

Prague, May 25, 2017

European Parliament Committee for Civil Liberties, Justice and Home Affairs
libe-secretariat@ep.europa.eu

Dear Sirs,

first of all we would like to thank you very much for your interest in on-going trial with our client Mr. David Rath former Minister of Health and Member of the Parliament, and for your respect to his human rights, especially to his right to fair trial, and concerning the political abuse of media in this case in the Czech Republic. With respect to the agenda of the LIBE Committee Meeting on May 29, 2017 and May 30, 2017, we agree that political abuse of media in the case of Mr. David Rath is of very significant importance.

In the matter of the proceedings with Mr. David Rath, we would like to mention that the whole affair appears to be entirely political trial, in which political abuse of media, such as MF Dnes, Lidové noviny, and also public media Czech TV a Czech Radio (the “Media”), plays an extremely significant role. From the very beginning of the proceedings the defence points out the illegality of this show trial, in particular:

1. The illegal detention of Mr. David Rath, frequently accompanied by the untrue information to the Media in particular by the public prosecution and politicians as of beginning of the proceedings in the year 2012, during which Mr. David Rath could not execute the function of the Member of the Parliament for more than 14 months, even though he was duly elected. This leak of information was initiated by state prosecutors or police, also supported by ignorance of untrue media information by these authorities.
2. An unauthorised handling of unlawful recordings of wiretaps used by prosecution against Mr. David Rath, and its inadequate and untrue transcripts, which were frequently published by the Media as of beginning of the proceedings in the year 2012 accompanied by many untrue political commentaries thereof. Also this leak of information was initially from state prosecutors or police.
3. The violation of the personal rights of Mr. David Rath by the possibly biased judge deciding the case, who allowed the Media to photograph the court file together with personal data of Mr. David Rath at the beginning of the court proceedings.
4. Personal involvement of the Minister of Justice and President in the proceedings, including their declarations for the Media criticising and challenging the court decisions favourable for Mr. David Rath, and criticising the respective judge including treats to this judge through the Media in the year 2017 namely by disciplinary proceeding against the judge.

With respect to the above, it is clear that the case of Mr. David Rath represents an evident political abuse of media in the Czech Republic and unlawful influencing of the public, breaching the right of Mr. David Rath to be presumed innocent. In case of any questions or requests please do not hesitate to contact me.

Yours faithfully,

Adam Černý, attorney at law