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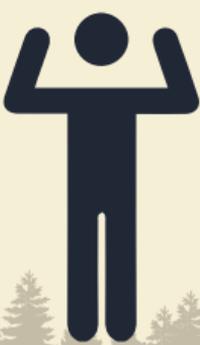


# SAFETY TIPS



# KNOW YOUR RIGHTS IN CASE OF ARREST

## WHAT SHOULD I DO IF I AM DETAINED?



- >> **KEEP CALM!**
- >> **DON'T RESIST.** Don't argue with the police.
- >> **DON'T TRY TO ESCAPE.** This will make your legal situation worse and create grounds to accuse you of other crimes.

### >> YOU HAVE THE RIGHT TO REMAIN SILENT.

Calmly and respectfully state that you want to exercise your right to remain silent until you have access to a lawyer.

### >> ASK FOR THE NAME OF THE PERSON WHO DETAINED YOU AS WELL AS THEIR BADGE NUMBER.

If you think it is safe to do so at this point, ask for the name of the person who detained you and their badge number and take note of any physical characteristics that could help you identify them later.



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- >> **NOTICE** who is around you as they could act as witnesses in future. Ask for a medical examination when you arrive at the place of detention so that any ill-treatment suffered during detention, transportation and/or custody can be recorded.



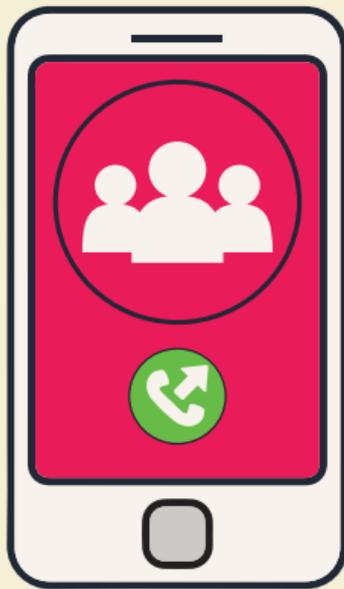
- >> **YOU HAVE THE RIGHT TO REQUEST** an interpreter who speaks your language so you can understand the process and the charges against you.



## IF YOU WITNESS AN ARREST...



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- >> **MAKE A NOTE OF EVERYTHING YOU CAN INCLUDING THE NAME OF THE PERSON WHO CARRIED OUT THE ARREST AND THEIR BADGE NUMBER.** If you think it is safe to do so at this point, ask for the name of the person who carried out the arrest and their badge number and make a note of any physical characteristics that could help identify them later.



- >> **CONTACT A FAMILY MEMBER OR SOMEONE CLOSE TO THE PERSON WHO HAS BEEN ARRESTED AS SOON AS POSSIBLE.** If you are a relative or close friend of the person arrested, you have the right to be informed about where they are being

taken.

**GO, OR LOOK FOR SOMEONE ELSE WHO CAN GO,** to the place where the person is being taken to ensure that they arrive in the



- >> right condition and within the time period established by the law.

**CONTACT** someone for legal advice and, if



# WHAT IS AN ARBITRARY DETENTION?



When someone is deprived of their freedom without reason or legal justification.

If any of the following steps are not taken, the detention is illegal and the person must be released immediately.

⇒ An **ARREST WARRANT IS ABSOLUTELY NECESSARY** except in cases of people arrested *in flagrante delicto*, that is caught in the act of actually committing the crime.



⇒ The detained person must be **BROUGHT BEFORE A JUDGE** within a reasonable period of time following the detention. Different countries specify different lengths of time.

⇒ The person must be **INFORMED VERBALLY AND IN WRITING** of the reason for their arrest, who ordered the arrest and the place where they will be held.

⇒ The detainee has the right to **INFORM, OR TO HAVE THE AUTHORITIES INFORM, ANOTHER PERSON** in the outside world that they are being detained and the place where they are being held. A detainee also has the right to inform a third person if they are transferred to another place of detention.

⇒ A detainee has **THE RIGHT TO A LAWYER THEY TRUST**. If the detainee does not have a lawyer, they should be assigned a public lawyer, free of charge.

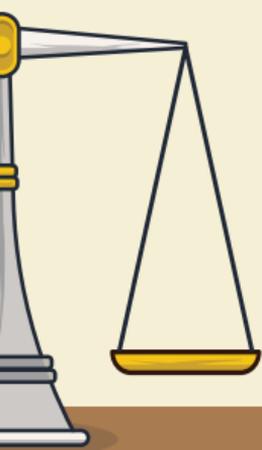


⇒ The detainee has the **RIGHT TO BE CONSIDERED INNOCENT** until proven guilty and cannot be forced to testify.

⇒ Their **FIRST STATEMENT** must be made in the presence of a judge. The timeframe for this statement differs from country to country.



⇒ After the first statement, one of the following **MUST HAPPEN**:



- **THE PERSON IS RELEASED** because there is no evidence that they have committed a crime.
- The person is **REMANDED IN CUSTODY** until the case is brought to trial.
- The person is **RELEASED ON BAIL** pending trial.

Throughout the process the detainee must be treated with respect. They **MUST NOT** be tortured, threatened, forced to testify, forced to sign a document or physically assaulted.

**IF YOU ARE ARBITRARILY DETAINED, IT IS ESSENTIAL YOU GET LEGAL ADVICE! ACT AS QUICKLY AS POSSIBLE!**



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