

Abstract

Legal issues of gametes in relation to assisted reproduction

The thesis deals with the issue of assisted reproduction with a specific focus on gametes and some issues that are associated with them. In order to better understand contradictory opinions and views on a particular issue, the Czech legislation is compared with the British legislation. Then, in each individual case, it is assessed which country has dealt with the problem better, using a comparative method. The introduction of the thesis deals with assisted reproduction in general, especially from the point of view of definition of the concepts and historical development of this issue. Subsequently, the basic legal framework for assisted reproduction is defined both in the Czech Republic and the United Kingdom. Briefly, there are also summarized the most basic requirements for gametes donors in both countries.

In terms of specific problems related to gametes, much of the work focuses on the anonymity of sperm donors, in particular summarizing the most important arguments of its opponents and subsequently refuting these arguments. The conclusion of this chapter submits why, in my view, the anonymity of sperm donors should be maintained. The next part is devoted to financial rewards for donation of gametes, their admissibility and amount. This chapter mainly summarizes the argumentation of opponents to provide financial rewards. In contrast to the other two issues addressed in this thesis, there is no subchapter that would refute the above arguments. Nevertheless, for the sake of completeness, the whole issue is also viewed from the optics of supporters of providing financial rewards. At the end of this chapter I came to the conclusion that the financial reward for donation is not the best solution unless it is just a substitute for so-called reasonable expense.

The last issue that is dealt with in this thesis is research on gametes. The thesis again summarizes the most important arguments of the opponents of the research, which are subsequently refuted. The conclusion of this chapter therefore submits why I believe that gametes research is a step in the right direction. In my thesis, I conclude that from three of the gametes issues the anonymity issue is better regulated in the Czech Republic, the research is better regulated in Great Britain, and the financial reward is regulated in the same way and appropriately in both countries.

Key words: assisted reproduction, gametes, medical law