

AFTER YOUR RELEASE

Report to the legal support team (Anti-Rep) immediately. Even if you did not report to them that you were taken into custody, perhaps someone else did.

- Immediately write everything down that happened related to your arrest and while in custody and send it to the Anti-Rep.
- Have a doctor certify any injuries (hospital).

If you are emotionally distressed by events you have experienced or observed, you should talk about them with others or report them to the **Anti-Rep**.

AFFINITY GROUP

It is best to create an affinity group for the winter hike together with four to ten people. You should know each other's needs, prepare for the hike together and support each other during the hike. Within the affinity group you should form smaller groups of two or three.

There may be situations during the hike that may require us to make decisions together. We will try to do this by holding an ad-hoc spokescouncil's meeting.

ANTI-REP
(LEGAL SUPPORT)

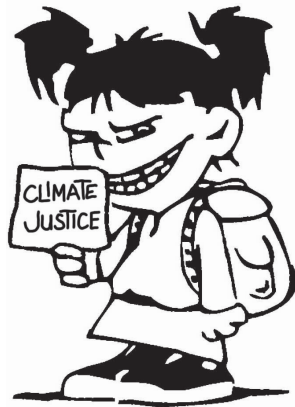
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Please contact the Anti-Rep, if you

- are arrested,
- observe arrests,
- become a victim of or witness an assault carried out by the authorities.

Give the first name(s) and surname(s) of the person(s) concerned and the location of the incident.

Be sure to report back to the AntiRep if you are released or if you notice that the person you reported has been released.



The Anti-Rep collects information on arrests and on assaults by the authorities. It tries to find out to which stations or collection point those arrested are taken. In addition, it provides indirect psychological support because those directly affected, as well as the police know that the situation at the police station / collection point is being monitored and that a team of people are working to get those arrested released as soon as possible. The Anti-Rep contacts lawyers, helps with pressing charges against the state and police and supports further legal action.



Legal and general information to the winter hike

ACTION CONSENSUS

To ensure that the winter hike is clear and accessible for all participants, we have developed an action consensus:

We respect the personal boundaries of all activists.

Violence against and endangerment of living beings is rejected as a form of action and we will neither escalate nor engage in provocation. Property damage will not be part of this action.

During and after the hike we will act in solidarity and support each other in the case of repression or legal issues.

Our hike will convey an image of diversity, creativity and openness. We come from different social movements and political spectra. We take joint responsibility for the success of the hike.

We are using the winter hike as a platform to make our demands known and to push the discourse around climate justice to the general public. Therefore we will reach out to the media and photographers/videographers will accompany us on the hike.

IN GENERAL

Hiking along the cantonal (main) road is generally permitted.

Do not let yourself be provoked, stay calm. Stay with your affinity group or make sure that you can join others.

We will be walking on roads – safety is of utmost importance. Under no circumstances do we want to endanger people, neither ourselves nor others. A team of paramedics will be walking with us.

We will allow ambulances and fire engines to pass immediately.

LEGAL SUPPORT

The hike is accompanied by a legal team from the Democratic Lawyers (they will be wearing pink vests). They will be present as observers and will document any abusive behaviour by the police or other authorities.

An legal support team (Anti-Rep in German) will be reachable by telephone for the duration of the hike (see back page).

Several lawyers are on standby and can be contacted if necessary.

Your rights and the rights of the police

In Switzerland, basic rights such as freedom of assembly are anchored in the constitution, but there are laws that can restrict this right. In response to previous protests against the WEF, the canton of Grisons has also introduced a police law (some call it the “Lex Schwab”) that restricts certain basic rights.

FILMING

You have the right to film the police, as long as you do not obstruct them and you’re not focusing on the people’s faces. The police cannot force you to delete your video.

Pixelate all faces (including the faces of the police officers) and delete the meta-data before publishing.

IDENTITY CHECK

Take an ID card with you. In Switzerland, the police have the right to verify your identity at any time. If you do not have an identity card with you or refuse to show it, you can be taken to the police station and detained until your identity has been established. You cannot be held in custody longer than the duration of an expected sentence.

SEARCH

Pocket checks and frisking in public are legally permitted, but physical checks are not. We recommend you to insist on being searched only by a person of the same sex you identify with.

PROVISIONAL ARREST

In case the police want to detain you: **Ask about the crime you’re being charged with.** A minor violation (“contravention”) does not justify detainment or arrest, except to establish your identity.

Ask the police person for their **name.** They are likely to treat you better if they expect to be held personally accountable for any abuse.

Minor violations (“contraventions”) include: not following official orders, refusal to show identification, nuisance, disturbance of the calm, littering.

Misdemeanors include: criminal damage, rioting, violence and threats against authorities and officials, Prevention of an official act, threatening behaviour, coercion, trespassing, obtaining a service without paying, disruption of public transport and rail lines, causing fear and alarm among the general public.

Examples

- Disobeying an order, in passive form (e.g. going limp and being carried away), is merely a minor violation. Active resistance (holding on, lashing out) is often interpreted as violence by the police and judiciary, insults are quickly interpreted as threats.
- Walking along cantonal roads is generally permitted. If this happens in a large group and over a longer period of time, it can be interpreted as “increased public use” (a contravention). A prolonged road blockade, in which cars are blocked, can be interpreted as coercion.



AT THE POLICE STATION

The police may not take you into **custody** without giving the reasons in plain language and informing you of your rights. You are allowed to inform a trusted person (ask the person to call the legal support team, Anti-Rep, see back page). After 24 hours you must be released from custody or the public prosecutor’s office must be called in.

The police may only order **ED measures** (fingerprints, photos, determination of specific physical characteristics) or a **DNA extraction** in writing and with a brief statement of the reasons (for a DNA extraction they must suspect you of a misdemeanor; a minor violation [“contravention”] is not sufficient). You can – and should – refuse the ED measure or DNA extraction. In this case, the police may not take them without a written confirmation from the public prosecutor’s office.

If **items** are taken from you, ask for a **receipt.** Also demand that items such as your mobile phone or planner/calendar be sealed. When you sign the “Effektenliste” (list of your personal belongings), draw a square around the listed items so that nothing can be added later.

Otherwise, **do not sign anything** (neither the interrogation transcripts nor any other documents).

The basic rule is: Don’t let yourself be intimidated! Most threats are empty and are meant to pressure you to testify or sign.

FIRST INTERROGATION BY THE POLICE

You have the right to remain silent!

Police officers who tell you otherwise are bluffing. They must make you aware of this right before questioning.

You only have to give your personal data: **surname, first name, date of birth, address, home town.**

For all other questions, it is best to answer with the following sentence: “I am not making a statement.” Phrases such as “I don’t know any more” or even just “Yes” and “No” are statements of content and can be used against you later.

If you are not questioned in your mother tongue, you have the right to a translator.

The police must **inform** you of the following at the beginning of the initial interrogation:

- that you have the right to remain silent and can refuse to cooperate
- that you can call in a lawyer and possibly a translator (but without the right to postpone the hearing)
- what crime(s) you are accused of.

Interrogations without informing you of these rights are not valid.

You are presumed innocent until proven guilty.

You are under no obligation to sign the minutes.