

My name is, I.D. and I am a citizen of the Republic of Cyprus and/or I reside legally in Cyprus.

Information has come to my attention through various NGO's and/or Associations who operate and/or deal with issues concerning the dangers of Electromagnetic fields and of non-ionizing radiation, as well as through advice given to me by my lawyers and/or the lawyers of those organizations and associations, and so I hereby submit this report against the Deputy Minister of Research, Innovation and Digital Policy Mr. Kyriakos Kokkinos and the Director of the Department of Electronic Communications Mr. Georgios Kommodromos, demanding an investigation into the possibility of penal offences having been committed, since during the period when signatures were being collected from people in an appeal opposing the implementation of 5G in Cyprus, and/or during the Department of Electronic Communications' Public Consultation process for licensing of the range of frequencies of 700Mhz, 3.6Ghz and 26Ghz, having signed the said appeal and/or having participated in the Public Consultation process and/or as a citizen of the republic who is directly affected and concerned, I had expressed and/or I am expressing my opposition to the licensing and implementation of 5G networks since I believe that there are valid grounds for suspicion and/or scientifically founded grounds for investigation, from a significant number of scientists who have raised concerns about irreversible health effects and harm to public health due to the dramatic increase in exposure to electromagnetic radiation.

My report is grounded in articles 224 and 225 of the Cypriot Penal Code Cap.154, in conjunction with article 2 of the Radiocommunications Law of 2002, as well as article 45(4)(b) of EU Directive 1972/2018, as these are referred to below.

5G Licencing:

In or around August 2019 the Department of Electronic Communications announced the start of a Public Consultation procedure regarding the licensing of the frequencies which the 5G network will employ and operate within.

Despite the fact that a large number of citizens took part in the Public Consultation and having adopted a document which had been prepared by a law firm (attached below), a document which makes reference to a slew of scientific literature regarding the negative effects of non-ionizing radiation – and consequently 5G as well – and despite the plethora of

references to potential infringements of the relevant national and European legislation arising from the application of 5G networks, as well as references to instances of other European countries which have suspended and/or delayed the application and/or installation of 5G networks for public health reasons, the Department of Electronic Communications continues to reject and refute every point or argument put forward with complete disregard for the science on which the points and/or arguments put forward are based on. This is evident not only from the outcome of the Public Consultation but also from the Department's subsequent correspondence with the abovementioned law firm.

Meetings with the relevant Parliamentary Committees:

The misleading actions of the Department of Electronic Communications' officials persisted in all three meetings with the relevant Parliamentary Committees for Health and the Environment held on 19/09/2019, 26/09/2019 and 24/10/2019 where they presented two professors from the Cyprus University of Technology (TEPAK) as "experts", who actually have no familiarity or knowledge concerning the biological effects of non-ionizing radiation on living organisms. i) the first "expert", Mr. Nikos Constantinou is a psychologist with disquisition in cognitive neuroscience – in other words his knowledge is limited to the application of technologies, and ii) the second, professor of Information Technology, who presented himself as an "expert" on "fake news".

The two professors, who were presented as guests for the Department of Electronic Communications and for the Ministry of Health, distorted and/or misrepresented the scientific literature and misled the Parliamentary Committees by presenting false data or evidence, something which can be easily cross-checked against the arguments which had been submitted from both sides as is evident from the minutes which were kept during the meetings, and in this way they were indirectly acting against the public interest and more specifically against public health since both of the aforementioned governmental departments have a duty to protect the health of the public.

As a response to the misleading arguments which were submitted by and/or on behalf of the Department of Electronic Communications and the Ministry of Health, **the Cyprus Medical Association and the National Committee for Children's Environment and Health submitted two joint memorandums dated 19/09/2019 and 22/10/2019** debunking all the baseless arguments of the professors of TEPAK, whilst also describing the application of 5G in Cyprus as ***"...premature and dangerous."***

Ministry of Health:

The Ministry of Health, which is the body responsible for defining and legislating the national safety limits for exposure of the public to electromagnetic fields, pursuant to the Council of Ministers' decision no. 63.006 dated 14.12.2005, continues to adopt the outdated (legally non-binding) limits as per EU Recommendation 1999/519/EC, while ignoring the countless appeals which have been made over the years for a revision to the said limits (see *the 2019 decision of Mrs. Lida Koursoumpa, Commissioner for Children's Rights-Cyprus*).

By following the above decision, the Department of Electronic Communications are infringing Directive 1972/2018 (Electronic Communications Code), in that, even though the said Directive "binds" Member States to implement 5G, it also gives them the power to place restrictions on the development of any network for reasons pertaining to public health.

Article 45(2): *Member States shall promote the harmonisation of use of radio spectrum by electronic communications networks and services across the Union... by:*

(h): *"pursuing consistency and predictability throughout the Union regarding the way the use of radio spectrum is authorised in protecting public health taking into account Recommendation 1999/519/EC"*

Article 45(4): *Member States may, however, **provide for proportionate and non-discriminatory restrictions** to the types of radio network or wireless access technology used for electronic communications services where this is necessary to:*

(b) protect public health against electromagnetic fields, taking utmost account of Recommendation 1999/519/EC;

Deputy Ministry of Research, Innovation and Digital Policy:

The position of the newly-established Deputy Ministry of Research, Innovation and Digital Policy, which the Department of Electronic Communications falls under, is the same. In many of his statements, the

Deputy Minister Kyriakos Kokkinos emphasized that the Deputy Ministry will proceed relentlessly with the application of the new network, notwithstanding any opinions to the contrary which he said he will hear, however he did not seem intent on making any changes to their current plans.

In a meeting held between Mr. Kokkinos, the President of the “Aspida” Association and Mr. George Perdakis, a multipage document was submitted to Mr. Kokkinos, a document which was prepared by one of Mr. Kokkinos’ peers Dr.Christos Georgiou, professor of biochemistry and atomic biology, as a response to what was stated before the Parliamentary Committees by the Department of Electronic Communications and the Ministry of Health. Regarding this document, Mr. Kokkinos stated that he would simply “look over” it.

Mr. Kokkinos as head of the officials of the Department of Electronic Communications, together with his subordinates and specifically the Director of the Department of Electronic Communications, are either directly or indirectly acting against the interests of public health and/or they are violating the legislation which is relevant to their duties as public (see the Radiocommunications Law 2002), as well as articles 224 and 225 of the Cyprus Penal Code Cap.154, since they are directly endangering the lives of Cypriot citizens.

For all the above reasons I believe that I have the right to demand from the relevant authorities to begin a criminal investigation against the above public officials and/or persons, because their actions and/or omissions are either directly or indirectly endangering not only my own life and health but also my fellow citizen’s lives and health.

The Radiocommunications Law 2002

3 of 15(I) of 2003. PART II – DUTIES, COMPETENCES AND POWERS OF THE MINISTER AND OF THE DIRECTOR

Competences and responsibilities **of the Minister and the Director.**

3 of 50(I) of 2012.

3.-(1) The Minister and the Director shall have competence for all matters concerning radiocommunications in the Republic. The Minister shall be responsible for the elaboration of a radiocommunications policy and the Director shall be responsible for the implementation of such policy and for ensuring the efficient use of the radio frequency spectrum in the Republic.

The Minister and the Director shall ensure that they have, at their disposal, adequate financial and human resources to carry out the duties assigned to them.

(2) The Minister and the Director, having due consideration of the fact that radio frequencies are a public good of significant social, cultural and economic value, **shall perform their duties exercise their competences and powers in relation to radiocommunications, aiming to promote:** (a) the use of radiocommunications in the Republic for the benefit of the public; **(b) the rules on the protection of public health;** (c) the rules on the avoidance of harmful interferences;

Penal Code Cap. 154

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Duty of persons doing dangerous acts.

224. It is the duty of every person who, except in a case of necessity, undertakes to administer surgical or medical treatment to any other person, or to do any other lawful act which is or may be dangerous to human life or health, has a duty to have reasonable skill and to use reasonable care in doing such act; and he is held to have caused any consequences which result to the life or health of any person by reason of any omission to observe or perform that duty.

Duty of persons in charge of dangerous things.

225. It is the duty of every person who has in his charge or under his control anything, whether living or inanimate, and whether moving or stationary, of such a nature that, in the absence of care or precaution in its use or management, the life, safety or health of any person may be endangered, to use reasonable care and take reasonable precautions to avoid such danger ; and he is held to have caused any consequences which result to the life or health of any person by reason of any omission to perform that duty.