

Summary

The subject of the following work, as the title states, is to explore legal and ethical aspects of the assisted reproduction.

Its aim is not merely to attempt to map the present legal situation regarding the protection of human life in the legal system of the Czech Republic, but also to outline some philosophical and anthropological implications which could have considerable influence on the practical consequences of some legal measures, including general aspects of the protection of human life and the legal regulation of assisted reproduction. In this sense the following work does not simply describe the various philosophical-anthropological conceptions in a neutral way, but offers to the reader a possible model which, in the view of the author, best corresponds to the degree of protection that human life can claim in early phases, taking a neoscholastic and personalistic view of man and his ontological status, in order to try to deduce from this model ethical implications both in a general sense and in relation to the chosen area of application. The aim of the work is thus not only to describe the degree of protection of human life *de lege lata*, but also by making comparisons with legal regulation in selected European states (Germany, Italy, Great Britain etc.) and, taking into account the outlined neoscholastic and personalistic ethical paradigm, even an attempt to point out possible legal loopholes in the Czech Republic's legal system, including possible consequences at the level of reflections *de lege ferenda*.

The work is divided into three chapters, of which the first covers medical, the second legal and the third ethical aspects of the protection of human life in general as well as of the chosen subject of assisted reproduction in particular.

The work not only describes briefly, from the medical point of view, individual techniques of assisted reproduction, including those that might be described as supplementary techniques (cryoconservation of embryos, assisted hatching, donorship of gametes), but also attempts to evaluate selected aspects of the current legal regulation of the protection of human life in a comparison with the legal regulation of the same area in selected neighbouring countries. In its legal part the work explores both the international legal and constitutional basis of the protection of

human life, and the detailed implementation of that protection in civil and criminal law. The description of that legal regulation is supplemented by selected judgements of the European Court of Human Rights and the highest courts of the Czech Republic.

The third chapter of the work briefly analyses possible philosophical and anthropological implications which can not only to varying degrees influence perceptions of the need to protect human life at its beginning from an ethical point of view, but can also influence the legal delimitation of the scope of such protection, whether at a general level or in relation to the problem of assisted reproduction. The author adopts a neoscholastic-personalistic view of man, which in his opinion best corresponds to the degree of protection that a human being at the earliest stages of its development requires. At the end of the work, the author attempts, in the form of open questions, to draw attention to ethically controversial aspects of assisted reproduction, such as the reduction of so-called residual embryos, their cryoconservation, eugenic aspects of selective preimplantation diagnostics etc.

Finally, it may be concluded that the stated objectives of the work - in part mapping the present legal regulation of the protection of life in the legal system of the Czech Republic in general, as well as in relation to the assisted reproduction; and in part the evaluation of that present legal regulation in comparison with the corresponding rules in neighbouring countries and in the light of a neoscholastic-personalistic view of man; and deriving ethical implications from that comparison - have been substantially achieved. The author has thereby, in the framework of considerations *de lege ferenda* and on the basis of the analysis carried out, identified certain loopholes in the present legal regulation of the protection of life (e.g. the absence of legal regulation of surrogate motherhood, insufficient regulation of preimplantation diagnosis etc.).