



# The current EU precautionary approach on EMF: Council Recommendation 1999/519/EC

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# Structure

- **Legal basis**
- The Precautionary Principle
- Recommendation 1999/519/EC
- Review of exposure limits
- Conclusions

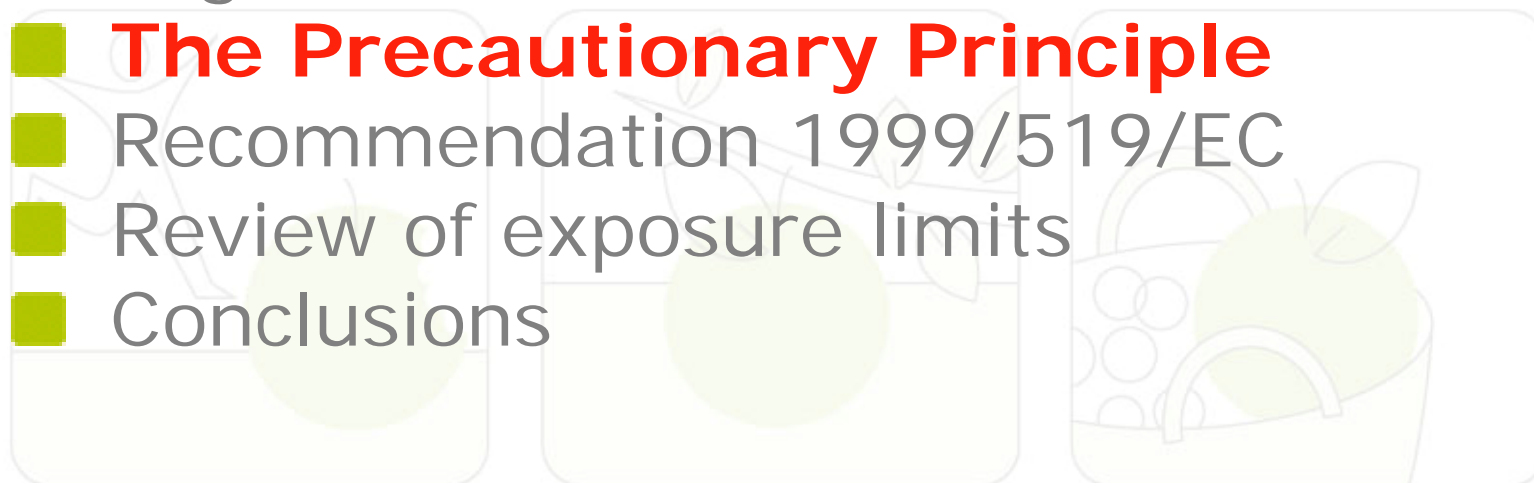
## Legal basis: the EU Treaty

# Internal Market and Public Health

- **Article 95 §3:** *“The Commission, in its proposals... will take as a base **a high level of protection**”.*
- **Article 152 §1:** *“**A high level of human health protection** shall be ensured in the definition and implementation of all Community activities and policies”.*
- **Article 152 §4** provides for the adoption of recommendations by the Council *“with a view to complement national policies for **improving public health, preventing human illness and diseases, and obviating sources of danger to human health**”.*

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# The Precautionary Principle - 1

- Prescribed by the Treaty specifically for the environment
- Framework needed for its use:
  - How to address dilemmas
  - Action principle
- COM(2000)1 final

## The Precautionary Principle - 2

### ■ Applied in practice:

■ « *Where preliminary **objective scientific** evaluation indicates that there are reasonable grounds for concern* »

■ When potential hazards may be inconsistent with the « *high level of health protection* » chosen for the Community.

### ■ Requires criteria to be met

## The Precautionary Principle - 3

- To be considered within a **structured approach** to risk analysis
- Its use must follow a **scientific evaluation** based on enough data to establish a possibility of occurrence
- Applying the PP is **risk management**
- Requires to examines **costs and benefits**
- Proportionality of action

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# Recommendation 1999/519/EC

- Based on Article 152 § 4 of the Treaty
- Establishes a **Community framework** for the exposure of the general public – not binding
- Defines **restrictions** with the aim to ensure a high-level of protection for all population groups and to provide the **basis for monitoring** the situation in various conditions of exposure

# Recommendation 1999/519/EC

- Provides a **reference framework for EU legislation** on electric and electronic products and devices emitting EMF
- Provides a basis for national policies to limit exposure of the general public
- The Recommendation requires that Basic Restrictions and Reference Levels be based on the **best scientific evidence** of the health effects of EMF

# Recommendation 1999/519/EC

- The current BR and RL derive from the 1998 ICNIRP guidelines
- These guidelines use a **safety factor of 50**
  - a factor 5 (reduction of public exposure vs occupational exposure)
  - a factor of 10 to cover variations of sensitivity and exposure conditions

# The role of Member States

- They are responsible for the protection of the population against potential risks from EMF
- They may apply more stringent exposure limits
- The Council Recommendation asks the MS
  - to implement a framework of Basic Restrictions and Reference Levels
  - to ensure that adequate health protection measures are taken
  - To ensure that the general public is adequately informed.

# Implementation


- All MS have implemented a protective framework at least equivalent to 1999/519/EC
- MS are free to choose the means of implementation
- Some apply more stringent limits (e.g. BE, GR)
- There is public demand for better communication

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# Review of exposure limits

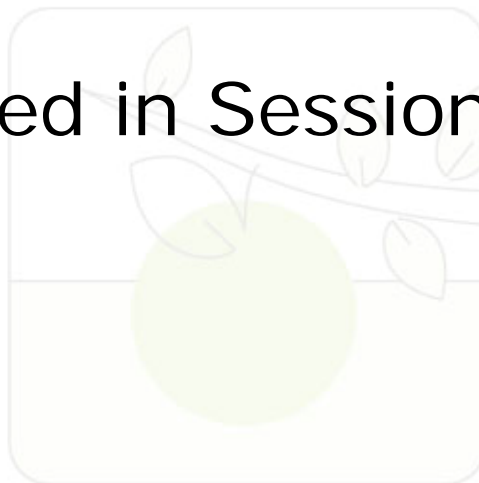
- The Recommendation requires that Basic Restrictions and Reference Levels be based on the best scientific evidence

 Therefore, **independent scientific reviews**

- SSC – 1998
- CSTEE – 2001
- SCENIHR - 2007
- SCENIHR – 2009

# Latest Outcome

Will be presented in Session 2





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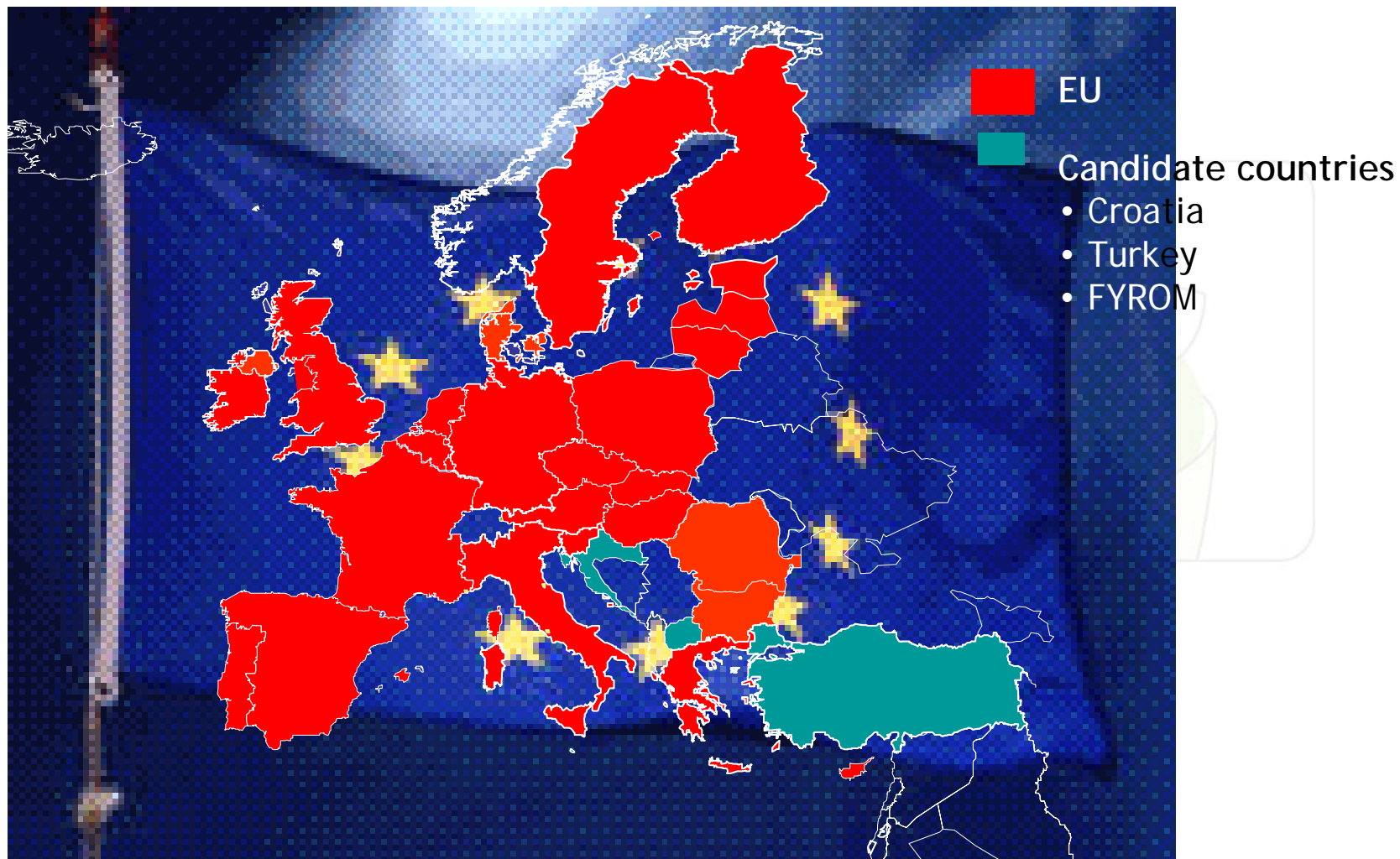


# Conclusions

- ✓ As enshrined in the Treaty, the Commission strives to ensure a **high level of health protection** for the public in the EU
- ✓ It uses the **Precautionary Principle** according to Communication 2000/1 within its areas of competence
- ✓ For EMF, a protective framework is already in place
- ✓ The limit values are under **periodic scientific review**, but still gaps in scientific data base
- ✓ The Commission recognises the need for **good quality research** for **science-based policy making**
- ✓ The SCENIHR recommendations for research are an important input in this respect



# Thank you for your attention!



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