

The Abstract

The aim of my thesis is to find and describe the problematic aspects of the determination of parenthood. I chose four areas of the determination of parenthood, which can lead to various complications – assisted reproduction, surrogacy, secret childbirths and anonymous births.

In the first chapter of the thesis I deal with the legal aspects of the determination of parenthood. I examine mandatory determination of maternity and various assumptions of paternity. With the development of relations in the society and of the reproductive medicine, there emerge possibilities doubting the traditional legal principles of the determination of parenthood. Mother is not always certain anymore and there are five presumptions of paternity in the Czech legal order nowadays, compared to the traditional three.

The second chapter is devoted to the issue of assisted reproduction. Assisted reproduction is a modern and rapidly developing area of medicine that allows infertile couples to have their own child. It is a medical specialty that requires a broad legal framework to prevent its abuse. At the end of a successful medical procedure a new life is coming into existence and such area must be regulated.

The third chapter, entitled Surrogacy, builds on the previous chapter. Surrogacy is often discussed area of assisted reproduction because of the large number of legal, ethical and moral issues that have not been solved by the society yet. In the Czech Republic, this issue is not regulated. This legal vacuum gives space to different practices that may arouse controversy.

In the fourth chapter I deal with the issue of secret births. The legal order of the Czech Republic contains legislation of secret births. However, this legislation is very severe, resulting in the emergence of many problematic aspects and the mutual contradictions of other parts of legislation with legislation of secret births.

In the fifth chapter I address the issue of anonymous births. Anonymous births are not regulated in the Czech Republic. In practice, however, the boxes,

where it is possible to leave the child after birth, work. They are called babyboxes. Nevertheless, not even the functioning of babyboxes has a legal framework.

In my thesis, I discuss areas in which the legal framework is often lacking or is not sufficient. Yet these matters are of great importance for the life of individuals and the society. For this reason, it is necessary to subject the individual issues of parenthood to the widest possible discussion of both professional and non-professional public and to solve their controversial aspects, especially ethical and moral, in the future.