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

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EMF & Health: Science and Policy to Address Public Concerns
Brussels, 11-12 February 2009
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 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
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!

EU Candidate countries
- Croatia
- Turkey
- FYROM