



## Analysis

### European governments step up repression of anti-austerity activists

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**A total ban on protest was imposed in Frankfurt, demonstrations in Greece were met with police violence, and planned legal reforms in Spain will significantly diminish the right to protest.**

When organisations decided to take action against the European Central Bank's (ECB) crisis policies in Frankfurt last May, local authorities banned all demonstrations and actions that people had tried to register with them. These included monthly vigils held by religious groups in front of the ECB as well as lectures and concerts. The reasoning behind the total ban according to the local authorities was that they had a duty to ensure the ECB was able to carry out its business unhindered, especially in times of crisis. The handling of the Frankfurt protests and the legal reforms planned in Spain show that European governments are stepping up repressive measures against popular resistance to growing austerity measures. Simultaneously, traditional democratic methods of influencing economic policy are increasingly being undermined through opaque and unaccountable decision-making processes.

**"We are demonstrating against the prohibition of a demonstration to denounce the prohibition of demonstrations."**

The total ban on protests in Frankfurt led to surreal scenes, exemplified by the policing of a demonstration organised by the Komitee für Grundrechte und Demokratie (German Committee for Basic Rights) on 17 May, which the civil liberties organisation had called to protest against the blanket ban on protests. A few hundred people were surrounded by a large police force, backed by water cannons, police film crews and vans with loudspeakers announcing at regular intervals that the gathering was illegal and people should disperse or "measures would be taken." Intermittently, a riot squad would attempt to penetrate the gathering to confiscate a megaphone or tent (a symbol of the Occupy movement) and demonstrators would link arms to shield it from the menacing squad. Others held copies of the German constitution in the air (which explicitly mentions the freedom of expression). The Paulskirche church square, where the heavily policed protest was held, had a symbolic value as it was where the first German constitution was launched in 1849. One banner at the protest, whose owner had climbed a tree to stop police from confiscating it, read: "We are demonstrating against the prohibition of a demonstration to denounce the prohibition of demonstrations."

A day later, on 18 May, more than 400 people were arrested when they ignored the ban and tried to march on the ECB. In total, the demonstration's legal team claim more than 1,400 people have been arrested [1]. The only activity not banned was a demonstration on Saturday 19 May, however this was only after the organisers had gone to court. This demonstration was organised by a network of larger organisations such as Attac and the GEW trade union (for education personnel.) At two appeals, judges ruled in favour of most of the bans (there were a total 14 registered gatherings or actions.) One local judge permitted a street rave (demonstration with music) near the ECB on 16 May which had been banned by the local authority, but he was overruled on appeal by a Kassel provincial court judge who also ruled in favour of the eviction of a protest camp that had been set up near the ECB on 15 October 2011. The judge also ruled that the demonstration on Saturday would only be allowed by local authorities if there were no disturbances on the days prior to it. This led to the bizarre scenario of police officers suppressing all actions that preceded it with the argument that they had to be heavy-handed in order to protect the right to protest.

On one important issue the local authorities lost the legal battle, that of issuing individual banning orders against more than 400 people who had received a letter ordering them not to enter large parts of Frankfurt during the days of action. These people had all been "kettled" during an earlier demonstration against the ECB in March 2012, and were only released after providing the police with identification. Some of these activists launched a legal action appealing against the banning order, which for some Frankfurt residents would have meant that they had to stay at home for days, unable to go to school or to work. The judge was not convinced by the police's argument that they planned violence on the days of action. The judge was reluctant to take the police evidence seriously (i.e. vague video images of the March demonstration which purported to show people throwing cobblestones at the police) and the police withdrew all of the banning orders. The message, however, was clear: whoever dared to demonstrate in Frankfurt could expect extreme police measures. The police still stopped buses arriving in Frankfurt to search them, as they did with trains, and turned at least three buses of demonstrators back. In light of this, the fact that 25,000 people turned out to demonstrate on Saturday 19 May was unexpected. The demonstration was accompanied by a massive police presence, which often completely surrounded parts of the demonstration, impeding people from joining - or even seeing - the demonstration. This led to angry denunciations at the rally concluding the demonstration, and a representative of the DGB trade union umbrella organisation told the crowd: "For the last four days we have been staring into the cold face of a police state." The front page headline of the leftist newspaper Junge Welt commented that it was "Almost like civil war."

Prior to the banned protests in Frankfurt a debate was held at the regional parliament. There it became clear that the ruling parties sought to guarantee the unfettered functioning of the European Central Bank as it "had the duty to service the European economy continuously, but especially in times of crisis." Politicians also stated that the bans were necessary because demonstrators planned violence "such as interfering with financial activities." [2] This political stance resulted in protests aimed at disrupting the everyday functioning of businesses, such as peaceful blockades or bank occupations, being branded 'violent actions.'

Demonstration organisers are still in the process of appealing against the bans; it is thus unclear how many of the bans will be legally approved in final instance. In comparison: three years after the G8 protests in Germany of 2007, it was decided that a wave of raids on private homes prior to the

protests had been unlawful and disproportionate. But local authorities and police said they were “satisfied with the proceedings” and announced they would repeat this approach in the future. [3]

### **Eroding democracy by financial policy**

Many commentators analysing European political and economic developments related to the financial crisis have pointed out that European citizens are increasingly confronted with political decisions over which they have no influence. Increasingly it is financial markets that decide if a government remains in power or not and what policies they should follow. In Greece and Italy, elected political leaders were replaced by unelected technocrats. Their governments hastily decided to add billions of euros worth of cuts to their already gigantic austerity package in an attempt to lower interest rates for government bonds.

In particular, the EU’s Fiscal Pact, which was agreed upon by the Eurozone countries in March 2012, drastically curbs the ability of member states to decide essential economic policies. Many social movements and trade unions have concluded that the democratic path to influencing political decision making, which severely impacts on peoples’ lives, is increasingly obsolete. “It is starting to look like a permanent coup d'état” said literature professor, Joseph Vogel, in an article in the *Berliner Zeitung*, entitled “The population as a disturbing factor.” Decisions are increasingly taken in informal meetings between bankers, politicians and the directors of Central Banks: “Financial Soviets take decisions that cannot be retracted and that serve the interests of certain people.” [4]

### **Spanish reforms will criminalise protest**

As traditional political paths become increasingly untenable, alternative ways to influence political decision-making are met with repression. An example of this is the planned restriction on the right to demonstrate in Spain. The Spanish government’s announced reform of the law on public security (*ley de seguridad ciudadana*) includes the following measures:

- Anyone caught “hiding or protecting their face at a public demonstration” can be fined between 3,000 and 30,000 Euro. Minister of interior, Jorge Fernández Díaz, has confirmed that this proposal will be included in the reforms, planned to take effect by 2013. [5]
- A minimum prison sentence of two years will be introduced for those “using internet media to call for violent activities.” If an action announced via social media turns violent those who publicised the action will be treated as a “member of a criminal organisation”, against whom this minimum sentence can be applied.
- Peaceful protests, such as the occupation of parks and squares, can be labelled as an “attack against public order,” punishable with a prison term of between four and ten years.

The minister of justice, Alberto Gallardón, further stated that he would like to change the procedural law to facilitate detaining suspects awaiting trial.

In announcements, interior minister Díaz has referred to 'anti-systemic protests' in Barcelona during the general strike against the austerity measures on 29 March 2012. He was supported by the local Catalan minister of interior, Felip Puig, who said that “more people [have to] become more afraid of the system.” Previously, Puig had defended the infiltration of demonstrations by plain clothed police officers who acted as agents provocateurs by using violence with the intent of provoking the police to react against peaceful protesters. [6]

The planned legal reforms are often compared by authorities to the crackdown against the *kale borroka* in the Basque region. These street uprisings were suppressed with comparable extreme measures.

A grim prediction of what demonstrators can expect in future can be glimpsed in a court case against four environmental activists in Navarra, who threw pies at the leader of the local government to protest against his project for a high velocity train that would damage the natural environment of the region. The four are threatened with a prison sentence of between four and ten years, because their actions have been labelled “an attack against public order.”

Italy, also increasingly hit by austerity measures and protests against them, is contemplating using the military against its own civilians in order to curb regular protests in front of the Equitalia tax collection agency. Sometimes the demonstrations have ended with the throwing of eggs and the government has announced it would deploy the military to defend the buildings. “Whoever attacks Equitalia, attacks the Italian State”, the interior minister Anna Maria Cancillieri declared. [7]

### **The case of Greece**

In an article in the Amnesty International magazine *Wire*, entitled “Keeping the Peace, Beating the Peaceful”, [8] Giorgos Kosmopoulos reports on police violence against protesters in Greece and against journalists trying to report on the protests. For example, the photographer Manolis Kypreos lost most of his hearing after being hit by a stun grenade deliberately thrown at him by a police officer as he photographed them during a protest in Athens on 15 June 2011:

*“Violations of international standards during the policing of demonstrations are not limited to Greece. In the past months, many protests have taken place in European union (EU) cities against government austerity measures. EU and International Monetary Fund (IMF) bailouts have come with conditions attached: new property taxes, public sector pay cuts, welfare benefits reductions, and tax hikes. As a result, public anger has grown and angry citizens are holding more and more demonstrations throughout the region. This calls for increased vigilance over policing practices.*

*In Spain, Amnesty International has documented that people were hit by police officers with batons in Barcelona and in Madrid, in May and August 2011 respectively. Video footage showed police officers hitting seemingly peaceful protesters on both occasions.*

*Amnesty International also wrote to the Romanian authorities in January 2012 to express concerns after media reports and video footage showed police apparently using excessive force against demonstrators.*

*The UK, Denmark and Italy have also allegedly violated international standards during the policing of demonstrations.*

*Police dealing with demonstrations that have turned violent are required by international law to exercise restraint. They should only use “necessary” and “proportionate” force to apprehend people committing criminal acts or to defend themselves or others from violence. Crucially, they should minimize the risk of harm to those who are not involved in the violence, and facilitate – or at least not curtail – people’s legitimate right to gather and protest.*

*Police must be held accountable for their actions and pursued through the criminal courts if they have acted in an arbitrary or abusive way. Unfortunately, the prevailing culture of impunity in Greece*

*gives the police no reason to curb their behaviour. They therefore often use force in a general way against all protesters.*

*Across Europe, the authorities must ensure thorough, prompt, independent and impartial investigations into all allegations of such abuses in their countries' policing, if they are to stop them.*

#### *The role of arms in police abuses*

*Weaponry and munitions such as tear gas and stun grenades, like the one that injured Manolis, are widely used by police forces in a way that does not comply with international standards.*

*Multiple shipments for a range of policing equipment, including CS hand grenades, stun grenades, tear gas and other riot control agents, are continually supplied to Greece. They are supplied by Brazilian, UK, German and US companies without any legally binding human rights criteria concerning their use. In countries where abuses by the state are commonplace, a similar flow of arms continues, unencumbered by the protection of human rights.*

*For more than a decade, Amnesty International has been at the forefront of the campaign for an effective Arms Trade Treaty with strong human rights safeguards. It is crucial that the Treaty contains the highest possible international standards to ensure that situations like the one Manolis experienced do not continue in future.*

*In July, UN member states will meet to negotiate the content of the first ever treaty to control the global arms trade. This is a once-in-a-lifetime opportunity to save lives, protect careers – such as Manolis' – and protect human rights" [8]*

#### **Endnotes**

1. <http://17to19m.blogspot.eu/2012/06/04/beyond-blockupy-evaluation-and-perspective/>
2. hr/Hessenschau, 09.05.12
3. Frankfurter Allgemeine Zeitung, 21.5.12
4. Berliner Zeitung 20.4.12.
5. EFE MADRID 21.5.12.
6. Publico 3.4.12.
7. Junge Welt, 16.5.12.
8. Amnesty International, Wire (May/June 2012)

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