

LEGAL FLYER FOR THE PROTEST MARCH (Germany and France)

Legal-number: 0049 1575-0676804 for the whole march. You can call this Telephone number from every Telephone, a short call and then tell us your number. Then we will ring you back.

Some tips for demonstrations and during arrest in Germany and France.

(For Luxembourg and Belgium you will get more info in June)

General:

- Affinity Group: Do not be alone in a protest. With your group of 3-5 people you are safer.
- What do you need: The legal telephone number (on your arm), telephone, pen and paper.
- What should you not bring with you: Alcohol, drugs, knives, weapons, address books
- During police repression: stay together! stay calm and be aware, make chains.
- Reported due to insults: Be careful what you say about the police, they often react by filing a report.
- Disguise is prosecutable: do not hide your face
- Write down what the police do
 - Name and address of those affected
 - Place, time and type (arrest, beating) of the attack.
 - Witnesses (names, contacts, and how many)
 - Service type and description of the police officer, number on their helmet/ the uniform.This witness statement is necessary for the legal team, keep it secure.
- During arrest:
 - Make yourself noticeable! Shout!
 - Call out your **name, address and date of birth**, so that other people can inform the legal team.
 - Do not say anything to the police! (except your personal details)
 - Demand your **rights: Translation, lawyer, medical examination** if you have been injured, **the reason for arrest**.
 - Do not tolerate any violence, neither physical nor verbal.

Germany

- Residenzpflicht (duty of residence):
 - If you are in an asylum process in Germany or you have a Duldung (toleration) then you can be accused of breaking the **Residenzpflicht**. Mostly that means a fine.
Stay calm and inform the Legal-Team: 0049 1575-0676804.
- During arrest (Festnahmen):
 - You should declare the following (*at the police station*):
Name, date of birth, family status, occupation and address. Place of birth and country alongside citizenship should also be declared, unless you have been illegalised and under threat of deportation.
 - Do not say anything more (to questions, the situation...)
 - **Do not sign anything!** (also when they put you under pressure, you have the right not to say anything and not to sign anything!)
 - You have the right to make **two telephone calls!** Insist on it.
 - Ring the legal team! 0049 1575-0676804
 - Demand translation
 - Demand as required medical examination.
 - **Demand, if needed, a lawyer**
 - If you do not have status in Germany (illegalized) you should **make a (second) bid for asylum with the support of a lawyer**.

Identity check (Identitätsfeststellung)

In order to check over your details, you can be held for a maximum of 12 hours.

Police custody (Polizeigewahrsam): maximum of 48 hours, except if you are going to be presented before a magistrate and a pretrial detention has been ordered.

France

Identity Check (Le contrôle d'identité):

- Do not declare anything except for your name, second name, date and place of birth. You do not have to answer any other questions.
- The police have the right to perform a superficial search. They cannot perform a full body search
- If the police are not “satisfied” with your papers, they can bring you to the station to verify your identity.

Verifying identity (La Vérification d'identité):

- This may not last for longer than four hours from the start of the inspection.
- You may inform a person whom you trust. (Legal-Team: 0049 1575-0676804.)
- Only give details about your own person. You do not have to answer any other questions.
- If you give a false identity or refuse to give your identity, the police can take fingerprints and photos
- After four hours you must either be released or taken into custody.

Police Custody (garde à vue):

- After you have given your personal details (First and last name, place and date of birth) you have the **right to be silent**.
- In custody in France you cannot contact the Legal-Team yourself when required.
- Demand translation
- Demand medical examination as needed
- Demand a lawyer
- You have to request a court appointed lawyer (**l'avocat commis d'office**) which will then be called by the police.
- If you are presented before a judge, ask your court appointed lawyer if they are a member of the ‘Legal Team’. If not, tell them that you want to be assigned a lawyer who is part of the ‘Legal Team’.
- Police custody can last up to 24 hours and can be renewed once.
- Inform the Legal Team of your release as quickly as possible and write a witness statement.

Additionally for those without a European Passport:

You have the right to contact the embassy/embassador and a person of your choice. Please ask this person to let the **Legal Team** know or ring yourself on: 0049 1575-0676804.

Demand as quickly as possible to talk to a person from CIMADE (a French NGO, which specializes in taking care of people without papers in France).

In some situations it makes sense to make a (second) bid for asylum with the support of a lawyer! (Je demande d'asile)