

Legal-Info

Basics

- Right to refuse to say anything: **Consistently refuse to say anything** except: I exercise my right not to say anything!
- Refuse to sign anything!
- Refuse to undergo identification measures!
- Make sure that you do not have anything with you that could lead to conclusions about you and others (mobile phone, receipts, photos, notes, membership cards, etc.).
- If you are arrested yourself or observe arrests, contact the AntiRep Team on **077 979 47 50** (available on Friday 1 July and during the action days).

ID Check

- You do not need to have any identification with you if you are living in Switzerland. However, if you cannot identify yourself, the police have the right to take you to the police station to check your identity (this may prolong the detention). We therefore recommend that you have an identity document with you.
- In case of a control, you have to give the following information: What is written on your ID (first name, last name, date of birth, home town, nationality) and your address. You do not have to give anything else, even if you are asked. Consistently refuse to testify.
- Minors must also provide the contact details (name and address are sufficient) of one parent. If you do not give a phone number, you might be held longer. Your parents should know that they do not have to make a statement.
- The police can search you for things in or on your clothes, on the surface of your body or in visible body openings (frisking). Unclothing is not permitted in public.
- If you have an electronic device with you against the recommendation: Be sure that the police seal it. It may only be searched with a court order.

Preliminary arrest

- Ask what the offence is if they want to arrest you. Simple offences do not justify arrest (except for identification purposes).
- Ask the police person for her name. This will make them more cautious because they know you could charge them if they are assaulted.

At the police station

- In most cases you will be released after 6 hours at the latest. The police can detain you for 24 hours, after which the public prosecutor's office is called in and can order a further 24 hours. You can only stay longer in custody if a request for detention pending trial has been filed.
- Objects and clothes can be taken away from you. If you are presented with a correct receipt for your confiscated items (list of items), you can sign it. This way there is a better chance that you will get everything back.

- The police can carry out various EDMs ("Identifying Measures"):
 - They can take photos, fingerprints, handprints, tattoos or other body features: We recommend you to refuse these measures, because in case of refusal the order of the public prosecutor's office is required (which is not always given). If you do not refuse, the police may carry out the measures directly.
 - However, the police have the independent authority to take a DNA sample. They can enforce this under coercion. However, for the evaluation of the sample (for the creation of a DNA profile), the order of the public prosecutor's office is again necessary, against which an appeal is possible.
- You may only be undressed if this appears necessary for your protection or for the protection of other persons, or if there is a reasonable suspicion that you are carrying objects that are to be seized. In case of a body search, you can insist on being searched by the same sex (be aware that the police have a binary concept of sex).

Interview at the police station

- The police must inform you of your rights before the first interview (right to refuse to testify, right to a lawyer, right to an interpreter if necessary).
- You are not obliged to make any statements! Consistently refuse to testify. (Example: "I refuse to testify", "I will not say anything", ...). Statements are never to your advantage, even if the police want to make you believe this.
- You have the right to a lawyer from the first hour. If you do not know anyone yourself, the police must allow you to get in touch with the on-call lawyer. However, we always recommend you to call the AntiRep number, because then the AntiRep team can work in a coordinated way with solidarity lawyers.
- Do not sign anything! (Except the receipt of your effects list, if you want).
- Basically, don't let yourself get rattled! Most threats are bluffs to pressure you into making a statement or signing.

AntiRep (AntiRepression)

- Call the AntiRep phone:
 - If you have been arrested (insist on being allowed to make a call at the police station and inform us).
 - if you see other people being checked or arrested
 - If you are a victim of or witness to abuse by the authorities.
 - if the police lets you go:
 - either contact AntiRep by phone, or/and
 - we recommend that you write a memo of what happened. This information may be useful in the coming weeks.