

Post-mortem reproduction: Can your eggs or sperm be used after you die — and who should get to decide?

Sex cells and embryos aren't property—they don't fall under property law and can't be inherited by family members. But there is some degree of legal ownership for the people who provided the cells. It is complicated to define that ownership, however, Robert Gilmour, a family law specialist based in Scotland, said at the event. "The law in this area makes my head hurt," he said.

The law varies depending on where you are, too. Posthumous reproduction is not allowed in some countries, and is unregulated in many others. In the US, laws vary by state. Some states won't legally recognize a child conceived after a person's death as that person's offspring, according to the American Society for Reproductive Medicine (ASRM). "We do not have any national rules or policies," Gwendolyn Quinn, a bioethicist at New York University, tells me.

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The people who want to use the eggs, sperm or embryos of dead partners or family members are often painted as "selfish", but, in James Lawford Davies's experience, that just isn't the case. Lawford Davies, a UK-based solicitor specializing in reproductive and genetic technologies, has been involved in several similar cases. "All of these cases have involved incredibly brave people who have been faced with tragedy," he said. The people involved all wanted to deliver on the wishes of those who had died, he added.

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