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TAC wins court case against Matthias Rath

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"The evidence shows that as a matter of deliberate policy the applicant [TAC] has not received money from drug companies either directly or indirectly and it has implemented mechanisms to preclude any such eventuality." (p. 14)

"The TAC has strenuously campaigned and litigated against pharmaceutical companies with substantial success. It is difficult to understand why a front organisation would display such hostility towards its principal." (p. 12)

"The suggestion that the TAC destabilises democracy is incapable of fair-minded support. The tactics employed by the TAC may be somewhat boisterous and, at least in one instance, abusive towards the Minister of Health. Their conduct, however, does not threaten the security of the state and few, if any, right-thinking South Africans would see it in that light." (p. 10)

--- Quoted from Judgment in Treatment Action Campaign v. Matthias Rath, Dr Rath Health Foundation and Traditional Healers' Organisation; Cape of Good Hope Provincial Division; Case No: 2807/05; 3 March 2006

The TAC welcomes the unanimous judgment by a full bench of the Cape High Court today in our matter against Matthias Rath. We are disappointed that it took over eight months to deliver it, because this was an urgent request for a temporary interdict.

The Cape High Court has interdicted Matthias Rath, his South African foundation and the Traditional Healers' Organisation from making various statements alleging an improper connection between TAC and the pharmaceutical industry, pending the final determination of an action TAC has launched for a final interdict, an apology and for damages.

The respondents may not claim that TAC

? is a front for the pharmaceutical industry, a "Trojan horse" or "running dog" of that industry,

? is funded by the pharmaceutical industry,

? receives funds from pharmaceutical front organisations in return for promoting antiretroviral medicines and

? targets poor communities as a market for the drug industry in order to promote the interests of pharmaceutical companies.

This judgment affirms TAC's integrity and independence. It also clarifies the attitudes of Matthias Rath and his agents to evidence:

"The respondents' allegations with regard to the pharmaceutical industry and the TAC are premised upon conjecture and, it seems, are underpinned by a conspiracy involving several players. It is an unlikely scenario and no evidence has been disclosed which supports the respondents' position on the TAC's funding. The TAC, on the other hand, has made full disclosure of its income and their source. ... The respondents' allegations are not supported on the available evidence and the contrary appears to be more likely." (p. 12)

Matthias Rath, as well as his agents David Rasnick, Sam Mhlongo and Anthony Brink, are a spent political force: discredited, dishonourable and dishonest.

TAC will continue with its litigation against the Minister of Health for failing to act to stop Rath's illegal activities. These activities include conducting unauthorised experiments on people, distributing unregistered medicines and advertising unproven treatments for AIDS. The Minister of Health's support of Rath and other charlatans is based on pseudo-science and undermines the implementation of HIV prevention and treatment interventions. Worst of all, it endangers lives.

- Rath cases
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