

What to do when the going gets rough?

Legal tips for

- ▶ **Demonstrations**
- ▶ **Cases of assault**
- ▶ **Arrests**
- ▶ **Your behavior
at the police station**



ROTE HILFE e.V.

english

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What to do when the going gets rough? Don't panic!

This is the basic rule of every emergency plan, and therefore our own. It should help to prevent your arrest or your preliminary proceedings from turning into a catastrophe.

Arrest during demonstrations or other actions, seizures of leaflets, newspapers etc., house searches, orders of summary punishment, and finally, trials – these are the measures anyone is confronted with today who is politically active in the fight against exploitation and oppression, regardless of whether she or he is an anti-Fascist, an anti-nuclear activist, an anti-militarist, a communist, or an anarchist.

An accumulating series of new laws imposes ever more severe limits on even the few rights the capitalist state concedes in the realms freedom of expression and freedom to organize and demonstrate. State repression doesn't diminish just because the left is growing weaker – on the contrary. Since state institutions (have to) expect only little organized resistance, they can resort to attempts to criminalize political activity which simply wouldn't go through in times of strong mass movements. Their attempts at intimidation and their strategies to criminalize generally only work to the extent that we are incapable of overcoming our isolation from each other and organizing in a spirit of solidarity.

An important pre-condition to actually practicing the first basic rule in an "emergency" is trust. Not in god's omnipotence, fate, or the inseparable character of yin and yang, but trust in your comrades who will care for you when the shit hits the fan – and who will keep their mouth shut just as you do when questioned by police and public prosecutors!

The ABCs of Demonstrations

There are of course enormous differences from one demo to the next. We often tell ourselves that nothing bad is going to happen at this particular demo, and often this turns out to be true. All the same, some basic rules should be followed even at a demo with "promenade" character, since they, too have been the target of police action in the past.

These legal tips are based on the prevailing legal environment in Germany and are of limited relevance in other countries.

On the way to the demo

If possible, **never go alone** to any demo or other action. Not only is it nicer to hit the road with people you know and trust, it is also safer. The professional way is to go to and leave any activity together. You should also beforehand agree within the group to your behavior in certain situations. It should be possible for individual participants to express their fears and insecurities. During the demo or action, the group should try to stick together. You should wear **appropriate clothing** including shoes enabling you to walk comfortably – and run, just in case. Take a pen and a piece of paper with you to be able to jot down important details (see below page 11, memory log).

Carry along a phone card and a few cents. If you're arrested, the police are obligated to allow you to make two phone calls even if you don't have any money – but don't count on it. Provision yourself with a sufficient amount of any medicine you have to take regularly. Glasses are better than contact lenses. Personal papers, especially address books, should be left at home. Consider carefully about what you really need. Unnecessary stuff can be to the advantage of the police if you're arrested. No drugs of any kind should be consumed before or brought along to the activity: You need to be clear minded, and able to make decisions at any time. Nor do you need a camera. This is not the right place for souvenir snapshots, and the documentation of the action and the behavior of the police should better be left to experienced and identifiable journalists or demo observers. In case you're arrested, the photos would anyway only help our opponents!

Cell phones should also better be left at home. If you still feel you have to have it with you during the action, remember the dangers and try to limit them as much as possible: The basic rules would be not to store any numbers (record them at home or in a secure location and delete them from the mobile phone), to delete any SMS and to remove batteries and phone-card, whenever you're not on the phone (the only safe protection from being localized and overheard). But you should also be well aware that current technical capabilities (e.g., in recovering deleted numbers) present pitfalls that are hard to assess.

The fact-finding committee (in German, "Ermittlungsausschuss", or EA)

During actions and campaigns, there is often an EA whose phone number is spread by word of mouth or handbill. The EA mainly looks after arrestees and gets attorneys for them. Whoever gets arrested should therefore contact the EA. If you are witness of an arrest, try to get the name and address of the person arrested, and inform the EA. But do not make any statements about the action

prior to the arrest or about yourself – after all the EA phones are favorite targets of government wiretaps. Persons released after an arrest should get back to the EA immediately and write or tape a memory log.

Such a memory log can be very useful if legal proceedings are instituted months later. (The police also keep records on everything!) Witnesses of abuses and assaults should also prepare a memory log. It should contain at least: Time and place, mode (arrest, beating, dragging away) of the assault, name(s) of the victim(s), witnesses, as well as number, service unit and appearance of the abusers (“mustache” is not sufficient!). The memory logs are intended only for the EA, if there is one; if not, save them in a secure place for the time being.

Reacting to assaults

The ground rule again: Don't panic. Breathe deeply, remain in place and ask others to do likewise. Now is high time to **link arms** and, as a last resort, to slowly and orderly retreat. Often, we can only defend ourselves against abuses by “our friends and helpers” by linking arms in a “chain” and remaining firmly in place. This also hinders the disruption of the demo, and may prevent arrests, and allow the recovery of the injured.

Injuries

Look for injured persons and help secure their evacuation from police seizure-squads. Contact, if present, demo paramedics, or else organize the evacuation of and medical care for injured persons together with friends. If you have to go to a hospital, if possible pick one that won't be associated with the action. There, too, it is important not to give any information about the preceding events – hospitals have all too often collaborated with the police and passed on relevant data. You must submit your personal data correctly anyway, as the health insurance will require it – but beyond that, say nothing or pretend it was an “accident at home” or whatever.

In case of arrest

Make people aware of you (e.g. by shouting “shit” at the top of your lungs!), shout your **name** and the place from where you come to enable people to inform the EA about your arrest. Once you realize you can't escape, try to regain your “cool” as soon as possible, and most importantly, **don't say anything** to the police from that moment on! After release, contact the EA immediately. Once you're back home, write down the circumstances of your arrest as precisely as possible, as well as anything else you remember in that connection, especially possible witnesses

of the incident. Contact the EA, a trial defense group if there is one, or the “Rote Hilfe” (see the addresses at the end of this pamphlet).

Being transported

While being transported to the collection points for prisoners or police stations, talk to other arrestees about your rights, but **not a word** about what others and you did. It wouldn't be the first time a police informer was in your midst, even though you have a good feeling towards all persons present. Take care of others and take on responsibility if they cope with the situation even worse than you. It will soothe you, too. Talk about the fact that as of now you should keep your mouth absolutely shut. Exchange names and addresses with your fellow prisoners to enable those released first to inform the EA.

At the police station

Vis à vis the police, you are only required to supply **information about your person**. This should be limited to:

- Name, first name, and if applicable, maiden name
- Registered address
- Occupation, in general (e.g., “student,” “salaried employee”)
- Date and location of birth
- Marital status (e.g., “single”)
- Nationality

(You can of course also refuse to give even this amount of information, but by this, you only offer them a cheap pretext to photograph you, to take your fingerprints, and to hold you for up to 12 hours – which, however, they can do anyway if they want to. Apart from that, not giving that kind of information is just a misdemeanor and would cost you a fine of a couple of hundred Euros). That's the absolute maximum – not a word more! Nothing about parents, school, employer, even weather: **simply nothing!**

After being arrested, you are entitled to two phone calls. You should use these to call up the EA and/or a lawyer. If the police refuse to allow you to make your calls, harass the police till they let you, and threaten them with filing charges. Minors not only have that right, to speak with a lawyer, but also with a family member. At first the call will often be placed through a police officer, who may want to know if you are actually calling legal counsel or relatives, and will only then hand you the telephone. In the case of minors the use this bit of chicanery to shock the parents. In case of injuries, ask for a doctor, and ask the doctor to certify

the results of the examination. After your release, go to your personal doctor and get a second medical certificate. If possessions were damaged, demand a written confirmation. If subjected to criminal identification (photos, fingerprints, etc.), register protest and have it documented. But **don't sign anything** yourself!

During interrogation

Don't be taken in by the interrogators. Be neither intimidated by the brutal types nor let yourself be softened-up into talking by the understanding "uncle"-variety. Don't think you can outfox the cops. Any other situation other than being held in a police station would be more advantageous for coming up with a smart response. Whatever – absolutely whatever – you might want to say, you can say later on after you've communicated with your comrades and lawyers, even when the cops tell you it's better for you to make a statement right away: **that's a lie!** No "harmless" chat "outside" of the interrogation, e.g., while waiting somewhere in the hallway, no "political discussions" with the guards: Whatever you say after your arrest counts as a statement!

Even when you think you're being accused of things you know nothing about or would anyway never do – keep your mouth shut. What exonerates you may incriminate someone else; if of two suspects, one has an alibi, the other one takes the fall. Even information about what you **didn't** do will help the State Security Police (in German: "Staatsschutz") develop a general picture they will turn against you and others.

Say **absolutely nothing whatsoever** and tell the interrogators right from the start that you **won't make any deposition**. This is not only an act of solidarity with others and a rational stance with regard to possible future criminal proceedings against oneself, but it's also the **simplest** and, in relative terms, the most "comfortable" and "painless" solution for you in this situation. After the questions your person, they will often pose seemingly harmless questions such as "For how long have you lived in...?"; "Have you come here by car?"; "Which semester are you in?" etc. As soon as they realize that you, however reluctantly, respond to these, they will sense their opportunity and will carry on mercilessly once you refuse to answer further questions: "What's wrong with telling me whether you live in one flat with XY?"; "Why do you refuse to give me this particular bit of info?"; "We'll find out easily who is the owner of the car, it only costs us all time if you don't tell us right away" etc. etc. They won't leave you alone once you resolve to talk at all.

The situation becomes completely different as soon as you unmistakably tell them, and unequivocally and monotonously enough for even the most aggressive ones of them to comprehend, that you won't make any statement: To any question, just respond like a broken record: "I refuse to make any statement!" "Is it

raining outside?" – "I refuse to make any statement!"; "Do you want a cigarette/a coffee?" – "I refuse to make any statement!"; "Do you want to talk with someone else?" – "I refuse to make any statement!"

Don't worry nobody will think you're fool, even though your interlocutor will act as though you were. But on the contrary, s/he will comprehend very quickly that you're serious, can't be trapped, and know exactly what you have to do. After a while, they will give up. For you, that means that the interrogation will end for the time being – and in the best case, that you will get out.

Sampling body fluids for DNA analysis

The code of criminal procedure allows for the extraction of somatic material: blood for alcohol and drug tests or saliva for DNA analysis. Never assent to this voluntarily! Your objection will necessitate a judicial order, which you should appeal under any circumstance. In such cases, immediately contact the Rote Hilfe or other legal assistance group as well as your attorney.

A physician must take the blood sample. Saliva can also be taken by the police themselves by means of a cotton swab. You are not obliged to actively cooperate in the sampling. It can, however, be enforced. If you resist, you face, as always in dealing with the police, a complaint for resisting law enforcement.

There is a crucial difference between sampling the DNA material and its analysis in the laboratory. The latter is permissible only on a written judicial order unless you agree voluntarily, which of course you won't.

The sampling and analysis of DNA material can also be done for *future* investigations. This "genetic finger print" is then stored in the central gene database. You must therefore be aware of the fact that any sampling of saliva or blood can haunt you for the rest of your life!

The retrospective DNA sampling

The sampling and analysis of DNA material is also possible after you have already been convicted in order to obtain and store your "genetic finger print". This is justified by the danger of repeated offenses. If you are summoned to appear for saliva or blood sampling, immediately contact a legal aid group or an attorney!

In all these cases: don't testify and don't sign anything! In particular, don't sign any consent to the voluntary sampling of saliva or blood! Register an explicit and official appeal against the sampling of DNA material and any order to analyze it and have it registered in the protocol, but don't sign anything! Make a big fuss, demand a judicial order, and demand an attorney!

They have to release you –

■ if you were arrested to determine your identity:

immediately after you've given your personal data and if you have valid identification with you; however, they can hold you for up to **12 hours** in order to "check" the data you give them.

■ if you were arrested as a suspect:

at the latest at the end of day following the day of the arrest, i.e., **maximally 48 hours** – unless you are brought before a judge and the judge orders either 1) imprisonment on remand (only for severe crimes and if there is a "danger of flight and suppression of evidence," and then for up to 6 months but possibly even longer), or 2) so-called "summary proceedings" (for more on this, see below).

Preventive detention / protective custody

Since the 1990s several federal states have reintroduced what was called preventive or protective arrest under the Nazis and is now called preventive custody. If the police think "the facts justify the assumption" that you might commit a criminal act or even a misdemeanor, they can simply put you in prison for a while – between 4 days and 2 weeks, depending on the state – until the putative danger has ended, e.g., the end of the demonstration in question. You don't have to have committed anything; it is enough that the police believe you might engage in something. There has to be an "immediate" judicial review – after 48 hours at the latest. If it hasn't been arranged by then, they have to release you immediately. This judicial hearing is no more than a farce. Even in a regular trial, it is difficult enough to defend oneself by means of evidence and witnesses, but in this situation, it is impossible. No evidence – only your word against the testimony of the police. Whom the judges will find credible is not hard to figure out. Furthermore, every statement you make under that pressure can be used against you in a later criminal trial! So here, too, remember: **clench your teeth and refuse to testify**. No later than after the demonstration they have to release you anyway, and then will be the time to consider with your comrades, legal aid groups, and attorneys about how to proceed against the detention you were subjected to.

Summary proceedings

In 1994 resp. 1997, so-called "accelerated proceedings" and "main hearing detention" – were introduced, with the express purpose to subject "itinerant violent criminals," i.e., demonstrators, to "shortened proceedings" for "minor offences" (with a maximum penalty of 1 one year). You are arrested and detained

right away (for at the most one week). A few days later, you have to stand trial, with very limited rights to a defense and without an opportunity to prepare yourself.

All of this should be sufficient to make clear: **We never actively participate in summary proceedings! No statements, no cooperation.** You have to endure it, just as you don't have any defense against a sudden downpour! Since apart from a few extreme exceptions, only suspended sentences or fines are imposed in these proceedings, you'll be released immediately after this farcical trial. Then you can catch your breath, think and talk things through, and not least, calmly prepare for the "real" trial, **if you entered an appeal within the one-week deadline.**

When in trial custody, try to reach your attorney, for one thing, to enable him to try to avert the summary proceedings and to have you released. Moreover, it makes sense to have an attorney at your side during summary proceedings, even though a meaningful defense isn't possible in such a trial at all. But **under no circumstances** should you file any trial motions without your lawyer, even if the court tells you you're allowed to do this! Most of all, don't name any "exculpatory witnesses" or anything similar: it won't help you but will endanger them. It wouldn't be the first time that witnesses named by defendants without lawyers are first accused of the same thing, and secondly, of "perjury" in the trial in which they appeared as a witness! Thus: **don't file any motions or name any witnesses!**

House searches

House searches are not unusual in connection with extensive campaigns, after arrests, or in connection with aggressive crackdowns by the state. The technically required judicial search order is often dispensed with by alleging "impending danger."

House searches are among the most sordid abuses committed by the state: apart from the ostensive goal of finding some "evidence" that might incriminate you, entering into your private space is always also an attempt to humiliate and demoralize you, and to demonstrate their "omnipotence." The best means to resist this is to **keep your cool!** If they come early in the morning, first try to really wake up, and then make yourself a coffee, go to the bathroom etc.

As soon as they have entered your home, you can't prevent the search anymore. But you can do a lot to prevent it from turning into a catastrophe:

The most important thing once again: **No statements**, not a word from you, e.g., with regard to the "accusation" justifying the search. And anyway: You should never keep more than one copy of "politically explosive" leaflets in your home (you could be accused of "disseminating" them). Prior to demonstrations or other bigger events such as revolutions, you ought to put your "hangout" in perfect

order (and remove the miscellaneous “piece” as well as the receipt from your last insurance fraud!). If they still find “incriminatory evidence”: **Don’t say anything**, not even “I have nothing to do with it”; simply nothing!

Try to bring in witnesses from close-by, call friends and undrop the receiver in such a way that the person(s) you called can more or less hear what’s going on. If possible, inform your attorney. Insist on being shown the search order, demand a copy; if they claim “impending danger,” demand at least the exact reason for the search as well as a specification of what is being searched for. Commit the answer to writing. Write down the names and badge numbers of the officers. Demand that your complaint be registered (without explanatory statement!).

You are entitled to be present in every single room being searched. Therefore insist that the rooms be searched one at a time. If anything is seized, demand a list of the relevant items, **but don’t sign anything!** If nothing was seized, demand a receipt to that effect.

After the officers have left, write or tape a detailed memory log, and inform your EA, relevant political action group or the Rote Hilfe, as well as your lawyer. And then invite your best friends, since after this terror, you’re bound to be totally distressed – and you’re entitled to gab, to cry, and/or to be pampered!

Subpoenas

Weeks or months after you participated in some action or demonstration, you might get mail from the cops or the public prosecutor, and sometimes, they may also call you. Regardless of whether you are supposed to be a witness or a defendant in their game, you should contact the EA and the Rote Hilfe immediately, and get an attorney as well.

In many places it is possible to apply for a legal aid voucher at the district court of your residence. You have to bring along proof of income, your rental, a bank statement or other proof of rental payment and other documentation of financial obligations (eg child support). Then the initial legal consultation, upon presentation of the voucher should not cost more than 10,- €. If you possess or earn “too much” to procure the voucher, then you have to negotiate a fee with your lawyer. This is completely negotiable, there are no upper limits. As a guideline, however, the former fixed fee for a consultation of 260,- € should not be exceeded under any circumstances.

In most cases, this is the time to publicize what’s happening, as well as to organize political protest and call for solidarity. Most importantly, a subpoena is not a reason to panic or to suddenly trust some attorney more than one’s own political

conviction and therefore to speculate on some “deal” with the prosecution! As always, keep your cool and organize resistance! Up to now, the system of repression has always been rather more inclined to refrain from prosecution when met with strong public pressure than when those who were persecuted caved under pressure!

Refusal to give evidence as a suspect or defendant

As a suspect (the term used in preliminary proceedings) or defendant (in the criminal trial), you are entitled to refuse to give any evidence in any phase of the proceedings. This is what you should do in any case at the beginning of the prosecution: **never make comment after your arrest, during a house search, or during your interrogation!** If the police subpoena you, you don't have to appear. If the prosecution or investigating judge subpoena you, you must (just as you have to appear at your own trial) appear, but don't say anything. Whether you want to make a “political” or “factual” statement at your trial, you can consider without haste later on, together with your comrades, the Rote Hilfe, and your attorneys.

Refusal to give evidence as a witness

As a witness, as well: **not one word to police or the state prosecutor!** And here, too: you need not follow a summons to the police, but you have to follow subpoenas to appear before the prosecution or a judge, otherwise they can arrest and drag you there. In the first phase of the proceedings, **immediately after the events**, after your arrest or search, during your interrogation, and before you've had the opportunity to talk to the suspects, the relevant political group, the Rote Hilfe, attorneys etc., any **testimony can only be wrong and detrimental** for you and others. Just shut up, regardless of any threats and promises they may make. In that phase, there simply are NO “exculpatory statements,” and not even “harmless ones”! Not to say even one word is the simplest and quickest way to extricate yourself from the whole machinery (see the section “During interrogation”, page 6).

If you are summoned as a witness later on by the prosecution or for the trial, you should confer extensively with all the others involved, in particular the defendants, on what sort of testimony by you might be harmful or useful. As the State Security Police always aim for more than just the conviction and sentencing of individuals, – investigating resistance networks, the destruction of solidarity by singling out “guilty” individuals, splitting us up by demanding gestures of subjugation etc. – that is why even in the court room, the only correct behavior of any witnesses is the consistent and complete refusal to testify.

As a witness, you are obliged to testify if there are no grounds for immunity. (e.g., if you are a relative, spouse, or fiancé of the accused). Your obligation to testify can be enforced by fines or even coercive detention.

“§ 55” Or the right to refuse to give evidence

You have the right not to respond to **certain** questions if by your answer you could incriminate yourself. This is the so-called right to refuse to give evidence (in German: “Aussageverweigerungsrecht”), according to § 55 of the Code of Criminal Procedure). Some people recommend this as a means of not saying anything and to still avoiding coercive detention. But since you have to justify why your response to the question would incriminate you, most of the time you end up saying just as much as if you had answered the question directly. And you may even end up giving the opposite party even more information. Moreover, there are always questions where you can’t possibly incriminate yourself and which you will then have to respond to. Without even noticing it, you are talking to them, and experience shows that it very quickly becomes impossible to draw the line in such situations. In addition, you offer the political judiciary the gesture of submission demanded by them. You might also contribute to a division within the group of witnesses and accused since a joint legal strategy will then in most cases no longer be possible. **We therefore emphatically warn against trying to get off the hook by employing the method “refusal to give evidence because of possible self-incrimination”!**

Coercive detention

Persons who refuse to testify without being entitled (through witness immunity or immunity from self-incrimination) to such refusal can be subjected to the instrument of coercive detention. This primarily serves to enforce testimony, but it is also used as harassment and as a purely repressive measure against recalcitrants, even though the investigators are well aware that they won’t get any statements from them even after coercive detention. Coercive detention can be ordered for an aggregate duration of 6 months, that is, possibly for several shorter durations, provided the aggregate duration doesn’t exceed 6 months. Sometimes the prosecutor may threaten you with coercive detention, but here, too, **keep calm!** Only a judge can order coercive detention, not the prosecutor! Before any possible coercive detention, you can thus generally prepare for it, plan a campaign, take care of the rent, minimize the consequences for your job, at school etc. If you are threatened by coercive detention, contact the Rote Hilfe immediately.

We won’t let anyone down who is held in coercive detention!

Order of summary judgment (“Strafbefehl”)

Instead of being subjected to a trial, as an accused you can also be sent a penalty order by mail. That means that you are convicted without trial. You should then by all means submit an informal protest within 2 weeks (“I hereby object to the penalty order with the reference number...”) in order to win time and get access to information. You need not and **should not** give reasons for your objection. You should immediately contact the EA, the “Rote Hilfe”, and possibly also the trial group or other persons accused in the same matter. You can then jointly consider whether you should get the help of a lawyer. The objection can be withdrawn at any time during the proceedings, even during an actual trial. If you don’t withdraw the objection, you will be given a normal trial in the court first instance, and the penalty order is then identical with the bill of indictment. The important thing is to abide by the two-week deadline, otherwise the penalty order becomes legally binding! If you shouldn’t be able to do this because you are absent from home, e.g., on holidays, you must contact the court **immediately after your return** and account for the situation (the so-called “reinstatement into one’s previous status”).

The Office for the Protection of the Constitution (“Verfassungsschutz”)

Even though – and often, because – you are have subjected to criminal proceedings, the “friendly people” of the Office for the Protection of the Constitution (“Verfassungsschutz,” abbreviated VS) may try to enlist you as a police informer. They claim to be able to arrange for dropping of the charges against you or a milder penalty, but there is no legal basis for this, and actually they can’t guarantee anything.

The VS has no legal method to force you to talk to them. Therefore, don’t talk to them! Don’t give any information! Send them away, leave them out in the rain, throw them out of your home, point to them in the presence of other people!

You should immediately write a memory log and a description of the VS interlopers! Contact the closest legal aid group and publicize the recruitment attempt. Experience shows this is the only way to get rid of them!

Possible consequences for aliens due to (political) criminal prosecution

Even during the preliminary proceedings (i.e., before conviction), the aliens department can try to have you deported. Precondition is that you are charged with a “serious” crime, e.g., severe breach of the public peace. But in most cases, an attorney is able to successfully prevent that.

For persons without a German passport, help by **support groups and attorneys** is even more important than usual! The danger of being deported is worst after a conviction.

Refugees whose application for asylum has been granted or who are tolerated because they are threatened by torture or the death penalty in their country of origin enjoy the – relatively – best protection against deportation. They are protected by both the European Human Rights Convention and the Geneva Refugee Convention that ban deportation in such cases. But the political cooperation between states, e.g., the FRG and Turkey, has already led to the practical and legal breakdown of that principle.

Most endangered by deportation are persons whose stay in the FRG is illegal, e.g., refugees whose asylum proceedings have been completed and are binding without receiving a tolerated status. In such cases, a **(second) application for asylum** should be filed by an attorney immediately after the arrest. This can at least delay the threatening deportation and win time to determine further steps. On the one hand, your political activity can lead to a criminal conviction, on the other, this can generate new grounds for applying for asylum. Thus, a **successive application for asylum** (“Asylfolgeantrag”) can be justified by the fact that you are involved in criminal proceedings as an activist against your country of origin.

How do I apply for financial support?

We do our very best to see to it that the financial burden resulting from state persecution is shared by as many people as possible (see our self-portrayal below). Normally the processing of the support cases is done directly by our local groups. Address your application and documents to them.

The addresses can be found on our homepage www.rote-hilfe.de and on the last pages of our magazine. If there is no local group in your area, please send your documents directly to:

Rote Hilfe e.V. Bundesvorstand
Postfach 3255 | 37022 Göttingen

For an application, we need the following information from you:

- Name, address, if possible phone number, and ALWAYS your bank account (IBAN, BIC)
- Political classification of the incident: reason/pretext of the arrest, preliminary proceedings, trial etc.
- Course and present state of the proceedings: Have there been any interrogations? Any other people involved? Charges, penalty orders, trial dates?

- Did you or anyone else give any evidence, and if yes, why?
- What were you charged with (please cite paragraphs §§)?
- Do you expect the case to go through more than one court (jurisdiction) level? Which one(s)?
- Have the proceedings been concluded and is the judgment final?
- Proof of cost – amount of the fine, legal charges, attorney's fees.
- Has part of the cost been covered by other solidarity funds?
- Do you expect any further costs to arise?
- Are you in touch with a local Rote Hilfe group for counseling and local support? If not, do you want us to get you in touch with them?

Important notes:

Please file your application at the earliest possible date with the relevant local group. This enables us to process your application in a reliable way and provide you with the best possible support. Please note that any application must be received by us no later than 9 months after a legally binding judgment has been delivered.

Please enclose copies of all relevant documents with your application: Penalty orders, indictments, judgment, invoices, etc.

Self-portrayal of Rote Hilfe e.V.

Rote Hilfe (Red Aid) is a solidarity organisation supporting politically persecuted individuals from the political left. Its focus is on politically persecuted persons from Germany; to the best of its ability, however, it includes politically persecuted individuals from other countries. Our support is aimed at all those left-wing individuals who, as a result of their political activities, such as publishing anti-state writings, participating in spontaneous strikes, or supporting political prisoners, lose their jobs, are brought to court, and sentenced.

1. Political and tangible assistance

Together with the accused, we prepare for the trial and raise public awareness, in particular to its political background.

By means of solidarity events, fundraising and contributions from the membership fees paid by our members we ensure that many share the financial burden. Attorneys' and court fees, in particular, can be reimbursed in part or in whole. In cases where heavy fines, the loss of his / her job, or imprisonment have caused financial difficulties for the person concerned or his / her family, contributions to their livelihoods can be made.

We keep in touch with political prisoners wherever possible and advocate the improvement of the conditions of their imprisonment. In particular, we demand that solitary confinement be ended. We demand that political prisoners be released.

2. Rote Hilfe is not a charity organisation

The support provided to individuals should at the same time contribute to strengthening the movement.

All those taking part in the struggle should be able to do so knowing that later on, if facing criminal proceedings, they will not be left to their own devices. The main purpose of persecution by the state is to isolate those who took to the streets together by singling out individuals and to impose exemplary penalties for the purpose of deterrence. Rote Hilfe counteracts this approach with the principle of solidarity, thereby encouraging a continuation of the struggle. Apart from immediately supporting those concerned, Rote Hilfe's mission is to help fend off political persecution in general. In the run-up to demonstrations, for instance, Rote Hilfe encourages the participants to protect themselves and others as effectively as possible from injuries and arrests by the police. Rote Hilfe actively opposes the tightening of state security laws, any further erosion of the rights of defense, solitary confinement, and any further restrictions of the rights of free speech and assembly.

3. Membership and organisation of work at Rote Hilfe

Only individuals can be members of Rote Hilfe. There is no collective membership of groups or organisations, even though it is quite common for members of Rote Hilfe to be members of other organisations at the same time.

Rote Hilfe's work is organised at two levels:

— First, at the national level: The members (approx. 6,500 members in 2013) appoint delegates to the national delegates meeting of, which takes decisions on the principles and key aspects of Rote Hilfe's work and which elects the national executive board.

With their membership fees, members create the financial basis of the support work. The national executive board is responsible for the funds being used according to purpose and in line with the articles of association. This applies to the membership fees as well as any funds raised on specific occasions. The national executive board decides on the appropriation of membership fees, organises fundraising campaigns as well as national campaigns on specific occasions, and is responsible for the day-to-day work. It publishes the "Rote Hilfe Zeitung", a quarterly magazine providing information to members and doing public relations at the national level.

— Second, there are local groups in several towns and cities (approx. 48 groups in 2013); the current list is published on the last pages of the Rote Hilfe Zeitung and on our website.

Wherever there is a local group, the support and publicity work will be geared to the local political processes and carried out in cooperation with other local initiatives and organisations. The members' meetings and the boards of the local groups take independent decisions on the key aspects of their work and the appropriation of locally raised funds.

4. Rote Hilfe regards itself as a solidarity organisation for the entire left.

This does not mean it claims sole representation. On the contrary, we aspire to cooperate with as many other support groups for court cases, solidarity funds, anti-repression groups, fact-finding committees etc. as possible. What it does mean is that we have the self-imposed standard of making no exclusions.

In its articles of association, Rote Hilfe has pledged the following:

“Rote Hilfe is a left-wing protection and solidarity organisation, independent from political parties and spanning various political currents. To the best of its ability, Rote Hilfe organises solidarity for all those persecuted in the Federal Republic of Germany because of their political activities, independently of their possible party affiliation or ideology. Political activities, by this definition, include, among others, promoting the goals of the workers’ movement and international solidarity; anti-fascist, anti-sexist, anti-racist, democratic or trade union struggles; and the fight against anti-Semitism, militarism and war. Our support is aimed at those who, because of their participation in such struggles, lose their jobs, are banned from their professions, are brought to court and sentenced to fines or terms of imprisonment, or suffer other disadvantages.

Beyond that, Rote Hilfe’s solidarity encompasses those persecuted by reactionary forces in all countries of the earth.” (§2 of Rote Hilfe’s Articles of Association)

Beyond providing financial assistance, we want to provide political support and, as far as possible, raise public awareness to the causes people are persecuted for. This is why we seek political debates with those we support, and we may give our view on their activities. But we do not make our support conditional on the level of our agreement. Such political openness has not always been a matter of course with Rote Hilfe (cf. the brochure “20/70 Jahre Rote Hilfe”, available at the Rote Hilfe bookstore). At present, however, this political openness is not only stipulated in the articles of association; it has become our day-to-day practice and is reflected in the variety of cases that we support financially. Examples of approved as well as rejected support applications of the previous quarter are published in each edition of the Rote Hilfe Zeitung.

5. Does the left need a comprehensive solidarity organisation spanning ideological and political differences?

Usually people who have been arrested, brought to court etc., receive support from the political environment in which the incriminated action took place. For instance, someone convicted for blocking a military facility can mainly rely on help from the peace movement. Persecuted anti-fascists can rely on the solidarity of the anti-fascist movement. We think that this obvious form of solidarity is the most important one and do not intend in any way to replace it. However, we want to supplement it.

— There are always people who participate in a protest march as individuals and could not expect any help from an immediate circle of supporters.

- Sometimes the financial burden through court costs etc or also through the requirements of publicity work is so heavy that it cannot be borne by one group alone.

— In many cases inquiries, arraignment and court trials through several levels of jurisdiction take so long that the political context has in the meantime long changed and that there is no one left to contact for help when the judgment takes legal effect.

For these reasons, we consider a solidarity organisation necessary:

— which permanently works independently of political ups and downs

— which can grant reliable, if necessary long-term support payments due to regular donation funds

- which is organised nationwide and not restricted to the big cities
- which feels responsible for politically persecuted persons from all parts of the leftist movement
- which can react to ever stricter laws and waves of court trials at a national level
- which is able to initiate or support nationwide campaigns financially and politically.

Solidarity must be organised!

You can find local Rote Hilfe groups in the following towns:

Aschaffenburg, Augsburg, Berlin, Bielefeld, Bochum-Dortmund, Bonn, Braunschweig, Bremen, Cottbus, Darmstadt, Dresden, Düsseldorf-Neuss, Duisburg, Erfurt, Frankfurt/Main, Gelsenkirchen, Gießen, Göttingen, Greifswald, Halle, Hamburg, Hannover, Heidelberg, Heilbronn, Jena, Karlsruhe, Kassel, Kiel, Köln, Königs-Wusterhausen, Landshut, Leipzig, Leverkusen, Magdeburg, Mainz, Mönchengladbach, München, Neuruppin, Nürnberg-Fürth-Erlangen, Oberhausen, Osnabrück, Potsdam, Salzwedel, Südhüringen, Strausberg, Stuttgart, Wiesbaden, Würzburg

The current version of “What to do when the going gets rough” can be found on www.rote-hilfe.de

Contacting the „Rote Hilfe“:

Rote Hilfe e.V.
 Bundesgeschäftsstelle
 Postfach 3255 · D-37022 Göttingen
 Phone: 0551-7708008 · Fax: 0551-7708009
 E-Mail: bundesvorstand@rote-hilfe.de

Donations and membership account

Rote Hilfe e.V.
 Bank account 56036239
 BLZ 260 500 01 (Sparkasse Göttingen)
 IBAN: DE25 2605 0001 0056 0362 39
 BIC: NOLADE21GOE

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Declaration of Membership # Rote Hilfe e.V.

- I would like to join the Rote Hilfe e.V.
- I am also interested in actively participating.
- I would like to receive the Rote Hilfe email newsletter regularly.
- I will pay my membership dues per standing bank order to the Rote Hilfe bank account with the reference "membership dues"
- I will pay by allowing the Rote Hilfe to debit my account directly.

I herewith authorize the National Executive Board of the Rote Hilfe e.V., revocable at any time, to collect the membership dues for the member / new member by direct debit from my account specified below. At the same time the said bank is instructed to honor the debit advice drawn on my account by the Rote Hilfe e.V. Within 8 weeks, beginning on the date the account was debited, the account owner may request a full refund of the amount debited. In such a case the terms and conditions of the bank indicated apply. I agree that any charges arising from a returned debit note (eg. due to an unfunded account) are for my account and that these can also be deducted from the said account.

I will pay the minimum dues of:

- yearly 90,- € | different amount
- bi-annually 45,- € | different amount
- quarterly 22,50 € | different amount
- monthly 7,50 € | different amount
- I will pay a **solidarity contribution** of yearly 120,- € quarterly 22,50 €
The normal dues are 7,50 € / month, the reduced dues are (students, unemployed, etc..) 5,- € / month
- I am already a member and change my contribution to
- I am already a member and change address, contact information or account number as flows below

Name and Family Name of Member/New Member

Street and House Number

Postal Code and City

Telephone

e-mail (only for internal usage of rote Hilfe)

Bank Name and Location

BIC

IBAN

Date and Signature of Member / New Member

Rote Hilfe e.V., Bundesvorstand, Postfach 3255, 37022 Göttingen Creditor-ID: DE49ZZZ00000318799

Mandate's Reference Number: will sent to you separately

SOLIDARITÄT

Musik + Text
Möbius-Steitz

The musical score is written on a grand staff with a treble clef and a key signature of one sharp (F#). The lyrics are written below the notes. Chord symbols are placed above the staff. The score includes a double bar line with repeat signs and first/second endings. The final line of the score consists of a single staff with a treble clef and a key signature of one sharp, containing a series of slashes and a final chord symbol 'A'.

UNS FEHLT NICHT DIE ZEIT UNS FEHLT NICHT DIE KRAFT
UNS FEHLT NICHT DAS GELD UNS FEHLT NICHT DIE MACHT
WAS WIR WOLLN KÖNNEN WIR ER-REICHEN WENN WIR WOLLN STEHN ALLE RÄDER
STILL WIR HABEN KEINE ANGST ZU KÄMPFEN
DENN DIE FREIHEIT IST UNSER ZIEL ALLES WAS UNS
FEHLT IST DIE SO-LI-DA-RI-TÄT
1. A 2. A G
G F#m D A

Uns fehlt nicht der Mut, uns fehlt nicht die Kraft
Uns fehlt nicht die Zeit, uns fehlt nicht die Macht

Was wir wollen, können wir erreichen
Wenn wir wollen, steh'n alle Räder still
Wir haben keine Angst zu kämpfen
Denn die Freiheit ist unser Ziel
Denn die Freiheit ist unser Ziel

Alles was uns fehlt, ist die Solidarität
Alles was uns fehlt, ist die Solidarität

Uns fehlt nicht die Hoffnung, uns fehlt nicht der Mut
Uns fehlt nicht die Kraft, uns fehlt nicht die Wut

Was wir wollen, können wir erreichen
Wenn wir woll'n steh'n alle Räder still
Wir haben keine Angst zu kämpfen
Denn die Freiheit ist unser Ziel
Denn die Freiheit ist unser Ziel

Alles was uns fehlt ist die Solidarität
Alles was uns fehlt ist die Solidarität