

To complement infringement proceedings, the Commission has developed a number of 'upstream' mechanisms to remedy national actions that might hamper the operation of the single financial market. For example, it uses advisory committees such as the Banking advisory committee or the Insurance committee to help resolve any potential problems of interpretation of elements of a directive, as well as defining a collective approach to issues of implementation and peer review. These committee structures are reinforced by the recent creation of the Financial services policy group. This high-level forum will enable the Commission and Member States to identify recurrent problems and determine appropriate course of action.

⁽¹⁾ OJ L 43, 14.2.1997.

⁽²⁾ Sixteenth annual report on monitoring the application of Community law (1998) COM(1999) 301 final.

⁽³⁾ OJ L 168, 18.7.1995.

⁽⁴⁾ OJ L 166, 28.6.1991.

⁽⁵⁾ OJ L 330, 29.11.1990.

⁽⁶⁾ OJ L 84, 26.3.1997.

(2000/C 203 E/126)

WRITTEN QUESTION P-1975/99

by Hélène Flautre (Verts/ALE) to the Commission

(19 October 1999)

Subject: Use of children as bullfighters in Spain

In Andalusia and in the rest of Spain, bullrings regularly engage children and adolescents under 16 to fight and kill young wild bulls weighing up to 200 kilos, in public shows. Such fights involve all the dangers of a bullfight with adult bulls, and the children risk extremely serious, irreversible injury and even death. The only requirement is that the following documents be produced: a medical certificate of fitness, parental authorisation, a certificate of school attendance, a certificate stating that the bull to be fought is not dangerous, and insurance to cover death, invalidity and medical care. The requirement for insurance demonstrates that such activities are indeed dangerous, and the recent case of a child bullfighter gored at a fight on 30 August confirms this. The case of the famous and experienced bullfighter Antonio Bienvenida, who died after being gored by a young wild bull, should serve as an example.

Council Directive 94/33 of 22 July 1994⁽¹⁾ on the protection of young people at work was incorporated into Spanish law by Law 31/95 on the prevention of risks at work. The only obligation it imposes in this area is that for young people under 18, a prior assessment of the work must be made in order to determine the nature, level and duration of exposure to any activity likely to present a specific risk which could endanger the safety or health of workers. All other circumstances provided for under Directive 94/33/EEC continue to be governed by the 1980 law on the statute of rights for workers, and, in the case of public shows, Royal Decree 1435/85 of 1 August 1985, which authorises the participation of minors, without age limit, providing there is no risk to their physical well-being, personal development or education. On 10 September 1999 the Agaden (Asociación Gaditana para la Defensa de la Naturaleza — Cadiz Association for Nature Protection) Association complained about this practice to the Council of the European Union.

Does the Commission agree that the use of children and adolescents as bullfighters in Andalusia and the rest of Spain constitutes blatant non-compliance with Community legislation on the protection of young people at work? In view of this, does the Commission intend to open infringement proceedings against the Spanish government under Article 226 of the Treaty for breach of Directive 94/33/EEC? What measures does the Commission intend to take to guarantee the protection of young people at work in Andalusia?

⁽¹⁾ OJ L 216, 20.8.1994, p. 12.

Answer given by Mrs Diamantopoulou on behalf of the Commission

(22 November 1999)

With regard to the transposal of Council Directive 94/33/EC of 22 June 1999 on the protection of young people at work, the Commission can inform the Honourable Member that Spanish legislation sets the minimum employment age at 16 years.

Spain has made use of the derogation from the prohibition of work below this age for young people performing in cultural, artistic, sports or advertising activities. In conformity with the Community Directive, employment of children for these purposes is subject to prior authorisation to be given by the competent authority in individual cases. Spanish legislation stipulates in this context that the work in question can only be authorised on condition that it is not detrimental to the minor's physical health, vocational training or personal development.

The Commission considers that this legislation obliges the Spanish authorities, in conformity with Directive 94/33/EC, to examine in each individual case whether in particular the conditions relating to the young people's health and safety are observed and whether adequate protective measures are taken before authorisation is given.

(2000/C 203 E/127)

WRITTEN QUESTION P-1976/99

by Inger Schörling (Verts/ALE) to the Commission

(28 October 1999)

Subject: Brominated flame retardants

There have recently been alarming reports in Sweden of high levels of brominated flame retardants in fish in the Baltic. The Swedish government has promised to ban brominated flame retardants in 2004 and to press for reductions in their use.

How does the Commission intend to deal with the problem of brominated flame retardants?

Does it intend to seek a ban at EU level, and if so, when?

Could a unilateral Swedish ban on brominated fire retardants constitute an obstacle to the free movement of goods and thus an infringement of EU law?

Answer given by Mr Liikanen on behalf of the Commission

(24 November 1999)

The Commission would refer the Honourable Member to the answer to Written Question E-3004/98 by Mr Eisma (¹).

The Commission is aware of recently published Swedish research on brominated flame retardants, in particular as regards polybrominated diphenylethers (PBDEs). In this context, information not only on the levels of certain brominated flame retardants in fish but also on increased concentrations of five PBDE congeners in the blood of workers at recycling plants is a cause for concern. The Commission will give full consideration to these findings in preparing a proposal for a directive on waste electrical and electronic equipment (WEEE), which is intended to lead to an increase in the recycling of plastics containing flame retardants.