

**Question for written answer P-001651/2015
to the Commission**

Rule 130

Marek Jurek (ECR), Andrzej Duda (ECR), Anna Elżbieta Fotyga (ECR), Beata Gosiewska (ECR), Robert Jarosław Iwaszkiewicz (EFDD), Ryszard Antoni Legutko (ECR), Michał Marusik (NI), Miroslav Mikolášik (PPE), Stanisław Ożóg (ECR), Jean-Luc Schaffhauser (NI), Ruža Tomašić (ECR), Kazimierz Michał Ujazdowski (ECR), Beatrix von Storch (ECR), Jadwiga Wiśniewska (ECR) and Michaela Šojdrová (PPE)

Subject: 'EllaOne' medicine

Article 1 of the EU Charter of Fundamental Rights states that human dignity is inviolable, and guarantees its protection. The European Court of Justice (Grand Chamber), in its judgment of 18 October 2011 (Oliver Brüstle vs Greenpeace eV., C-34/10), stated, in the context of patent law, that the legal protection stemming from the dignity of the human being starts from the moment of conception and the earliest embryonic phase, since 'fertilisation is such as to commence the process of development of a human being'. Given that the 'ellaOne' medicine acts as a contraceptive only in the phase preceding ovulation, and then starts acting as an abortifacient, the Commission is asked to answer the following:

- Did it take into account its obligation stemming from Article 1 of the EU Charter of Fundamental Rights when issuing Decision C(2015)51 of 7 January 2015?
- In light of the above, is it going to withdraw Decision C(2015)51 of 7 January 2015, which allows a medicine that may act as an abortifacient to be sold without a prescription?