

Kit for Activists

Civil disobedience - 24/05

For who is this kit: anyone wanting to take part in the action

Purpose of this kit: to make sure participants are fully aware and informed of how the action will happen.

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Introduction

When and where?

24th May 2019

15h

Place de l'Europe

(meeting place and briefing point -> from there we walk to the Red Bridge)

What?

An action of civil disobedience. We will be disrupting the status-quo in order to get the change we need for survival.

Non-violent action. We don't need violence in order to disrupt.

Why? Our demands?

>- *We want to declare climate urgency and establish a Green New Deal*

>- *we want adults to vote for climate in the upcoming elections: European Elections are Climate Elections, **we deserve a future***

>- *Kirchberg is home to the European Investment Bank, we want them to cease their funding of fossil fuels and instead invest in solutions to the climate crisis*

Important prelude!

When you go to any sort of demonstration, even though it is declared to the police, you may face arrest. Know that this is not the norm: **COMING TO THE EVENT DOES NOT AUTOMATICALLY MEAN YOU WILL BE ARRESTED**. But it is a possibility, which is why we made this entire document. You will know how and why you can be arrested, your rights and your expected behaviour.

Non violent action

Recap of rules and risks

Why this is important:

- Strategic reasons: Gain sympathy /Historically, non violent direct action has been significantly more successful than action using violence
- Moral reasons
- Today there are 100 million refugee climates. Millions more species are dying. By 2030 there will be no going back. Our rights to having a viable future are being ignored, Youth For Climate groupes all over the world against this threat in the same fashion on the 24th. The time to act is now
- Underlying risk: facing arrest if told twice by the police to clear the area and disobeying (at that point you can choose to stay or leave, as you feel comfortable doing)

Staying calm

- Being in an affinity group, with your buddy/pair, is crucial to feeling safe and well grounded. Choose people you trust and are comfortable with, who also understand your level of risk taking and possible anxieties
- If tensions do arise (within the protesters/against the police/from civilians), step away with your palms visible to everyone and de- escalate the situation by loudly saying: « this is a non violent action, please stop your aggressivity”. If you know the person you can try to talk to them and calm them down (as long as you don't put yourself in danger).
- If it happens to be the police/ a random driver being disrespectful, go ahead and smother them with compassion, say 'I hear you/understand but I'm staying here' or "I respect you and am actually fighting for you and your children".
- Ultimately remember the action consensus: this is a peaceful action, drugs, alcohol, weapons are not tolerated. You only do what you feel comfortable doing, you can leave at anytime you wish to and do not have to be arrested if you don't feel like taking the risk.
Stay confident, calm and have fun!

Passive Resistance

Passive resistance when facing arrest can be a crucial part of non-violent direct action and, when used well, is far more effective than aggression.

There are good reasons to use passive resistance:

- Although direct action does not always become physical, it is useful for have thought about and practised how you are going to react to arrests.

- There are fewer legal implications with passive than active resistance in terms of charges of resisting arrest and assaulting a police officer.
- Passive resistance may also be seen as more ideologically defensible as it reduces the chance that you will harm anyone else, allowing you to claim the moral high-ground.
- It also has practical benefits, as it can be more difficult to move you if you are relaxed than if you are tense.
- Whatever happens, don't forget that what you're happy with remains very personal and you can always make the choice to walk away!

How can I choose my level of involvement or risk?

Know how far you are willing to go for this action. Talk about your boundaries with your buddies and affinity group.

There are different levels, where you can draw the line:

1. Going to the action, taking part in it, but leaving as soon as the police warn to arrest people
2. Staying even after police warn that arrests are gonna take place and by that risking getting arrested

Which level of active and or passive avoidance of arrest are you willing to do?

Affinity Groups

An affinity group is a small group of 5 to 20 people who work together autonomously on direct actions or other projects. You can form an affinity group with your friends, people from your community, workplace, or organisation.

It is important to check with the other members of your affinity group beforehand what the boundaries look like:

- Expectations, fears, wishes
- How far am I willing to go? Where lie my boundaries?
- Am I willing to get arrested?
- Is it okay if the group splits up if needed?
- Arrange a meeting point after the action or in case of an emergency?
- Who is part of our group? (Name and birthdate)
- Who will be contacted in case of an emergency/arrest/...?
- Special needs (medication,...)

Having a name for your affinity group can be helpful to quickly assemble the whole group

Buddy system: pairing people together inside the affinity group (2 or 3 people form a buddy group) can be useful as it is easier to keep track of 1 or 2 other people during an action than every single person in your group. You always stay with your buddies and leave with your buddies.

More Information:

<https://libcom.org/organise/affinity-groups-an-introduction>

https://at.rechtsinfokollektiv.org/?page_id=222

<http://www.tatblatt.net/148GAbezugsgruppen.htm>

Legal

We are going to keep this as brief as possible because there is so much that could be said. You don't need to know the entirety of law in detail but haven't a few basics can help your confidence.

- Always stick with your [affinity group](#) and buddies on actions as they can offer support, advice, and will ensure your progress through the system is monitored if you are arrested.
- Try to stay calm with the police even if they are being unreasonable, avoid unnecessary escalation.
- If you have never been arrested before and it is your intention to do an arrestable action (or an action with risk of arrest) it can be helpful to ask someone to explain the experience from their perspective.
- Remember to take your time. Think carefully and don't be rushed to any decisions.

By going to the action you risk:

1. Control of Identity
2. Getting arrested (both adults and minors)
3. Social hours (for minors) or a fine (adults)

Control of Identity

Police may ask you to prove your identity by showing them your Identity card or passport. It is also possible to have someone else testify your identity. After your identity has been proven, the control is finished.

If you are unable to prove your identity, police can take you into custody and bring you to the police station in order to assess your identity for a maximum of 6 hours. Your picture and fingerprints maybe taken and stored in police files. If you refuse this, you can taken to court and risk a penalty. We advise to BRING IDENTITY DOCUMENTS.

After a maximum of 6 hours you walk out either with or without a convocation.

If you are underage, you risk getting court ordered social hours, especially if you have been in trouble before.

If you are an adult, you risk a fine. How much this fine would be is determined by a judge. As long as you don't use violence and/or weapons you don't risk a prison sentence.

Arrest (important read!)

In case of a blockade or any other civil disobedience action, activists risk getting arrested.

Police need to **clearly announce twice** that they will begin arrests if people involved in the action don't obey the law.

What will most likely happen:

1. Police **arrest** you during the action and give you a **pat down** (by a person of the same gender) and you are taken you to a car or van (maybe you will need to wait until they have filled the van) which will bring you and other arrestees to the **police station**.
2. They need to tell you about **your rights** and why you are being held. You can name a **lawyer** or you will get one appointed.
3. You have the right to one successful(!) **phone call**. The best idea is to call the legal support team and tell them your name and birthdate and who else to call.
4. Talk to your **lawyer/parents** in private before getting interrogated by police.

5. Have a lawyer present during **interrogation**. You need to state your name, birthdate and address. You have the right to **not give any other statements**, we advise you to make use of this right. The interrogation needs to be held in a language that you understand or you have the right for a interpreter to be present.
6. After the interrogation is completed, police will hand you a written copy of your statement. Read it thoroughly and ask to change anything that you did not say. When you agree with the written statement, sign it.

If suspected that you are hiding some object on your body, a person of the same sex as you can be ordered to do a full body search. Maximum 24 hours in police custody (can be extended by a judge for another 24h maximum). The procurator can give an order to take your fingerprints, picture and DNA. If you are not a luxembourgish citizen, you have the right to contact the embassy or consulate according to your citizenship. (if you have more than one, you can choose which one should be contacted)

Minors and adults should use their phone call to call the legal support number. If you have a lawyer you can use that one, but a lawyer specialized in demonstrations will be on call for us. You can decide not to have a lawyer present, but it is strongly not recommended

Summary of your rights:

- You have the right to know the reason why you are held in custody
- You have the right to one successful phone call to the person of your choice.
- You have the right to have a lawyer present.
- You don't need to give any statement.
- If you aren't feeling well, you have the right to see a doctor.
- Maximum time of arrest is 24 hours.

Lawyer:

- You have the right to have a lawyer present during the interrogation process.
- If you want a lawyer but don't have one (or if they are unavailable) you will get a lawyer designated by court. We advise you to use a lawyer that understands protests and civil disobedience.
- You have the right to meet and communicate with your lawyer in private before any interrogation by police, prosecution or a judge.
- Don't ever sign anything stating that you renounce of your right to a lawyer!

No statement, no comment

Instead of trying to decide when it seems 'safe' to answer, just say "No comment" to all questions – during 'informal chats', in the police van and especially during the interrogation.

Every tiny information (even if you think you aren't giving any) can be used against you or against fellow activists in court.

[No Comment](#)

<https://at.rechtsinfokollektiv.org/?p=2394>

Legal Support Number:

+352 661 286 192

Write this number down, preferably onto your body with a water resistant marker.

In case of arrest you can call this number and we will help you to get through the police system as smoothly as possible. We can call your parent/partner/friend/... to make them aware of your situation.

If taken to court (... unlikely)

What will most likely happen:

- Getting a fine (if you are an adult)
- Getting social hours (If you are a minor)
- Getting extra charges if you became violent or insulting towards the police

How we will help

- Offering short term psychological support to the people arrested
- Offering a legal support number which will provide you a lawyer
- Helping to notify your parents/ partner/ number of contact if arrested
- Possibility of collecting money to support the people taken to court

Packing list

Packing my bag before the action...

- Identification papers
- Legal Support Number (written with waterproof marker on my body) +352 661 286 192
- Marker (waterproof)
- Phone number of one close person to call in case of arrest
- Enough money
- Medication I may need
- Water (still)
- Hygiene products (if needed)
- Snacks/Drinks: Tea, Water, Snacks, Sugar,...
- [Phone](#) (with passcode)
- Enough warm clothing (hat, rain jacket, sunglasses, sunscreen, ...)
- Comfortable shoes
- Ground pad or something to sit on
- A book (soft cover) to read if arrested
- Banners, Signs, Stickers, Flyers,...
- Solidarity

What I am NOT taking with me...

- Alcohol and other Drugs (don't consume before hand and during action)
- Unnecessary data about myself and others
- Unnecessary notes, flyers,...
- Any kind of weapons
- Animals
- Sexist, racist, violent, etc. behaviour

Phones during demonstrations & actions

Having your phone with you during a demonstration or an action puts your data at risk.

Everyone needs to choose for themselves if they want to risk their data (contacts, pictures,...) be accessible to law enforcement.

If you decide you want or you need to take your phone with you, be aware of the risks you take if being arrested.

Have a passcode

Disable Touch-ID or Face Recognition.

Empty your phone as much as possible (contacts you don't need, pictures, messages,...)