



Key Advice for Protesting in France

There are key differences in the rights of protesters in France, compared to the UK. However, you should still remember 'No Comment'.

State of Emergency

The 'state of emergency' imposed after the Nov 13th Paris attacks gives the French state sweeping powers to disrupt gatherings and impose curfews and house arrests. Police responses are likely to be more vigorous, and we have heard reports of many custody rights being suspended. **Please try and get up to date information from local activists before taking action.**

This guidance is summarised from a guide by [Paris-Luttes.info](https://paris-luttes.info). We encourage you to read [their guide](#) for fuller information.

- Make sure you have the name of a **good solicitor**. You should *not* carry a bustcard or write the number on yourself, because (unlike in the UK) this may be seen as planning for an offense. But do remember the solicitor's name.
- Police can stop you and demand to see photo ID – a '**Contrôle d'Identité**', and can detain you if you do not comply.
- 'Consciously' **concealing your face** during a demonstration "in circumstances which raise fear of attacks on public order" is an offense. People are rarely arrested for this reason alone, but a mask can worsen charges if you are arrested for other reasons.
- Police have the power to **charge** to disband unauthorised demonstrations or gatherings. They should normally warn you via loudspeaker beforehand, although do not have to if they deem the gathering to be violent. You can be arrested for failing to disperse.
- As in the UK, be very careful about **filming and photography**, in case you inadvertently incriminate people in your footage.

More info:

1. ['Contrôles' – Identity checks](#)
2. ['Garde à Vue' – Custody](#)
3. [Schedule 7 \(Being detained for questioning at a UK border\)](#)

1. Contrôles - Identity Checks

In France – unlike the UK – you are legally obliged to show photo identification if you are stopped and asked to by a police officer. This is called a '**Contrôle d'Identité**'.

There are a variety of police powers that allow the French police to check identity, including powers which do not need any specific grounds for selecting you. They can also demand to see proof of your right to be in the country if they suspect you are foreign (this could be based on things like holding banners in English, or having a UK numberplate but *cannot* be based on racial appearance).

You can be searched during a *contrôle*. This should just be a pat down over outer clothes, should be done by an officer "of the same sex", and should not involve looking in pockets or bags. However a more thorough search can be carried out if you are suspected of an offense.

If you do not show photo ID, you can be taken to a police station for the purposes of establishing your identity ('*vérification d'identité*'). You are likely to be photographed and to have your fingerprints taken. This is not the same as being arrested, although you can potentially be placed in police custody during or afterwards. You can only be held for up to 4 hours for a '*vérification*'. You can be held for up to 16 hours for the purposes of establishing your immigration status.

It is 'compulsory' to provide your identity, but there is no statutory offense for not doing so. During mass arrests, some groups choose



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to collectively refuse to give their identities to protect each other and slow proceedings. It is an offense to give a false identity.

2. Garde à Vue - Custody

You have the right to say “I have nothing to declare” in French police interviews. This is the equivalent of “No Comment”.

You can normally be held for a maximum of 24 hours (extended to 48 hours by a prosecutor, or 96 on terrorism charges).

You have a right to a solicitor for all interviews, and to a translator if you do not understand French.

You have the right to remain silent or say “je n’ai rien à déclarer” (I have nothing to declare). We strongly encourage you to exercise this right unless advised otherwise by a good solicitor. You can (and should) also refuse to sign police documents during custody.

Your fingerprints, DNA, and photographs will be taken, and it is an offense to refuse this.

You can also be interviewed as a ‘free suspect’ without being held in custody. In this case, you theoretically have the right to leave, but they may threaten to hold you in custody if you do so.

On release, 4 things may happen:

1. You are released without charge.
2. You are offered mediation, pre-trial sanctions such as fines or community service, or a reduced sentence in exchange for a pre-trial guilty plea.
3. You are released and given a date to appear in court.
4. You are held in court jail (depot) for up to 20 hours whilst a prosecutor decides on your case. You may then be released, given a court date (potentially with bail conditions), taken to trial immediately, or – in the most serious cases – detained until trial.

3. Schedule 7

Schedule 7 of the 2000 Terrorism Act is a UK police power used to detain and question people entering and exiting the UK.

Schedule 7 has been repeatedly used to detain activists. It is very important that you familiarise yourself with this law, because it is different to most police questioning: you have a right to a solicitor but you do *not* have a right to remain silent.

Please read [this guide](#) by Bristol Defendent Solidarity and the Network for Police Monitoring for more information.