The Problems and Plight of Surrogacy in Our Country

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\textbf{Abstract.} From two aspects, we analyze the ethical issues of surrogacy. One is that a surrogacy complicates the traditional family relations, and the second is the danger of commercialization of surrogacy. Surrogacy is developed on the basis of artificial insemination and embryo in vitro fertilization. Some problems about surrogacy is actually caused by these artificial assisted reproductive technology. As a result, surrogacy is not allowed by law in our country. But there is a premise that reproductive right is one of basic human rights, which is given by the society, law and policy recognition, not beyond the organized society. Reproductive right shared by both sides of husband and wife in marriage can not be arbitrarily deprived. From the perspective of social development, birth is not only a citizen's right, but also the duty of citizens.

\textbf{Introduction}

Surrogacy refers to women who accept artificial insemination or in vitro fertilization embryo transfers technology and gave birth to the child, and after production, the children will be raised by the client. Surrogate implementation needs the support of in vitro fertilization embryo transfer technology, in other words, a surrogate themselves sufficient artificial insemination and in vitro fertilization embryo transfer technology. If the artificial insemination the feasible ways of compensate is for male infertility. Then the corresponding, in vitro fertilization embryo transfer were at absolute sterility women provide effective help, surrogate motherhood is one of the specific measures.

As the surrogate exists the risk of commercial surrogacy is very necessary to carry on the legal and ethical regulations. Assisted reproductive way the biggest benefit is infertile couples, and so far all the way of artificial assisted reproductive purpose is to help relieve the pain of infertile couples, so this article to the surrogate situation when the delegate for infertile couples take the standpoint of defense [1]. After the essence of surrogate debate, the ethics for a surrogacy. Through to the other countries about surrogacy legislation and related policies in China to carry on the introduction and analysis, that in the current society and the present situation of science and technology, the legislators should be fully aware of the positive and negative effects of a surrogate mother, foster strengths and circumvent weaknesses, will be banned to moderate at appropriate time, opening up and controls. On this basis, further proposes the tentative idea of ethical rules about surrogate. Surrogate for ethical rules both has the necessity, but also feasible. The author believes that, with the legal rules and ethics on the operability of the program design, surrogate technology can bring the Gospel to the human society.

Before we discuss a surrogate problem associated with assisted reproductive technology is needed in a detail introduction, because surrogacy technology is derived on the basis of these technologies, understand the operation process and application scope of these technologies will help us more rationally treat the use of surrogate technology. Surrogate technology of ethical issues such as surrogate commercialization makes a surrogate technology become the most controversial way [2]. How to avoid a surrogate commercialization operation is the current focus is also a problem.
Human Assisted Reproductive Technology Related to Surrogacy

Modern artificial assisted reproductive techniques mainly include artificial insemination and in vitro fertilization (ivf) and asexual reproduction of three parts, other new techniques are developed on the basis of these three derivatives. The technology at present is mainly related to surrogate artificial insemination and in vitro fertilization embryo transfer. Surrogacy is not a standalone human assisted reproductive technology, but the realization of the surrogate need artificial insemination and in vitro fertilization embryo transfer technology support. So the surrogate is some of the ethical problems caused by artificial insemination technology inherent in the technology itself, or in vitro fertilization (ivf) in surrogate the birth more special form, make the problem more complicated. So before the surrogate problem, it is necessary for the relevant involved artificial insemination and in vitro fertilization embryo transfer technology was introduced briefly.

Artificial insemination refers to the row of semen or essence in vitro sperm into the female reproductive tract for pregnancy assisted reproduction method, article asked her uterus and at least to the normal function of fallopian tube. The technology can be divided into two kinds: unprocessed semen of artificial insemination with semen of artificial insemination. The former due to its limited application scope, and side effects, has been basically eliminated. The latter is now generally artificial insemination. Processing of semen artificial insemination and include inside the uterus, fallopian tube, abdominal cavity to the follicle artificial insemination, one of the most commonly used is intrauterine insemination [3]. According to different sources of semen, the us and artificial insemination can be divided into homogeneous artificial insemination with heterogeneous artificial insemination two kinds, the difference lies in the homogeneous artificial insemination sperm from her husband, and heterogeneous artificial insemination sperm from donors.

Heterogeneous Artificial Insemination

Heterogeneous artificial insemination is mainly applied to completely sterile husband reasons, her husband to have genetic disease, chromosome abnormality, or severe maternal blood type out the treatment is invalid. In the process of the implementation of the heterogeneous artificial insemination, is mainly responsible for the selection of pure to sources of medical institutions (mainly refers to the sperm bank in China). Every country is to formulate the corresponding standards for fine. Our country "measures for the management of human sperm bank" stipulated in article 15: for sperm should be healthy men aged between 22 to 45 years old.

That is to say, during the duration of the relationship agreement through both sides of husband and wife means said the wife implanted with the embryos in vitro fertilization (ivf), whatever its source of gametes, born children shall be regarded as the couple's children.

Usually, once every implementation of in vitro fertilization (ivf), the egg will be 6, 7 single injection, and then when there appears a fertilized egg in the artificial simulation of fallopian tube to suitable for planting environment development before the embryonic stage, the selection of development speed, high score before the embryo to grow first, because it's before the embryo has better development potential [4]. And the fate of the remaining before the embryo is not optimistic, or frozen for other infertility couples to use, or be discarded. Before in vitro fertilization (ivf), in fact, after the formation of the embryonic survival rates are low. In most cases, first implantation embryo will develop into a fetus and other embryos will be absorbed gradually, but sometimes there will be two or more embryonic implantation and development situation, thus to form twins or multiple births. If the number of embryo implantation is overmuch, fetus's chance of survival will be greatly reduced, so the faces among women undergoing in vitro fertilization (ivf) must risk reduction.

Currently under the condition of artificial simulation of environment in the human body is not perfect, and this is perfect, at least we can see is also impossible to achieve in the future. Because want to fully simulated conditions of human internal system, and on the system with the development of embryo and gametes or embryos, zygote adjusted, at the moment is unthinkable [5]. Thus, in the process of the implementation of the in vitro fertilization (ivf) will generate a number of elimination.
Objection to Surrogacy

There are at least two points in the first, don't think a surrogate mother nature, is to use the la but the means to achieve original natural fertility. According to this argument, then all the assisted reproductive technology should not be performed. Because, what is a "natural", what is "unnatural" or "not so la", in science and technology developed today, it is difficult to draw a line. We are the daily life of today, almost no completely natural health care. Besides, what is a "natural", today we have difficult to define it. No matter the “natural” or "unnatural", one thing is for sure, the development of the society make us have more and more means to meet the needs of the nature and purpose [6]. Therefore, it is difficult to set up the opposing argument. Second, think a surrogate birth process, introduced to a third party, destroy the integrity of the family, lead to complicated relationships. This problem also exists in other assisted reproductive technology, also rejected adoption. Therefore, it is difficult to set up.

If it is for the purpose of money or under the pressure of the life it accepts a surrogacy, which to a certain extent, the dignity of women. In addition, if both sides are willing to accept a fair and reasonable contract arrangement, in today's fully respect and make public autonomy, it is very difficult, we have reason to deny such a surrogate. Again, for example, that a surrogate children are being sold. In the commercial surrogacy, this deserves our careful consideration. But if it is completely reasonable compensation altruism surrogate and surrogate there had been no such problem. Third, some objection to surrogate is established. Such as commercial surrogacy makes women "reproductive" container, the same as prostitution, is about the women's personality. The argument should be set up [7]. The human body as a commodity to sell or rent any part is not ethical. In commercial surrogate, surrogate mothers to have children are not because she wanted children, not because she wanted to help others, but because she wanted to rely on children and get the money. This is the womb into a money-making machine, which is not ethical. Therefore, we must absolutely prohibited commercial surrogacy.

When infertility patients claim they have the right to use the artificial reproductive technology to overcome or treatment of infertility, this is the positive implementation of reproductive rights. But in a fair and caring society, active power, when applying to the medical service of must limit at a basic level. An individual foot has no right to also cannot get everything he wants to get treatment. Use of assisted reproductive technology to solve the problem of infertility, countries in the respect for individual reproductive rights at the same time also must consider the social limited medical resources.

The following two principles can be used for reference: first, give priority to protect surrogate women's reproductive rights advocate, because a surrogate mother during pregnancy and fetus were positively correlated, probably after a baby is born and the child emotionally difficult to give up. Priority protection of surrogate mother's reproductive rights embodies the protection for the interests of the surrogate women. Second, with the help of genetic party reproductive rights claims and no genetic participants to "artificial reproductive rights" advocated in conflict, priority should be to protect genetic relations of reproductive rights. In addition, the reproductive rights once confirmed, will not change easily, in order to ensure their children's interests. Another case, if there are defects was born children, clients and the surrogate mother refused to bear the obligation of raising children, then what should I do? The author believed that defects in newborns should be borne by the delegate couples, the raising of obligation. The society should be legal absolutely protect the interests of child birth make its have the same rights with normal children. Such principles and rules also apply to the surrogate is entrusted the couple's relatives, namely on the cognizance of the parent-child relationship, entrustment couple as the parents of the children, unless a surrogate who refused to give up their reproductive rights [8]. To avoid conflict, the relatives between the surrogate shall be limited to "surrogate pregnancy", a surrogate mother and was born children have no blood relationship, so easier to comb of parent-child relationship.
Summary

In a nutshell, infertile couples on fertility problems should be more carefully than way through natural fertility couple. Fertility itself is a very intimate behavior, if you can rely on their own natural reproductive ability can achieve the purpose of fertility, almost no no couple will to help others. However, for those due to some disease cannot pregnancy couples, help the practice of assisted reproductive technology became their necessity. And cause of female infertility condition is varied, such as all kinds of serious uterine infertility, irreversibility of tubal damage, repeated artificial insemination or in vitro fertilization (ivf) heart failure, severe unexplained infertility and kidney disease. Using a surrogate children born on the personal dignity should children born with other means, are looking forward to and respect. Absolute forbid surrogate commercialization is our ethical stance. The exercise of the rights is always accompanied by the obligations, technical support and social tolerance cannot be used as an excuse to we abuse of power. Assisted reproductive technology application must follow the legal provisions of the state and certain ethical principle, the legislation of the countries to surrogate problem in detail, and tries to further standardize the implementation of the surrogate ethical operational procedures are put forward.

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References


