

## NEWSLETTER CLIMATE-ANTIREPRESSION #13 - April 2020

Hello everyone,

the entire world is holding its breath, everyone is talking about Corona. Governments show that if they really want, they are capable of acting – and are only presenting us with more and more repressive interventions. All social struggles, whether they concern refugees on the Greek islands, better pay for people in health care, or climate justice, are facing difficult circumstances: demonstrations are currently (made) impossible, sometimes despite the use of certain protective measures and the adherence to the required distance between people. Prisoners are among the people suffering the most from contact bans, since their few liberties were consequently cut down even more. There is a lot to do in all of these areas, but beyond that, we also want to keep you up to date on the latest developments of the repression thrown at the climate justice movement. Due to the current situation, we will focus on mass cases, and as an extra, there's a special on corona.

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## RHINELAND

### **Proceedings on sports field occupation stopped – raising an objection works!**

Let's start off with some good news. In the last newsletter, we talked about several penalty orders being sent out to people who were allegedly involved in the occupation of the sports field in Mannheim in October 2018 that was supposed to be used as a camping space for Ende Gelaende. The people who received these penalty orders lodged appeals/raised objections, and that proved to be an effective strategy: the proceedings have been stopped, and as a result, there won't be any sanctions.

### **Mass trespassing during Ende Gelaende in June 2019?**

A new field of anti-repression work has come up in connection to Ende Gelaende in June 2019, which took place in the Rhineland. After Ende Gelaende 2015, the state prosecution failed to prove that the alleged mass trespassing had actually taken place – but now they are trying to make the exact same charge again. Several people have already received summons to go to a hearing at the police station, and currently more and more people are receiving penalty orders (maybe because the courts don't have much else to do these days?). Only some people are being notified of the proceedings again being discontinued. We assume that, once again, fighting the allegations is the most effective way to go, and that it's not at all clear whether the final verdict will be 'guilty' in these cases. That's why you should ignore the summons the police sends you in the mail, file objections against penalty orders (within the deadline!), and let the [legal team fuer alle@posteo.de](mailto:legal.team.fuer.alle@posteo.de) know what is going on, so that they can put you in contact with other people affected by this repression, and all of you can work on a collective strategy together. Really: you are not alone, and we are stronger together.

### **Call for witnesses: golden finger June 2019**

A person whose arm the police broke during Ende Gelaende in June 2019 decided to take legal action, and that's why that person is looking for witnesses. Unfortunately, there weren't any more parliamentary observers at the scene when it all happened.

Please let us or the person's lawyer know if you were there and saw what happened. If you aren't sure yet whether you would like to actually appear as a witness, if you need to clarify some things first, or if you just want to get into contact with the plaintiff in general, don't hesitate to contact us either.

Since making a statement is not without risks, it makes sense to talk to someone about that procedure beforehand. For example, to appear as a witness, you would have to give up your own anonymity you upheld throughout the action, and as a result you might be more vulnerable to repression yourself. As a witness, you are not allowed to refuse to make a statement anymore, meaning that you are then obliged to answer any and all questions. Also, making false statements is punishable as a crime.

Below you find the person's own description of the situation in which their arm was broken (trigger warning: police violence):

## *“Golden Finger*

*Time: 23<sup>rd</sup> of June 2019 (the morning after the night people spent in the Garzweiler mine), approximately 8 a.m.*

*About me: read as female, long hair, blue and grey backpack, not wearing a white overall*

*At the time, I was in the main blockade on the platform/ramp with about 20 other people.*

*What happened: Two police officers carried me away using their batons. After carrying me for about 15 meters, they still failed to react to my cries of pain which were a direct result of the strain all the weight put on my body, and then my left forearm broke. I was shouting and crying, they put me down for a minute, trying to talk me into moving into the shade. At first I could not walk, so I crawled across the ground, but ultimately managed to walk the small distance to the police vehicle they used for prisoner transport. I was standing next to the vehicle and held my arm, crying. Shortly after, a female police medic approached me, who fitted me with an arm sling made of paper. A little while later I could enter the vehicle, where a couple of other activists took gentle care of me. Maybe one of them saw the situation in which I was carried away and was crying, and could imagine appearing as a witness. It's an action for compensation, not about a criminal charge. When I entered the vehicle, I heard one of the police officers say to another that at that point, there were eight people left in the blockade. Maybe that helps people with placing what happened.*

*If possible, you could directly contact my lawyer:*

*[clemm@anwaeltinnen-kreuzberg.de](mailto:clemm@anwaeltinnen-kreuzberg.de)*“

## **Repression concerning RePlace Coal**

Unfortunately, both the police and the courts are keeping themselves really busy at the moment. As a result, even participants of the RePlace Coal actions last summer are currently receiving letters (among them penalty orders) charging them of coercion/duress – because of a simple sitting blockade, even though charges of coercion in connection to sitting blockades have become much more uncommon and rare. Apparently, in trying to keep people from raising their voice against RWE destroying the climate, all is “fair love”. You will find who to contact, also about the RePlace Coal actions in 2018 and 2019, on this site:

<http://www.kohle-ersetzen.de/en/2017-2/repression-2017/>

## **Results of the latest cases**

Let's not pretend as if everything always turned out fine. So, here's an overview of court decisions concerning the Rhineland that were made this year. In some of these case, appeals have been filed.

- Two people were sentenced to pay 30 daily fines after a charge of insult because they allegedly said “ACAB” to two cops during the eviction of the Hambach Forest in 2018.
- Another sentence (50 daily fines to pay) due to alleged coercion. No one was able to even remember the defendant, but the court did not care and gave a verdict anyway.
- One sentence to pay a fine (on probation) and do community service in connection with a lock-on action during the eviction of the Hambach forest.

- A verdict of 6 months of prison, suspended on the condition of two years probation, in the so-called “sling-shot case” in which a police vehicle saw some damage to its paintwork and a Circle A and “Hambi lives” was carved into a vehicle used for prisoner transport.
- Proceedings were stopped in one case concerning resisting enforcement officers on the way to the meadow, again during the eviction of the Hambach forest.
- Proceedings were stopped in the case of a blockade of railway tracks during Ende Gelaende, under the condition that the defendant do 40 hours of community service.
- One verdict of not guilty in the case of a person who was violently removed from the church in Morschenich while the church was being desecrated.
- One verdict of not guilty in the case of a person who allegedly insulted police officers; the defendant was trying to support prisoners with food last year.
- Another verdict of not guilty, because it was impossible to identify a person, or there had been a mix-up during the eviction of the Hambach forest – covering up your face does help (the charge was aggravated assault/battery).
- One case saw a decision in favour of the defendant after they appealed the initial decision (with that sort of appeal, a faulty case is tried again). It was about a tripod on the Hambach railway tracks as part of an action showing solidarity during the G20 summit in Hamburg 2017.

*Note: This list is not intended to be exhaustive, but instead gives you a small glimpse into everyday repression in the Rhineland.*

## LUSATIA

### **Ende Gelaende 2019 Lusatia – first penalty orders arrived, attempts made to intimidate journalistst**

First letters are already being sent out by the authorities regarding the Ende Gelaende action in Lusatia in 2019. There are several penalty orders accusing people of trespassing, but what’s especially striking is that the police are investigating a journalist and one Ende Gelaende press spokesperson. After authorities in the Rhineland already made attempts at criminalising the media coverage the actions received, authorities in Lusatia seem to be inclined to try the same. The online newspaper of the city of Leipzig published an article on the case of the journalist (article in German):

<https://www.l-iz.de/politik/region/2020/02/Auch-ein-Leipziger-Journalist-bekam-jetzt-eine-Vorladung-wegen-Hausfriedensbruch-bei-der-MIBRAG-315538>

Again: If you receive letters sent out by the authorities after participating in an action, please contact [legal team fuer alle@posteo.de](mailto:legal_team_fuer_alle@posteo.de)

## **Call for donations for the “Lausitz23“**

In this section, we are publishing the full text of the call for donations for the “Lausitz23”, who are asking people for their financial support with legal costs. You can find the German call on <https://www.betterplace.me/never-gonna-shut-us-up>, as well as more information and the chance to make a donation.

*“In early February, climate justice activists occupied a number of excavators in the mining areas in Lusatia and Leipziger Land. With their action, they took their protest against the outcome of the coal commissions negotiations and their struggle for an immediate stop to coal mining right into the pits.*

*In Lusatia, there were 23 activists (called the “Lausitz23”) who refused to give the police their names and personal data. They were kept in police custody for up to 20 hours. The state prosecution requested that arrest warrants be applied against all 23 of them – due to nothing more than trespassing, an accusation that always led to the case being acquitted for all Ende Gelaende activists in similar cases so far. Of the 23, there were 18 who after being put in front of a magistrate still refused to reveal their identity, and who were then put into detention awaiting trial. Three days later, there were three activists left in detention, who then had their main hearing on the 25<sup>th</sup> of February. The judge called their intentions “honorable”, but still sentenced them to 2 months in prison without probation.*

*The lawyers supporting the Ende Gelaende alliance describe this new level of prosecution and severity of penalties as excessive and consciously intimidating. The sentence is obviously politically motivated and is, as of the judge’s statement, supposed to ward off any new protests. After this sentence was made according to criminal law, the mining company LEAG is now also pushing civil charges. They are filing declarations to cease and desist which are supposed to forbid the defendants from ever setting foot on LEAG’s premises again. If they fail to comply, they might face penalties of 250.000€ or up to 6 months in prison.*

*In supporting all this, the justice system is becoming the corporations’ henchperson; corporations which prosecute individual activists without any measure. From our point of view, this is scandalous – we are absolutely convinced that actions of civil disobedience are a legitimate and necessary measure to counteract the devastating consequences of global warming.*

*As a result, we want to continue to be a thorn in the flesh of those who keep all this going. We as a movement refuse to be blackmailed. We will take our cause to court and will not sign the papers they want to make us sign. But that also means that we will have to pay legal costs – costs that are exorbitantly high because the company LEAG decided to set the “amount in dispute” at such a high number, just to put us off.*

*But we will not be silenced! They attack one person, but it will be all of us who answer. That is also why we need your support to cover the legal costs (at first instance): 10.900€!*

*Unfortunately we don’t have a charitable association covering our back that would allow us to send out receipts for donations. We rely on you not being discouraged by that.”*

## RUHR AREA

### **Occupation of Datteln IV in February 2020**

Some people currently also get letters in the mail because they were supposedly found on the premises of the power plant Datteln IV in February 2020. Datteln IV is a coal fired power plant that, despite the political decision to have a coal phase-out, is just now being put into operation. As always: you can ignore all summons the police decide to send you (“Anhörungsbogen” or “Vorladung” would be the words to look for on these letters). But if you receive one of those – why not take it as a nudge to get into contact with other people affected by this, also with the people from your affinity group, and do a bit of solidarity work together? For questions regarding actions around Datteln IV, contact [antirrr@riseup.net](mailto:antirrr@riseup.net).

What’s also interesting is that after two successful actions on the plant’s premises in February 2020, you could say that with almost military buildup the power plant is now being converted into a high-security wing. The police is constantly patrolling the parameter, and actions are supposed to be averted at any cost (of course at the general public’s expense, not at the expense of the coal company RWE). That’s yet another chance to get active and creative.

## FOCUS: MASS CASES

### **Why have a trial against hundreds of people?**

Taken that right now a couple of hundred people get letters in the mail sent out by the police or the courts, we bet that many of them haven’t yet been personally confronted with a criminal case and are now wondering: “is the state really trying to sentence hundreds of people who participated in a joined action? It’s practically impossible to go through with that many court cases at once!” The way we see it, the state cares more about intimidation tactics, rather than about actual sentences. The state is trying to showcase to both activists and the general public that civil disobedience and standing up against the destruction of the climate will not go unpunished. An ongoing case’s main function is mostly intimidation, as it may deter the defendants and other activists associated with them from doing any more actions for the time being. Apart from intimidating individuals, cases like these are also structurally aimed at weakening the (climate justice) movement: they take up time and space, force us to focus on the case for a while, and take away from personal resources that could otherwise be invested in planning new actions that would interrupt the status quo. Most of the time, the overall goal is not to actually sentence everyone.

Another reason for that many people being investigated can be the general attitude of police officials and workers in the criminal justice system that urges them to work to rule. Whenever during an action a large number of people is “caught”, the first thing the police will try to do is collect as many people’s personal data as possible (authorities like collecting data...). Later, when people are being charged of a crime, they can hardly eliminate anyone from the pool of people they know were there, since everyone seems to have done quite similar things. That also means though, that the people responsible of charging someone often haven’t thought the whole thing through at all, it’s just one authority doing the groundwork they think they need to do to enable another authority to do their work to the rule... and none of them dare to actually let climate activists get away with something.

## What to do against it?

So, what can we do against all this, as a movement, as a group, as individuals, as anti-repression structures? The answer is, as always: show solidarity. For solidarity to not just be an empty word, here's some ideas: You could meet up in your town, and, together with people affected by repression and people supporting them, think about where you might acquire some money to help fund people's legal costs and pay their lawyers, you could think about how to build up political pressure so that RWE has to take back some of the penalty orders, or, if that is your cup of tea, gather some ideas on how you could use the media to draw attention to your take on the issue. Meetings like these should also be used to talk about what being subjected to a criminal case does to people – emotionally, financially, job-wise etc.. It can be really helpful and supportive to talk about your fears, because some people need to be heard to feel better, and to realise that others share their concerns. And keep in mind: Yes, repression is part of everyday political life, it is part of the action. But dealing with repression, doing solidarity actions or collect money to support others who are facing repression should never completely overtake being active otherwise – don't let them intimidate you, and continue to be a wrench in the works. To many more resistant and disobedient years!

## Collective measures, taking Ende Gelände 2015 as an example

The anti-repression work that followed the very first Ende Gelände action in 2015 goes to show how important and how successful it can be to network with the people affected by repression and get to talk about their particular situations. Back then, the state prosecution was also attempting to sentence everyone whose names they had on the charge of trespassing, and there were numerous penalty orders. Most people thought that going to court would sure result in losing the case, because obviously everybody involved knew that they had been in the mine together. The defendants were offered to have the cases discontinued without a charge or sentence, under the condition that they pay several hundred euros to some associations. But instead, the defendants decided that they would all take a risk together, and after a few cases ended in a verdict of not guilty, all of them won the cases due to a legal subtlety: the mine, as it turned out, hadn't been completely enclosed. Maybe now it will be different, but who knows which mistakes the authorities committed this time around. It's really worth fighting. If anything, their courts are simply not built to accommodate hundreds of cases. Don't give up!

## CORONA SPECIAL

### Our take on the issue – a couple of theses

At the moment, everyone is talking, writing, video-conferencing about Corona, about the measures that are being implemented, and about how we deal with all of it. We as AntiRRR felt like this topic couldn't be left out of a newsletter published in April 2020, so with this, we want to focus on what this pandemic and its effects mean for the climate movement and for repression and anti-repression. Here we discuss some of the theses with which we came up:

- *Corona increases social inequality.* Everyone in leftist movements has to accept that currently, societal problems are intensifying, and that some people are hit way harder than others by the measures that are taken to contain the virus. That is especially true for anyone who is locked up somewhere, who is completely isolated and without any of the necessary hygienic protective supplies: in the refugee camps at the European borders, but also in the

states of the European Union themselves, in prisons, in retirement homes or women's shelters. Measures such as the contact ban or the indefinite closure of social institutions pose an immediate threat to people who are socially disadvantaged, e.g. to homeless people, single parents, low-paid workers and people who are mentally ill or disabled. Reason enough to double-check what is going on right around us: who is dealing more or less well with this extraordinary situation? Who is especially at risk, be it financially, physically or mentally/emotionally? How can we make solidarity with all of them a practice we implement in our current way of life?

Also, while cancelled flights and a slightly slowed-down economy do have a positive effect on the climate, we are far from having stopped climate change and capitalism. Hence, global climate injustice also continues.

- *Corona measures make it harder to live a resistant life and to continue political work and activism.* Just one look at the state of the world tells us: There's a lot to do, now more than ever. But we also notice – it's more difficult to do anything, now more than ever! Apart from the quite obvious barrier of not being able to meet up for a plenary or at a demonstration, many people are struggling with feelings of demotivation, uncertainty and powerlessness. Sure, we somehow keep up by having phone conferences, by video-chatting, with webinars and ever new ideas for actions. But even "corona-compatible" actions that adhere to the rules of keeping a distance between people are broken up by the police. While we cancel our camps, conferences and blockades because we cannot take responsibility for gathering large groups of people, we have to assess that people hitting their pans on the balconies to show their support for health care workers or people signing online petitions for basic income or to open the borders simply does not cut it.
- *The authoritarian state is seeing a major comeback.* The things we are witnessing with concern obviously also include the scope and speed with which the authorities and governments are declaring new regulations, directives and fines. At the moment, they simply do not care about the democratic and parliamentary ways of passing laws they normally have to comply to. Even if the parliament is participating in these decisions: new enabling statutes allow authorities and ministers of health to commit extensive infringements of constitutional freedoms. The worst thing is: most people turn out to actually like it when in dicey situations the state takes drastic measures, declares bans and the threat of penalties. Take the increased presence of police in the public space, and you get a first taste of yet another level of a fascist police state. We are not suggesting that the virus doesn't exist or that the situation isn't serious. But in any other situation we would have been up the wall if an indefinite ban of assembly had been declared in all of Germany! The scene we would have made, how we would have occupied the villages, dismembered the power plant Datteln IV! But in the face of this pandemic, we all seem to have frozen in our spots, unable to show the necessary, the appropriate reactions.
- *Currently, more people are faced with repression than usual, and it comes up in the most everyday situations.* What's interesting to see is that right now, there suddenly is a larger number of privileged and/or non-activist people who have to deal with (the fear of) repression. Repression is more and more prevalent in our everyday lives: suddenly, meeting

friends for a picnic is considered illegal. Parents who are on a walk are being stopped by the police questioning them whether the children next to them are actually their children. People sitting on a park bench are asked to leave and have to pay a fine. The private has become ever more political. The people who had already been subjected to more police checks than others before, be it due to racial profiling or other mechanisms, are especially at risk at the moment, and some don't dare to leave the house at all anymore. So, it can make sense to support people who have less experience in dealing with the police, to e.g. share your knowledge, explain to people what their rights are, and draw attention to attacks. Maybe this is a chance for a lot of dutiful citizens to realize that it's not only the leftist radical eco-terrorists who can clash with the law? ;-)

- *Repression against climate activists doesn't stop, but it's more difficult to support them.* While many venues are and will remain closed and many things have come to a halt, repression unfortunately simply keeps on going. Many court cases have been postponed due to the risk of infection. The German Bundestag has quickly passed a law that allows for court cases to be interrupted for up to three months, while usually three weeks is the cut-off to not have the case's participants forget about entire parts of the previous interrogations. At the same time, the state is continuing some political cases, regardless of the consequences. They even set dates for entirely new court cases – at the moment, it is so much easier to limit the access the public has to the court rooms. We all have to stay alert to court dates being announced and think about how we can support defendants right now.
- *We have to stick together, keep in contact, network even better, develop great ideas and not let us be intimidated.* What's most important right now is social cohesion and sticking together, be it within our circles of family or friends, in our shared flats or houses, in our activist groups or our neighbourhoods: solidarity with those who are especially affected by the situation, exchanging thoughts and ideas the best you can (despite keeping a distance), making room for sharing fears and doubts and dealing with them. We need a sharp and critical view of the current (political) events, we need to be ready to question all that the authorities are trying to sell us as good solutions, and keep on finding new impulses for political work and actions, so that we can keep on resisting all instances of injustice, now and in the future. We as AntiRRR don't see any reason to put down our work – we continue to be motivated to support each and everyone fighting for a better life for all.

In solidarity,  
AntiRRR  
antirrr.nirgendwo.info

P.S.:

### **Write letters to the prisoners!**

We are all suffering from the bans and restrictions that came with this pandemic. Among those who are the most affected are elderly people who are now practically locked up in retirement homes, and people who the state is keeping locked up in the prisons anyway. There are no hygienic measures there, but instead, all contact between prisoners is forbidden, involving free time activities, visiting other prisoners in their cells, and getting visitors from the outside – practically all silver linings

everyday life in prison has. Please, keep everyone who is locked up in mind, and write letters to the prisoners and to e.g. your parents or grandparents in retirement homes, to help break the isolation. You could start by looking for prisoners to write to on these sites:

<https://ggbo.de/justizvollzugsanstalten/>

[https://www.abc-wien.net/?page\\_id=4102](https://www.abc-wien.net/?page_id=4102)

<http://political-prisoners.net/gefangene.html>