



24.10.2012

NOTICE TO MEMBERS

Subject: Petition 0785/2011 by Jolanta Smagłowska (Polish), with 69 signatures, on the erection of relay stations for mobile telephony in Warsaw and the associated dangers to the health of the local population

1. Summary of petition

With reference to the recommendations in the European Parliament's decision of 2 April 2009 on health problems in connection with electromagnetic fields, the petitioner points out that a number of relay stations have been erected in a densely populated area of Warsaw. The applicable limit values have been exceeded, and the petitioner claims that this has caused a number of deaths and health problems in the area. The petitioner also emphasises that the citizens affected have not been consulted on current cases, which is in contravention of the principles of the Århus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. As no ruling has yet been made on the complaint submitted by the petitioner to the European Court of Human Rights, she requests the European Parliament to cause the EU's applicable provisions in this area to be respected in connection with the relay stations concerned, and that proper account be taken of the health and safety of the local population.

2. Admissibility

Declared admissible on 16 November 2011. Information requested from Commission under Rule 202(6).

3. Commission reply, received on 16 December 2011

There is no EU legislation applicable to this case. In line with the Treaty on the functioning

of the European Union, Member States are responsible for the protection of the health of the public from electromagnetic fields. The only text at EU level on electromagnetic fields is the non binding Council Recommendation 1999/519/EC on the limitation of the exposure of the public to electromagnetic fields (0 Hz-300 GHz)¹. The Commission does not have any role in the installation of mobile telephony base stations.

The Commission recommends that the petitioner contacts the relevant national or local authorities for public health protection.

4. Further Commission reply (REV.), received on 24 October 2012

The additional information provided by the petitioner unfortunately does not change the Commission's position. All Member States have taken measures to implement the Council Recommendation on exposure to electromagnetic fields (EMF) but each has done it in a different way. Poland has put exposure limits in place that are stricter than those coming from the Council Recommendation.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1999:199:0059:0070:EN:PDF> .