



European Economic and Social Committee (EESC).
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For the attention of EESC President and Vice-Presidents:

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Dear EESC President Henry Malosse and Vice-Presidents,

The UK Radiation Research Trust would like to draw your attention to concerns regarding the outcome of the vote on the TEN/559 Counter Opinion on Electromagnetic hypersensitivity, on 21st January 2015.

The European Economic and Social Committee (EESC) is mandated to act on behalf of civil society, advising the European Commission on economic and social matters, presenting itself as the “house of civil society” and has assumed a legitimate role of representing the organisations of civil society in the European Union as by the EU Treaty mandate. We therefore respectfully request that you investigate the conduct and lack of transparency demonstrated by Mr Richard Adams during the EESC Plenary Session on 21st January. Mr. Adams led the Counter Opinion against the call to support people who are suffering with electrosensitivity and prevented the need for measures to be applied to accommodate sufferers and to protect future generations.

Sadly the votes of 110 EESC members’ were overruled by 136 EESC members who voted in favour of Mr. Adams controversial last minute Counter Opinion. This opinion appeared to be clearly modelled on telecommunications and energy utilities enterprise lobbies, without the EESC members’ full knowledge of Mr. Adams’s industry connections. This cloak and dagger approach is unethical and unbecoming of an institution representing democracy and we therefore call for the EESC to disassociate itself from this type of poor conduct in favour of an honest and well informed opinion. We call on you to re-examine the original work of the EESC members who conducted a thorough investigation leading towards offering a balanced opinion introduced by Bernardo Hernández Bataller. Download here:

<http://www.stopumts.nl/pdf/EESC-2014-05117-00-00-PA-TRA-EN.pdf>

These men and woman did their job to produce the balanced original opinion led by Bernardo Hernández Bataller based on many reports of adverse health effects in all countries of the European Union and it was overturned by an industry influenced Counter Opinion just 24 hours before the Plenary Session led by Mr. Richard Adams. This action resulted in the devastating dismissal of the urgent needs of what is estimated to be between 22,000,000 to 37,000,000 people, a number many experts consider to be conservative, who are suffering with electrosensitivity throughout Europe. It is a travesty of epic proportions. These claims by tens of millions of people are now supported by a sufficient and rapidly growing body of credible scientific evidence and the concerns of the insurance industry.

Mr. Adams was challenged over his serious conflicts of interest during the EESC Plenary debate by another EESC member who voiced his shock after he was alerted by lobby groups to the fact that Mr Adams was offering the Counter Opinion without disclosing his industry connections. Mr Adams created confusion when

answering this question saying he was representing his own views and drawing from his previous experience working with public health. It is now clear that Mr Adams had failed to disclose his stakeholder position with RWE AG, one of Europe's five leading electricity and gas companies. He is also a trustee for the Charity Sustainability First (a fact that was also undisclosed at that time). Both enterprises have a vested interest in smart grid and smart meters that rely on wireless radiofrequency technology which benefits from the adoption of the Counter Opinion and yet he claimed his Counter Opinion to be derived from his own experience in public health. Can the EESC explain how this was allowed to happen and why members were not made aware of Mr Adams conflicts of interest?

The adoption of the Counter Opinion has allowed the continued onslaught of wireless radiation from the proliferation of mobile phones, DECT cordless phones, phone masts, WiFi, smart meters and the smart grid after receiving the seal of approval from 136 EESC members to continue with business as usual. The irony being that it is false economy as it is not sustainable in the long term due to the detrimental impacts this system carries.

Dr. Erica Mallery-Blythe (a British medical doctor with a special interest in EHS) states:

"In conjunction with the summary document on EHS that I have already provided to the EESC:

<http://www.iemfa.org/wp-content/pdf/Mallery-Blythe-v1-EESC.pdf>

I offer these points in retrospect having heard the EESC debate.

I have some specific concerns regarding the recent EESC Counter Opinion on Electromagnetic Hypersensitivity (EHS). It seems there is an attempt to determine causality of EHS and use this as justification for an argument against the original EESC Opinion which endorsed a higher level of protection and support for those with EHS. Given my understanding of the role of the EESC and the qualifications of those speaking and voting, this does not seem appropriate. Determining the causality of EHS is a role for medical doctors who have extensive experience of reading literature regarding non-thermal effects of non-ionising radiation, clinically examining patients with EHS, taking medical histories from them and performing clinical investigations as appropriate. There is a role also for provocation testing (given the surrounding controversy) but due to the non-linear nature of the effect amongst many other pitfalls, this should not be performed without design input from these same EHS experts.

The literature referred to in the counter argument contains only a very small number of provocation studies and almost none that come close to sensible design to allow those with EHS to demonstrate their reaction (although those which were well designed did show EMF to be the cause of the symptoms). The study design flaws are copious and when combined with the well documented effect of funding bias on results, it is no surprise that directly positive provocation studies are sparse. Despite this, however, they do exist and some have been highlighted to the author of the Counter Opinion (Mr. Richard Adams).

Misleadingly, it was stated that there was "no experimental evidence for the effects of radio frequency in several areas of health concerns" and that EHS is a condition that "has no medical basis". A medico-scientific conference on this very subject will be held in less than three months in Brussels with global experts discussing (not for the first time) the physiological condition that is EHS and I would urge those who have signed the Counter Opinion to attend in order to correct this misinformation. We are all aware that it takes time for cutting edge medicine and science to be filtered into policy, but in this case exposures are unprecedented and illness is rising more rapidly than expected by either side of the debate. Therefore policy should be made only with current experts on hand on both sides of the debate to offer state of the art wisdom.

In response to the Rapporteur's statement that "electromagnetic waves do have a definite effect which make people ill" (for which there is sufficient and rapidly growing evidence), Mr. Adams responds, "I just have to point out again and again, that the vast majority of studies, it's not some on the one hand and some on the other, but it's some hundreds on one hand and some handful on the other, say this connection cannot be made, has not been proven, so please bear in mind the overwhelming weight of scientific opinion on this particular subject." This statement serves a great injustice to the many thousands of papers linking non-thermal EMF with negative biological effects.

Firstly I must point out that in keeping with the scientific philosophy of Sir Karl Popper and echoed by Prof Stephen Hawking, "You can disprove a theory by finding even a single observation that disagrees with the predictions of the theory", therefore, it also only takes one study of good scientific integrity that demonstrates that EHS is caused by EMF to disprove the psychological theories as invalid – which has been achieved. By the same token, "a handful of studies" demonstrating evidence of harm is more than adequate to disprove a theory of safety. Regardless, instead of a handful, a vast amount of literature exists demonstrating disruption to biology at both cellular and systemic levels which of course is relevant if investigating the validity of EHS.

Indeed when funding bias is eliminated by excluding industry funded research, the overwhelming majority of studies (nearly 70%) demonstrate alterations to structure and function that can reasonably be expected to cause detriment to health. Additionally, as one would expect from radiation induced damage, every system is affected. Compounding this evidence, if analysing causality, one must include also the results of provocation studies not classified specifically as EHS but regardless still demonstrating the same symptom constellation. By this I mean the multitude of papers now demonstrating headaches, insomnia, mood disturbance, palpitations, etc., manifesting in a dose response fashion from exposure to mobile phone base stations, mobile phones and other common RF emissions in the general population. One must also consider animal, plant and human studies not designated as EHS but nonetheless, demonstrating behavioural change, electro-physiological alterations, sensory disturbance, autonomic nervous system disturbance, etc., in response to RF, all of which collaborate the EHS symptoms being demonstrated. None of these studies have been taken into account when presenting Mr. Adams "handful", and in total looking at all of these relevant papers, there are many thousand dating back to the 1950's.

If all of this evidence had been presented and one is to vote based on causality, I feel the outcome (especially given the extremely narrow margin) would have been different. If it is not within the mandate or expertise of the EESC to determine causality, but instead to offer practical solutions to the escalating problem of EHS in the European community (from an Economic and Social perspective), then Counter Opinion is not fit for purpose as it offers no form of solution at all. It is a fact that this condition affects a very large number of citizens (larger than the current number of wheelchair users), and much greater if one were to take into account the numbers of all those with mild symptoms of EHS who are undiagnosed. It is also a fact that this is already costly in terms of health impact and lost revenue. Additionally, it is obvious that failure to act in a timely fashion to prevent escalation will only increase these costs, which is not in the best interests of either the general population, governing bodies or industry themselves (especially if the 'Polluter Pays' principle is implemented). The necessary and inevitable redirection of industry to healthier technological advancement will create entirely new industries, and only short-sightedness is presently holding this back. Short term gains will be vastly overshadowed by the enormity of the inevitable public health disaster if we fail to address this issue.

This was a very valuable opportunity for the EESC to use their position for the greater good of all groups, and I very much hope that this chance may be retrieved. The Counter Opinion was the polar opposite to the original document and offers no useful solutions. Votes were rushed without access to expert rebuttal of the Counter Opinion which seems inappropriate for such an important subject that affects such a great number of individuals including children. I very much hope that the EESC chooses to revisit this vital subject with more depth from experts in the field who have genuine experience of people with EHS. Tens of millions of people have not suddenly 'gone mad' and their truth is clear to all of us who have taken a sincere and in depth review of the situation. I urge all policy makers to begin protection of vulnerable groups as rapidly as possible in the interests of the economy, human rights, the health of an entire generation and their offspring."

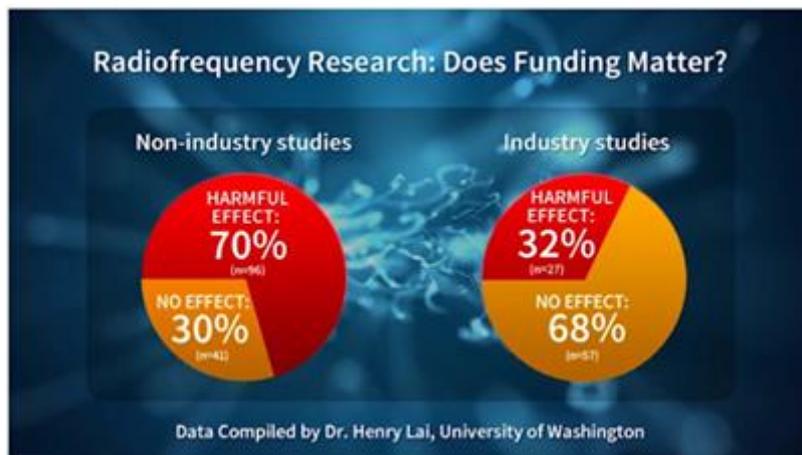
Dr Erica Mallery-Blythe statement should be taken into account and the Radiation Research Trust urges you to invite experts such as Dr Mallery-Blythe to consult with your members. The newly adopted Counter Opinion offers no support or solution to help those who are suffering with electrosensitivity and now claims that this condition is psychological which will only exacerbate the injury, increase resentment and no doubt contribute to medical, economic and social exclusion for those who are suffering with this condition. It could be considered a dereliction of duty for the EESC to neglect duty of care towards dealing with this serious issue in today's world of rapidly increasing wireless exposure.

The EU's Ombudsman Emily O'Reilly recently criticised the secrecy that still surrounds the powerful experts groups called upon to help the European Commission draft EU legislation. She demanded greater transparency from the secretive European Commission expert groups and criticised the EU for not opening them up to greater public scrutiny. Saying: "There is room for improvement if we want to be sure that the public can trust and scrutinise the work of these important groups." The report goes on to state that 'companies spend millions of euros lobbying Brussels' institutions and having direct access to an expert group is seen as one of the best ways of shaping legislation. Better still is the possibility that companies can, controversially, have one of their representatives appointed to the expert groups.' Download here: <http://www.aecr.eu/eu-ombudsman-criticises-secrecy-surrounding-powerful-eu-policy-committees/>

The Radiation Research Trust and other citizens, doctors and scientists provided Mr. Adams with scientific research on biological effects of non-thermal levels of non-ionizing radiation and information regarding the well reported conflicts of interests associated with members of the SCENIHR expert group used to write the Opinion on the health effects of electromagnetic fields. We were astonished to witness Mr. Adams quoting from a preliminary SCENIHR draft opinion report during his presentation; this report has not been released and cannot be verified by voting members.

The Radiation Research Trust sent a number of letters to Mr. Adams containing information regarding independent research. He sadly ignored such information and refused to accept that wireless technology is in any way responsible for these risks. He was not prepared to engage in dialogue of any kind and resorted to using slanderous language via email with regards to the work of esteemed doctors and scientists such as Professor Lennart Hardell and the BioInitiative Working Group.

The work of independent scientists needs to be taken seriously. Studies, independent of industry consistently demonstrate significant risks. Professor Henry Lai from the University of Washington highlighted this perfectly following an analysis of 326 studies on mobile phone radiation between 1990 and 2006. Industry-funded studies were only 30 percent likely to find an effect, as opposed to 70 percent of non-industry funded studies.



This whole process has created a climate of tension and raised legitimate global concerns regarding the transparency of the EESC. Mr Adams actions constitute a case of maladministration, bringing shame to the EESC and providing a poor reflection for other members of the EESC and to European citizenship. Mr. Adams failed to act impartially, fairly and reasonably, he infringed the right to good administration as a fundamental right enshrined in the European Charter.

THE ALLEGATIONS:

The promotion of the short-term economic interests of industry led by Mr. Adams with his undisclosed industry affiliations has destroyed the fundamental social and human rights of millions of people estimated to be between 22,000,000 and 37,000,000 throughout Europe who are currently suffering with electromagnetic sensitivity due to exposure to the proliferation of mobile phones, DECT cordless phones, cordless baby monitors, phone masts, WiFi, smart meters and the smart grid causing damage to health and undermining their rights to work and live in society. Many people living with EHS are denied their basic human rights leading to social exclusion and disruption and destruction to family life in many cases. The adopted Counter Opinion also ignores children's rights as they are forced to attend schools polluted by WiFi radiation and not given adequate warnings associated with the precautionary approach for children using mobile phones or other wireless technologies, thus preventing the course of Justice. A document discussing EHS and Human Rights can be downloaded here: <http://www.radiationresearch.org/home/10-uncategorised/408-ehs-human-rights-dr-isaac-jamieson>

The insurance industry already recognises the potential risks of EMFs.

AUVA Report (2009): This Austrian insurance company commissioned experts to assess biological effects of mobile phone radiation. Non-thermal effects were observed: "... the demonstrated effects should not even have occurred, according to the strictly thermal interaction mechanism that would have been covered by current exposure guidelines".

Lloyd's of London (2010): "The danger with EMF is that, like asbestos, the exposure insurers face is underestimated and could grow exponentially and be with us for many years." Lloyd's refuses to cover claims linked with RF radiation (Ryle 1999). In addition, our colleagues recently received direct communication on 18th February, 2015 from CFC Underwriting Limited, London UK, agent for Lloyd's re: EMF exclusion for Architects and Engineers E & O, Commercial Liability Insurance. They state: **"The Electromagnetic Fields Exclusion (Exclusion 32) is a General Insurance Exclusion and is applied across the market as**

standard. The purpose of the exclusion is to exclude cover for illnesses caused by continuous long-term non-ionising radiation exposure i.e. through mobile phone usage.'

Swiss Re (2013): "Over the last decade, the spread of wireless devices has accelerated enormously. ... This development has increased exposure ... If a direct link [to health effects] ... were established, it would open doors for new claims and could ultimately lead to large losses ..." **Unforeseen consequences of electromagnetic fields (Swiss Re 2013) "Overall potential impact: High."**

It is inconceivable that an opinion delivered by the EESC has discriminated against the rights of millions of EU citizens calling into question the democratic quality and independence of the European Economic and Social Committee and bringing shame to the process.

FOR THAT REASON, WE REQUEST THE FOLLOWING:

A) For reasons of democratic hygiene in the functioning of this institutional body, we request the annulment of the vote about the TEN/559 opinion on Electromagnetic sensitivity, the 21st January 2015, since Mr. Richard Adams actions constitute a case of maladministration.

B) The Radiation Research Trust sent a number of letters to Mr. Adams before that vote on 21st January, 2015 calling for him to state any primary or secondary connections to the telecommunications industry as well as any connections with utilities. The Radiation Research Trust called on Mr. Adams to reveal any conflicts of interests before using his influence to encourage his colleagues to support his Counter-Opinion. Please download a collection of letters sent to Mr. Adams in our desperate attempt to alert him to relevant research and information.

<http://www.radiationresearch.org/progress-report-on-build-up-to-eesc-plenary-session-on-21st-and-22nd-january>

Mr. Adams would not answer any of these questions and we are therefore asking the EESC to respond to these questions regarding primary or secondary connections to the telecommunications industry as well as the all utilities associated with Mr. Adams.

C) We request an audio-visual copy of the discussion that took place in the EESC plenary on 21th January 2015 regarding the above mentioned Own-Initiative Opinion on "electromagnetic sensitivity", as well as the minutes of the discussions with the different interventions and the results of the voting, including the names of voters and specifying their vote. We also request an audio-visual copy of the discussion that took place in the TEN section meeting on 7th January 2015 regarding the Own-Initiative Opinion on "electromagnetic sensitivity", along with the minutes of the discussions containing the different interventions and the results of the voting, including the names of voters and specifying their vote. Such request for documentation is made under the provisions of Regulation 1049/2001.

1. - Documents requested are accessible to the public, as this is the general rule, exceptions in Regulation 1049/2001, which interpretation must be restrictive in any case, compared to the general rule, that is, the accessibility of documents to the public.

2. - The signer has the status of beneficiary of this right, as required by Article 2-1^o within the indicated Regulation.

3. - The scope extends to all documents held by an institution, having, according to article 3, a) "document" shall mean any content whatever its medium (written on paper or stored in electronic form or as a sound, visual or audio-visual recording) concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility".

4. - This application is made under the provisions of Article 6 of the stated Regulation 1049/2001, written and drawn precisely enough with the aim that the documents requested can be easily identified by the EESC.

In accordance with Article 7 of the Regulation, an acknowledgment must be sent to the applicant and within 15 days from the registration, access and the documents requested must be provided, since there is no cause that covers an exception to the general principle of openness and transparency.

5. - As stipulated in Article 10 of Regulation, "access to documents," given that the applicant has the right of choice, the applicant prefers the documents to be supplied by an "electronic copy".

Since, in the present case there has been inappropriate behaviour by Mr. Richard Adams, who has publicly discredited the democratic functioning of the body that you have the honour of chairing, if within the deadlines specified in the Regulation 1049/2001 the applicant is not supplied with an answer in accordance with law, we expressly reserve the right to make a confirmatory application to the European Court of Justice.

We are aware that UK EESC members are appointed by the British Government and we are therefore sending a letter directly to the Prime Minister David Cameron, the Foreign Secretary of State and to the Department of

Trade Industry calling for a thorough investigation into the UK members conduct in light of decisions taken in support for the Counter Opinion. We hope that UK EESC members are truly representing the interests of the European public rather than the (short-term) interests of industry lobbyists and call for the EESC to release the voting of all UK members on this issue under the provisions of Regulation 1049/2001. The Radiation Research Trust will also exercise our right to report this situation directly to the Ombudsman.

The Radiation Research Trust hold Mr. Richard Adams accountable for his actions following the adoption of the Counter-Opinion and we have therefore served a 'letter of notice' dated 18th February, 2015. This letter has received tremendous support from organisations throughout the UK and the world. Download details here: http://www.radiationresearch.org/images/rrt_articles/EM-Radiation-Research-Trust-Letter-of-Notice-Served-on-Mr-Richard-Adams.pdf

Members of the Radiation Research Trust are meeting with Mr John Ryan the Acting Director of the European Commission Public Health Directorate Health and Consumers Directorate General this week and will be drawing this serious situation to his attention.

We request a response within the time limits set out in Regulation 1049/2001.

Yours faithfully,

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