

NEWSLETTER CLIMATE ANTIREPRESSION # 25 - February 2024

Hello

and welcome to a new newsletter full of good and bad news from the world of courts that have been dealing with various protests. The Aachen police have to allow pickets in front of their station when they lock people up and otherwise the courts in the Rhineland are once again full of contradictions. This time, we are focusing on the issue of public relations work in cases of repression. We make transparent why we (in consultation with those affected) keep publishing things and once again encourage you to do so: Send us texts! Please spread the word about this newsletter and write to us if you have a topic you would like to see in the next issue. And above all: take a proactive stance against repression!

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NEWS

RHEINLAND

Aachen: Vigil for prisoners may take place on the grounds of the police station

It often takes a long time to enforce the right to assemble. However, it is now clear that even if the police in Aachen lock people up, they must tolerate people demonstrating against these arrests on their premises and waiting for people to be released.

The reason for the complaint before the administrative courts, which led to this decision, was an action against lignite in August 2019. As with many actions, the police took people into custody, took them to the police station in Aachen and people gathered for a vigil on the grounds of the police station (there is a large forecourt there). This was soon stopped and the assembly was ordered to take place further away (out of sight of the people being released). The Higher Administrative Court ruled in December 2023 that this was unlawful.

The police must allow assemblies within sight of the prisoner assembly point on their premises. This is because assemblies generally have a right of self-determination over the location and an area that is otherwise also used by the public, for example as a passageway or to erect monuments, is also suitable for assemblies. Even if an area is under video surveillance, this does not mean that assemblies may not take place there - if the organizers decide to use the location anyway, that is

their choice. The police had tried to dismiss the complaint on the grounds that the site was under video surveillance. The argument was still successful at the Aachen Administrative Court (which traditionally often rules in favor of NRW), but no longer after the appeal at the Higher Administrative Court in Münster. In future, the vigils for the prisoners will therefore be allowed to take place directly on the forecourt of the police station in Aachen.

If you want to read more legal arguments, you can find the lawyer's summary of the ruling here: <https://antirrr.nirgendwo.info/2024/04/28/aachen-mahnwache-fuer-gefangene-darf-auf-dem-gelaende-der-polizeistation-stattfinden/>

Trespassing in an opencast mine? Contradictory verdicts at Kerpen District Court

The Kerpen District Court convicted one person of trespassing in an open-cast mine because of an excavator occupation, while another person was acquitted for the same action, much to the annoyance of RWE and the public prosecutor's office, which promptly appealed. The conviction was appealed by the defendant. Let's see what the regional court decides and what happens in the further trials because of the solidarity action to evict Lützerath.

More information:

<https://antirrr.nirgendwo.info/2024/04/24/richter-witzel-macht-ernst/>

<https://antirrr.nirgendwo.info/2024/04/25/kerpen-freispruch/>

A trial against another person has been canceled for the time being, presumably until the appeals have been decided.

Sofa trespassing: No Lützi trial because of "Wetten dass...?"

Lützerath is saved"... Do you remember the action on "Wetten dass...?"?

"Sofa trespassing" does not actually exist in German criminal law. But because our betting king Marten (all pronouns) was introduced in the show as "Lützerather", RWE & the public prosecutor's office accuse him of trespassing in Lützerath... no joke!

Or was it? Shortly before the trial, RWE withdrew the criminal complaint, allegedly to "pacify" the situation. Or simply because the chances of success were too poor?

Trial announcement:

<https://antirrr.nirgendwo.info/2024/05/07/sofapriedensbruch-luetzi-prozess-in-erkelenz-wegen-wetten-dass/>

Report on the non-trial:

<https://antirrr.nirgendwo.info/2024/06/18/bericht-vom-nicht-prozess-um-sofaprieden-am-10-06-2024/>

EAST

Heibo: Interim status of the repression

It has been more than a year since Heibo was evicted and now some of the squatters are in court and the Bautzen district office is demanding dizzying fines. Donations are still needed for this.

1) 2 people sentenced for resisting law enforcement officers

So far, 2 people have been sentenced to fines in the district courts of Kamenz and Bautzen for §113 resisting law enforcement officers, solely because they were allegedly chained in a lock-on, a concrete construction.

One of them has been sentenced for unknown reasons. The other person, whose personal details were established, had to pay a fine of 30 daily rates.

2) 2 persons on appeal for resisting law enforcement officers in a particularly serious case

In two lengthy and excessive trials, two activists were sentenced by the Bautzen district court to suspended sentences of 6 months and probation with community service. The two are accused of

having chained themselves together in a lock-on. It is extremely questionable to prosecute this chaining as resistance in accordance with §113, but the judge even saw a particularly serious case in the communality.

The defendants initially refused to give their personal details and paid a security deposit of €800 each. In the course of the proceedings, they were then identified through the use of super-recognizers, surveillance and identification measures. The two have appealed. The first date of the appeal hearing will take place on 14.05. 09:00 at the regional court in Bautzen.

3) The charges of assault and attempted assault were dropped

The public prosecutor's office had charged a person with assault on law enforcement officers §114 StGB and attempted grievous bodily harm. This seemed very contrived from the outset and so the court has now dropped the charges and will only hear the case for "resisting officers". Nevertheless, the person has already had enough unnecessary stress because of this.

4) Fines add up to around €10000

Many squatters got out of the eviction unrecognized because they did not give their personal details. However, at least 14 people identified themselves or were subsequently identified. At least 10 of them have received fines this year because they are accused of being in an area that is prohibited under forestry law. An administrative offense, which is listed at €60, is prosecuted here with €800-1300. Some of those affected have lodged appeals, which will be heard at the Kamenz district court at the beginning of June.

5) Finn is still in jail

Finn had been helping at the Heibo vigil when he was arrested in a traffic stop on the basis of an outstanding warrant. He has been held in Leipzig Prison ever since.

In August 2023, Finn was then sentenced to 3 years and 6 months in prison. But the appeal is still ongoing.

This summary by the Antirep team on Heibo with links to the individual cases find here:

<https://heibo.noblogs.org/2024-05-07/zwischenstand-der-repressionen/>

Involuntary fire department: appeal rejected

You may remember Ava and Ralph, two people who were anonymously imprisoned for almost three months after the blockade of the Jänschwalde coal-fired power plant by the "Involuntary Fire Brigade" action group. The sentence of 4 months imprisonment for coercion, damage to property, trespassing and disrupting public businesses was confirmed by the regional court. The Higher Regional Court has now dismissed the appeal, meaning that the verdict is final. It is therefore to be feared that the Cottbus district court will begin proceedings against a further 18 people accused of being involved in the blockade.

More infos; <https://unfreiwilligefeuwehr.blackblogs.org/2024/06/03/revision-verworfen/>

Lausitz23: No end to the persecution?

5.5 years ago, there were excavator occupations in Lusatia in response to the coal commission. As a consequence, the Lausitz23 were remanded in custody for two months.

The repression did not end there: the last court proceedings on the cease-and-desist declarations (civil law) will take place on July 2, 2024 at Cottbus Regional Court. This is a strategic lawsuit to silence politically active people (SLAPP: "Strategic Lawsuit against public participation").

Come in numbers and be motivated:

8:25 am to Berlin Ostkreuz station, platform 1, section A!

Demo start 10:00 am at Cottbus station to the district court.

Please check here before you leave for last minute changes: https://todon.nl/@Soli_Lausitz23 or <https://x.com/lausitz23>

LEAG is shit! Coal is shit!

FOCUS ON PUBLIC RELATIONS WORK

Many activists are affected by repression and very often the question arises of how to deal with it, how much should be published about the fact that people are in prison after actions, have trials and what the results of these are.

Why public relations work?

Public relations work can be used as an antidote to repression, to publicize our own opinions and views on the prosecution and to influence social images of our activism. Depending on how the trial is conducted, it can also be about spreading political attitudes and statements in order to use the court proceedings as a political field of action or to justify actions, which can give back a sense of agency and thus counteract experiences of powerlessness. Sometimes it is also necessary to counter media vilification, and public opinion is often crucial in determining how the state and corporations are currently persecuting people.

Drawing public attention to repression generally serves to make repression visible and counteract individualization and isolation. It can create transparency towards the movement about the effects of actions in retrospect and lead to repression being understood as part of struggles. Only when cases are known can other groups and structures show solidarity with those affected and only then can we (re-)politicize repression, point out the (structural) violence of the organs of repression and scandalize and criticize the actions of the state.

When people are imprisoned, public relations work can also serve to ensure that prisoners receive letters and, vice versa, that they have the opportunity to speak out.

What can public relations work look like?

- Publication of summaries of repressive events, for example in the context of Lützerath or Heibo, directly after actions as a report by the investigative committee or later on criminal and civil proceedings
- Reports on police violence to give those affected a voice
- Mobilization for court hearings in order to have an audience in solidarity, including vigils in front of the court or other accompanying actions ("trial accompaniment in solidarity")
- Writing statements/press releases/experience reports before and after the trial dates, giving interviews
- Publishing cases of imprisonment including addresses so that prisoners can receive mail
- Analyzing repression events and developments
- Information events before actions, on specific cases of repression or general developments in repression
- Appeals for donations for legal costs, including solidarity parties, solidarity cake stands or the sale of solidarity merchandise
- Possible channels: Websites, blogs, mail newsletters, social media, (online) newspapers, TV, radio, podcasts, flyers, posters, scene publications, addressing local media and political groups

What harm can be done by disclosure or secrecy?

We don't want to hide the fact that there are also some disadvantages to disseminating information publicly and will take a closer look at some of these arguments below.

Effort: The effort required for public relations can vary depending on how much is to happen, whether actions are planned or only a short announcement or a report is written. This can be divided according to capacity. There is also support for this, e.g. from the Lützi media crew.

Press rules: The press works according to its own rules, mainly wants to talk to the accused, sometimes misquotes or takes things out of context, sometimes to denigrate us. Playing by the rules of the press sometimes makes it possible to present our position in the bourgeois media. If people can't imagine this, it can sometimes be done by supporters or through publications in our own media and platforms (sometimes with a smaller reach). Although, of course, the bourgeois press sometimes doesn't write much, depending on the interest in the action and process.

Data disclosure: People who are in the public eye through their own processes also become visible to enemies, which can lead to stigmatization or, in the worst case, persecution by fascists.

Understandably, we don't want to give them any information.

However, we do not always have any influence of our own: the courts often also do public relations work for trials and the press is allowed to attend court proceedings (exception: defendants who are minors) and then also publish pixelated photos, first names, first letter of the surname, job title, age, attributed gender and place of residence.

In addition to this point, there is also the fear that we are revealing too much information ourselves. It is worth taking a closer look at what we are afraid of and then acting accordingly. When it comes to not revealing too much to the state, we should be careful not to talk about unproven accusations and thereby provide the court with evidence. But then it's probably quite harmless to write and talk about the allegations that have been made, because they come from the state and are therefore known to it anyway, or we divert the topic to issues that actually concern us, such as the climate crisis. When it comes to employers or neighbors not noticing, it might be worth thinking about whether public relations work can be done in disguise and under fake or first names. Or whether it should only take place on platforms that are very unlikely to be read by bosses.

Influence on the verdict: There is a widespread fear, especially in the case of politically "radical" publications before the trial (often also in the case of people in pre-trial detention), that possible court proceedings will be influenced to the disadvantage of the accused person and that this will lead to higher sentences. In reality, it does indeed happen from time to time that it is precisely the offensive non-repentance of one's own deeds that leads to harsher sentences. However, it can also happen that courts are reluctant to crack down due to public attention because they feel they are being watched or sometimes give up and discontinue proceedings precisely because there is a lot of hype about them. In the end, justice and repression are arbitrary, i.e. whether and how harshly we are punished does not (only) depend on our choice of words in and around the trial. And we have to ask ourselves whether the outcome of our own trial is more important to us than the long-term effects of our strategies. Because the more people tacitly accept repression, the greater the risk that those who do not will be hit harder.

Secrecy: Not publishing information about repression also has consequences. In the movement's internal perception, this can often lead to people thinking that there is not much repression after certain events. This can lead to a dangerous underestimation of repression.

What does that mean now?

As always, there are no simple answers. We think it is important to show current developments on repression for the sake of transparency and as a basis for discussion, which is why we regularly write this newsletter or publish anonymized summaries on our website. We and others can use this as a guide for future actions and your feedback on how proceedings have turned out helps us to do

this.

In individual cases, we are guided by the wishes of those affected. Everyone decides for themselves whether or not their trial date or arrest case should be published. For detention cases, it is very useful if you have spoken to friends about them in advance. We are happy when those affected decide to make their trial dates public, because this enables a supportive audience and can also counter repression with solidarity. Nevertheless, we do not prescribe a trial strategy, but leave it up to those affected to weigh up the pros and cons for themselves. However, we would at least like people not to cower before the state's apparatus of repression by pretending to be "innocent" or "remorseful". This is not only politically inconsistent, but also has something to do with privilege and can be perceived by others as a lack of solidarity.

Whether and how public relations work could then look in concrete terms can then be discussed with us and other support structures (there is a separate working group for Lützerath processes) in each specific case. Who this is specifically aimed at can and may also look different, depending on what is important to those affected: whether a public announcement, press release or a short report afterwards.

You can find a flyer from the Lützerath public relations working group on processes and publications here:

<https://antirrr.nirgendwo.info/files/2023/10/HandoutAntirepOeffentlichkeitsarbeit-Luetzi23.pdf>

There is also a paragraph on what can be included in process reports and publications.

If you are looking for examples of process reports, take a look at what has been published on our homepage: <https://antirrr.nirgendwo.info/category/prozessberichte/>

There are more from time to time at de.indymedia.org and numerous other places.

We also have a section for police force experiences, for which you can send us texts:

<https://antirrr.nirgendwo.info/polizeigewalt/>

Please think about what of your experiences you would like to make public and readable, what does not harm you, but what others might benefit from.

Let's remain resistant together and counter the repression!

Greetings in solidarity

AntiRRR