

Assisted reproduction and related legal issues

Abstract

This thesis addresses the issue of assisted reproduction as a health service suitable for the treatment of infertility, including all aspects related to it. It is mainly due to the increasing number of people struggling with infertility nowadays that the topic is of high importance and deserves, besides scientific and medical attention, also adequate legal attention.

The thesis focuses mainly on the legal regulation of assisted reproduction *de lege lata* and its development, however, it also evaluates the *de lege ferenda* regulation overview. In addition to the legal framework of the assisted reproduction services, the scope of persons who may be beneficiaries of the service is also discussed. Other related topics discussed include the conditions that must be met in order for beneficiaries to be provided, as well as the provider's obligations and standards. Furthermore, focus is drawn to the proposed changes, both past and present, including the intentions of the legislator.

In addition to a summary of the general legal regulation of assisted reproduction, the thesis aims to cover the issue comprehensively, which is why the second chapter is devoted to the topic of germ cells and the possibilities of their donation, as well as the question of the legal status of embryo and its related civil and criminal protection. The thesis also discusses the legal regulation of embryonic research and the ethical issues implied by the use of human embryos within.

To detect genetic mutations in the embryo, doctors use the technique of preimplantation genetic testing. As a result, doctors are able to discover gene mutations as well as other prerequisites of the tested embryo even before the pregnancy starts. Therefore the ethical aspect of preimplantation genetic testing corresponding to the current legislation is the subject of the third chapter of this thesis.

Due to the fact that society has been recently confronted with a very significant discovery of a method that allows the editing of the heritable human genome, the thesis aims to summarise this issue in the fourth chapter, including the relevant current and future legal frameworks as well as an ethical assessment.

The last part of the thesis summarises the comparison of the individual legal regulations of the EU Member States, including their attitude towards the conditions for the provision of assisted reproduction as a health service.

Key words: assisted reproduction, infertility treatment, artificial insemination treatment