

Rebellion in Denmark – an overview

Since its founding in early 2004, the Danish association Opror ('Rebellion') has sought to defy both national anti-terrorism legislation and the political paradigm underlying the so-called 'war on terror'.

In October 2004, 'Rebellion' publicly transferred relatively substantial funds to the Popular Front for the Liberation of Palestine (PFLP) and the Revolutionary Armed Forces of Colombia (FARC). An important criterion for this choice of organisations is that they seek to further secular, democratic goals.

Both organisations are listed on the so-called 'terrorist list' of the European Union, compiled without any form of public, democratic scrutiny. Resistance by some EU members to the inclusion of FARC on the list was ineffectual, due to USA's strategic interests in the area.

The proscription of organisations through 'terrorist lists' can only contribute to the marginalisation of social and political movements, excluding them from an international political and moral dialogue, which in itself is a necessary step towards a negotiated political resolution of those conflicts of which they are a part.

The Colombian ambassador and vice-president Santos Calderón met with officials from the Ministry of Justice and the Minister of Foreign Affairs in Copenhagen, urging them to prosecute 'Rebellion'. The Colombian Ministry of Justice forwarded a list of thirty questions to Danish police authorities, to be drawn upon in an interrogation of members of 'Rebellion'.

April 2005: International appeal

'Rebellion' issues an international appeal to several hundred movements and organisations within the EU, encouraging them to join it in its defiance of European anti-terrorist legislation and the 'terrorist list' of the European Union. The text of this appeal follows below.

Appeal from 'Rebellion' (Denmark) to European movements:

“The 'war on terror' threatens us all – defend freedom of expression, human rights and international solidarity!

The Danish association 'Rebellion' appeals to all European movements for democracy and international solidarity to join it in challenging national anti-terrorist legislations, the 'terrorist list' of the European Union, and the so-called 'international war on terror'.

Through present anti-terrorist legislation, European states have attempted to curb the freedom of expression and the political rights of their citizens, including their right to extend moral and material support to resistance and liberation movements.

In the past year 'Rebellion' has publicly, and in direct conflict with Danish anti-terrorism legislation, transferred substantial funds to the Popular Front for the Liberation of Palestine (PFLP) and the Revolutionary Armed Forces of Colombia (FARC). An important criterion for our choice of organizations is that they seek to further secular, democratic, and humanist goals.

The Danish Ministry of Justice and police authorities have as yet not raised criminal charges against 'Rebellion'. In order to further such a step, both the Colombian ambassador to the Nordic countries and vice-president Santos have had talks with officials from the Ministry of Justice and the Minister of Foreign Affairs in Copenhagen.

We appeal to other European organizations to join us in a continuing challenge to European anti-terrorist legislation and the 'terrorist list' of the European Union.

We envisage the following elements in the campaign:

- Collection of funds within each country with list of those willing to stand forward as signatories. It would be inadvisable to open accounts, as these may be subject to seizure.
- A goal of at least 100 signatories and at least 1000 Euro within each participating country should be set. Involving prominent citizens in the initiative would be of great advantage.
- Publication of the initiative within each country when these goals are met, or at whatever time seems appropriate within the national context.
- Conference of all participating organizations to be held in Copenhagen in 2006, where a collective transfer of funds to resistance and liberation movements is announced.
- Publication of a conference manifesto on the so-called 'war on terror', reiterating solidarity with the international struggle against illegitimate state power and foreign occupation.

We hope that this appeal will be welcomed by your organization, and that the initiative will be taken up and developed in as daring a manner as possible within each national context."

August 2005: International appeal confiscated and criminal charges raised against 'Rebellion'

The Danish association 'Rebellion' has on two counts been charged with breach of 114 a (2) of the Danish criminal code by allegedly supporting "groups having the intent of committing terrorist acts".

'Rebellion' is charged with transferring approximately 14000 Euro to the resistance movements FARC (Colombia) and PFLP (Palestine) in October 2004. The second charge concerns a statement on Danish television on 1 August 2005 by a spokesperson for 'Rebellion', Patrick Mac Manus, announcing that the association was in the process of collecting further funds in support of organisations on the EU 'terrorist list', and that it had

issued an international appeal to democratic and solidarity organisations in the European Union urging them to similarly challenge national anti-terrorist legislation and the EU 'terrorist list'. Both charges have been raised personally against the spokesperson, Patrick Mac Manus, and not against the association as such. This 'Rebellion' will seek to redress, and has already collected a large number of signatures of persons demanding to be charged for their material support of organisations on the EU 'terrorist list'.

The maximum sentence which can be imposed in connection with the charges is ten years imprisonment. The indictment has as yet not been drafted by the prosecution.

Confiscation

'Rebellion's' international appeal, sent in both English and Spanish to almost 300 European democracy and solidarity movements, was removed from the association's homepage by order of the Copenhagen Magistrate's Court on 12 August 2005. This injunction was upheld 14 October 2005 by the High Court (Landsret). This is now being appealed by 'Rebellion' to the Supreme Court (Højesteret) as such confiscation involves both paragraph 77 of the Danish Constitution "prohibiting the re-introduction of censorship at any time", and the European Declaration of Human Rights, Article 10, on freedom of expression.

Immediately following the confiscation of the appeal, 'Rebellion' encouraged other Danish organisations to publish it on their homepages, and to contact their own international networks. The appeal is now to be found on over 50 national and international websites. The Danish police authorities have approached a number of the Danish organisations, including the parliamentary party, Red-Green Alliance, requesting them to remove the appeal from their websites, or face court action. All organisations have refused to do so.

February 2006: Police authorities remove the international appeal from the websites of the parliamentary party Red-Green Alliance, of the left daily newspaper 'Arbejderen', and of a socialist youth group.

April 2006: Supreme Court

The Board of Appeal grants spokesperson of the Danish association 'Oproer' (Rebellion), Patrick Mac Manus, permission to appeal the confiscation of the association's international appeal to the Supreme Court.

'Rebellion's' international appeal was removed from the association's homepage by order of the Copenhagen Magistrate's Court on 12 August 2005. This injunction was upheld 14 October 2005 by the High Court.

The Danish Board of Appeal grants permission to appeal to the Supreme Court only in cases involving fundamental legal or constitutional principles. The association 'Rebellion' has argued that the confiscation of its international appeal is in conflict with both paragraph 77 of the Danish Constitution "prohibiting the re-introduction of censorship at any time", and the European Declaration of Human Rights, Article 10, on freedom of expression. Moreover, the lower courts had in their injunctions merely made reference to the 'terrorist

list' of the European Union, without in any way assessing the legal validity of such a list in the Danish legal system.

October 2006: Terrorist charges against 'Rebellion'

The Danish Minister of Justice, Lene Espersen, decided on Wednesday 11 October 2006 to follow the advice from the national prosecutor and open the case against 'Rebellion' for breach of Danish anti-terrorism legislation.

According to a press release from the office of the State Prosecutor, 'Rebellion' spokesperson, Patrick Mac Manus, with having:

"collected and supplied economic support for groups, which have committed or have the intent of committing terrorist acts, and for having attempted to collect funds with the intention of providing economic support to such groups".

Further, according to the press release, *"both organisations (PFLP and FARC) have either taken responsibility for or can be ascribed actions which must be regarded as covered by the Penal Code (§114) on terrorism."*

In and out of court, 'Rebellion' will continue to defend the right of peoples to resist illegitimate government and foreign occupation, the right of peoples to take up arms against oppression, where all other means have been exhausted, the right of peoples to create new forms of peoples' power, serving the cultural, social and political interests of the people, and the right of citizens of all nations to extend their support, material and otherwise, to these struggles of emancipation.

Sources: Statewatch 2005-2006, see www.statewatch.org and 'Rebellion' website www.opror.net