



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

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FIRST SECTION

Application no. 24544/23
Bengt WERNERSSON
against Sweden
lodged on 13 June 2023
communicated on 27 June 2023

SUBJECT MATTER OF THE CASE

In 1990 the applicant left a sperm sample at a public hospital for a fertility evaluation. Later, the hospital used his sperm to inseminate a woman and a child was conceived as a result of this insemination. The applicant became aware of this in 2023 when the child in question, who was by then an adult, contacted him and a DNA test was performed to confirm their genetic bond.

The applicant complained that the use of his sperm, without his knowledge or consent, constituted a violation of Article 8 of the Convention.

QUESTIONS TO THE PARTIES

1. Has the applicant exhausted all effective domestic remedies, as required by Article 35 § 1 of the Convention?

In particular, was lodging a domestic claim to seek compensation for alleged breaches of the Convention, either by lodging a complaint with the Chancellor of Justice or suing the State before the ordinary courts, an effective remedy within the meaning of this provision in respect of the applicant's complaint under Article 8 (see, *inter alia*, *Ruminski v. Sweden* (dec.), no. 10404/10, §§ 37-38, 21 May 2013)?

2. Has there been a violation of the applicant's right to respect for his private life, contrary to Article 8 of the Convention?