Document 1
Dyer, Clare

Payment to egg donors is to be tripled to remedy shortage.
BMJ (Clinical research ed.) 2011 October 21; 343: d6865
Georgetown users check Georgetown Journal Finder for access to full text

Document 2
Vogel, Gretchen

Stem cells. Where do human eggs come from?
Science (New York, N.Y.) 2011 Oct 7; 334(6052): 27
Georgetown users check Georgetown Journal Finder for access to full text

Document 3
Burki, Talha

Donor conception and sharing of genetic information.
The lancet oncology 2011 Oct; 12(11): 994
Georgetown users check Georgetown Journal Finder for access to full text

Document 4
Dicken, Cary L; Zapantis, Athena; Illions, Edward; Pollack, Staci; Lieman, Harry J; Bevilacqua, Kris; Jindal, Sangita K

Full-sibling embryos created by anonymous gamete donation in unrelated recipients.
Fertility and sterility 2011 Sep; 96(3): 641-2
Abstract: To report the rare occurrence of full-sibling embryos in unrelated women using independently chosen donor sperm and donor oocytes in two different cycles unintentionally created at our IVF program, and to discuss the concept of disclosure to the patients.
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Document 5
Mok-Lin, Evelyn; Missmer, Stacey; Berry, Katharine; Lehmann, Lisa Soleymani; Ginsburg, Elizabeth S

Public perceptions of providing IVF services to cancer and HIV patients.
Fertility and sterility 2011 Sep; 96(3): 722-727.e1
Abstract: To assess the attitudes of the general U.S. population toward the use of IVF to assist adults with a history of cancer or human immunodeficiency virus (HIV).
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Document 6
Cohen, I Glenn

Prohibiting anonymous sperm donation and the child welfare error.
The Hastings Center report 2011 Sep-Oct; 41(5): 13-4
Georgetown users check Georgetown Journal Finder for access to full text

Document 7
Ellison, Brooke; Meliker, Jaymie

Assessing the risk of ovarian hyperstimulation syndrome in egg donation: implications for human embryonic stem cell research.
The American journal of bioethics : AJOB 2011 Sep; 11(5): 22-30
Abstract: Stem cell research has important implications for medicine. The source of stem cells influences their therapeutic potential, with stem cells derived from early-stage embryos remaining the most versatile. Somatic cell nuclear transfer (SCNT), a source of embryonic stem cells, allows for understandings about disease development and, more importantly, the ability to yield embryonic stem cell lines that are genetically matched to the somatic cell donor. However, SCNT requires women to donate eggs, which involves injection of ovulation-inducing hormones and egg retrieval through laparoscopy or transvaginal needle aspiration. Risks from this procedure are fiercely debated, most notably risk of ovarian hyperstimulation syndrome (OHSS). This review examines risk of OHSS resulting from oocyte donation. We conclude that risk posed by OHSS in egg donation is not significant enough to warrant undue concern, and much of this can be eliminated when proper precautions are taken. This bears relevance to the future of stem cell research policymaking.
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Kalfoglou, Andrea L; Sauer, Mark V

A precautionary approach to oocyte donation for stem cell nuclear transplantation.
The American journal of bioethics : AJOB 2011 Sep; 11(9): 31-3

Mertes, Heidi; Pennings, Guido

Ethical concerns eliminated: safer stimulation protocols and egg banking.
The American journal of bioethics : AJOB 2011 Sep; 11(9): 33-5

Stein, Andrea L

The conundrum of oocyte donation, human research, OHSS, and ethics.
The American journal of bioethics : AJOB 2011 Sep; 11(9): 35-7

Bamford, Rebecca

Reconsidering risk to women: oocyte donation for human embryonic stem cell research.
The American journal of bioethics : AJOB 2011 Sep; 11(9): 39-41

Fiore, Robin N; Hinsch, Kathryn M

Oocytes for research: reevaluating risks and compensation.
The American journal of bioethics : AJOB 2011 Sep; 11(9): 42-3

Kalbian, Aline

Considering the risks to economically disadvantaged egg donors.
The American journal of bioethics : AJOB 2011 Sep; 11(9): 44-5

Knapp, Caprice; Quinn, Gwendolyn; Bower, Bethanne; Zoloth, Laurie

Posthumous reproduction and palliative care.

Abstract: Posthumous reproduction is an issue fraught with legal, ethical, religious, and moral debate. The involvement of the hospice and palliative care community in this debate may be peripheral due to the fact that other health care professionals would be actually delivering the services. However, the hospice and palliative care community are more likely to treat patients considering posthumous reproduction as they near the end of their lives. This article provides the hospice and palliative care community with a review of the medical, ethical, and legal considerations associated with posthumous reproduction. Having knowledge of these issues, and a list of available resources, will be useful if hospice and palliative care staff find themselves facing a patient or family that is considering posthumous reproduction.

Ping, Ping; Zhu, Wen-Bing; Zhang, Xin-Zong; Li, Yu-Shan; Wang, Quan-Xian; Cao, Xiao-Rong; Liu, Yong; Dai, Hui-Li; Huang, Yi-Ran; Li, Zheng

Sperm donation and its application in China: a 7-year multicenter retrospective study.
Asian journal of andrology 2011 Jul; 13(4): 644-8
Abstract: Sperm donation in China is different from that in other countries due to cultural, social and political factors. This research presents the current status of sperm donation in Mainland China and highlights some problems. Between January 2003 and December 2008, 19,471 sperm donors were screened totally and 6467 donors (33.2%) were recruited. The primary reasons for non-recruitment were either inadequate semen parameters (55.6%) or positive results for sexually transmitted diseases (7.9%). There were 327 (1.7%) qualified donors who withdrew from the program because of frustration related to failed semen parameters, participation merely for free medical tests or job transfer. A questionnaire investigating donor intention, as well as other concerns associated with sperm donation, was distributed to 516 potential donors. All potential donors indicated their primary motivation as altruism, while 90.9% mentioned monetary reward as a second motivating factor. Approximately 93.4% of donors expressed some apprehension about the risk of consanguineous mating and the protection of their identity. Over the past 7 years, 488,389 vials of donors' semen have been cryopreserved. In 36,438 artificial insemination with donor sperm (AID) cycles, the clinical pregnancy rate was 23.9% and the live birth rate was 16.6%. In 7,148 in vitro fertilization cycles, the clinical pregnancy rate was 45.8% and the live birth rate was 35.2%. Human sperm banks have been strictly monitored to ensure that each sperm donor can only impregnate five women nationwide. There is still a large gap between the supply and demand for sperm donation which may be solved by updated guidelines.

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Abstract: Relatively speaking: halachic and legal issues of gamete donation.

Feuer, Julia

Medicine and law 2011 Jun; 30(2): 239-66

Abstract: The dramatic increase of gamete donations, as a result of technological advances in assisted reproduction, has raised considerable legal and halachic issues. This article raises reader awareness about problems involved in gamete donation within Jewish law (halacha), particularly in Israel. Two core problems with gamete donation are: deciding the mother of the child (donor or birthing mother) and genetic lineage. The former is important in establishing the child's religious status and the latter for matters of consanguinity and incest. Anonymous gamete donation increases the probability of incest. Persons unaware of their biological heritage could unintentionally cohabit with a close family member and progeny of this union would be considered mamzerim. These problems may be prevented by legislation, registration, and greater openness by the donor and the intended parents of the donor conceived child. This article focuses on the halachic perspective of gamete donation. Since consanguinity is prohibited by most cultures, the implications of gamete donation are universally relevant.

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Abstract: Gestational surrogacy: could be a way to be a way to reproduction? Pros and cons.

Clementina, Peris

Georgian medical news 2011 Jun(195): 11-4

Abstract: The aim of this article was to address pros and cons of gestational surrogacy, the social and psychological issues involved in surrogate motherhood triads. Pros and cons of surrogacy, the possible insurgence of a hematologic disease in the fetus, hemolytic disease of the newborn, naturally acquired microchimerism in surrogacy cases, ethical, medical, psychologic, legal and religious issues of a problem are discussed.

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Abstract: Manipulations with human life and surrogate motherhood: ethical aspects and moral guidelines.

Boyko, Fr Ihor

Georgian medical news 2011 Jun(195): 15-8

Abstract: Surrogate motherhood necessarily leads to the question of who is really the mother and what is motherhood. In the judgment of the author, it is necessary to develop a new culture that will bring back to every person the sense of limit and will help humanity develop a more accurate understanding of the duality of scientific and technological progress. Communication between a mother and her unborn child is clearly very close from the biological point of view, but at the same time there exists a mental and spiritual connection. The motherly desire creates the link between a mother and her future child, while the relationship with the child is established at the moment of conception. There is a good alternative to the surrogate motherhood, which most appropriately corresponds to a married couple or family, namely, adoption, which is one of the forms of the valuable service of life. The moral duty of everyone is to protect human race from radical attacks and various forms of manipulation and pass it over intact and preserved for future generations to come.

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Abstract: Among current bioethical issues one of the most dilemmatic is an issue of surrogacy. It causes great moral, ethical and legal debate. The article aims to show philosophical and legislation aspects of surrogacy. The meaning of "motherhood", "kinship", "liberty" in connection with surrogacy is analyzed. The article provides an overview of Georgian Orthodox Church on surrogate motherhood.

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Abstract: Relatively speaking: halachic and legal issues of gamete donation.

Zakariadze, A

Philosophical and legislation aspects of surrogacy.

Georgian medical news 2011 Jun(195): 18-25

Abstract: Relatively speaking: halachic and legal issues of gamete donation.

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Abstract: The dramatic increase of gamete donations, as a result of technological advances in assisted reproduction, has raised considerable legal and halachic issues. This article raises reader awareness about problems involved in gamete donation within Jewish law (halacha), particularly in Israel. Two core problems with gamete donation are: deciding the mother of the child (donor or birthing mother) and genetic lineage. The former is important in establishing the child's religious status and the latter for matters of consanguinity and incest. Anonymous gamete donation increases the probability of incest. Persons unaware of their biological heritage could unintentionally cohabit with a close family member and progeny of this union would be considered mamzerim. These problems may be prevented by legislation, registration, and greater openness by the donor and the intended parents of the donor conceived child. This article focuses on the halachic perspective of gamete donation. Since consanguinity is prohibited by most cultures, the implications of gamete donation are universally relevant.

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Two decades after legislation on identifiable donors in Sweden: are recipient couples ready to be open about using gamete donation?

Stuart-Smith, Susan J; Smith, Jonathan A; Scott, Elizabeth J

Abstract: The aim of this study was to analyse donor egg recipients' anticipatory concerns and feelings and to consider how these relate to their decision to enter into treatment. The women were divided into two groups: those who were childless and those with a genetically related child or children. In-depth interviews were carried out with seven women on the waiting list for the egg donation treatment programme at the Lister Hospital in London. The participants with children expressed reservations and anxiety about proceeding with treatment and this created 'a state of dilemma' but the possibility of treatment led to a pressure to proceed. In contrast, the prospect of treatment for the childless participants gave rise to feelings of excitement and hope of finally having a baby and their quest took on the form of a personal mission and they expressed very few reservations about the treatment. This was a small qualitative study but in terms of egg donation research, the distinction seen here between women seeking to be first time mothers and those attempting to build a new family or complete an existing one, warrants further attention and has implications for pre-treatment counselling.

Background

Two decades after the introduction of Swedish legislation that allows children born as a result of gamete donation access to identifying information about the donor, a nationwide multicentre study on the psychosocial consequences of this legislation for recipients and donors of gametes was initiated in 2005. The aim of the present study was to investigate recipient couples' attitudes and behaviour regarding disclosure to offspring and others, attitudes towards genetic parenthood and perceptions of information regarding parenthood after donation. METHODS The present study is part of the prospective longitudinal 'Swedish study on gamete donation', including all fertility clinics performing donation treatment in Sweden. A consecutive cohort of 152 heterosexual recipient couples of donated oocytes (72% response) and 127 heterosexual recipient couples of donated sperm (81% response) accepted participation in the study. In connection with the donation treatment, women/families helped, by a single donor. The interests of the various participants in gamete donation in open-identity and anonymous systems are considered with some of the basic assumptions and interactions between the different parties that might be used to formulate reasonable guidelines. A number of recommendations are made.

Methods

The aim of the present study was to analyse donor egg recipients' anticipatory concerns and feelings and to consider how these relate to their decision to enter into treatment. The women were divided into two groups: those who were childless and those with a genetically related child or children. In-depth interviews were carried out with seven women on the waiting list for the egg donation treatment programme at the Lister Hospital in London. The participants with children expressed reservations and anxiety about proceeding with treatment and this created 'a state of dilemma' but the possibility of treatment led to a pressure to proceed. In contrast, the prospect of treatment for the childless participants gave rise to feelings of excitement and hope of finally having a baby and their quest took on the form of a personal mission and they expressed very few reservations about the treatment. This was a small qualitative study but in terms of egg donation research, the distinction seen here between women seeking to be first time mothers and those attempting to build a new family or complete an existing one, warrants further attention and has implications for pre-treatment counselling.

Results

About 90% of participants (in couples receiving anonymous donated gametes) supported disclosure and openness to the offspring concerning his/her genetic origin. Only 6% of all participants had not told other people about their donation treatment. Between 26 and 40% of participants wanted additional treatment counselling.

Discussion

The aim of the present study was to analyse donor egg recipients' anticipatory concerns and feelings and to consider how these relate to their decision to enter into treatment. The women were divided into two groups: those who were childless and those with a genetically related child or children. In-depth interviews were carried out with seven women on the waiting list for the egg donation treatment programme at the Lister Hospital in London. The participants with children expressed reservations and anxiety about proceeding with treatment and this created 'a state of dilemma' but the possibility of treatment led to a pressure to proceed. In contrast, the prospect of treatment for the childless participants gave rise to feelings of excitement and hope of finally having a baby and their quest took on the form of a personal mission and they expressed very few reservations about the treatment. This was a small qualitative study but in terms of egg donation research, the distinction seen here between women seeking to be first time mothers and those attempting to build a new family or complete an existing one, warrants further attention and has implications for pre-treatment counselling.

Conclusions

Two decades after the Swedish legislation of identifiable gamete donors, recipient genetic origin. Only 6% of all participants had not told other people about their donation treatment. Between 26 and 40% of participants wanted additional treatment counselling. The aims of the present study were to analyse donor egg recipients' anticipatory concerns and feelings and to consider how these relate to their decision to enter into treatment. The women were divided into two groups: those who were childless and those with a genetically related child or children. In-depth interviews were carried out with seven women on the waiting list for the egg donation treatment programme at the Lister Hospital in London. The participants with children expressed reservations and anxiety about proceeding with treatment and this created 'a state of dilemma' but the possibility of treatment led to a pressure to proceed. In contrast, the prospect of treatment for the childless participants gave rise to feelings of excitement and hope of finally having a baby and their quest took on the form of a personal mission and they expressed very few reservations about the treatment. This was a small qualitative study but in terms of egg donation research, the distinction seen here between women seeking to be first time mothers and those attempting to build a new family or complete an existing one, warrants further attention and has implications for pre-treatment counselling.
Document 28  
Nau, Jean-Yves  
[Surrogacy: the rhetoric of the controversy (2)]. = Mères porteuses: les rhétoriques de la polémique (2).  
Revue médicale suisse 2011 Mar 9; 7(286): 562-3  
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Document 29  
Nau, Jean-Yves  
[Surrogacy: the rhetoric of the controversy (1)]. = Mères porteuses: les rhétoriques de la polémique (1).  
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Document 30  
Levine, Aaron D  
The oversight and practice of oocyte donation in the United States, United Kingdom and Canada.  
HEC forum : an interdisciplinary journal on hospitals' ethical and legal issues 2011 Mar; 23(1): 15-30  
Abstract: In vitro fertilization using donated oocytes is an important medical technique that provides the only option for some infertile patients to have children. The technique remains ethically contentious, however, and, as a result of this controversy, different oversight approaches have been developed in countries around the world. This paper examines the oversight and practice of oocyte donation in Canada, the United Kingdom and the United States to examine how policy choices have influenced the development and use of this medical technology. Examining per capita utilization of oocyte donation in these three countries provides evidence that supply-side policies-specifically policies affecting the compensation of potential oocyte donors-have substantially influenced the use of this technology. These results should provide useful insight for policymakers developing or revising oocyte donation policies.  
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Document 31  
Perdue, Abigail Lauren  
For love or money: an analysis of the contractual regulation of reproductive surrogacy.  
The Journal of contemporary health law and policy 2011 Spring; 27(2): 279-313  
Abstract: Donor conception research supports open-identity donor programmes and disclosure to donor-conceived offspring. This study examines Australian donors', recipients' and donor-conceived offspring's views on the importance of different types of biographical information about the donor. Participants (125 recipients, 39 donors (known, identity-release and anonymous), 23 donor-conceived offspring) completed an online or paper self-administered anonymous questionnaire. Individuals rated the importance of 15 types of biographical information and subsequently chose the three they deemed most important. All groups included donor's health history and name as key variables to be available to donor-conceived offspring. Recipients viewed the donor's decision to donate as important, donors thought their feelings about being contacted were important and donor-conceived offspring expressed an interest in the donor's own family. Sperm donors were less inclined to view the provision of information as important compared with offspring. For recipients, the importance of information became apparent once they had disclosed to their children. This is the first study to gauge Australian stakeholders' attitudes to release of information in the donor conception process. The findings support the move to open-identity donation systems and emphasize the importance of considering the varying perspectives of all stakeholders by policy developers.  
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Document 32  
Rodino, I S; Burton, P J; Sanders, K A  
Donor information considered important to donors, recipients and offspring: an Australian perspective.  
Reproductive biomedicine online 2011 Mar; 22(3): 303-11  
Abstract: Donor conception research supports open-identity donor programmes and disclosure to donor-conceived offspring. This study examines Australian donors', recipients' and donor-conceived offspring's views on the importance of different types of biographical information about the donor. Participants (125 recipients, 39 donors (known, identity-release and anonymous), 23 donor-conceived offspring) completed an online or paper self-administered anonymous questionnaire. Individuals rated the importance of 15 types of biographical information and subsequently chose the three they deemed most important. All groups included donor's health history and name as key variables to be available to donor-conceived offspring. Recipients viewed the donor's decision to donate as important, donors thought their feelings about being contacted were important and donor-conceived offspring expressed an interest in the donor's own family. Sperm donors were less inclined to view the provision of information as important compared with offspring. For recipients, the importance of information became apparent once they had disclosed to their children. This is the first study to gauge Australian stakeholders' attitudes to release of information in the donor conception process. The findings support the move to open-identity donation systems and emphasize the importance of considering the varying perspectives of all stakeholders by policy developers.  
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Document 33  
Jovic, Olga S  
Surrogate motherhood as a medical treatment procedure for women's infertility.  
Abstract: The content of this work is conceived on the research of the consequences of surrogate motherhood as a process of assisted procreation, which represent a way of parenthood in cases when it is not possible to realize parenthood through a natural way. Surrogate motherhood is a process in which a woman (surrogate mother) agrees to carry a pregnancy with the intent to give the child to the couple with whom she has made a contract on surrogate maternity after the birth. This process of conception and birth makes the determination of the child's origin on its mother's side hard to determine, because of the distinction of the genetic and gestation phases of the two women. The concept of surrogate motherhood is to appear in two forms, depending on the existence or the non-existence of the genetic link between the surrogate mother and the child she gives birth to. There are gestation (full) and genetic (partial) surrogates each with different modalities and legal and ethical implications. In Serbia, Infertility Treatment and the Bio-medically Assisted Procreation Act from 2009 explicitly forbids surrogate motherhood, despite the fact that an infertile couple decides to use it, as a rule, after having tried all other treatment procedures, in cases when there is a diagnosis but the conventional treatment applied has not produced the desired results. Given the fact that no one has the right to ignore the sufferings of people who cannot procreate naturally, the medical practice and legal science in our country plead for a formulation of a legal framework in which to apply surrogate motherhood as an infertility treatment, under particular conditions.  
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Document 34  
Stuhmcke, Anita  
The criminal act of commercial surrogacy in Australia: a call for review.  
Abstract: Australian surrogacy legislation punishes the pursuit of a commercial surrogacy arrangement as a criminal offence. Such legislation was first introduced in Victoria in 1986 and has since been applied in every Australian jurisdiction except for the Northern Territory. The current application of criminal law is based upon this 1980s policy which has never been subject to public debate. This article argues that the continued application of criminal penalties to commercial surrogacy requires review.

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Document 35
Trowse, Pip
Surrogacy: is it harder to relinquish genes?
Journal of law and medicine 2011 Mar; 18(3): 614-33
Abstract: Surrogacy has produced some positive outcomes by creating an opportunity for otherwise childless couples to realise their dream of parenthood. However, it has also been problematic, particularly where the surrogate mother fails to relinquish a child born as a result of the surrogacy arrangement. This article examines whether a surrogate mother who is genetically related to the child she delivers is less likely to relinquish the child than one who has no genetic ties. An examination of empirical evidence provides support for this argument. Legislation and case law in Australia, the United States and the United Kingdom are examined to determine which, if any, of these jurisdictions take into account the existence, or otherwise, of a genetic link between the surrogate mother and the child she bears. The article concludes that surrogacy legislation should, subject to exceptional circumstances, encourage surrogacy arrangements where the child and the surrogate are not genetically related.

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Document 36
Jadva, V; Freeman, T; Kramer, W; Golombok, S
Sperm and oocyte donors’ experiences of anonymous donation and subsequent contact with their donor offspring.
Abstract: This study examined the motivations and experiences of anonymous donors who decide to make themselves open to contact with their donor offspring.

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Document 37
Greene, Cal
Donor conception and children’s rights: a parent’s decision.
CMAJ : Canadian Medical Association journal = journal de l'Association medicale canadienne 2011 Feb 22; 183(3): 400

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Document 38
Somerville, Margaret
Donor conception and children’s rights: “first, do no harm”.
CMAJ : Canadian Medical Association journal = journal de l'Association medicale canadienne 2011 Feb 8; 183(2): 280

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Document 39
Merviel, P; Cabry, R; Lourdel, E; Brzakowski, M; Maerten, I; Berthe, E; Devaux, A; Copin, H; Sevestre, H; Hermant, A
[Is it really necessary to end the anonymity of gamete donations in France?]. = Faut-il vraiment lever l'anonymat des dons de gamètes en France ?

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Document 40
Laruelle, C; Place, I; Demeestre, I; Englert, Y; Delbaere, A
Anonymity and secrecy options of recipient couples and donors, and ethnic origin influence in three types of oocyte donation.
Abstract: This study compares recipient couples’ and donors’ motivations towards the type of donation and attitudes concerning secrecy or disclosure of the mode of conception in three oocyte donation groups: couples and their donor for a known donation, couples and their donor for a permuted anonymous donation (known-anonymous) and couples without a donor, on a waiting list for a donation (anonymous).

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Document 41
Riggs, Damien W; Russell, Laura
Characteristics of men willing to act as sperm donors in the context of identity-release legislation.
Abstract: Although ongoing legislative changes are important to protect the rights of all involved in assisted reproductive technologies, it cannot be guaranteed that legislation will ensure the successful operation of reproductive health clinics, as is indicated by ongoing reports of a dearth of donor sperm in clinics in some countries.

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**Document 42**

Hermerén, Göran

[Surrogate motherhood: Why—and why not?]. = Surrogatmoderskap: Varför—och varför inte?
Lakartidningen 2011 Jan 19-26; 108(3): 68-9

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**Document 43**

Feuillet-Liger, Brigette; Orfali, Kristina; and Callus, Thérèse, eds.

International Academic Network on Bioethics [IANB] WHO IS MY GENETIC PARENT? DONOR ANONYMITY AND ASSISTED REPRODUCTION: A CROSS-CULTURAL PERSPECTIVE

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**Document 44**

Mansur, al-Shahhat Ibrahim Muhammad


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**Document 45**

Padela, Aasim I. Shanawani, Hasan; Kholwadia, Mohammed Amin; Arozullah, Ahsan

Using Fatawa within Islamic and Muslim bioethical discourse: the role of doctrinal and theological considerations—a case study of surrogate motherhood
In: Arda, Berna; Rispler-Chaim, Vardit, eds. Islam and Bioethics. Ankara [Turkey]: Ankara University; 2011: 151-167

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**Document 46**

James, Summer; Chilvers, Rebecca; Havemann, Dara; Phelps, John Y

Avoiding legal pitfalls in surrogacy arrangements.
Reproductive biomedicine online 2010 Dec; 21(7): 862-7

**Abstract:** The goal of this article is to discuss the legal pitfalls that reproductive endocrinologists face when participating in gestational surrogacy contracts. This paper was composed using Westlaw and LexisNexis commercial legal search engines to perform a review of statutes and cases pertaining to gestational surrogacy. The search results demonstrated that in the absence of suitable preparation, there is significant potential for litigation while participating in gestational agreements. Providers caring for gestational carriers have been named as parties in lawsuits for failure to provide psychological screening, failure to screen for infectious disease and participation in gestational contracts that are not compliant with state law. There is great disparity in state laws and court rulings pertaining to gestational agreements. When legal disputes arise, individual state laws and court rulings are controlling over the Uniform Parentage Act. Likewise, recommendations by the American College of Obstetricians and Gynecologists and the American Society for Reproductive Medicine do not supersede state laws. The failure to abide by individual state laws unnecessarily exposes reproductive endocrinologists and their IVF facilities to potential litigation. In order to lessen exposure to litigation, an understanding of individual state legislation or historical court rulings is advised.

**Document 47**

Bos, Henny; Gartrell, Nanette

Adolescents of the USA National Longitudinal Lesbian Family Study: can family characteristics counteract the negative effects of stigmatization?
Family process 2010 Dec; 49(4): 559-72

**Abstract:** This investigation examines the impact of homophobic stigmatization on the well-being of 17-year-old adolescents who were conceived through donor insemination and whose mothers enrolled before they were born in the largest, longest-running, prospective study of lesbian families, with a 93% retention rate to date. The data for the current report were collected through questionnaires completed by the adolescents and their mothers. The adolescents (39 girls and 39 boys) were queried about family connection and compatibility. They were also asked to indicate if they had experienced discrimination based on their mothers' sexual orientation. Adolescent well-being was assessed through the parental report of the Child Behavior Checklist/6-18. Forty-one percent of the adolescents had experienced stigmatization based on homophobia. Hierarchical, multiple-regression analyses revealed that stigmatization was associated with more problem behavior in these adolescents, but that family compatibility neutralized this negative influence. The results indicate that adolescents who have close, positive relationships with their lesbian mothers demonstrate resilience in response to stigmatization.

**Document 48**

O'Leary, Dale

Is the psychological adjustment of donor-conceived children of lesbians higher than that of other children?
The Linacre Quarterly 2010 November; 77(4): 415-425

**Document 49**

Burr, Jennifer A

To name or not to name? An overview of the social and ethical issues raised by removing anonymity from sperm donors.
Asian journal of andrology 2010 Nov; 12(6): 801-8

**Abstract:** The aim of this paper is to focus on the ethical issues raised by the removal of anonymity from sperm donors. The increasing currency of a 'right to genetic
truth' is clearly visible in the drive to revise the legislation on donor anonymity in Western and European countries. The ethical debate is polarized between the 'right to privacy' of the donor or parent and the 'right to know' of the prospective child. However, it is evident that religious, social and cultural attitudes have an overarching impact on attitudes towards sperm donation generally and anonymity specifically. In Asian countries, the social and cultural heritage is hugely diverse and different from those of the West. This review considers the research exploring the complexity of ethical issues informing this debate, and argues that parent's decisions to reveal donor insemination origins to their children are highly complex and relate to a range of social and cultural attitudes that have not been addressed within the policy to remove anonymity from sperm donors.

Abstract: Revisiting child-based objections to commercial surrogacy.

Bioethics 2010 Sep; 24(7): 333-40

**Abstract:** Many critics of commercial surrogate motherhood argue that it violates the rights of children. In this paper, I respond to several versions of this objection. The most common version claims that surrogacy violates child-selling. I argue that while proponents of surrogacy have generally failed to provide an adequate response to this objection, it can be overcome. After showing that the two most prominent arguments for the child-selling objection fail, I explain how the commissioning couple can acquire parental rights by paying the surrogate only for her reproductive labor. My argument in this paper is motivated by a concern for controlling harms by putting the practice of commercialized surrogacy into the context of care ethics. As I will argue, the unstable situations into which children of global surrogacy arrangements are born is symbolic of the crisis of care that the practice raises. Using the Baby Manji case as my touch point, I will suggest that liberalism cannot address the harms experienced by Manji and children like her who are created through the global practice of assisted reproductive technology. I will argue that, if commissioning couples consider their proposed surrogacy contracts from a care ethics point of view, they will begin to think relationally about their actions, considering the practice from an ethical lens, not just an economic or contractual one.

**Care ethics and the global practice of commercial surrogacy.**

Bioethics 2010 Sep; 24(7): 341-7

**Abstract:** Worldwide there is an increasing number of families created by oocyte donation (OD). The aim of this study was to gather information about parents’ plans of disclosure to their child and to other people, as well as parents’ attitudes and level of satisfaction up to 15 years after their OD treatment.

**Increasing openness in oocyte donation families regarding disclosure over 15 years.**


**Abstract:** Many critics of commercial surrogate motherhood argue that it violates the rights of children. In this paper, I respond to several versions of this objection. The most common version claims that surrogacy involves child-selling. I argue that while proponents of surrogacy have generally failed to provide an adequate response to this objection, it can be overcome. After showing that the two most prominent arguments for the child-selling objection fail, I explain how the commissioning couple can acquire parental rights by paying the surrogate only for her reproductive labor. My explanation appeals to the idea of controlling harms by putting the practice of commercialized surrogacy into the context of care ethics. As I will argue, the unstable situations into which children of global surrogacy arrangements are born is symbolic of the crisis of care that the practice raises. Using the Baby Manji case as my touch point, I will suggest that liberalism cannot address the harms experienced by Manji and children like her who are created through the global practice of assisted reproductive technology. I will argue that, if commissioning couples consider their proposed surrogacy contracts from a care ethics point of view, they will begin to think relationally about their actions, considering the practice from an ethical lens, not just an economic or contractual one.

**The egg hunt.**

The Hastings Center report 2010 Nov-Dec; 40(6): 4

**Care ethics and the global practice of commercial surrogacy.**

Bioethics 2010 Sep; 24(7): 341-7

**Abstract:** Many critics of commercial surrogate motherhood argue that it violates the rights of children. In this paper, I respond to several versions of this objection. The most common version claims that surrogacy involves child-selling. I argue that while proponents of surrogacy have generally failed to provide an adequate response to this objection, it can be overcome. After showing that the two most prominent arguments for the child-selling objection fail, I explain how the commissioning couple can acquire parental rights by paying the surrogate only for her reproductive labor. My explanation appeals to the idea of controlling harms by putting the practice of commercialized surrogacy into the context of care ethics. As I will argue, the unstable situations into which children of global surrogacy arrangements are born is symbolic of the crisis of care that the practice raises. Using the Baby Manji case as my touch point, I will suggest that liberalism cannot address the harms experienced by Manji and children like her who are created through the global practice of assisted reproductive technology. I will argue that, if commissioning couples consider their proposed surrogacy contracts from a care ethics point of view, they will begin to think relationally about their actions, considering the practice from an ethical lens, not just an economic or contractual one.
Semba, Yukari; Chang, Chiungfang; Hong, Hyunsoo; Kamisato, Ayako; Kokado, Minori; Muto, Kaori

**Surrogacy: donor conception regulation in Japan**

*Bioethics* 2010 September; 24(7): 348-357

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Hanna, Jason K.M.

**Revisiting child-based objections to commercial surrogacy**

*Bioethics* 2010 September; 24(7): 341-347

Georgetown users check [Georgetown Journal Finder](#) for access to full text

Ladd, Mary

**Maps of beauty and disease: thoughts on genetics, confidentiality, and biological family.**

*Journal of medical ethics* 2010 Aug; 36(8): 479-82

**Abstract:** The author explores the ethics of decision-making and confidentiality in donor insemination through the narrative of her experience having two children with a sperm donor who was later discovered to carry a gene for a serious heart disease, hypertrophic cardiomyopathy. Contrasting individualist and communitarian ethical models, she questions understandings of confidentiality that hamper the construction of a medical family tree, especially when prognosis and treatment depend on the larger familial profile of the disease. She also emphasises that for the patient family the discovery of biological family through the lens of transmitted illness leads to a shift in family identity that goes beyond the purely medical.

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Raziel, Arieh; Friedler, Shevach; Strassburger, Deborah; Kaufman, Sarit; Umansky, Ana; Ron-El, Raphael

**Using sperm posthumously: national guidelines versus practice.**

*Fertility and sterility* 2010 Aug; 94(3): 1154-6

**Abstract:** Under pressure from involved families and time limitations, Israeli judges tend to authorize postmortem sperm retrieval and freezing, even in unmarried men and in contradiction to current, albeit non-legally binding, guidelines of the Attorney General. Postmortem sperm retrieval in our institution (2003 to June 2009) was successful in 17 cases, motile sperm was found in 16/17, and cryopreservation was performed in 15/16: no application for use of any of the postmortem frozen samples has been performed thus far.

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Klein, Joshua U; Sauer, Mark V

**Ethics in egg donation: past, present, and future.**

*Seminars in reproductive medicine* 2010 Jul; 28(4): 322-8

**Abstract:** Since the advent of clinical human egg donation just over 25 years ago, ethical considerations have been central to its successful application and popular acceptance. Early in its history, "essentialist" arguments questioning the moral validity of the practice altogether were commonplace. More recently, most academic discussion has been focused on "consequentialist" issues relating to practical approaches to egg donation that minimize ethically troublesome consequences. Three issues that have attracted a bulk of the attention in this regard are compensation, postmenopausal pregnancy, and egg sharing. Although much consensus has been reached on some very controversial issues, the enormous potential of increasingly successful oocyte cryopreservation, as well as emerging stem cell technologies, is very likely to provide abundant fuel for the continued debate of provocative and contentious ethical issues in human egg donation.

Georgetown users check [Georgetown Journal Finder](#) for access to full text

Nakhuda, Gary S

**Posthumous assisted reproduction.**

*Seminars in reproductive medicine* 2010 Jul; 28(4): 329-35

**Abstract:** Cryopreservation of gametes and embryos allows for children to be conceived after the death of their genetic parents through the process of posthumous assisted reproduction (PAR). Although the techniques are routine, the moral and ethical details are controversial and remain unsettled. Furthermore, there are numerous medicolegal implications that complicate matters. The principal parties to be considered are the decedent, the child who will be born of PAR, the significant other requesting the procedure, other living children, and even society at large. Numerous case studies exist and expert opinions have been published recognizing PAR as a vexing ethical issue. Most experts agree that explicit written consent forms signed at the time of cryopreservation are the best method to minimize some of the controversy involved with PAR.

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Twiggs Smalls, Hamlett

**Surrogacy births in the NICU: who has the authority to make decisions regarding an infant's care?**


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**Document 63**

Liao, Juhong; Dessin, Bart; Pennings, Guido

**The ethical debate on donor insemination in China.**

Reproductive biomedicine online 2010 Jun; 20(7): 895-902

**Abstract:** This article gives an overview of the ethical thinking about donor insemination among Chinese ethicists. We analysed the ethical arguments dedicated to the use of donor spermatozoa published in the important bioethics journals of China of the last 15 years. On the one hand, the general Confucian values strongly favour the genetic link as it fits with the traditional importance attached to the continuation of the family line. Therefore, artificial insemination by donor (AID) is highly controversial in China because the involvement of a third party (the donor) severs the genetic link between the husband and his family. On the other hand, procreation is regarded as an important aspect of Confucian filial piety and it is a basic right of every human being to enjoy a family life. AID should be thought of as a means to help infertile couples to overcome infertility. Nowadays, Chinese bioethicists are trying to reinterpret Confucianism in order to adapt it to modernity. One such reinterpretation focuses on the affectionate rather than the genetic tie between parents and child. As the application is still new in China, more discussion and open debate on ethical aspects is needed.

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**Document 64**

Powner, David J; Rumohr, Jon A; Lipshultz, Larry I

**Sperm retrieval during critical illness.**


**Abstract:** Objective of this study is to review technical methods to retrieve sperm from critically ill/injured patients after an appropriate family request, possible harmful effects on sperm production/function by ICU medications or concurrent illnesses, and ethical considerations for hospitals and care providers in providing this resource. Design used for this study includes: literature review, PubMed 1998-2009, and authors' files. There are no interventions. In conclusion, although successful and unsuccessful pregnancies following sperm retrieval from critically-ill patients are reported, no firm probability predictions for either result are known. Acute and chronic diseases that affect the hypothalamic-pituitary-gonadal axis and multiple medications common to the ICU may reduce sperm production or function. Retrieval methods before and after cardio-respiratory death differ and often require intracytoplasmic sperm injection or other in vitro fertilization techniques to achieve a subsequent pregnancy. The proactive development of a collaborative policy/procedure to identify appropriate roles for the hospital, its employees, and affiliated critical care and urology physicians is strongly recommended.

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Haroche, Aurélie

**Does every infertile patient have a guaranteed right to treatment?**

Soins; la revue de référence infirmière 2010 Jun(746): S5

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**Document 66**

Cobb, Tony Grantham

**Sperm donor limits that control for the 'relative' risk associated with the use of open-identity donors.**

Reproductive biomedicine online 2010 May; 25(5): 1089-96

**Abstract:** The majority of countries that support the use of donor insemination (DI) in artificial reproductive technology (ART) limit the number of children born from one donor. The setting of these donor limits, though intended to control for the risk of inadvertent half-sibling unions between the offspring of anonymous donors, actually have no evidence base. Controlling for the risk of inadvertent half-sibling unions may soon become unnecessary due to the increasing world-wide use of open-identity sperm donors and the revocation of donor anonymity in many countries. With the shift from anonymous to open-identity donation, the central issue is not the risk of genetic abnormality from inadvertent half-sibling consanguinity; it is the psycho-social impact of the multiple use of open-identity sperm donors. Despite this, the jurisdictions that allow or mandate the use of open-identity donors continue to observe existing limits that do not consider nor specifically control for the psycho-social impact of the multiple use of open-identity sperm donors. It is proposed that: (i) conservative interim donor limits be placed on the multiple use of open-identity donors, while research into the psycho-social impact of disclosure is undertaken to inform the establishment of evidence-based limits; and (ii) the existing limits in jurisdictions where anonymity is still commonly practiced or protected could be raised, if an updated mathematical model was used for calculating evidence-based anonymous donor limits.

Georgetown users check [Georgetown Journal Finder](http://library.georgetown.edu) for access to full text.

**Document 67**

Sawyer, Neroli

**Ethics committee in favor of banning surrogate gestation = Le Comité d'éthique en faveur de l'interdiction de la gestation pour autrui.**


Georgetown users check [Georgetown Journal Finder](http://library.georgetown.edu) for access to full text.

**Document 68**

Black, Jennifer J

**Egg donation: issues & concerns.**


**Abstract:** There is an increasing trend in the use of donor eggs by women unable to otherwise conceive. Third-party reproduction, specifically in vitro fertilization (IVF) with donor eggs, has particular ethical issues including possible conflict of interest between provider, donor, and recipient; completeness of informed consent; whether the donor has legal representation; and follow-up support. Nurses working with women who might have IVF are in a position to positively affect the egg donor's experience by making sure that donors understand the risks as well as the benefits of egg donation.

Georgetown users check [Georgetown Journal Finder](http://library.georgetown.edu) for access to full text.
Le Lannou, D

[Secrecy and anonymity in gamete donation] = Secret et anonymat du don de gamètes.
Gynecologie, obstétrique & fertilité 2010 May; 38(5): 324-31

Abstract: In France, gamete donation is based on some fundamental principles such as anonymity, gratuity, and solidarity. In Europe a trend appeared for a removal of anonymity. This paper highlights the reasons for this removal of anonymity, and consequences for the donor's offspring, the gamete donor, the infertile couples. In particular, an examination of practice shows that removing the anonymity of gamete donation favors maintaining the secrecy of the circumstances of the conception, resulting in inefficiency of the law.

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The price of eggs [news]
Science 2010 April 9; 328(5975): 149

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Boyer, P; Gervoise-Boyer, M; Tourame, P; Le Coz, P; Poirot, C
[Response by P. Boyer et al. to the article "Regulations for oocyte donation in France..."] = Réponse de P. Boyer et al. à l'article de F. Merlet et B. Sénémaud: "prise en charge du don d'ovocytes: réglementation du don, la face cachée du tourisme procréatif" Gynecol Obstet Fertil 2010;38:36-44. La fache cachée du don d'ovocyte: quelle face?
Gynecologie, obstétrique & fertilité 2010 Apr; 38(4): 300

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Ivora-Deleuze, D
[Surrogacy in the heart of the debate] = La gestation pour autrui au cœur du débat.
Gynecologie, obstétrique & fertilité 2010 Apr; 38(4): 292

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Lester, David; Furnham, Adrian; Salem, Natalie
Attitudes toward egg and sperm donation.
Psychological reports 2010 Apr; 106(2): 579-80

Abstract: In a sample of 124 American undergraduate students, approval of egg donation was predicted by age, sex, and Neuroticism scores (R²=.14), while approval of sperm donation was predicted only by age of this sample (R²=.07).

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Document 74

Nau, Jean-Yves
[Why have we become fearful of surrogate mothers] = Pourquoi nous devons avoir peur des mères porteuses.
Revue médicale suisse 2010 Mar 31; 6(242): 690-1

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Document 75

McHale, Jean V.
Raffles, human eggs and the market place in human material.
British Journal of Nursing 2010 March 25-April 7; 19(6): 388-389

Abstract: This article considers a recent case of human eggs being made available as a raffle prize. It explores the issue of a market in human material. It considers how at present English law is in general against such commodification of human material. It explores the policy arguments for changing the law in the area and suggests that the issue of maintaining criminal prohibitions at a time when patients can bypass such restrictions by seeking treatment abroad should come under further reconsideration by policy makers.

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Head, Jonathan
Turkey ban on insemination trips [news]
Objectives: In 2007, the Human Fertilization and Embryology Authority permitted oocyte donation for research through voluntary donation or within an oocyte share model. The aims of this study were to investigate volunteer (nonpatient) women's attitudes and intentions to donate using components of the Theory of Planned Behavior and their attitudes toward parenthood through structural equation modeling. Design: Questionnaires. Setting: Online. Patients: A total of 253 nonpatient women. MAIN OUTCOME MEASURES: Attitudes towards oocyte donation for research and reasons for parenthood scale. RESULTS: Of the 253 respondents, 94 were potential donors, 98 were possible donors, and 61 were non-donors. Most potential donors (68%) reported no preference towards donating their oocytes for research or an infertile couple. Structural equation modeling revealed that age (beta = -.03) and components of the TPB (beta = .16) had a statistically significant direct effect on intentions to donate for research. Attitudes toward parenthood was not linked to intentions to donate for research. CONCLUSION: There appears to be a strong altruistic motive along with the theoretical underpinnings of positive attitudes, feeling supported, and accepting the consequences of oocyte donation for research, suggesting these have the potential to inform recruitment practices and tailor clinical services.

Nisand, I

[Surrogacy: Legal considerations] = Grossesse pour autrui : pour le cas par cas.

Frydman, R

[Against the principle of surrogacy] = Contre la grossesse pour autrui (GPA).

Jamison, Tracy

Embryo adoption and the design of human nature: the analogy between artificial insemination and artificial impregnation
National Catholic Bioethics Quarterly 2010 Spring; 10(1): 111-122

Tollefsen, Christopher

Divine, human, and embryo adoption: some criticisms of Dignitas personae

Robertson, John A

Is there an ethical problem here?
Hastings Center Report 2010 March-April; 40(2): 3

Levine, Aaron D.

Self-regulation, compensation, and the ethical recruitment of oocyte donors.
Disclosure of the identity of sperm donors.
Collier, Roger

A legal defense for compensating research egg donors.
Schmitz, D.; Schmitz, J.; Guski, R.; Kalenka, A.
Cell Stem Cell 2010 February 5; 6(2): 99-102

Abstract: Given the continued need for human eggs for hESCs, this article analyzes and refutes the legal theories against compensating research egg donors, contrasts the legal histories of compensating reproductive donors and human subjects with noncompensation for ESC donors, and suggests that limited compensation is legally defensible.

Application of EU tissue and cell directive screening protocols to anonymous oocyte donors in western Ukraine: data from an Irish IVF programme.
Walsh, A P H; Omar, A B; Collins, G S; Murray, G U; Walsh, D J; Salma, U; Sills, E Scott
Made in India

Abstract: This independent documentary brings attention to the globalization of the reproductive industry by focusing on one story about an infertile couple from the United States and a surrogate mother from India. Lisa and Brian Switzer are from San Antonio, Texas and ask Asia Khan, a married mother of three from Mumbai, to carry their baby for them.
This is the first study of HIV and hepatitis incidence specifically among Ukrainian oocyte donors. We find anonymous oocyte donors to be a low-risk group, despite a high background HIV rate. Following full disclosure of the donation process, most Ukrainian women wishing to volunteer as anonymous oocyte donors do not participate. Current EU screening requirements appear adequate to maintain patient safety in the context of anonymous donor oocyte IVF.

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Sreenivas, Kiran; Campo-Engelstein, Lisa
Domestic and international surrogacy laws: implications for cancer survivors.
Cancer treatment and research 2010; 156: 135-52
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Barclay, Linda
The ethics of researchers paying women for their eggs.
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Napier, Stephen
Defending conceivex at assistance
Ethics and Medics 2009 December; 34(12): 3-4
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Mirkes, Renée
The conceivex kit reconsidered
Ethics and Medics 2009 December; 34(12): 1-3
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Merchant, Jennifer
Assisted reproductive technology (ART) in the United States: towards a national regulatory framework? = La technologie de la reproduction assistée (ART) aux Etats-Unis: vers un cadre réglementaire national?
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Humbyrd, Casey
Fair trade international surrogacy.
Developing World Bioethics 2009 December; 9(3): 111-118
**Abstract:** Since the development of assisted reproductive technologies, infertile individuals have crossed borders to obtain treatments unavailable or unaffordable in their own country. Recent media coverage has focused on the outsourcing of surrogacy to developing countries, where the cost for surrogacy is significantly less than the equivalent cost in a more developed country. This paper discusses the ethical arguments against international surrogacy. The major opposition viewpoints can be broadly divided into arguments about welfare, commodification and exploitation. It is argued that the only valid objection to international surrogacy is that surrogate mothers may be exploited by being given too little compensation. However, the possibility of exploitation is a weak argument for prohibition, as employment alternatives for potential surrogate mothers may be more exploitative or more harmful than surrogacy. It is concluded that international surrogacy must be regulated, and the proposed regulatory mechanism is termed Fair Trade Surrogacy. The guidelines of Fair Trade Surrogacy focus on minimizing potential harms to all parties and ensuring fair compensation for surrogate mothers.

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Serfozo, M. Scott
Sperm donor child support obligations: how courts and legislatures should properly weigh the interests of donor, donee, and child
University of Cincinnati Law Review 2009 Winter; 77(2): 715-740
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Bowe, John
Document 99
Sozou, Peter D.; Sheldon, Sally; Hartshorne, Geraldine M.
Withdrawal of consent by sperm donors
BMJ: British Medical Journal 2009 October 24; 339(7727): 975
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Cohen, Margot
A search for a surrogate leads to India
Wall Street Journal 2009 October 8; p. D1, D4

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Uroz, Victoria; Guerra, Lucia
Donation of eggs in assisted reproduction and informed consent
BMJ: British Medical Journal 2009 September; 339(7727): 975
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Norsigian, Judy
Eggs for sale
GeneWatch 2009 September-October; 22(5): 6-8
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Cioffi, Alfred
The compensation of women for egg donations for research [letter]
National Catholic Bioethics Quarterly 2009 Autumn; 9(3): 420-421
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Awonuga, Awoniyi Olumide; Schenone, Mauro H.; Abdallah, Mazen E.; Yelian, Frank D.; Diamond, Michael P.; Puscheck, Elizabeth E.
Non-adherence to instructions to cancel a cycle in a patient overstimulated with gonadotropins in a planned intrauterine insemination cycle.
Journal of Clinical Ethics 2009 Fall; 20(3): 235-238
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Chervenak, Frank A.; McCullough, Laurence B.
Preventive ethics and subsequent care of patients self-administering ovarian stimulation for the management of infertility.
Journal of Clinical Ethics 2009 Fall; 20(3): 239-240
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Blyth, Eric; Frith, Lucy
Donor-conceived people's access to genetic and biographical history: an analysis of provisions in different jurisdictions permitting disclosure of donor identity
International Journal of Law, Policy and the Family 2009 August; 23(2): 174-191
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**Document 107**

Brody, Jane E.

Since Baby M, much movement in surrogacy

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Rimer, Sara

No, the stork didn't bring you, but Mom and Dad had help
New York Times 2009 July 12; p. A1, A4

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Egg donor success [news]
New Scientist 2009 July 11-17; 203(2716): 6

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Zimmerman, Julie Irwin

Science and the path to parenthood
America 2009 July 6-13; 201(1): 13-15

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[http://www.americanmagazine.org/content/issue-archives.cfm](http://www.americanmagazine.org/content/issue-archives.cfm) (link may be outdated)

**Document 111**

Dyer, Clare

Experts suggest ways to tackle shortage of sperm donors [news]

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De Barrón Arniches, Paloma

La posibilidad de inscribir en el Registro civil español a los nacidos en el extranjero, de una madre de alquiler. [The possibility to enter in the Spanish Civil Register those born abroad to surrogate mothers]
Revista de Derecho y Genoma Humano = Law and the Human Genome Review 2009 July-December; (31): 29-41

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**Document 113**

De Barrón Arniches, Paloma

La posibilidad de inscribir en el Registro civil español a los nacidos en el extranjero, de una madre de alquiler. [The possibility to enter in the Spanish Civil Register those born abroad to surrogate mothers]
Revista de Derecho y Genoma Humano = Law and the Human Genome Review 2009 July-December; (31): 29-41

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Let's pay for eggs [news]
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Payment of egg donors in stem cell research in the USA.
Reproductive Biomedicine Online 2009 May; 18(5): 603-608

Aramesh, K.

Iran's experience with surrogate motherhood: an Islamic view and ethical concerns.
Journal of Medical Ethics 2009 May; 35(5): 320-322

Abstract: Gestational surrogacy as a treatment for infertility is being practised in some well-known medical institutions in Tehran and some other cities in Iran. While the majority of Muslims in the world are Sunni, the majority of Iranians are Shiite. Most Sunni scholars do not permit surrogate motherhood, since it involves introducing the sperm of a man into the uterus of a woman to whom he is not married. Most Shiite scholars, however, have issued jurisprudential decrees (fatwas) that allow surrogate motherhood as a treatment for infertility, albeit only for legal couples. They regard this practice as transferring an embryo or fetus from one womb to another, which is not forbidden in Shiite jurisprudence. Nevertheless, there are some controversies concerning some issues such as kinship and inheritance. The main ethical concern of Iran's experience with gestational surrogacy is the monetary relation between the intended couple and the surrogate mother. While monetary remuneration is practised in Iran and allowed by religious authorities, it seems to suffer from ethical problems. This article proposes that this kind of monetary relation should be modified and limited to reimbursement of normal costs. Such modification requires new legislation and religious decrees.

http://jme.bmj.com (link may be outdated)

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The attitudes and knowledge of medical students towards surrogacy.
Journal of Obstetrics and Gynaecology 2009 April; 29(3): 229-232

McDonald, Elizabeth

Sperm donor or thwarted father? How written agreement statutes are changing the way courts resolve legal parentage issues in assisted reproduction cases
Family Court Review 2009 April; 47(2): 340-342

Middleton, Sarah L.; Buist, Michael D.

Sperm removal and dead or dying patients: a dilemma for emergency departments and intensive care units.
Medical Journal of Australia 2009 March 2; 190(5): 244-246

Freeman, T.; Jadva, V.; Kramer, W.; Golombok, S.

Gamete donation: parents' experiences of searching for their child's donor siblings and donor.
Human Reproduction 2009 March; 24(3): 505-516

Tieu, M.M.

Altruistic surrogacy: the necessary objectification of surrogate mothers
Journal of Medical Ethics 2009 March; 35(3): 171-175

Abstract: One of the major concerns about surrogacy is the potential harm that may be inflicted upon the surrogate mother and the child after relinquishment. Even if one were to take the liberal view that surrogacy should be presumptively allowed on the basis of autonomy and/or compassion, evidence of harm must be taken seriously. In this paper I review the evidence from psychological studies on the effect that relinquishing a child has on the surrogate mother and while it appears that many surrogates are able to cope with relinquishment, I argue that there are good reasons, grounded in empirical evidence, to support the view that the subsequent management of the relinquishment necessarily objectifies the surrogate mother.

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Gaudray, Patrick
Contribution lycéenne au débat national sur la libération de la Gestation pour Autrui: les femmes porteuses, un don, une mission, un contrat? [High school students’ contribution to the national debate on the legalization of surrogacy: surrogate mothers, a gift, a mission, a contract?]
Les Cahiers du Comité Consultatif National d’Éthique pour les Sciences de la Vie et de la Sante 2009 January-March; (58): 8-10

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Poote, A.E.; van den Akker, O.B.A.
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Yee, Samantha
'Gift without a price tag': altruism in anonymous semen donation.

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Shuwayrikh, Sa’d ibn ‘Abd al-‘Aziz ibn ‘Abd Allah
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Akhondi M.A.; Behjati, Ardekan Z.
Rahemé jáguzin va zarøráaat estístfádih az án = Surrogacy and the necessity for its application in infertility treatment

Abstract: Upon birth of the first IVF baby, the possibility of having a baby by couples who were infertile due to major problems in the reproductive system was materialized. Development of IVF techniques has yielded the opportunity to apply surrogacy and gamete or embryo donation procedures in the form of third party reproduction for couples suffering from the lack a major reproductive element. Surrogacy seems indispensable for the couples who possess all the factors involved in pregnancy but due to lack of functional uterus, they are deprived from having a child. IVF/ICSI has provided the opportunity for such couples to form healthy embryos in laboratories and transfer it to the third party uterus in due time. Surrogacy agreement will be settled whenever a woman announces her readiness for bearing the couple’s embryo and undertakes to relinquish the baby to the embryo owners upon delivery. Based on the source of ovum in embryo formation, surrogacy will fall into two principal groups, including gestational and conventional surrogacy’s. However, surrogacy is also classified into various types in terms of third party’s semen or ovum application. The use of these methods with third party interference in the formation and birth of the baby requires significant juridical, legal, ethical and cultural (and even sociological and psychological) considerations. In response to Avicenna Research Institute’s inquiries from religious authorities, there is currently a broad consensus among religious scholars on authorization of surrogacy in Iran and they reject the right of surrogate mothers to refuse returning the newborn. Unfortunately, due to lack of
codified laws, couples inclined to benefits of surrogacy, either withdraw or resort to illegal conducts. For example, according to the current law, the birth certificate will be issued solely under the name of the woman who gives birth to the newborn and with respect to the facts stated, physicians have to violate the law and issue the birth certificate under the name of gamete owners or uterus owners have to be hospitalized under the name of women seeking surrogacy treatment. The settlement of an agreement between couples applying for surrogacy and the uterus owner may raise various legal, cultural or medical issues. Infertility clinics play a key role in supporting health, providing necessary consultations and supervision following the aforementioned mutual agreements. Silence of law and emergence of any disagreement in the treatment procedure may contribute to irresolvable problems between the two parties. Nowadays, the possibility of using surrogacy treatment across the country on one hand and the grave need of infertile couples to benefit from this technique on the other hand, emphasize the necessity for improvising well-addressed laws and providing the opportunity to resolve the relevant problems in a move to strengthen family foundations. Enhancing public information on ART and developing and providing infertile couples with the possibility to experienceparenthood, will contribute to invoke sympathy and generosity among women to participate in an altruistic sacrifice: surrogacy.

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Abstract: We examine whether the current regulatory regime instituted in South Korea and the United States would have prevented Hwang's potential transgressions in oocyte procurement for somatic cell nuclear transfer; we compare the general aspects and oversight framework of the Bioethics and Biosafety Act in South Korea and the US National Academies' Guidelines for Human Embryonic Stem Cell Research, and apply the relevant provisions and recommendations to each transgression. We conclude that the Act would institute centralized oversight under governmental auspices while the Guidelines recommend politically-independent, decentralized oversight bodies including a special review body for human embryonic stem cell research at an institutional level and that the Guidelines would have provided more vigorous protection for the women who had undergone oocyte procurement for Hwang's research than the Act. We also suggest additional regulations to protect those who provide oocytes for research in South Korea.

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For love or money? The saga of Korean women who provided eggs for embryonic stem cell research.  
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Abstract: The gestational surrogate—and her economic and educational vulnerability in particular—is the focus of many of the most persistent worries about paid surrogacy. Those who employ her, and those who broker and organize her services, usually have an advantage over her in resources and information. That asymmetry exposes her to the possibility of exploitation and abuse. Accordingly, some argue for banning paid surrogacy. Others defend legal permission on grounds of surrogate autonomy, but often retain concerns about the surrogate. In response to the dilemma of a ban versus bald permission, we propose a ‘soft law’ approach: states should require several hours of education of surrogates—education aimed at informing and enhancing surrogate autonomy.

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Abstract: The issue of genetic inheritance, and particularly the contradictory rights of donors, recipients and donor offspring as to the disclosure of donor identities, is ethically complicated. Donors, donor offspring and parents of donor offspring may appeal to individual rights for confidentiality or disclosure within legal systems based on liberal rights discourse. This paper explores the ethical issues of non-disclosure of genetic inheritance by contrasting two principle models used to articulate the problem—liberal and communitarian ethical models. It argues that whilst the latter provides a more constructive avenue to providing an ethics for donation than the competing and contradictory positions represented in a liberal rights approach, it raises issues of ethical judgement and authority that remain problematic. This ethical discussion is supported by a field study, funded by the Wellcome Trust, exploring the perceptions and experiences of recipients of donor sperm and their partners towards donor anonymity. The field study provides the empirical basis of an argument for making ethical judgements on the grounds of the community good rather than individual rights, that nevertheless recognises that both are inherently problematic.

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The moral complexity of sperm donation
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Abstract: Sperm donation is a widely accepted and increasingly common practice. In the standard case, a sperm donor sells sperm to an agency, waives his parental rights, and is absolved of parental responsibility. We tend to assume that this involves no problematic abandonment of parental responsibility. If we regard the donor as having parental responsibilities at all, we may think that his parental responsibilities are transferred to the sperm recipients. But, if a man creates a child accidentally, via contraception failure, we tend to assume that the man does indeed have parental responsibilities. Assessing these contrasting conclusions requires a theory of parental responsibility. I analyse prevalent theories of what makes someone parentally responsible and show that none of these theories can withstand scrutiny. I propose a new theory of parental responsibility, which, I argue, is more plausible than the alternatives. My theory of parental responsibility is based on our ownership and control over hazardous materials, namely, our gametes. I show that neither my theory, nor the theories I reject, can support our contrasting intuitions. I conclude that sperm donors are fathers, with parental responsibility. I argue that the alternative conclusion, that neither sperm donors nor accidental fathers are parentally responsible for their resulting offspring, is less plausible. I then consider whether parental responsibility can be transferred and argue that it is far from clear that it can. Finally, I address objections and consider some practical implications of these views.

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Thus, since recipients are unaware of the donor's identity, semen banks and the medical teams involved in assisted reproduction become the intermediaries in the process. The objective of this article is to show that, in practice, this represents disrespect for the ethical principles of autonomy, privacy and equality. The article also stresses that the problem is compounded by the racial question. In a country like Brazil, where racial classification is so flexible and goes side by side with racist attitudes, the intermediary role played by semen banks and medical teams is conditioned by their own criteria of racial classification, which are not always the same as those of donors and semen recipients. The data presented in this paper were taken from two semen banks located in the city of São Paulo (Brazil). At the time of my research, they were the only semen banks in the state of São Paulo and supplied semen to the capital (São Paulo city), the state of São Paulo, and to cities in other Brazilian states where semen banks were not available.

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Legge, M.; Fitzgerald, R.; Frank, N.

*A retrospective study of New Zealand case law involving assisted reproduction technology and the social recognition of 'new' family*


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**Document 242**

Salih, Shawqi Zakariya

*Al-Athar al-mutaratibah 'ala 'amaliyat al-talqih al-sina'i = The implications of artificial insemination*


**Document 243**

Salih, Shawqi Zakariya

*Al-Rahim al-musta'jar wa bunuk al-ajinnah wa al-hukm al-fiqhi wa al-qanuni lahuma = Surrogate mothers, embryo banks, and their jurisprudential and legal rulings*


**Document 244**

Salih, Shawqi Zakariya

*Al-Talqih al-sina'i al-dakhili wa al-khariji bayna al-shari'ah al-Islamiyah wa al-qawanin al-wad'iyah = Internal and external artificial insemination between the Islamic sharia and positive laws*


**Document 245**

Salih, Shawqi Zakariya

*Al-Jara'im al-mutasawwarah bil-nisbah li-'amaliyat al-talqih al-sina'i = Possible crimes associated with artificial insemination*


**Document 246**

Markens, Susan

SURROGATE MOTHERHOOD AND THE POLITICS OF REPRODUCTION


Call number: HQ759.5 .M37 2007
The opening part of the paper includes discussions on the following topics: I. History of donor gamete (sperm) insemination. 2. Definition of gamete donation, and its types. 3. Requirements of inheritance, and its conditions and restrictions. 4. Definition of relation: relation in literal usage, in common custom and practice, and in law and Sharia. Different types of gamete donation are mentioned and the inheritance of children born this way is examined. The following questions are addressed in this section: First, who are the legal parents of children born through donor gametes: the donors of the sperm and ovum, or the host and her husband? Second, does inheritance hold between them and their mothers' fathers or other ancestors? Thirds, as in certain types of gamete donation a lineage cannot be established and neither the man nor the wife (womb owner) bear any relation to the embryo, what rules do apply as far as inheritance, maintenance (nafaqa), and child custody are concerned? Fourth, if the man in the above example divorces his wife made pregnant through donor gamete, who will be legally bound to the maintenance during the waiting period of three months (known as eddah)? The assumption is that the contributors of the sperm and ovum are act known. In answering these questions, we have drawn on Islamic jurisprudential sources (the Quran, the Prophet's tradition, and literal meanings of the terms. The views of Islamic jurisprudents, and jurists, for and against, and their arguments are examined. The opinions of respected contemporary sources of emulation, and jurisprudents are included in the concluding part of the paper.

Abstract: The books focuses on the issue of surrogate mothers from the Islamic legal point of view. It consists of six chapters: definition of a surrogate mother contract; conclusion of a surrogate mother contract; implications of such a contract; expiration of the contract; legality of the contract; and lineage determination for a child born as a result of a surrogacy arrangement.

The books focus on the issue of surrogate mothers from the Islamic legal point of view. It consists of six chapters: definition of a surrogate mother contract; conclusion of a surrogate mother contract; implications of such a contract; expiration of the contract; legality of the contract; and lineage determination for a child born as a result of a surrogacy arrangement.

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The books focus on the issue of surrogate mothers from the Islamic legal point of view. It consists of six chapters: definition of a surrogate mother contract; conclusion of a surrogate mother contract; implications of such a contract; expiration of the contract; legality of the contract; and lineage determination for a child born as a result of a surrogacy arrangement.
Shahriari H.

* Abstract: The last two decades have witnessed the secularization of bioethics. The religious influence on bioethics subsequently declined. Bioethics today is no longer dominated by religion and medical traditions as it used to be in the past. Unfortunately, it has become dominated more by philosophical, social and legal concepts. In the Islamic countries, religion still influences a lot of behaviors, practices and policies.Science without conscience ruins the soul. It is therefore not surprising that science and religion have been interrelated since the beginning of human history. The Holy Quran encouraged marriage, family formation and reproduction. The Verse says: "We did send apostles, before thee, and appointed for them wives and children (Sura Al-Rad, 13:38, Holy Quraan). Another Verse says: "And Allah has made for you mates of your own nature, and made for you (children) male and female, according to His will (and Plan), or He bestows both males and females, and He leaves barren whom He will (Sura Al-Nahl, 16:27, Holy Quraan). Regarding infertility among many couples, it says: "He bestows (children) male and female, according to His will (and Plan), or He bestows both males and females, and He leaves barren whom He will (Sura Al-Shura, 42:49-50, Holy Quraan). Through the advances in assisted reproduction, it became possible to separate the bonding of reproduction from the sexual act. These advances enabled women to conceive without having sex, either in vivo or in-vitro. This enables also the involvement of a third party in the process of reproduction whether by providing an oocyte, a sperm, an embryo or a uterus. In the Sunni Muslim world, the basic guidelines for assisted reproduction are as follows. If ART is indicated in a married couple as a necessary line of treatment, it is permitted during validity of marriage contract with no allocation of donated gametes or embryos and public access to such services, insurance coverage, and right of access to gamete donation for postmenopausal women or couples without normal or apparently persistent relations.

http://iranmedex.com/ (link may be outdated)

Shahriari H.

* Abstract: Nowadays, the four principles of medical ethics having the advantage of cultural impartiality are widely used for guidance of decision making regarding ethical issues in medicine. This article is aimed to review the practical implications of each one of these principles in gamete and embryo donation, and gives a general and practical overview regarding those of ethical issues. The following topics are discussed regarding each principle: Respect for Autonomy: Informed consent of donor and recipient(s) of the gamete or embryo; inhibition of coercion; issues regarding sex (or other characteristics) selection; using dead bodies or aborted fetuses as donor; cases of conflict between physician and recipient opinions about discontinuing of the achieved pregnancy. Inclusion of this principle to In Vitro produced embryos and possibility of considering any “benefit” for a human embryo before transferring to a uterus.Nonmaleficence: Right of recipients to receiving a healthy gamete or embryo (without any known or detectable abnormality), its differences with eugenics, right of transferred embryo to life and Sharia law in Iran Justice: Distributive justice in allocation of donated gametes or embryos and public access to such services, insurance coverage, and right of access to gamete donation for postmenopausal women or couples without normal or apparently persistent relations.

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Call number: R724.T564 2007

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Beyond genetic and gestational dualities: surrogacy agreements, legal parenthood and choice in family formation
Call number: KD3340.H84 2007

Draper, Heather

Paying gamete donors does not wrong the future child
Call number: KD3340.H84 2007

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Attitudes among sperm donors in 1992 and 2002: a Danish questionnaire survey
Acta obstetricia et gynecologica Scandinavica 2007; 86(3): 327-333
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In their: From the Womb to the Tomb: Issues in Medical Ethics. Glasgow, Scotland: Humming Earth, 2007: 251-267
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In their: From the Womb to the Tomb: Issues in Medical Ethics. Glasgow, Scotland: Humming Earth, 2007: 85-170
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It's all in the genes, except when it isn't
Washington Post 2006 December 17; p. B1, B5

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Fertility and Sterility 2006 December; 86(6): 1573-1575

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Bowe, John

Gay donor or gay dad? Gay men and lesbians are having babies – and redefining fatherhood, commitment and what a family can be.
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Sperm donor seen as source of disease in 5 children
New York Times 2006 May 19; p. A16
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Popular donor's family tree may keep on growing
Washington Post 2006 May 1; p. A2
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Codd, Helen

**Policing procreation: prisoners, artificial insemination and the law**

Genomics, Society and Policy 2006 May; 2(1): 110-117

**Abstract:** This article explores the implications of two recent case law decisions in the UK in which prisoners and their partners have sought to utilise the European Convention of Human Rights to challenge the refusal by the Prison Service to provide access to facilities for artificial insemination. After a discussion of the facts and legal principles arising from these cases, the author goes on to consider broader questions of the rights of prisoners’ partners; the contested role of the welfare principle, and the challenges posed by recent research which promotes decisional privacy and autonomy in reproductive decisionmaking.

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**A new Dutch law regulating provision of identifying information of donors to offspring: background, content and impact**

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Journal of Gender, Race and Justice 2006 Spring; 9(3): 613-620

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**Equity in egg donation**

Journal of Gender, Race and Justice 2006 Spring; 9(3): 569-590

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**Markets, subsidies, regulation, and trust: building ethical understandings into the market for fertility services**

Journal of Gender, Race and Justice 2006 Spring; 9(3): 509-547

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**The intelligent couch potato**

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Multiple single moms, one nameless donor
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McWhinnie, Alexina M.
WHO AM I? EXPERIENCES OF DONOR CONCEPTION
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A°mad, A°mad Mu°ammad Luñfí al-Talqí° al-Íinå<í bayna aqwål al-añibbå> wa­årå> al-fuqahå> (Artificial insemination between the statements of the physicians and the views of the jurists)

Abstract: This book contains several chapters that deal with sharia rulings pertaining to biomedical issues which include: natural insemination and its impediments; concept of artificial insemination and its history; internal artificial insemination; external artificial insemination; treatment of surplus fertilized ova; sharia implications of artificial insemination; and surrogate mothers and womb renting.

Call number: [RG133.5 .W56 2006]

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From a social issue to policy: Social work's advocacy for the rights of donor conceived people to genetic origins information in the United Kingdom.

Social Work in Health Care 2006; 43(2-3): 53-72

Abstract: This book contains several chapters that deal with sharia rulings pertaining to biomedical issues which include: natural insemination and its impediments; concept of artificial insemination and its history; internal artificial insemination; external artificial insemination; treatment of surplus fertilized ova; sharia implications of artificial insemination; and surrogate mothers and womb renting.

Call number: [RG133.5 .W56 2006]

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Spar, Debora L.

Renting wombs for money and love: the emerging market for surrogacy


Document 307

Osberg, Brendan

For your first born child: an ethical defense of the exploitation argument against commercial surrogacy

Penn Bioethics Journal 2006; 2(2): 42-45

Abstract: In this essay I explore two arguments against commercial surrogacy, based on commodification and exploitation respectively. I adopt a consequentialist framework and argue that commodification arguments must be grounded in a resultant harm to either child or surrogate, and that a priori arguments which condemn the practice for puritanical reasons cannot form a basis for public law. Furthermore there is no overwhelming evidence of harm caused to either party involved in commercial surrogacy, and hence Canadian law (which forbids the practice) must (and can) be justified on exploitative grounds. Objections raised by Wilkinson based on an 'isolated case' approach are addressed when one takes into account the political implications of public policy. I argue that is precisely these implications that justify laws forbidding commercial surrogacy on the grounds of preventing systematic exploitation.

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Nursing Law's Regan Report 2005 December; 46(7): 1

Like a motherless child: fetal eggs and families

Imaginary fathers: a sentimental perspective on the question of identifying sperm donors
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New Scientist 2005 November 5-11; 188(2524): 3

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Sifris, Adiva

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Journal of Law and Medicine 2005 November; 13(2): 230-244

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Donor secrecy: the ethicist
New York Times Magazine 2005 October 2; p. 34

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ESHRE task force on ethics and law 10: surrogacy
Human Reproduction 2005 October; 20(10): 2705-2707

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Crews, Heather A.

Women be warned, egg donation isn't all it's cracked up to be: the copulation of science and the courts makes multiple mommies
North Carolina Journal of Law and Technology 2005 Fall; 7(1): 141-156

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The hidden costs of fertility
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Carbone, June
Law, politics, religion, and the creation of norms for market transactions [review of The Birth of Surrogacy in Israel, by D. Kelly Weisberg]
Family Law Quarterly 2005 Fall; 39(3): 789-804
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Snyder, Steven H.; Byrn, Mary Patricia
The use of prebirth parentage orders in surrogacy proceedings
Georgetown users check Georgetown Journal Finder for access to full text

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Belling, Catherine
The purchase of fruitfulness: assisted conception and reproductive disability in a seventeenth-century comedy
Journal of Medical Humanities 2005 Fall; 26(2-3): 79-96
Abstract: The relationships between socioeconomic and biogenetic reproduction are always socially constructed but not always acknowledged. These relationships are examined as they apply to an instance of infertility and assisted reproduction presented in a seventeenth-century English play, Thomas Middleton's 1613 comedy, A Chaste Maid in Cheapside. Middleton's satirization of the effects of secrecy on the category of reproductive disability is analyzed and its applicability to our own time considered. The discussion is in four parts, focusing on: the attribution of disabled status to one member of the couple, the wife; the use of this attribution to protect the husband's reputation for sexual and reproductive health; the concealment of the nature of assisted reproduction; and the interests of the child conceived with such assistance.
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Mamo, Laura

**Biomedicalizing kinship: sperm banks and the creation of affinity-ties**
Science as Culture 2005 September; 14(3): 237-264

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**California ruling expands same-sex parental rights**

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Fauser, Bart C.; Edwards, Robert G.

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Daniels, K.; Blyth, E.; Crawshaw, M.; Curson, R.

**Short communication: previous semen donors and their views regarding the sharing of information with offspring**

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Li, L.J.; Lu, G.X.

**How medical ethical principles are applied in treatment with artificial insemination by donors (AID) in Hunan, China: effective practice at the Reproductive and Genetic Hospital of CITIC-Xiangya**
Journal of Medical Ethics 2005 June; 31(6): 333-337

**Abstract:** This paper investigates the efficiency of application of medical ethics principles in the practice of artificial insemination by donors (AID) in China, in a culture characterised by traditional ethical values and disapproval of AID. The paper presents the ethical approach to AID treatment as established by the Reproduction and Genetics Hospital of CITIC-Xiangya (CITIC-Hunan-Yale Approach) in the central southern area of China against the social ethical background of China and describes its general features. The CITIC-Xiangya Approach facilitates the implementation of ethical relations between clinicians and patients participating in AID treatment procedures in Hunan-Yale.

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Anonymous or identity-registered sperm donors? A study of Dutch recipients’ choices
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Commercial agencies and surrogate motherhood: a transaction cost approach

Abstract: In this paper we investigate the legal arrangements involved in UK surrogate motherhood from a transaction-cost perspective. We outline the specific forms the transaction costs take and critically comment on the way in which the UK institutional and organisational arrangements at present adversely influence transaction costs. We then focus specifically on the potential role of surrogacy agencies and look at UK and US evidence on commercial and voluntary agencies. Policy implications follow.

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