



# LINKSE HULP

'solidarity is our weapon'

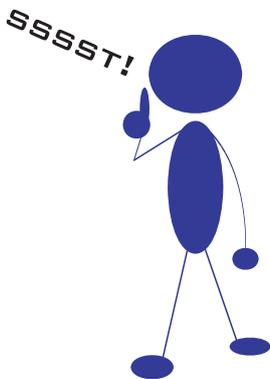
Version 1.0, 2005

## REMAIN SILENT

## NO STATEMENTS TO THE POLICE, JUSTICE OFFICIALS OR THE SECRET SERVICE!!

The title of this pamphlet refers to a slogan almost as old as the progressive movements themselves.

The 'Linkse Hulp' ('Left Wing Aid') feels that the only way to handle state repression is by refusing to make any statements. This is not a matter of personal choice, but clearly a matter of solidarity. The Linkse Hulp therefore refuses to support any individuals who consciously disregard this basic principle. This is not about being dogmatic or overly principled, but rather about solidarity within the left, and about protection of our people and organizations.



Repression against political resistance by the left is on the rise again in Holland. Activists are being arrested sooner and for lesser 'offences', have to spend more time on remand and are given higher fines and longer custodial sentences.

Using this pamphlet, we want to reinstate 'Remain silent, no statements to the police, justice officials or the secret service!' as a basic principle for the left.

### RESPOND COLLECTIVELY, NOT INDIVIDUALLY

Unfortunately, despite the harsher climate, this principle is no longer self-evident, some lawyers have even advised their incarcerated clients to make statements. But there are also political aspects to this refusal to make statements, repression aims to make people afraid to resist and to isolate people who do resist. Although only a few are directly affected, it is aimed at an entire movement. Therefore we feel a response to this repression should be based on collectivity and solidarity. It is not just about deflecting assaults on individuals but about an assault on a collective movement, which should be fought collectively. Damage control for individuals is certainly necessary, but for a politically thinking and acting human being that shouldn't be the highest aim. For this reason it is also important to find lawyers who accept these political principles and who are willing to include them in their defence.

### WHO IS WHO?

People who organize in order to fundamentally change social relations are considered potentially dangerous by the authorities, so they will always try to chart a resistance movement:

What organizations and groups make up this movement? What are its practical and theoretical aims? What kinds of people are active in it? Who knows who? Etcetera. So, with each arrest, the police don't just want to repress individuals, but also to gain information about their political and personal connections.

Remaining silent during the police interrogation is a very good remedy for this.

### 'ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU'

They themselves say so, and for a change it is true. It is your right to remain silent, you are under no legal obligation to say anything at all.

If you remain silent you give your interrogators less opportunities to ask further questions. If you respond to their questions you can end up in a labyrinth of new questions and it becomes very easy to contradict yourself and get confused. Do not underestimate your interrogators:

interrogating people and spotting lies is their job, they are trained professionals. By saying nothing and not responding to their questions you give them nothing to hold on to and make it more difficult for them to set traps.

### THERE IS NO SUCH THING AS AN INNOCENT STATEMENT

As is the case with any other offence, with a political 'offence' the aim of the prosecution is to find and convict culprits, who need to be selected from a circle of suspects.

By making statements regarding your own innocence ('No, I did not vandalize that fence') you are helping to make this circle smaller and perhaps inadvertently drawing attention to a comrade who is also a suspect. This also goes for statements which you think only implicate yourself without endangering anyone else. For example if the three of you participate in an action and get arrested, and you declare that you were only a lookout, you thereby imply that the other two did the vandalizing. If you are suspected of belonging to a criminal or terrorist organization, it is practically

impossible to make statements referring only to yourself. Your statements will incriminate any potential member. If, for example, you state that you were only doing first aid, you are telling them there was a division of labour. Through this statement anyone arrested with you has then become part of an 'organization'.

### **POLITICAL STATEMENTS DO NOT BELONG IN AN INTERROGATION ROOM**

You do not need to explain yourself or your actions to the police. Their job is to get you to make a statement which can be used to prosecute you or others, not to pass moral judgement on your political ideology. If they do try this approach, it is to provoke you and get more information out of you, and certainly not because they are interested in having a political discussion with you. Allowing yourself to be led by your emotions in such a situation is very treacherous and inappropriate. You might be angry, or afraid of an impending punishment, or they might continually be making provocative political statements, and before you know it you are defending your ideas or your actions and they've got you where they want you: backed in to a corner.

The information you supply during this discussion will be used against you, and against others too. After a maximum of three days (plus possibly fifteen hours) you will have to appear before the judge-commissioner ('rechter commissaris'). S/he will check if the detention requested by the public prosecutor is legitimate. Because the judge-commissioner ('rechter commissaris') decides whether you will be locked up or released, it is very tempting to cooperate with this interrogation. But you need to realize that the judge-commissioner ('rechter commissaris') is not a regular judge, but instead s/he is working for the judiciary! The report about this interrogation will be added directly to your criminal file, it will certainly not disappear into the wastepaper basket. The judge commissioner ('rechter commissaris') is part of the same repression apparatus as the police officers who interrogated you earlier, so the same reasons to remain silent apply here. If you intend to make a political statement (which is something completely diffe-

rent from responding to any specific 'accusations' against you), you should do this in the courtroom during your trial. There you will have a public podium, accessible to your friends, sympathizers and the press.

### **THE UNCOMFORTABLE SILENCE**

Remaining silent can be more difficult than it seems. You are after all incarcerated, and separated from your regular world and your friends. The repressive apparatus controls your days and nights, your fate seems to be entirely in their hands. You feel insecure: What evidence do they have against me? Will I be going to prison? What sentence will they give me? What else do they know about me?

You might be worried: Have any other friends/comrades been arrested? How are they doing? Will they manage to remain silent during the interrogation? What if my parents find out I'm in here? Will I lose my job if I'm still in this cell tomorrow? Will I get kicked out of school?

Perhaps you blame yourself: We prepared badly for the protest; I should have seen that raid coming a long time ago; How could I be so stupid?

These emotions and insecurities are a perfect breeding ground for your interrogators. They are very aware of their power and your insecurity, and will definitely use both to their advantage. If you are already emotionally unstable you will be more sensitive to their harsh comments and criticism, it will make it easier for them to break you.

### **FIGHT BACK**

A number of the insecurities mentioned here can be eliminated beforehand. Realize that political activism can land you in prison, that resistance is not a game. Take a few practical measures:

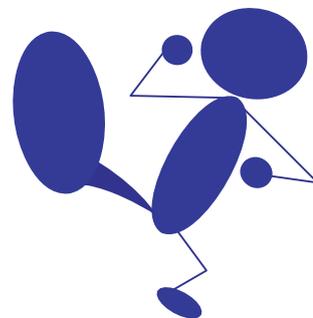
Make sure your friends/housmates comrades know what to do in case you get arrested. Should they tell your parents or not? Should they notify your work? What do you want them to say? Are you on any medication? Should someone feed the cat?

You should only take part in actions you completely support. This goes for the type of protest as well as for its political aim. You must be able to justify the action to yourself and be able to handle its

potential consequences. Think about this before you take part in an action. A firmly motivated activist is more difficult to break.

Never feel obliged to take part in any actions if you are afraid, or if you are not sure you can handle the consequences. If you do, you will be more likely to make mistakes, and easier to manipulate during an interrogation. Fake toughness is not an asset. Choose a task you can perform while feeling strong and confident. All tasks are important, don't let anyone tell you otherwise!

Of course sometimes things happen at an action, demonstration or whatever which you don't support. But you have to realize that a political fight should be



fought within the movement, definitely not via the police. Your interrogators will always try to take advantage of any political disagreements. They will threaten you, claiming that you will be punished for things you don't agree with. Or they might be friendly and say they understand and appreciate your actions, but that you yourself couldn't possibly agree with that thoughtless radical group of troublemakers who are spoiling it for you. Control yourself, and remain silent. Being angry with other activists, starting a tough discussion, never wanting to work with someone or even to be in the same demonstration as them again, if you disagree with other activists those are all different options. But always do this after you have been released: we deal with our political disagreements amongst each other, not amongst the police!

Talk to your friends and comrades about prison and repression, read and discuss this pamphlet together, get informed about your rights in jail. These fears and worries might be under-

standable in such a situation, but at that point they are not productive and only serve to undermine your already weakened position. So try to remain calm and self-assured, and push these emotions aside despite how difficult that might seem. Remain confident that you are right, and on the right side. Believe in your actions. Draw strength from your political ideology, be proud of yourself, not everyone has the courage to rise up against social and political injustice. Be aware that you are not alone.

#### FACE TO FACE

They have many ways to interrogate you. Both the content as well as the duration of the interrogation are influenced by various factors, like the content and severity of the accusations against you, the education level of your interrogators, and your own attitude during the interrogation.

They might apply a very direct method of interrogation, continually firing questions at you. Or a less direct approach, by first luring you into a conversation which has nothing to do with you or with the 'crime' you have been accused of, only to push you in that direction later on. They can also play on your emotions by often changing the tone of the interrogation, for example by first being understanding but then shouting at you and threatening you. This way they try to confuse you emotionally, and make you talk.

**Again: Do not underestimate your interrogators and don't talk to them about anything.**

Their aim is to 'find out the truth' and collect information. That aim clashes with your fundamental right to remain silent. **Whatever they tell you during the interrogation, assume it is not to your advantage and don't believe them, do not respond.** In their eyes a 'crime' has been committed for which eventually someone will have to pay. And you are one of the suspects.

Lately new kinds of pressure are being applied by the police and judiciary. Often you are first assigned a so-called 'piketadvocaat'. These lawyers are usually not politically inclined at all, and will often advise you to cooperate as much as possible during the interrogation.

Don't go along with this, demand to see your own lawyer. If they don't cooperate, detainees are often threatened with imprisonment on the grounds of being illegal immigrants ('vreemdelingendetentie'), even if they are obviously Dutch. Stay calm, don't let them intimidate you. Again, demand to see your own lawyer and don't follow the advice of the 'piketadvocaat' (the lawyer they assigned to you).

#### VARIOUS WAYS TO REMAIN SILENT

Try to be as untransparent as possible. Exude confidence, for example by sitting upright with your hands on the table. Don't avoid their looks, and look them straight in the eyes. Or, alternatively, ignore them by staring at a corner of the room. Paint an imaginary painting on one of the walls. Think of something else and don't let their questions and comments get through to you. By not saying anything at all you are protecting your fellow detainees who don't speak Dutch, and you might be able to keep them from getting locked up for being immigrants ('vreemdelingendetentie'). There are many different ways to remain silent, try some and find out what works best for you. The important part is that you don't talk, and that you make that clear to them.

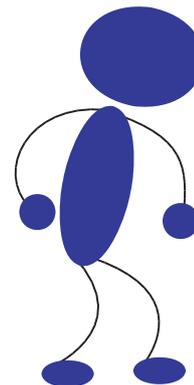
#### WE'RE NOT GOING HOME YET...

It is a myth that you will be released sooner if you make a statement.

Interrogators making that claim are using another trick, trying to make you talk, because it is not in their power to make that decision. The more you talk, the more opportunities you give them to ask more questions. You have the right to withhold your name and identity ('to remain NN'), even after mandatory identification has been instituted. Just like before identification became mandatory, they will make a bigger effort to find out who you are by taking photos and fingerprints. In some cases it can be considered an extra violation if you don't produce any proof of identity. The consequences of this however aren't that bad, if they do eventually find out who you are you might be fined 50 Euros. Again, there is no guarantee whatsoever that you will be released

sooner if you give them your name. It is therefore advisable to remain NN if you can. By withholding your identity you make it more difficult for the interrogators to find out more about you and your background and build a file.

Concealing your identity can have different consequences if you aren't a Dutch citizen. This is rather a complicated story, which depends a lot on your personal situation and on the type of 'crime' you have been arrested for. Are you an EU citizen? Do you have a resi-



dence permit? A tourist visa? Are you an illegal immigrant? What might happen if you are deported? Unfortunately we can't address all the potential scenarios in this pamphlet. In most cases it is much better to conceal your identity, but in some cases it might be better to give them your name. Try to get a clear picture beforehand, get information from lawyers, refugee support groups etc. if necessary. More information is available on the [www.linksehulp.nl](http://www.linksehulp.nl) website.

If you have given your name for whatever reason, or if they have discovered your identity, it is still of the utmost importance that you don't cooperate in any other way.

Never think "They already know my name, I might as well tell them the rest too". The time you have to spend on remand depends on the nature of the 'crime' you are accused of, and on the political interest the state has in punishing you.

**The fastest and safest way to get out, for yourself as well as for the movement you are a part of, is to remain silent and not make any statements.**

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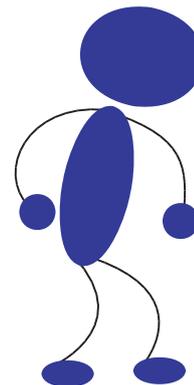
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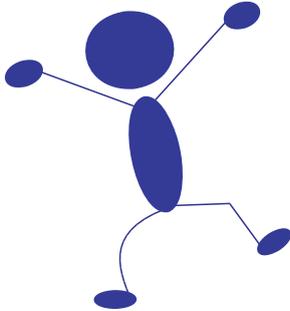
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## HOME, SWEET HOME

After they are done with you and you have just been released, you'd love to run to your friends and hit the pub. But the story isn't over yet. Try to make a written report about the time you spent inside. Don't put that off, do it when your thoughts and memories are still fresh. Start at the beginning:



How were you treated when you were arrested? Were you remanded into custody ('in verzekering gesteld')? Save the proof of this which you have been given by the (assistant) prosecutor ('officier van justitie'). How were you treated in your cell? Did you receive the medication and medical treatment you needed? Pay special attention to the interrogation: How often were you interrogated? How many police officers were present during the interrogation? Did they tell you what part of the justice department they worked for? Did you recognize any specific interrogation techniques, like those described in this pamphlet? Did they pressure you? Did they name other people? Did they show you pictures? What questions did they ask you exactly?

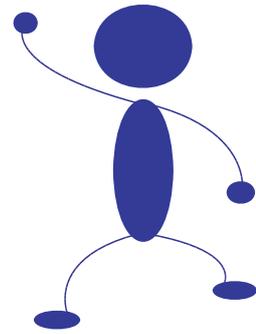
Try to remember as much as possible and write it down immediately. Take this report to the arrestanten group or an

anti-repression group like the Linkse Hulp. This information helps to make an assessment of the prosecution's strategy, for example if it is likely that there will be more arrests among certain groups. If necessary, your information can be combined with that of others into a brochure describing the injustices ('zwartboek').

## OPENED YOUR MOUTH AFTER ALL?

Perhaps, despite all your good intentions, you didn't manage to remain silent during the interrogations. Perhaps they managed to find your soft spot and your biggest weakness, and you cracked. Perhaps you thought you could outsmart them, and divulged more than you intended to. Whatever made you do it, now is the time to inform your friends and comrades about this. This might be difficult for you, you might be feeling guilty, you might be feeling that you are an informer, that you betrayed the cause.

This is definitely an uncomfortable situation, but it is better if you come up with the facts immediately, rather than having others find out through the grapevine that you made a statement. You will certainly receive some negative reactions, but by being honest and by telling exactly what you answered to which question the damage can be controlled. By concealing your behaviour however, you only make the situation worse for yourself as well as for others.



## UNITED WE STAND...

### MORE INFORMATION:

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