

# Austrian court overturns judgment: PCR test not suitable for diagnosis



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**“In the name of the republic” a sensational *judgment* was issued on March 24 under the business number VGW-103/048/3227 / 2021-2 , which gave the Kurz government a resounding slap in the face. The court stated in several places that a PCR test is not suitable for determining infectivity. This probably factually correct judgment indirectly rejects the entire corona policy in Austria, which is based on this test.**

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By Michael Mayrhofer

The Vienna Administrative Court has granted a complaint by the FPÖ against the prohibition of its meetings, announced for January 31 in Vienna. "The prohibition was wrong," it says on behalf of the republic. **On the grounds for the judgment, the court stated on the basis of scientific studies that the grounds for the prohibition put forward by the Vienna State Police Department are completely**

**unfounded.** The court agrees with the statements in the complaint "on all points" and even goes far beyond the arguments put forward by the FPÖ itself. In particular, the criteria and definitions used to determine the number of corona sufferers are being massively questioned.

## "PCR test not suitable for diagnostics"

It is expressly pointed out that, even according to the World Health Organization (WHO), "a PCR test is not suitable for diagnosis and therefore does not in itself say anything about the disease or infection of a person". However, the Minister of Health uses a completely different, much broader case definition for Covid 19 diseases, which cannot be used to justify the prohibition of a meeting, because:

**Should the Corona Commission have based the case definition of the Minister of Health and not that of the WHO; so any determination of the numbers for "sick / infected" is wrong.**

The court came to the conclusion that the "information" from the Vienna City Health Service, on which the prohibition by the Vienna State Police Department was based, " *did not contain any valid and evidence-based statements or findings on the epidemic* ".

The court literally:

*Based on the definitions of the Minister of Health, "Case definition Covid-19" from December 23, 2020, a "confirmed case" 1) is any person with evidence of SARS-CoV-2-specific nucleic acid (PCR test, note), regardless of clinical manifestation or 2) any person with evidence of SARS-CoV-specific antigen that meets the clinical criteria or 3) any person with evidence of SARS-CoV-specific antigen that meets the epidemiological criteria. Thus none of the three "confirmed cases" defined by the Minister of Health meets the requirements of the WHO concept of "sick / infected person". **The WHO refuses to rely solely on the PCR test (confirmed case 1) (...)***

Here the original judgment on the side of the vote of the day: [Administrative Court Vienna](#)

The FPÖ will present further details from the groundbreaking finding to the public today. Club chairman Dagmar Belakowitsch and health spokesman Gerhard Kaniak have called a press conference for 11 a.m., which can be followed live on FPÖ-TV:

