



BM Box ES-UK
London
WC1N 3XX
www.es-uk.info
Tel.: 0845 643 9748

Secretariat of the Human Rights Council Advisory Committee
OHCHR - United Nations Office at Geneva
CH-1211 Geneva 10, Switzerland
hrcadvisorycommittee@ohchr.org

New and emerging digital technologies and human rights resolution

Response on behalf of Electrosensitivity UK (ES-UK),
by Michael Bevington, Chair of Trustees
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2. What are some of the key human rights challenges arising from new and emerging digital technologies? How can these risks be mitigated? Do new and emerging digital technologies create unique and unprecedented challenges or are there earlier precedents that help us understand the issue area?

There are three main human rights challenges presented by new and emerging technologies such as 5G:

(a) The human rights of the 3.6% of the population consciously injured by high levels of radio frequency wireless radiation, and the 1.2% severely affected, are being disregarded. This leads to discrimination and inequality for these people in access to work, school, public places, housing etc

5G will start by using existing 3G and 4G technologies employing pulsed and frequency modulated radio frequency wireless radiation. It has already been proven by many robust scientific studies that this type of radiation causes electrosensitivity symptoms which can be functionally impairing and disabling.

See: <http://www.es-uk.info/wp-content/uploads/2018/05/Selected%20ES%20and%20EHS%20studies.pdf>

Current estimates are that 3.6% of the population suffers such symptoms consciously, with 1.2% severely affected. A recent estimation is that this type of radiation, as already being used by 5G, restricts access to work or school by 0.65% of the population.

See: <https://www.omegaonline.org/article-details/The-Prevalence-of-People-With-Restricted-Access-to-Work-in-Man-Made-Electromagnetic-Environments/2402>

At present few countries actively seek to give these people their human rights to live in their own homes, access work and school, or travel and visit public places, because of the high ambient and environmental levels of electromagnetic pollution. Some people are forced out of their homes and away from their families and even their countries of birth. They have to try living in wild and remote areas away from this type of radiation.

Although some organisations have recognised this problem, such as the European Union Parliament in 2009 and the Parliamentary Assembly of the Council of Europe in 2011, few if any governments have yet carried out the recommendations of these organisations to abandon the obsolete ICNIRP short-term heating guidelines based on Schwan's mistake of 1953 and adopt long-term and biological guidelines.

(b) The human rights of the 3.6% of the population injured by high levels of radio frequency wireless radiation are disregarded through governments not using the appropriate guidelines.

Governments can mitigate these infringements of human rights for people with electrosensitivity by using international long-term non-thermal safety guidelines, not ICNIRP's invalidated, unscientific and short-term (6 or 30 minutes average) obsolete guidelines which are not protective of health.

- (i) **Long-term biological guidelines which governments should be using** include:

[Bioinitiative 2012](#), [EUROPAEM EMF Guidelines 2016](#), [IGNIR 2018](#), or [Seletun 2010](#).

These international guidelines typically adopt values for public safety levels ranging from 0.1 to 100 $\mu\text{W}/\text{m}^2$. These are up to 100 million times lower than ICNIRP's obsolete short-term heating guidelines.

- (ii) **All governments should follow the lead of some half the countries in the world and abandon ICNIRP's 1998 obsolete short-term heating guidelines** which still permit power density in the range of 10,000,000 $\mu\text{W}/\text{m}^2$. This was based on Schwan's 100,000,000 $\mu\text{W}/\text{m}^2$ of 1953.

- (iii) **The US ANSI in 1966, the US Environmental Protection Agency in 1992 and the ICNIRP in 2002 all warned governments to adopt long-term biological guidelines** in place of short-term heating guidelines, such as the ICNIRP's own guidelines, but many governments have not yet done so, leading to the infringements of the human rights of 3.6% of the population.

See: http://www.es-uk.info/wp-content/uploads/2019/10/03.7-Biol.Effects-Maj.Min_viewpointsGuidelines.pdf

(c) The human rights of all people are infringed where 5G is being trialled on populations without any prior safety tests and without their informed consent.

Such trials are in opposition to the Nuremberg Code and contravene the rights of all people who are then more likely to suffer infertility, electrosensitivity, neurological and cardiovascular harm, and cancers. Since peer-reviewed studies show that some 79% of the population is adversely affected by radio frequency radiation, such as that used by and planned for 5G, or as is already used in electronic warfare, then it implies that the right to health is infringed in this case for 79% of the population. This is particularly

serious for the groups which the majority-viewpoint scientists regard as especially vulnerable, including children, the elderly, the ill, pregnant women, those suffering from electrosensitivity, and adults with chronic immune conditions, covering about 40% of adults.

3. Is the existing international human rights framework adequate to safeguard human rights in an era of rapid technological innovation? Why or why not? If not, what types of reforms are needed?

No. The key reform necessary is the development of rights for individuals with environmental intolerances, such as electrosensitivity. Just as it is accepted that all people with a visible physical disability, such as the need for access for a wheel chair, should still be able to have equal opportunities, so should people with hidden disabilities such as electrosensitivity, impaired sight or impaired hearing.

Electrosensitivity has been recognised in courts and tribunals around the world since 2012. Financial awards have been made against employers who cause this health injury in the form of the condition or intolerance of electrosensitivity through unsafe conditions in the work place. Financial compensation and early retirement have been awarded when someone has been so badly injured that they are no longer able to work.

Some organisations make suitable provision for electrosensitive people. This can include provide rooms and areas free of mobile phones, wifi, etc. Some transport facilities such as airlines request no use of wireless on mobile phones, laptops or wifi when there is someone aboard with electrosensitivity, just as for people with peanut allergies. See e.g. the US [JAN Accommodations](#).

Some organisation provide housing which is suitable for people with electrosensitivity, so that they are shielded from phone mast signals, power supply cables, along with no mobile phones, wifi, Bluetooth etc.

Some governments make wireless smart meters optional so that people with health conditions made deleterious by wireless radiation can stay in their homes.

In all these cases all governments should legislate and apply equality legislation to safeguard the 3.6% of the population consciously affected, in addition to safeguarding the health of the 79% affected.

None of these accommodations for functional disability would be necessary and no human rights of electrosensitive people infringed if governments adopted the appropriate long-term biological safety guidelines to ensure the health and well being of all people, including those with electrosensitivity, rather than ICNIRP's obsolete and unscientific short-term heating ones (see above section (a)).

4. *In your opinion, are there any gaps or overlaps in existing efforts to respond to the issue of new and emerging digital technologies? Are some human rights or technologies being overlooked?*

Some governments recognise the problem of using a mobile phone and Wifi and issue warnings to the population. However, not all governments yet inform people of the dangers of secondary radiation exposure, like passive smoking. Equally some governments have not yet banned satellite wireless radiation over their countries, leaving the population exposed to yet another source of electrosmog.

6. *What should be the role of the private sector in mitigating the risks of new and emerging digital technologies to human rights? What about the roles of other key stakeholders?*

The private sector should be required to comply with the international long-term biological guidelines, rather than the obsolete and invalidated ICNIRP short-term and heating guidelines. They should also be encouraged to develop wireless signals which are less biologically active and harmful.

Additional evidence

Some general articles on the established health dangers of 5G and thus the human rights challenges to people already suffering from electrosensitivity, and the human rights challenges to those likely to be made electrosensitive by the deployment of 5G under the inappropriate and unscientific short-term heating guidelines currently issued by the ICNIRP which are not protective of human rights for anyone:

Franz Adlkofer: ["How the Mobile Communication Industry Deals with Science as Illustrated by ICNIRP versus NTP"](#) (Pandora Foundation, October 26 2018)

Priyanka Bandara & David O Carpenter: ["Planetary electromagnetic pollution: it is time to assess its impact"](#) (The Lancet, 2018)

Claire Edwards: ["BBC Fake News on 5G Decoded: Health Impacts Denied Despite Overwhelming Scientific Evidence"](#) (Global Research, August 25 2019)

Investigate Europe: ["The 5G mass experiment: Big promises, unknown risks"](#) (January 13 2019)

Investigate Europe: ["How much is safe? Radiation authorities rely on controversial group for safety advice"](#) (March 14 2019)

Jerry Flynn: ["Champions of the "Thermal Effects Only" Dogma For EMFs"](#) (2019)

Hardell L: ["World Health Organization, radiofrequency radiation and health – a hard nut to crack \(Review\)"](#) (Int J Oncology, 2017)

Lennart Hardell: ["ICNIRP draft on new radiofrequency guidelines is flawed"](#) (June 25 2019)

Mark Hertsgaard & Mark Dowie: ["How Big Wireless Made Us Think That Cell Phones Are Safe: A Special Investigation: The disinformation campaign—and massive radiation increase—behind the 5G rollout"](#) (The Nation, March 29 2018)

Simon Hodges: ["How ICNIRP, AGNIR, PHE and a 30 year old political decision created and then covered up a global public health scandal"](#) (Community Operating System, September 12 2019)

JRS eco wireless: ["Problems with official ICNIRP exposure limits for electromagnetic radiation"](#) (2019)

Dariusz Leszczynski: ["ICNIRP's public consultation of the draft of the RF guidelines is just a gimmick"](#) (BRHP, July 25 2019)

- Miller AB et al.: ["Risks to Health and Well-Being From Radio-Frequency Radiation Emitted by Cell Phones and Other Wireless Devices"](#) (Front Public Health, 2019)
- Joel M. Moskowitz: ["ICNIRP's Revised RF Exposure Limits Will Ignore Expert Opinions of Most EMF Scientists"](#) (Saferemr, June 26 2019)
- Pall ML: ["Scientific evidence contradicts findings and assumptions of Canadian Safety Panel 6: microwaves act through voltage-gated calcium channel activation to induce biological impacts at non-thermal levels, supporting a paradigm shift for microwave/lower frequency electromagnetic field action"](#) (Rev Environ Health, 2015)
- Martin Pall: ["5G: Great risk for EU, U.S. and International Health! Compelling Evidence for Eight Distinct Types of Great Harm Caused by Electromagnetic Field \(EMF\) Exposures and the Mechanism that Causes Them"](#) (2019, 90 pages)
- Martin Pall: ["Eight Repeatedly Documented Findings Each Show that EMF Safety Guidelines Do Not Predict Biological Effects and Are, Therefore Fraudulent: The Consequences for Both Microwave Frequency Exposures and Also 5G"](#) (Second Edition, May 23 2019. 28 pages)
- Martin Pall: ["Twelve Questions"](#) (2019)
- Redmayne M: ["International policy and advisory response regarding children's exposure to radio frequency electromagnetic fields \(RF-EMF\)"](#) (Electromagn Biol Med., 2015)
- Sage C et al.: ["Comments on SCENIHR: Opinion on potential health effects of exposure to electromagnetic fields, Bioelectromagnetics 36:480-484 \(2015\)"](#) (Bioelectromagnetics, 2015)
- Starkey SJ: ["Inaccurate official assessment of radiofrequency safety by the Advisory Group on Non-ionising Radiation"](#) (Rev Environ Health, 2016)
- Webster PC: ["Federal Wi-Fi safety report is deeply flawed, say experts"](#) (CMAJ, 2014)