

中国政法大学

体外胚胎法律地位探析

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Research on the Legal Status of In-vitro Embryos

Abstract: In-vitro embryos are human preimplantation embryos generated in IVF (In Vitro Fertilization) and they are cultivated outside the womb. Compared with embryos in natural reproduction, in-vitro embryos can live outside the womb and even be stored through cryopreservation. However, although IVF brings out the good news to infertile people, it also brings a lot of civil lawsuits concerning with in-vitro embryos. To solve these lawsuits, people need to find out the legal status of in-vitro embryos first, which means whether in-vitro embryos should be regarded as civil subject, civil object or the transition between civil subject and civil object.

Key Words: in-vitro embryos; legal status; ethic property

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[13] York v. Jones, 717 F. Supp. 421, 425 (E.D. Va. 1989)

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