

## **RADIATION COURT CASE AGAINST BELGIUM AND THE EU**

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### **STATE OF PLAY**

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Our governments are harming us.

The electromagnetic exposure limits in force in Europe amount to a novel form of torture. Electromagnetic torture. The advent of 5G only makes matters worse. Far worse.

How and why do governments harm us?

For reasons of budget and economic development governments stick to an outdated thermal dogma first developed by the U.S. military during the cold war. In doing so they deliberately disregard the manifold biological effects of man-made electromagnetic technology pointed to by independent science.

This is why, in the spring of 2021, we started up a court case against Belgium and the EU.

Our case is not just relevant for people, plants and animals in our own country. As we invoke a range of fundamental rights, our approach is relevant for people and groups in all signature countries to the European Union and/or the European Convention of Human Rights (ECHR).

Our case is not directed against any specific wireless technology but against the totality of our exposure to man-made radiation.

Against all the various radiation sources and frequencies simultaneously in the air because of the government's exposure limits.

In attacking Belgian and EU exposure limits we also aim at the science and the scientists our governments refer to: ICNIRP as well as national and European scientific boards.

We submitted evidence to the court proving the outdated science, the inappropriate composition and the pervasive conflicts of interests at ICNIRP, SCENIHR and national scientific boards which, we conclude, makes those boards inappropriate scientific references.

As against the "science" of the government, we submitted more than 7.700 pages of evidence proving beyond any reasonable doubt that biological effects of man-made electromagnetic fields are real. Based on this evidence, and alternative exposure limits proposed by the Council of Europe, the BioInitiative, EUROPAEM and the German institute for Baubiologie, we ask the judge to enforce a limit of 0.6V/m.

Legally we undergird this request with three sources of fundamental rights: the Belgian constitution, the Charter of Fundamental Rights of the European Union (CFR) and the ECHR as well as a range of other national and EU legal bases.

As far as EU law and the ECHR is concerned, here are the treaty articles which we invoke:

- European Union law: Article 2, 3, 4, 6 and 7 CFR and articles 168 and 191 TFEU
- European Convention of Human Rights: Articles 2, 3 and 8

The essence of our legal argument is that by continuing to adhere to the thermal dogma in the face of mounting evidence of serious biological harm caused by man-made electromagnetic fields, Belgium and the European Union violate our fundamental rights. In our view these rights seek to protect people, plants and animals not just from heating effects but also from the biological effects of man-made EMF.

In relation to EU law, we claim that Council Recommendation 1999/519 violates the CFR and should therefore be declared illegal. As under EU law a national judge cannot do that by himself, we asked the court to direct 3 prejudicial questions to the European Court of Justice. These questions read as follows:

1. *Should Articles 2, 3, 4, 6 and 7 of the Charter of Fundamental Rights and Articles 168 and 191 TFEU be read as obliging the Union and its Member States, when drawing up and defining radiation standards, to take full account not only of the possible warming effects of man-made electromagnetic radiation, but also of biological effects of all kinds caused by these radiation fields?*
2. *If so, does Recommendation 1999/591/EC infringe Articles 2, 3, 4, 6 or 7 CFR, as well as Articles 168 and 191 TFEU, to the extent that it recommends maximum limits for electromagnetic radiation to Member States that take into account only warming effects and not*

*the many biological effects referred to by independent scientific research?*

3. *If so, should the relevant provisions of Directive 2018/1972 be read as obliging Member States, when devising a preventive regulatory framework which provides adequate protection against the harmful effects of man-made electromagnetic radiation, to take full account of the biological effects which such radiation has on humans, plants and animals?*

As the law of the European Union applies in the same way in all the member states, and all the member states of the European Union are also signatories to the ECHR, our approach can be copied by individuals or groups in every member state of the European Union.

To that end we translated the gist of our writ of summons and our most important submissions to the court into English and, with DeepL Pro, into other major European languages.

We are open to share these documents with other groups. Please contact us for more information in case you are interested.

If you feel like supporting our cause, feel free to do so at **BE45 9733 9096 4089**  
**BIC: ARSPBE22**

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