

Abstrakt

This thesis deals with the issue of stem cell research and its legal aspects. The issue raises many ethical questions, especially due to its closed connection to the topics of embryonic research and right to life.

In the first introductory chapter the thesis explains the topic of stem cells from biological point of view and defines and classifies stem cells by their origin and differential potential. In the second chapter the thesis briefly summarizes the history of stem cell research and deals with the ethical questions raised by closed connection of the topics of embryonic stem cell research and in vitro fertilization to the right to life. The second chapter also notes some recent possibilities and medical methods connected with stem cells, such as gene therapy and diagnostics and new eugenics.

In the following chapters the thesis concentrates on the legal aspects of the topic on both national and international level. Specifically, the third chapter puts the issue of stem cells research to the contexts of the two most important conventions – the Convention for the Protection of Human Rights and Fundamental Freedoms and the Convention on Human Rights and Biomedicine.

The fourth chapter concentrates on legislation of Czech Republic regulating the legal status of embryo and its protection in the cases of interruption and in vitro fertilization. The emphasis of this chapter is put on legal aspects of research of embryonic and adult stem cells. Legislation of Czech Republic is analyzed in the context of possible approaches to regulations of stem cell research and compared to legislation of other European countries.

Last, but not least, in chapter five the judicature of European Court of Human Rights is presented. The text concentrates on the cases connected to the protection of right to life, women's and man's right to reproduction as well as on the most recent cases approaching the topic of medical treatment by stem cells itself.