Embryo dignity: the status and juridical protection of the in vitro embryo.

Raposo VL, Osuna E.

Source

Law Faculty, Centre of Biomedical Law, Coimbra University, Spain.

Abstract

In the context of research and reproduction, the status of the human in vitro embryo ranges from being regarded as a person to being regarded as mere property. As regards the first view, one extreme of the spectrum for offering possible legal protection considers that the embryo constitutes a legal person from the moment of conception. For opponents of this view life is a continuum that runs from conception until death. In this process one of the most important stages is birth, the reason being that birth represents the transition between a potential person and a person. The term "embryo" is used to express the being that exists after fusion of the egg and a spermatozoon during the process of embryogenesis until it reaches eight weeks, after which time it is termed a foetus. The embryo's life is recognized as a constitutional value which deserves juridical protection, but not as a person. It only becomes a person with birth.

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