

Evaluation of the Federal Judge Martin SCHUBARTH

Supreme Swiss bailiff emeritus. He used to call himself to be a federal «Judge».
«Worked» in the palace of the Swiss federal Court,
Avenue du Tribunal fédéral 29, 1000 Lausanne 14

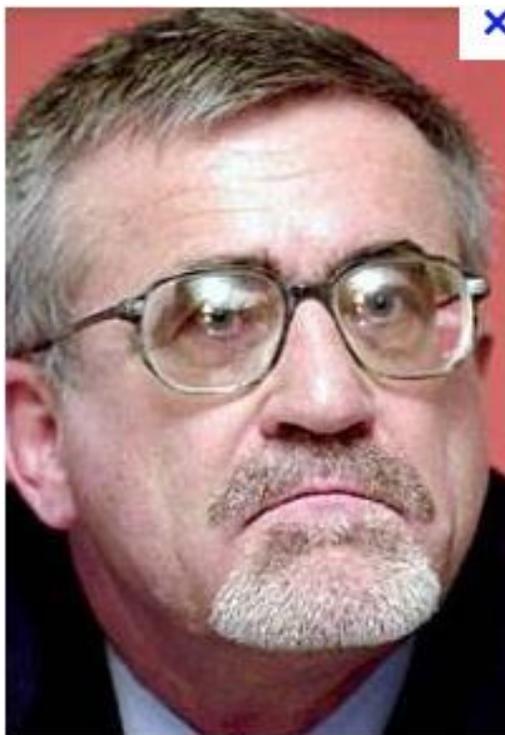
Private address:

Chemin du Levant 44, 1005 Lausanne

Web Site: www.bger.ch

Private phone: 021-728 83 82

Marital status: married with Musa (originating from Ukraine)



Martin SCHUBARTH, «the spitting Judge»



The mailbox of the spouses SCHUBARTH

Shots of the house



Access from the East



Facade to the Lake of Geneva (South)

Profile

Born on June 9, 1942. Originating from Basle City. Socialist. Law studies in Basle. Lawyers' licence of Basle in 1968. From 1976 to 1983 Professor of University, first in Bonn, than in Hannover. SCHUBARTH has been a federal «Judge» from 1982 to 2004, at the court of penal cassation, which he has presided during many years. President of the Federal Court in 1999/2000.

On February 11, 2003 the incidence of the spitting happened, forcing him to abdicate.

Recycled as a Lawyer at the office of RUSCONI et Associés.

Some victims of this Judge, stricken with blindness of the judiciary dogmas:

Michèle RYDLO

Peter OTT

Paul OTT

Michel BURDET

Marc-Etienne BURDET

Gerhard ULRICH

Daniela SAUGY

Victims of the judiciary crime of SCHUBARTH:

Naghi GASHTIKHAH

Alain BOLLE

The spouses M.-E.+J.-P.S.

Claudio MOLINARI

Reference List (observations collected since the year 2000):

Number of negative references: 23

Number of positive references: 0

SCHUBARTH has been acting as a machine of injustice, stricken by dogmatic blindness.

The spitting federal judge Martin SCHUBARTH

SCHUBARTH was at the time the President of the penal division of the Federal Court. He was particularly lined up in our sight. He had been involved among others in the cases of **BOLLE** and **MOLINARI**. He was co-responsible for the judgements of the Federal Court 6P.142/1993 of January 28, 1994, respectively 6P.187/2000 and 6S.829/200 of May 15, 2001.

On January 7, 2003, Alain BOLLE was liberated after eleven years in jail. Early in the morning we four persons, including Alain BOLLE wanted to intercept SCHUBARTH when arriving at work in the High Federal Court. The outside temperature was – 6°C (*24 Heures* of January 9, 2003, page 23). We had the intention to face him with his victim. However, he managed to avoid us. We could neither reach him by phone at home, nor at his working place.



For this reason, I wrote on March 9, 2003 an open letter concerning that case addressed to his private residence. After an evening routine trip for my employer, the ExpressPost, I made on the way back to the center a stop in the part of the town of Lausanne, where SCHUBARTH was living. It happened that it was on the return itinerary. In this way, I could save precious time. It was raining. I deposited in a hurry some leaflets in the letter boxes of SCHUBARTH and his neighbours.

Martin SCHUBARTH

Obviously the attacked had observed my manoeuvre. A few days later, I was ordered to accompany the chief of the ExpressPost Lausanne to the top floor of the local Post Management at Avenue d'Ouchy 4 in Lausanne for meeting the agent in charge of security. SCHUBARTH had submitted a complaint to the headquarters of the Swiss Post in Berne. I admitted the facts without much fuss and waited somehow anxious for the decision.

On February 11, 2003 the so called spitting affair occurred in the High Federal Court. SCHUBARTH was denounced in the mass media to have spat on the premises of the High Federal Court in the face of the *NZZ* courtroom reporter Markus FELBER, with whom he was at war since ever, in the presence of a court clerk. According to his version, he had caught a cold and had had just a coughing fit. It did not save him. It is to be presumed that it was a welcome opportunity for his colleagues to get rid of him. Worn down, he gave up a couple of months later

and retired. See:

http://de.wikipedia.org/wiki/Martin-Schubarth#Die_.C2.ABSpuck-Aff.C3.A4re.C2.BB

This incident has probably preserved my job. For the above described offense of my duty, I got just a written blame. In the eyes of my superiors, I just had made a joke with a spitting judge, one was winking at me.

I have never been convinced that SCHUBARTH had been guilty in reality. It seemed to me that he had become himself a judiciary victim in that case. In my opinion, he could not have been as stupid to spit intentionally on a journalist in presence of a witness. I did let him know that I considered him in this case as innocent. On October 7, 2003, I wrote to him an explicit letter:

www.swiss-justice.net/id/schubarth (Link censored illegally by the «Prosecutor» **Yves NICOLET**).

Eleven days later, on Saturday, October 18, 2003, I rang without pre-advise at his house door, in the company of a dozen of our activists. Mr and Mrs SCHUBARTH came out of their house in their court and we had a friendly discussion. We heard that Mrs. Musa SCHUBARTH had participated incognito to one of our meetings. She said to have been touched by the observed desperation of the judiciary victims.

We did not get further with SCHUBARTH. Obviously, he could not quite make it and recognize what disastrous role he had played in very heavy cases (examples: Alain BOLLE, Claudio MOLINARI). He seemed to be himself in his own way and thus, unable to undergo a Damascus conversion. He preferred to become on his old days a commentator for the *Weltwoche* and a lawyer.

Evaluation of Lawyers

12.10.16/GU