

代理孕母合法化之探討

Legalization of Surrogate Motherhood

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摘要

「代理孕母」在我國一直是備受爭論的議題，近年來曾引起各甲多次熱討論，衛生署亦曾將其列入人工生殖法草案中，有條件的讓代理孕母合法化，但由於各持反對意見者眾，到目前為止仍懸而未決。本文將從我國代理孕母的立法沿革及世界各國對代理孕母的立法情形開始，進而介紹各界對代理孕母合法化的看法，最後並將我國醫護人員、宗教界及法界人士對代理孕母相關議題的看法，做一重點介紹，供護理界同仁參考，以便在立法剛討論人工生殖法草案時，發表護理界對此一議題的立場主張。

Abstract

Surrogate motherhood has always been a highly contentious issue in Taiwan, and has often aroused heated debates in recent years. The Department of Health has planned to conditionally legalize surrogacy. However, the law is still pending due to mounting pressure from the opposition. This study starts from a review of the legislative history of surrogacy in Taiwan and the jurisprudence of other countries in this regard , followed by an introduction of how society views this ethical dilemma. Lastly, the views of healthcare professionals, religious professionals and legal professionals on this issue are explored and summarized to give the nursing profession some reference points in guiding bills in the legislature.