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The moral, ethical and legal implications of gamete and embryo donation in Iran

Abstract

Religious leaders in Iran have shown remarkable open-mindedness and flexibility towards embracing innovations in science and technology, including the use of new reproductive technologies. Assisted reproductive technologies (ARTs), especially infertility treatment, are flourishing in Iran, and require Islamic interpretations to make their use possible. New *'fatwas'* and laws are being decreed to legitimise the use of these technologies and to adapt to change within an Islamic framework.

In this presentation I briefly examine the interaction between: the Shia law as applied to infertility treatment; the treatment of infertility as practiced in various clinics and centres; and the resourcefulness of the patients themselves in interpreting laws and identifying facilities. The combination of these three ultimately determine the process and the outcome of donation (sperm, egg and embryo donation and surrogacy). In Iran the religious law (*Sharia*) remains the ultimate authoritative body of knowledge and is all-encompassing. The legitimacy given by religious approval to the practice of ARTs has provided a general framework which each party involved interprets to its own advantage free from the scrutiny of secular ethical bodies and civil law. It is only when the 'new babies' come of age that the nature and extent of problems, ranging from ethical and moral issues to kinship and gender relations will emerge. In conclusion, the indication of research so far suggests that the practice of ARTs remains in a state of flux.