



## Statewatch analysis

### Policing protests in Switzerland, Italy and Germany

1. Switzerland: Policing of the anti-WEF demonstration in Davos
2. Italy: Demonstrators convicted for G8 clashes
3. Switzerland: 200 arrests at peaceful street party
4. Germany: 60 per cent of G8 investigations dropped

#### SWITZERLAND

##### Policing of the anti-WEF demonstration in Davos

The policing strategies deployed at the anti-G8 summit protests in Germany in 2007, led a legal observer from the Committee for Fundamental Rights and Democracy [1] to conclude:

*“The G8 summit was implemented from above. This explains its blanket security and the fact that costs were met without any estimates. Statewatch News Online: Policing protests in Germany, Italy and Switzerland. This is why the financial costs were high. If political costs were estimated at all, they only concerned the “global role” of German politics. What had to be categorically avoided were political costs...The word summit means: to be able to act without any consideration for citizens.”*

This logic came to dominate summit policing from the moment that people started expressing their dislike of the decisions made by heads of state through mass demonstrations that are felt not only outside but also inside of the meeting rooms. This logic also dominated the Swiss government's policing strategy in January this year, at the annual World Economic Forum (WEF) in the ski resort of Davos, which accommodates several thousand politicians and industrialists from around the world.

Protests against the event took place on 19 January in the Swiss cities of Bern (500 people) and St. Gallen (150 people), with protesters arguing that the WEF is an undemocratic event where economic decisions are made by industry and governments that have disastrous consequences on billions of people world-wide. For instance, this year's opening speech was provided by the American secretary of state, Condoleeza Rice. This year's topics were climate change, terrorism and the global credit crunch [2].

Alongside the 5,000 Swiss army soldiers supporting police forces on the ground (AP 18.1.08), "regular" policing consisted in particular of preventative arrests and the use of water cannon, tear gas and rubber bullets [3]. Two hundred and forty two people were arrested in Bern alone; they were detained for hours in abysmal circumstances, allegedly in order to "ascertain their identity".

The tone of the demonstration was set by the late approval for it by the municipality, and their even later withdrawal of the same on grounds of media-generated scaremongering fed by the security service (*Dienst für Analyse und Prävention*) that predicted that "militant" demonstrators from all over the country would come to riot. With the announcement the regional police (Kantonspolizei) claimed to be unable to guarantee public safety, a pressure to which the municipality gave in.

In a manner similar to the G8 summit, the police predictions were simply false. In total three incidents of damage were detected in Bern, one of which caused by a violent arrest by the police. Undercover officers swarmed amongst demonstrators and the public, pointing at alleged offenders who were accosted by arrest teams [4].

Powers for preventative policing under Article 32 of Bern police law form the legal basis for the majority of these arrests. Preventative policing is supposed to be invoked to apprehend a person who is about to commit a "serious crime" but is typically applied against demonstrators before they have even reached a demonstration. Invariably, demonstration bans by the civic authorities or courts are used as an excuse by the police to arbitrarily arrest citizens who have nonetheless decided to exercise their constitutional right to protest [4].

In Switzerland, the arrests specifically targeted journalists as well. Dinu Gautier, a journalist from the Swiss weekly *Wochenzeitung* (WOZ), together with a colleague and another journalist from the Swiss daily paper *Courier*, were arrested the moment they left the WOZ editorial office in central Bern. They were greeted on the streets by Kurt Trollier, chief of the security service of the Bern regional police force, who informed them they were arrested to ascertain their identity under Article 32. Ten riot police shackled the journalists. The head of the police unit, when shown a letter by the WOZ confirming Gautier's journalistic role, said : "I might as well wipe my arse [with the letter]". Another journalist was searched and on finding his press card the officers shouted: "Arrest him - we can deal with that later" [5].

These blatant violations of press freedom are a worrying development that could also be observed at the German summit protests, where a bus hosting dozens of journalists and their equipment (laptops, photos) was confiscated by police. Although the bus was released a day later by the regional court who ruled the confiscation unlawful, the police continued to protest its release with the argument they had not had enough time to copy all the computers' hard drives [6].

Alongside the violation of the fundamental right to freedom of the press, those arrested in Bern received degrading treatment at the hands of police: people were stripped-searched in sight of others, one person reported he had to spread the cheeks of his buttocks. People were kept in outside cages, made of cement walls with a roof, where people were forced to urinate in a corner after having been detained for hours without being offered access to a toilet. When people protested the police sprayed liquid CS gas into the cell.

Police further denied medical treatment to a haemophiliac who suffered internal bleeding in his leg. When he showed the officers his medical pass, he was told:

*"Then you shouldn't have taken part in a banned demonstration".*

A doctor was called when the people in the cell started panicking, shouting that there was a medical emergency. Only when the doctor on duty said that he could suffer kidney failure and die, did the police finally release him.

[1] International Herald Tribune, 19.1.08, "Swiss police temporarily arrest 200 in illegal anti-WEF demonstration":

<http://www.ihf.com/bin/printfriendly.php?id=9341475>

[2] Komitee für Grundrechte und Demokratie (2007): "Gewaltbereite Politik und der G8-Gipfel.

Demonstrationsbeobachtungen vom 2-8 Juni 2007 rund um Heiligendamm" (The G8 summit and violence-prone politics).

Demonstration observations from 2-8 June 2007 around Heiligendamm)

[3] Indymedia: "Protests in Switzerland against the World Economic Forum"

<http://www.indymedia.org.uk/en/2008/01/389914.html>

[4] Heiner Busch & Carlos Hanimann: "Papi, was macht die Polizei?" (Daddy B, what are the police doing?)

[5] Dino Gautier: "Anti-WEF-Demo - Augenzeugenbericht aus dem Berner

Waisenhaus-Knast" (Anti-WEF demonstration - eye

witness report from the Bern prison)

[6] Indymedia: "Media Bus confiscated":

<http://de.indymedia.org/2007/06/182874.shtml>

## ITALY

### **Demonstrators convicted for G8 clashes**

On 14 December 2007, 24 of the 25 demonstrators on trial in Genoa were found guilty for the violence and damage caused during the G8 summit in Genoa in July 2001, and only one was acquitted.

Fourteen were convicted for their involvement in clashes in via Tolemaide, with sentences for all but one of them running from 5 months to two and a half years; the remaining defendant received a longer 5-year sentence for bodily harm

inflicted on the driver of a Defender vehicle, a carabinieri. For three defendants, resistance to police charges was not deemed to be of penal significance, as it was interpreted as a reaction to an arbitrary act, although subsequent violence and damage were punished. Charges of "destruction and looting" against the fourteen were dropped, but not for ten others who were convicted of this offence in relation to the damage caused by the so-called "black block" during attacks on a supermarket and a prison in the Marassi neighbourhood. They received sentences ranging from six to eleven years, which, for four of them, will also involve a further three years probation and exclusion from exercising public functions. Those sentenced will reportedly benefit from a three-year tariff discount resulting from the *indulto* (a mini-pardon entailing a shortening of prison sentences and early release scheme adopted to relieve the problem of overcrowding in prisons).

The trial has also thrown up the possibility of four officers (two carabinieri, captain Antonio Bruno and lieutenant Paolo Fredda and police officials Angelo Gaggiano and Mario Mondelli) facing charges of providing false testimony, after their declarations were passed on to investigating magistrates. Their reconstruction of events in the lead-up to some of the heaviest police charges on 21 July 2001 appeared not to match other information examined by the court.

The *Genoa Legal Forum* has produced a video that is enlightening in this respect, collating images from security cameras with communications between units of carabinieri and the operative command centre, that shows a battalion not following instructions about their route to Marassi and about avoiding an encounter with demonstrators on via Tolemaide as it could have resulted in disturbances (see *Statewatch*, vol. 17 no. 2). The fines to be imposed on the defendants for damage caused to property will be established in a subsequent civil lawsuit, as is also the case for non-patrimonial damage (to Italy's image) payments of 2.5 million euro that the government is demanding. Thus, the court accepted the argument that it was the demonstrators who harmed Italy's image, rather than the indiscriminate police brutality whose images were seen worldwide, and felt on their bodies by demonstrators from several countries.

*Supporto Legale*, an organisation that has been involved in the defence of demonstrators and in disseminating information drawn from its meticulous work around the trial, including transcripts of hearings, responded with a press release that describes the cumulative sentence of 110 years decreed by the judges as "the price that must be paid for expressing one's ideas and opposing the current state of affairs". The three judges presiding over the trial are accused of "not having the courage to oppose the fierce reconstruction of events" by prosecutors, and the possibility of officers being charged for false testimony is dismissed as a "pittance in which we are not interested".

It criticises the use of the offence typified as "destruction and looting" for events deriving from a political demonstration because it "clears the way for a dangerous operation" seeking to make people "supine" in relation to the choices of governments, "helpless when faced by the daily injustices of a system that is in the midst of a democratic crisis". The use of charges of "destruction and looting", devised for situations involving a popular insurrection in the absence of public order, is becoming more common, as in the case of the trial of the Sud Ribelle activists who are facing charges for subversive activity in Cosenza, or demonstrators who received heavy sentences for clashes during an anti-fascist march in Milan on 11 March 2005 (see *Statewatch* Vol 16 no 3). The statement is also critical of the reticence by the "movement" and centre-left politicians to offer

adequate support to the 25, in spite of the 80,000 who demonstrated in Genoa on 17 November 2007, whose support for the accused and demands were diverted towards discussions about a parliamentary inquiry, and notions of truth and justice, rather than the case at hand.

Il manifesto, 18.11.07

Il Messaggero, 15.12.07

Supporto Legale, press statement "In ogni caso, nessun rimorso" and "Sintesi udienza sentenza processo ai 25", December 2007, available at: [www.supportolegale.org](http://www.supportolegale.org)

## **SWITZERLAND**

### **200 arrests at peaceful street party**

A peaceful street party in the Swiss city of Luzern was stopped by a massive police deployment of 400 officers who arrested 200 people including a few tourists who happened to stand too close to the operation. In view of the mass arrests and "zero tolerance" policing strategy applied to small protests against the World Economic Forum in Basel, it appears that the Swiss police force is practicing crowd control in preparation for the EURO-08 football championship which will take place in Switzerland and Austria this summer.

The 200 people who had gathered for the "street party for more cultural public spaces" were encircled by 400 riot police. Journalists were pushed away to prevent them reporting violent arrests and a second procession was attacked by police with water cannons and plastic bullets without any violence having been committed by the protesters. The organisation responsible for the street party, Aktion Freiraum (Action Free Spaces) reports that information from police circles show that the operation had been prepared long in advance of the street party. There is concern that the police operation creates a precedent for the next event organised by the alternative scene. The municipality ignored extensive talks with the organisation for the procession to move peacefully through the city.

<http://de.indymedia.org/2007/12/201157.shtml>

## **GERMANY**

### **60 per cent of G8 investigations dropped**

The German public prosecution service has announced that 955 of the 1,474 preliminary investigations initiated by police in relation to the G8 summit last summer have been dropped do far for lack of evidence. Legal teams present at the protests describe the high number of arrests and low conviction rate as a scandal that shows that many arrests were unwarranted and violated the right to demonstrate. Furthermore, many protesters spent days in prison and had personal belongings confiscated and not returned. Others suffered violence at the hands of the police. The German judicial system makes compensation claims difficult and they are largely unsuccessful because of the lowered threshold for the police to arrest people without evidence of criminal activity or even intent.

Besides many investigations being dropped, those who are prosecuted are often faced with ludicrous charges: Alexander S. was accused of bearing "passive arms"

and the prosecution demanded a fine of 160 euro because he carried a mouth guard on him. He explained: "I didn't want my teeth to be kicked in", a reasonable precaution given the history of summit policing in Genoa and the infamous Diaz school incident.

The judge who summoned him to court admitted during proceedings that it could not count as passive arms and cleared him of the charges. Another police tactic was to confiscate scarves from protestors at a demonstration in order to present them as evidence for the intent to disguise oneself, which is illegal under German law. One woman was given an 11-month prison sentence without probation in an accelerated trial procedure for allegedly having thrown a stone.

So far, 44 demonstrators have been sentenced; 41 have received fines and three received suspended prison sentences.

<http://gipfelsoli.org>

<http://www.globalinfo.nl>

Süddeutsche Zeitung 5/6.1.08; For an overview of court cases and trial dates see

<http://www.ermittlungsausschuss.antifa.net>

See also: See Statewatch report: [Heiligendamm G8 Summit: a chronology of protest and repression](#): <http://www.statewatch.org/news/2007/nov/g8.pdf>

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