 of 2004 unconstitutional insofar as it failed to provide for the legal recognition of the non-biological mother in a couple of two women where a child was born in Italy following medically assisted reproduction carried out abroad in accordance with foreign law¹¹. The case originated from a referral by the Ordinary Court of Lucca, which questioned the constitutionality of Art. 8 and 9 of Law No. 40/2004 and Art. 250 of the Civil Code. The Constitutional Court held that denying legal recognition to the intentional mother, who had consented to the procedure and undertaken parental responsibility, was discriminatory. It concluded that it violated Art. 2, 3, and 30 of the Constitution, as it deprived children of the right to a stable legal identity from birth and failed to protect their right to recognition as the offspring of both mothers¹².

The ruling underscored that the child's best interests must take precedence over rigid legal limitations. With this decision, the Court invited the legislature to address the regulatory gap and affirmed the principle that children born through assisted reproduction techniques to two mothers have the right to recognition of both parents. Commentators described the ruling as a landmark in advancing the recognition of same-sex parent families in Italy¹³.

¹⁰ D. Macelytė, *Italijos Konstitucinio Teismo sprendimas dėl tos pačios lyties porų tėvystės pripažinimo: šalies progresyvejimo link*, "TeisėPro", <https://www.teise.pro/index.php/2025/06/05/d-mecelyte-italijos-konstitucinio-teismo-sprendimas-del-tos-pacios-lyties-poru-tevystes-pripazinimo-salies-progresyvejimo-link> (14.11.2025).

¹¹ The Constitutional Court of the Republic of Italy, Judgment of 22 May 2025, No. 69/2025.

¹² *The Constitutional Court Allows Legal Recognition of Non-Biological Mothers*, <https://www.mazzeschi.it/the-constitutional-court-allows-legal-recognition-of-non-biological-mothers> (14.11.2025).

¹³ *The Italian Constitutional Court recognizes the right to double maternity in cases of Medically Assisted Reproduction abroad*, "Italian Yearbook of Human Rights", <https://unipd-centrodirittiumani.it/en/news/the-italian-constitutional-court-recognizes-the-right-to-double-maternity-in-cases-of-medically-assisted-reproduction-abroad> (14.11.2025).

Nevertheless, unlike the Slovenian Constitutional Court, which struck down restrictions on access to assisted reproduction for single women and same-sex couples, the Italian Court adopted a more cautious stance. In Judgment No. 69 of 22 May 2025, it upheld the prohibition on access to assisted reproduction for single women, finding that such a restriction was not manifestly unfair or disproportionate. The Court emphasized that it could not substitute its judgment for that of Parliament, which enjoys wide discretion in balancing competing interests. According to the Court, only where legislation is discriminatory, inconsistent with its stated purpose, or disproportionately protective of one interest to the detriment of others, may the Court intervene. Outside these circumstances, judicial deference to the legislature is required¹⁴. It should also be noted that although the Constitutional Court's ruling granted a child born through artificial insemination the right to have two mothers, it does not change the legal regulation concerning the right of homosexual couples to undergo artificial insemination, and therefore this prohibition remains in force¹⁵.

In conclusion, while both the Slovenian and Italian Constitutional Courts contributed to the affirmation of reproductive rights and equality, their approaches diverged. The Slovenian Court advanced a more progressive interpretation by recognizing the unconstitutionality of restrictions on access for single women and same-sex couples. In contrast, the Italian Court limited its intervention to recognising parental rights in same-sex couples, while leaving intact the exclusion of single women from assisted reproduction services, it also does not change the legal regulation concerning the right of same-sex couples to undergo artificial insemination. The Slovenian Court represents a trend towards expansive protection of reproductive autonomy and family diversity, aligning with broader European human rights standards. At the same time, the Italian Court illustrates a more incremental and deferential approach, privileging legislative competence over constitutional innovation. Together, these cases illustrate the variety of constitutional pathways through which reproductive rights are negotiated across Europe.

¹⁴ *The Constitutional Court Allows...*

¹⁵ D. Macelytè, *op.cit.*

III. The evolution of the Lithuanian Constitutional Court's jurisprudence on the constitutional concept of family

It should be noted that the ruling of the Lithuanian Constitutional Court on assisted reproduction reflects not only general European trends, but also the result of its own evolving jurisprudence, which has gradually advanced the protection of different forms of families. To date, the Constitutional Court has adjudicated five significant cases (including the ruling on assisted reproduction) related to the changing concept of the family that engage directly with the issues discussed in this article, each reflecting the complex and evolving nature of constitutional justice in a modern democratic society.

The first ruling in which the Constitutional Court elaborated on the constitutional concept of family was adopted in 2011. The Court adopted a ruling on the State Family Policy Concept¹⁶. The Court investigated the compliance with the Constitution of the Seimas (Parliament) Resolution "On the Approval of the State Family Policy Concept". Under the Concept, the understanding of family was directly linked to the conclusion of a marriage. In this ruling, the Court noted that having consolidated in the Concept this notion of a family under which only a man and a woman who are (were) married, as well as their children (adopted children), were regarded as a family, the Parliament created preconditions for legal regulation that would not protect other family relations.

In this ruling, the Constitutional Court for the first time held that the constitutional concept of family may not be derived solely from the institution of marriage. The constitutional concept of family is based on mutual responsibility between family members, understanding, emotional affection, assistance, and similar bonds, as well as on a voluntary determination to take on certain rights and duties. It is therefore the content of the relations that is important, whereas the form in which these relations are expressed carries no essential significance for the constitutional concept of family. The Court also stated that, the duty of the state to establish, by means of laws and other legal acts, a legal regulation of a nature that would ensure the protection of the family as a constitutional value implies the obligation of the state to reg-

¹⁶ The Constitutional Court of the Republic of Lithuania. Ruling of 28 September 2011 (Valstybės žinios 2011, no. 118–5564).

ulate, by means of a law and other legal acts, family relations in such a way that no preconditions would be created for discrimination against members in family relations.

The second step towards acknowledging different family models was taken in 2019. In this case, the Constitutional Court was asked to consider certain provisions of the Law on the Legal Status of Aliens, which restricted the right of residence to married or registered same-sex partners (national law explicitly forbids same-sex marriage and does not provide the possibility for a registered partnership)¹⁷. The Court ruled that in a democratic state under the rule of law, the attitudes or stereotypes prevailing at a particular time among the majority of the members of society may not serve as constitutionally justifiable grounds for discriminating against persons based solely on their gender identity and/or sexual orientation, or, for instance, limiting the right to the protection of private and family life or the protection of relationships with other family members. The Court noted that under the Constitution, the legislature must adopt such a legal regulation related to the free movement of persons within the European Union and migration that would provide for the right to reunification for a family founded by two same-sex persons in another state through a legally concluded marriage or registered partnership. This ruling laid the foundation for the recognition of the rights of same-sex couples in the field of migration and explicitly added the grounds of sexual orientation as an integral part of the constitutional equality clause. It is also worth mentioning that it was in this ruling that the Constitutional Court stated for the first time that the constitutional concept of the family is gender neutral.

In another landmark ruling delivered at the end of 2024, the Constitutional Court examined the constitutionality of provisions within the Law on the Protection of Minors Against the Detrimental Effect of Public Information¹⁸. The contested provisions classified information presenting family models other than those based on marriage between a man and a woman as harmful to minors, thereby significantly restricting their dissemination.

¹⁷ The Constitutional Court of the Republic of Lithuania. Ruling of 11 January 2019 (TAR 2019, no. 439).

¹⁸ The Constitutional Court of the Republic of Lithuania. Ruling of 18 December 2024 (TAR, 2024, no. 22435).

The Constitutional Court found that the impugned legal provisions violated Art. 25 (freedom of expression), 38 (protection of the family), and the constitutional principle of the rule of law.

In this ruling, the Court reaffirmed its previous jurisprudence distinguishing between the constitutional concepts of marriage and family, asserting that while marriage is constitutionally defined as a union between a man and a woman, the concept of family is broader and must be understood as inclusive and substantive rather than formalistic. The Court emphasized that the protection of minors must be achieved in a manner that aligns with constitutional rights and values, including access to truthful and diverse information.

The fourth ruling was the ruling of 10 April 2025 on assisted reproduction, which will be discussed in the fourth section of this article.

The Constitutional Court ruling that probably has contributed the most to the recognition of different forms of family relationships was adopted on 17 April 2025¹⁹. In this ruling, the Constitutional Court declared that two legal provisions – the second sentence of Art. 28 of the Law on the Approval, Entry into Force and Implementation of the Civil Code and Art. 3.229 of the Civil Code – are incompatible with the Constitution.

The Court found that Art. 28, which allowed for the indefinite postponement of the implementation of partnership regulation due to the lack of a special law, contravenes the principles of legal certainty, the rule of law, and responsible governance. The legislature's failure to adopt the necessary legal framework for over two decades (since 2001) amounted to a breach of its constitutional duty to ensure that legal norms are applied in a coherent and timely manner. Furthermore, Art. 3.229 of the Civil Code, which defines registered partnership as a union between a man and a woman, was declared unconstitutional to the extent that it excludes same-sex couples from legal recognition. The Court emphasized that long-term relationships between individuals of the same sex, when based on emotional closeness, mutual respect, support, and commitment, may constitute a family under the Constitution. Thus, denying legal recognition to such families violates the fundamental

¹⁹ The Constitutional Court of the Republic of Lithuania. Ruling of 17 April 2025, no. KT21-NS/2025 case no. 12/2024.

constitutional principles of human dignity, private and family life, equality, and non-discrimination²⁰.

The Constitutional Court held that any legal framework for recognizing and protecting unmarried couples – such as registered partnerships – must not discriminate based on sexual orientation. Restricting such recognition to different-sex couples would violate Art. 29 of the Constitution, which guarantees equality and non-discrimination. Laws rooted in prejudice against same-sex couples are incompatible with the Constitution’s principles, including its understanding of family, human dignity, equality, pluralism, and tolerance. The Court emphasized that failure to ensure legal recognition and protection for long-term, family-like relationships – regardless of the partners’ sex – undermines constitutional equality guarantees.

The constitutional doctrine articulated in these rulings of the Constitutional Court clearly establishes that the constitutional concept of family extends beyond formal marriage. It includes couples who, outside of marriage, have formed a stable and enduring relationship that embodies the substantive qualities of family life – such as mutual responsibility, emotional connection, shared support, and a voluntary commitment to assume corresponding rights and duties. This substantive understanding reflects a shift from a purely formalistic approach to one grounded in the lived realities of interpersonal relationships. In this context, the Constitutional Court’s recognition of the gender-neutral nature of the family concept is of particular significance.

Thus, over the past decade, the Lithuanian Constitutional Court has fundamentally reshaped the constitutional understanding of family, from a narrow, marriage-based definition to a substantive and gender-neutral concept. This transformation highlights the Court’s responsiveness to evolving societal values and its integration of European human rights standards. Therefore, this position of the Constitutional Court inevitably determined the arguments of the Constitutional Court’s ruling on assisted reproduction.

²⁰ For more on the implications of this ruling, see: D. Pūraitė-Andrikienė, *Constitutional Courts and Same-Sex Family Rights: The Case of Lithuania in the Eastern and Central European Context*, “Baltic Journal of Law and Politic” 2025, vol. 18, iss. 2.

IV. The context, reasoning, and legal consequences of the Lithuanian Constitutional Court's ruling on assisted reproduction services

On 10 April 2025, the Lithuanian Constitutional Court declared some provisions of the Law on Assisted Reproduction unconstitutional, insofar as it restricted access to assisted reproduction services exclusively to persons in a marriage or registered partnership. The Court found this regulation incompatible with Art. 29 (1) of Art. 53 of the Constitution, thereby addressing an issue similar to that previously examined by the Constitutional Court of Slovenia.

This case was initiated on the basis of petitions submitted by groups of members of the Seimas. The petitioners argued that infertility may affect both married or partnered couples and those in *de facto* family relationships. However, the impugned legal regulation denied access to assisted reproduction services for unmarried couples and single women, thus discriminating against them on the basis of family status. Such exclusion, according to the petitioners, infringed the principles of human dignity, the inviolability of private life, and the constitutional protection of the family under Art. 38 of the Constitution. Furthermore, they claimed that the law violated Art. 53(1), which obliges the state to ensure access to medical services irrespective of the chosen form of family life.

In its reasoning, the Constitutional Court recalled its established constitutional doctrine, according to which the constitutional concept of the family is not limited to marriage, which was discussed in the previous section of the article. While marriage is one foundation of the constitutional institution of family, the Constitution protects all families grounded in stable and enduring relationships characterized by mutual responsibility, emotional attachment, and voluntary assumption of rights and duties. The form of such relationships is therefore of no decisive importance, and, unlike marriage, the constitutional notion of family is gender-neutral.

The Court emphasized that the legislature, when regulating access to health care services financed either publicly or privately, is bound by Art. 53(1) of the Constitution to guarantee universal access. Consequently, a law that denies medical services to persons with an objectively established medical need for assisted reproduction solely on the grounds of their marital or partnership status is unconstitutional. Such regulation creates unjustified distinctions be-

tween groups of persons in similar situations, thereby violating the constitutional principle of equality before the law under Art. 29.

The Court further noted that, by restricting access to assisted reproduction services to married couples or those in registered partnerships, the legislature failed to meet its constitutional duty to ensure universal health care. The regulation effectively excluded unmarried couples and single individuals, despite their equivalent medical need, amounting to discrimination on the basis of family status.

In terms of consequences, the Court determined that the unconstitutional provision would cease to apply upon the official publication of its ruling. However, since the Law as a whole regulates assisted reproduction solely for married or partnered persons, immediate annulment would create legal uncertainty. Accordingly, the Court postponed the publication of its ruling in the Register of Legal Acts until 10 April 2026, thereby granting the legislature time to adopt a constitutionally compliant framework.

The ruling elicited mixed reactions within Lithuanian society. Conservative groups criticized it as undermining traditional family values, while liberal politicians and civil society organizations welcomed it as a necessary step toward eliminating discriminatory legal norms²¹. Some legal scholars also reflected disagreement: for instance, V. Vaičaitis argued that the Court had improperly derived a woman's right to assisted reproduction from Art. 53 (the right to health care) and had incorrectly expanded the scope of Art. 29 by introducing "family status" as a new prohibited ground of discrimination. In his view, the list of prohibited grounds in Art. 29(2) is exhaustive, and family status could only be subsumed under "social status", but not recognized as a distinct category²².

Nevertheless, in the opinion of the author of this article, this ruling is consistent with broader European constitutional developments. Similar decisions have been adopted by the Constitutional Courts of Slovenia and Italy, both

²¹ *Seimas ėmėsi svarstyti, ar leisti pagalbini apvaisinimą nepaisant šeiminės padėties*, "15min", https://www.15min.lt/naujiena/aktualu/lietuva/seimas-emesi-svarstyti-ar-leisti-pagalbini-apvaisinima-nepaisant-seimines-padeties-56-2440562?utm_medium=copied (14.11.2025).

²² V.A. Vaičaitis, *Dėl įstatyme numatytų dirbtinio apvaisinimo paslaugų konstitucingumo*, "TeisėPro", <https://www.teise.pro/index.php/2025/04/23/v-a-vaicaitis-del-istatyme-numa-tytu-dirbtinio-apvaisinimo-paslaugu-konstitucingumo> (14.11.2025).

of which contributed to the affirmation of reproductive rights and equality. In this respect, the Lithuanian Constitutional Court's ruling reflects a convergence with European constitutional practice, where protection of diverse family forms and equal access to health-related rights are increasingly emphasized. Furthermore, the decision demonstrates the continuity of the Lithuanian Court's own jurisprudence on the constitutional concept of family, which has been steadily evolving toward a content-based understanding of family life, grounded in the quality and stability of relationships rather than in their formal registration. In doing so, the Court reaffirmed its commitment to ensuring that constitutional guarantees remain responsive to social realities and aligned with the fundamental values of equality, dignity, and private life.

V. Conclusions

The analysis of the Lithuanian Constitutional Court's ruling of 10 April 2025 on assisted reproduction demonstrates that the Court has become an active agent in aligning domestic constitutional standards with European human rights principles. By recognizing that access to assisted reproduction services cannot be limited solely to married or registered couples, the Court reaffirmed the constitutional principles of equality, human dignity, and universal access to health care.

The decision reflects the broader and consistent line of Lithuanian constitutional jurisprudence on the concept of the family. Over the past decade, the Court has progressively moved away from a formalistic, marriage-based understanding toward a substantive and inclusive approach grounded in the actual content of interpersonal relationships. This evolution has established the gender-neutral nature of the constitutional concept of the family and strengthened the protection of diverse family forms in Lithuanian constitutional law.

From a comparative perspective, the Lithuanian ruling fits within a wider European trend, exemplified by the decisions of the Slovenian and Italian Constitutional Courts. Together, these cases illustrate a regional convergence toward recognizing reproductive rights as integral to human dignity and equality. Ultimately, the Lithuanian Constitutional Court's jurisprudence confirms that constitutional interpretation must evolve in response to societal transfor-

mations and scientific progress. By grounding its reasoning in equality, dignity, and universal health care, the Court not only strengthened the domestic protection of reproductive rights but also contributed to the broader European constitutional dialogue on the meaning of family and reproductive justice.

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