



legal minimum 101



**genocides
human rights abuses
apartheid
criminalization of dissent
persecution of activists
impunity**

**breakdown of the
international legal order**





**Is the legal system
broken or is it working
exactly as designed?**



“I’m not doing anything illegal so I don’t need to think about security.”

“I’m not discussing anything sensitive, so I don’t need to worry about being surveilled.”

“My house has never been raided by cops, so I don’t have to worry about stuff I have at home.”

The choice to repress belongs only to the state – it doesn’t have very much to do with the actions being criminalized.

**avoid
criminal
charges**



**prevent
disruption to
organizing**

The Two Nevers

- Never talk about your or someone else's involvement in illegal activity.
- Never talk about someone else's interest in illegal activity.

But we're not doing anything illegal!



- Never talk about your or someone else's involvement in any activity that is at risk of being criminalized.
- Never talk about someone else's interest in criminalized activity.

...in other words, shut the fuck up.



<https://www.youtube.com/watch?v=nWEpW6KOZDs>

Repression is inevitable

- avoiding it at all costs isn't worth it
- any struggle taken far enough becomes a struggle against police
- **if we avoid repression at all costs, we will only use forms of struggle approved by the police**

Master's tools will never dismantle the master's house.



Modes of repression



1. **Surveillance**: intelligence agencies are interested in us and our activities. They do not necessarily concern themselves with whether we are doing anything illegal, but they are building profiles on us, mapping our connections and our structures.
2. **Police violence and abuse of power**: conduct of police beyond their powers limited by the law.
3. **Criminalization of activities, symbols or slogans**
4. **Terrorism link**: no “proscription” mechanism in the Czech Republic – Czech authorities defer to lists of the EU, UK, USA. Common tactic is to accuse us of **support for specific acts of terrorism** (*legal framework is unclear, especially regarding acts done in the distant past or in different legal jurisdictions*)
5. **Antisemitism link**: accusations under the IHRA definition

How do we defend ourselves?

- **We shut the fuck up :)**
- **We know our rights**
- **We leave no trace**
- **We protect each other**
- **We acquire legal representation**
- **We engage in mass defence**
- **We consider strategic litigation**



A black and white halftone illustration of a landscape. In the center, a large white shape, resembling a torn piece of paper or a cloud, contains the word "cops." in a bold, lowercase, sans-serif font. The background shows a horizon with a sun or moon partially obscured by a dark, rounded shape, possibly a hill or a large rock. The sky is filled with a dense pattern of dots, and the foreground shows a textured surface, possibly water or a field. The overall style is reminiscent of a newspaper print or a woodcut.

cops.

What makes a cop

Municipal (city) police



State police



Security = not cops



Cops

- Can use "**coercive means**" (donucovací prostředky) and service weapons against you
- State and municipal police officers are **strictly bound by the law**, meaning they can only do what the law (**Police Act**) explicitly allows them to do.
- If they do not have a legal basis for an action, then they should not do it (and if they do it anyway, they are acting illegally and you can subsequently defend yourself against their actions in administrative court)

Private security

- can look like cops but have **no authority over you**
- failing to obey a security guard's order is not an offense; you do not have to identify yourself or undergo a body search
- role of a security guard = **guard private property** of the person or company that hires them, i.e. to prevent damage or unauthorized entry, or to ensure compliance with internal rules.
- **could detain you until the police arrive**, or **expel** you or **remove** you from private property or a building
- **not authorized to transport or drag you, throw you out of a public space, interrogate you or confiscate your belongings.**

Police interaction essentials

- Be calm but **assertive**
- **Avoid escalating** tense situations
- Confidently insist on **your rights**
- **Do not touch the cops**
- **Get all interactions on video!!!**

"Am I reading correctly that your personal service number is 12345?"



Police orders

“In the name of the law..” (*Jménem zákona vás vyzývám..*)

**Did you hear?
Did you understand?**

If not, make sure it's clear in any video evidence!

Identifying yourself

- **Why are you being asked to ID yourself? Always clarify!**
- Czech citizens → by providing your personal information
- **Non-Czechs → passport or residence permit, not carrying it is a misdemeanor offence**

Do not volunteer more info than you are obligated to provide to ID yourself.



Refuse to ID yourself? Cops can:

- take your fingerprints,
- identify and document unique physical features (birthmarks, tattoos etc)
- measure your body
- take photos of you and record you
- take biological samples (hair, nasal or throat swab)

You are legally obliged not to resist, if you do then you may be forced. You aren't obligated to provide active cooperation.

Police detention

1. **The right to remain silent**. "I am exercising my right to remain silent". Cops will try to get you to talk. Having a learned phrase helps. **Or just shut the fuck up.**
2. **The right to not sign anything**. By law, you are not obligated to sign anything a cop gives you. By signing, you might be giving consent, confirming the correctness, or confirming that you are acknowledging whatever is written in the document. **Do. Not. Sign. Anything.**
3. **The right to record police**. This right doesn't go away if you are in police custody. You can record both audio and video.
4. **The right to written documentation**. You have the right to receive a written protocol of all police actions related to your person. This includes information about the means of your arrest, a list of confiscated items, whether you said anything to cops/given an official "explanation" etc.

What did you **(allegedly)** do?



Civil Code

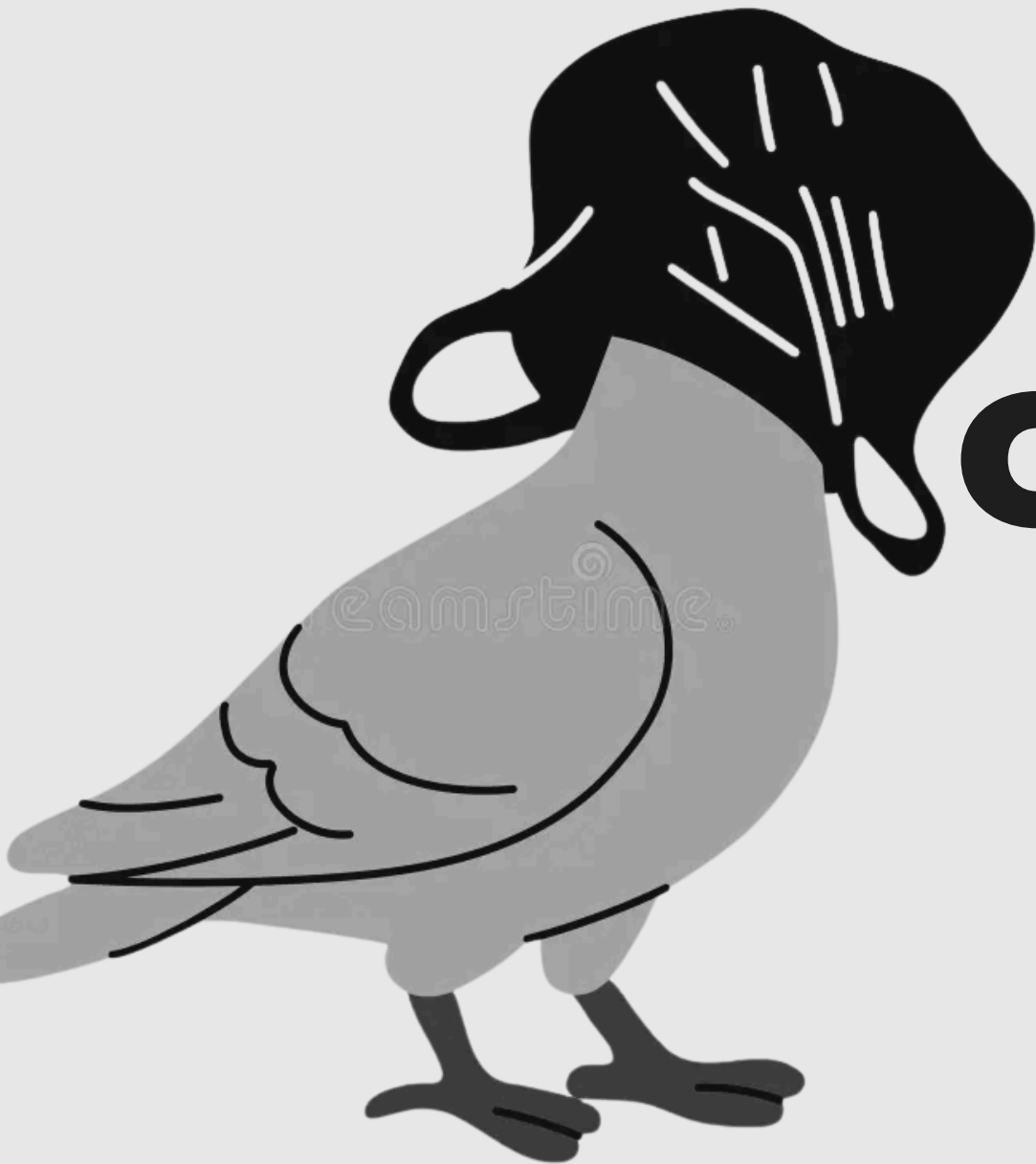


misdemeanor

vs.

criminal offence

What's the difference?



Criminal Code

How detention works

- **restriction of your personal freedom** - you are under detention from the moment you are being prevented from leaving a place against your will
- **misdemeanor** → maximum hold time **24 hours for citizens, 48 hours for non-Czechs**; usually release upon determining your identity
- **criminal offence** → criminal proceedings initiated, after detention maximum hold **48 hours** but then must be brought before a **judge** who decides on **remand**

Other rights

- **Handcuffs off** after max 2 hours
- Information about where you are being taken, your loved ones being informed (osoby blízke)
- **Legal aid** – cops must contact a lawyer of your choice and allow you consultation without presence of a 3rd party. Might be impossible due to logistics – phone calls could be surveilled. **Do not say what you did on the phone.**
- **Food (3 meals at “reasonable intervals”), rest, medication and medical attention, hygiene, water.**

Remember:

- Cops? Shut the fuck up.
- No evidence, no case.
- Don't ask, don't tell.
- Get a lawyer!
- Prepare your loved ones.
- Get an advanced directive.
- Know your rights.

That's all Folks!"

