



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 Presidents and Vice-Presidents,

The UK Radiation Research Trust would like to draw your attention to serious misgivings regarding the outcome of the vote on the TEN/559 Counter-Opinion on Electromagnetic hypersensitivity, 21st January 2015. We call on the European Economic and Social Committee (EESC) to act as an intermediary between civil society and some of the EESC members due to the lack of engagement from one of your members.

We have no doubt that you wish to include the opinions of society as set down in your charter to maintain transparency and maintain the credibility and the reputation of the EESC as a democratic institution and to act in fairness when representing duty of care towards specific interests as highlighted the 2007 report on the European Economic and Social Committee on Appointment Procedures in the 27 EU Member States written by François Staedelin. Professor Stjin Smismans states: "The EESC presents several strong points: is an additional forum of deliberation to the Parliament; is a functional assembly with a (relatively) transparent model that is more able to represent weaker groups, if compared with other forms of functional participation and pluralist interest group competition as lobbying. Finally its internal structure and the links with civil society make so as the Committee to represent more than particular interests of groups."

The EESC presents 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 as he led the Counter-Opinion against the call to support people who are suffering with electrosensitivity and support for this condition to be accepted as a physiological condition, not a psychological one and the need for preventative measures to be applied to protect future generations. These claims are now supported by a sufficient and rapidly growing body of credible scientific evidence.

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 (undisclosed) his stakeholder position with RWE AG, one of Europe's five leading electricity and gas companies. A position he acquired the month prior to his submission of the Counter-Opinion and yet he claimed to be derived from his own experience in public health. 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. Can the EESC explain how this was allowed to happen and why members were not aware of Mr Adams conflicts of interest?

Sadly the votes of 110 EESC members' were overruled by 136 EESC members who voted in favour of Mr Adams controversial late Counter-Opinion. This opinion appeared to be clearly modelled on telecommunications and energy utilities enterprise lobbies, without the EESC member's 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 with this type of poor conduct in favour of an honest and well informed opinion and call on you to re-examine the original work of the EESC members who conducted and 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 a balanced opinion led by Bernardo Hernández Bataller and it was trashed by a Counter-Opinion just 24 hours before the Plenary Session led by Mr Adams. This action resulted in the devastating dismissal of the urgent needs of up 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.

The newly adopted Counter-Opinion now claims that electrosensitivity is psychological which will only exasperate the injury and no doubt contribute to medical, economic and social exclusion for those who are suffering with this condition. It could be considered to be 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.

We call for the Counter-Opinion to be annulled and for Mr Adams appointment or re-appointment as a member of the EESC to be terminated due to his serious breach of duty and faith as a member of the EESC. A new perspective is required by decision makers and industry in order to better protect the general public, the environment and their own shareholders. The values contained within the Counter-Opinion are not sustainable and will lead to false economy due to the burden it will place on health and loss of productivity in the workforce. "Companies that properly address ethical, environmental & sustainability issues deliver considerably better long-term financial returns on equity & returns of assets than those failing to address such matters (Juniper 2013.)" It is time for these companies to face up to their responsibilities and for boundaries to be set by EU bodies. Policies are needed in which the **polluter should pay for misleading institutions such as the EESC and policy makers** as they continually delay preventative action. The Counter-Opinion puts an unspoken emphasis on moving commerce along at its present pace, with no thought to the high price that will be carried by countries throughout Europe in medical and lost productivity costs. It is reported that the numbers of people suffering with electrosensitivity is increasing. The implications for society and economic viability of Europe as a whole are daunting if we do not acknowledge this problem now, and ask industry and Governments to share the cost of providing wireless-free education, medical and living spaces to accommodate those made ill from wireless technology.

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."

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 and information regarding the well reported conflicts of interests associated with members of SCENIHR. We were astonished to witness Mr. Adams quoting from a preliminary SCENIHR draft report during his presentation, this report has not been released and cannot be verified by voting members. Public trust is paramount and it is quickly eroding following recent events.

This whole process has created a climate of tension and raised legitimate global concerns regarding 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 Chart.

We understand that the EESC has duly noted observations and concerns raised by Velma Lyrae regarding incomplete and unsubstantiated claims contained within the counter-opinion led by Mr Adams and we ask how you plan on dealing with these discrepancies.

THE ALLEGATIONS:

The promotion of the short-term economic interests of industry* led by Mr Adams's serious conflict of interest 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 the 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).

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 there were a "voice of consent" generating a "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 first or secondary connections to the telecommunications industry as well as connections with all 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 the 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 first 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, for given the nature of the matter, it is not a secret vote, but a mere electronic one, something that does not prevent citizens knowing the specificity of each EESC Director's vote, quite specially in such a general interest issue. For the same reason, we request an audio-visual copy of the discussion that took place in the TEN section meeting on 7th January 2015 about 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.

Such request for documentation is made under the provisions of Regulation 1049/2001, considering that the present case is to attend each and every one of the estimates provided for therein, namely:

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.

Accordingly, pursuant to Article 7 of the Regulation, an acknowledgment must be sent to the applicant and within 15 days from the registration of the application, 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 a totally 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 reserves the right to make a confirmatory application, and application to the European Court of Justice.

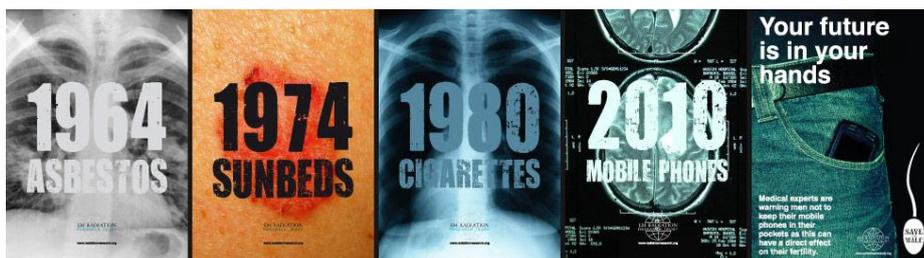
The Radiation Research Trust holds Mr Adams accountable for his actions following the adoption of the Counter-Opinion and we have therefore served a 'letter of notice' to Richard Adams - 18th February, 2015. This letter has received tremendous support from organisations throughout the UK and the world.

We are aware that Mr. Richard Adams is appointed as a member of the EESC by the British Government. We are therefore planning on lodging our complaint directly with the Foreign Secretary of State and with the DTI Secretary responsible for his appointment and will exercise our right to report this situation regarding lack of transparency to the Ombudsman. Members of the RRT are also meeting with the Director for the European Commission next 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,

Eileen O'Connor
Director
Representing the EM Radiation Research Trust
www.radiationresearch.org



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