

**Question for written answer E-007013/2015
to the Commission**

Rule 130

Marek Jurek (ECR) and Kazimierz Michał Ujazdowski (ECR)

Subject: ellaOne II

In its answer to Question P-001651/2015, the Commission appears to suggest that human embryos, which are protected by legal provisions on human rights and human dignity in connection with patenting (see Directive 98/44/EC, as interpreted by the Court of Justice in Case C-34/10, *Brüstle v Greenpeace*), do not enjoy that protection in connection with abortion.

1. Can the Commission explain the reasoning behind that distinction, and does it believe that human rights and human dignity are dependent on the circumstances?
2. When it took the decision, on the basis of expert opinion, on over-the-counter sales of the medicinal product 'ellaOne - ulipristal acetate' throughout the EU, was the European Medicines Agency aware of exactly how the 'destructive' effect of that product is achieved and of the fact that, in addition to preventing eggs from being fertilised, it can prevent fertilised eggs, i.e. human embryos, from attaching to the womb and/or destroy human embryos that have already attached to the womb?
3. Is the Commission saying that Member States do not retain the right, under Article 4(4) of Directive 2001/83/EC, to restrict or ban sales of products such as ellaOne on the ground that they may have an abortifacient effect?