

## **Legal Shenanigans Help Mobile Operator Block Tower Protests**

**A small community in Sweden was united against a new mobile phone base station, but the developer used a novel tactic to block legal challenges.**

*Keywords: cell tower, base station, activist, protest, electrical sensitivity, EHS*

About 150 people live in the area around the village of Stjarnsund, Dalarna County, in Sweden. The area is recognized for its natural beauty and cultural significance.

About ten years ago the local Hedemora municipality declared the vicinity as a “low radiation area” in their development plans. This prompted several people with severe electrical hypersensitivity (EHS) to move there.

There was one cellular tower in the area, near Lake Grycken.

In early 2022 the cellular operator N4M applied for a permit to build a second tower also by that lake. This was to provide 5G wireless service.

Nearly every one of the 150 people living there objected by signing a petition or speaking out at the hearing. Still, Hedemora approved the application.

The locals got better organized. The Dalarna chapter of the national EHS organization got involved. Two appeals were filed to different authorities.

The appeals said the radiation was a threat to the environment and human health, and referred to a 2005 court ruling that said cellular towers were an environmental hazard.

One appeal authority said that the local people did not have legal standing, as they did not own property directly adjacent to the tower site. But it recognized the EHS organization’s chapter as an environmental organization, and therefore with the right to object.

There were then various maneuverings going on. The most important was that the application was changed from a “cellular tower” to just a “tower” with no transmission equipment.

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That way the arguments about the health and environmental effects from the radiation no longer were of any use. It was just a tower, after all.

Of course, once the tower is erected, then the owner is free to add transmitters. Swedish law does not require a permit to add a transmitter to an existing tower (similar to many other countries).

This clear circumvention of the rules was appealed, but the appeal was rejected. This method has already been used in three other counties in Sweden.

This is a very condensed version of the story published in two issues of *Ljusglimten*, the magazine published by the Swedish national EHS organization.

### **Sources**

Overklagandet av en 5G-mast, Caroline Tholander, Karin Marstorp and Eva Jansson, *Ljusglimten*, 2/2022 and 3/2022.(Swedish language).

### **More information**

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