

## Moratorium on 5G roll-out and legal request of documents

EUROPEAN COMMISSION
Cabinet of Commissioner Vytenis Andriukaitis
Head of Cabinet

Dear Mr. Arūnas VINČIŪNAS cc: Commissioner Vytenis Andriukatis

Thank you for your letter of Sept. 5, 2019, which is deeply concerning and unsatisfactory (your reference: Ref. Ares(2019)5589894 - 05/09/2019). Amongst various aspects, you do not answer properly to our question n. 3, which was specific:

3. Thirdly, with this letter we are formally requesting, in accordance with Art. 42<sup>16</sup> on EU Fundamental Rights, access to all documents in your possession, either created by you or at your disposal, related to the effects of EMF to human health and the environment. Once in possession of such a list, we will decide which of those documents, if any, are of interest and show that 5G is safe. The list of the documents, and the ways to access them, should be sent to the email addresses below.

Your response on the point is as follows:

As regards your third point, documents related to the effects of electromagnetic fields to human health and the environment, please be referred to the opinion of the Commission's Scientific Committee on Emerging and Newly Identified Health Risks of 20 January 2015 on potential health effects of exposure to electromagnetic fields (EMF) (https://ec.europa.eu/health/sites/health/files/scientific\_committees/emerging/docs/scenih r\_o\_041.pdf) that provides an extensive list of references to scientific literature on this issue.

Such a response does not fulfil the request, as it is a mere renunciation at one (1) document which is by the way, 4 years old and does not touch at all on the specific technical matters and much higher frequencies of 5G. Whereas, our request was specific: to be given **access to all documents** related to EMF's and health in your possession. Is that really the only one you have? You do not seem to know that the SCENIHR document you mention is well proven to be fraudulent<sup>1</sup>.

Specifically now, as we wish to assist the Commissioner in giving due response, it can be further specified from this side that we need the **list of documents**\_related to EMFs created by RF/ Radiofrequencies (so: not by ELF) and even more specifically, to the *list of those documents based* on which the Commission is basing its current position that 5G should not be stopped nor subject to

<sup>1</sup> https://www.5gappeal.eu/wp-content/uploads/2018/06/pall\_2018.pdf (see chapter 5)

a moratorium (see the statement of your letter that "first there is a need to see how this new technology will be applied and how the scientific evidence will evolve"). We leave aside our total disagreement on the merits of such position at this time: formally, we are entitled to receive from you such a list of documents based on which the Commissioner determined that 5G is safe. Based on that list we will decide which of those documents, are of interest. Please provide such list by email no later than October 31, 2019. This is urgent!

In addition, given that you give enormous deference to a paper to be issued by a private entity named "ICNIRP" (your statement on such point is "the Commission will review the situation once the review of the guidelines issued by the International Commission on Non-Ionizing Protection (ICNIRP) will be finalised") we formulate a specific question which is the following: Have you verified that members, or people linked or giving advice/consultation to ICNIRP, have no conflict of interest in relation to the subject matter? Have you verified the same in relation to previous positions held by same entity? If you have made such verification(s), then please provide relevant minutes and related decisions (this is a request under art. 42, again, EU Fundamental Rights). Have you seen the Rebuttal by professor emeritus Martin Pall, sent to ICNIRP, and showing that the ICNIRP document to be used as a base for new guidelines is full of fraudulent statements that "there is no research showing harmful effects". If you have not seen it please see note 2.

We expect that EU must obey the rules which EU has confirmed, i.e. the Precautionary Principle<sup>3</sup>. which: "enables a rapid response to be given in the face of a possible danger to human, animal or plant health, or to protect the environment. In particular, where scientific data do not permit a complete evaluation of the risk, recourse to this principle may, for example, be used to stop distribution or order withdrawal from the market of products likely to be hazardous."

Therefore, we are very surprised by your statement that you want to wait to see "how the scientific evidence will evolve". However, you cannot wait and see when the Precautionary Principle says exactly the opposite: "enables a rapid response to be given in the face of a POSSIBLE danger..."

In our earlier letter we also insisted that commissioner Andriukaitis himself should take the responsibility for the reply to us and also sign the reply. That was not done. We now again insist that commissioner Andriukatis signs the reply. However, most of all we **expect that he at once declares** "health emergency" (like Oregon State in the USA<sup>4</sup>) and that he immediately implements a moratorium on the 5G deployment to allow further research on potential health risks, see <a href="https://www.5gappeal.eu">www.5gappeal.eu</a> endorsed by more than 250 scientists and medical doctors. This must be done before 5G is deployed since 5G will tremendously increase the radiation. Please, see the list of more than 100 cities, municipalities and regions, which have already declared a moratorium to allow research before rolling out 5G<sup>4</sup>.

Vasa, Finland and Örebro, Sweden, 24 October, 2019

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<sup>&</sup>lt;sup>2</sup> http://www.5gappeal.eu/wp-content/uploads/2018/10/icnirp\_2018\_pall.pdf

<sup>&</sup>lt;sup>3</sup> https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l32042&from=EN

<sup>&</sup>lt;sup>4</sup> https://www.dropbox.com/s/c5grunswuqigphy/euattachment1.pdf?dl=0