

Call for a European action for Vincenzo Vecchi for the fundamental rights

On 14 July 2022, the Court of Justice of the European Union (CJEU), in issuing its opinion on the interpretation of European texts in the context of the European Arrest Warrant (EAW) issued against Vincenzo Vecchi, ordered the French Court of Cassation to hand over Vincenzo Vecchi to Italy for imprisonment. By ordering Vincenzo's surrender to Italy, despite the fundamental rights and serious abuses of the case, the CJEU has initiated a European jurisprudence which scope, far beyond Vincenzo's case, makes the application of the EAW automatic and purely bureaucratic, depriving judges of any form of detailed investigation, and the defence of its rights.

This decision destroys the possibility of considering double criminality and disproportionate sentences that the EAW's operating rules had previously allowed, apart from the 32 most serious cases (blood crimes, terrorism, mafia, organ trafficking, etc.) which required automatic surrender. Now, for example, abortion, access to a dignified death and many other things could be pursued throughout the European area by means of an EAW that would automatically hand the person over to the country that issued it. The matching of charges in the countries is no longer necessary.

This decision also validates, in the European area, the use of the offence of "devastation and pillage", which criminalizes without proof, through the notion of "moral support", any demonstrator present at a rally where there has been material damage. The repression of demonstrators and freedom of expression are in the line of fire!

Vincenzo Vecchi's judicial history

Genoa 2001 - on the sidelines of the G8, the counter-summit brought together over 300,000 demonstrators. After Seattle and Gothenburg, the Italian government wanted to muzzle the anti-globalisation protest. It therefore planned a strategy of violence, terror and repression of the demonstrators, which resulted in the death of 23-year-old Carlo Giuliani. The list of police abuses is long: systematic beatings in the streets, torture and other acts of barbarism of more than a hundred demonstrators at the Diaz school and in the Bolzaneto barracks over several days.

Although the acts of torture perpetrated by the forces of "order" were denounced and condemned in 2017 by the European Court of Human Rights, those responsible, although found guilty, did not serve a day in prison.

On the other hand, 100 years in prison were handed out to 10 demonstrators convicted of "devastation and looting", **a Mussolini law stemming from the 1930 Rocco code** that allows a demonstrator to be unjustly punished without proof, thanks to the notion of moral support, for any damage committed by others. The penalties were disproportionate (from 8 to 15 years' imprisonment) because "devastation and pillage" was considered a crime against public peace. Vincenzo Vecchi was one of the "Genoa Ten". He was sentenced to 12 years and 6 months in prison in 2012. He refused to serve such a disproportionate sentence and left Italy.

In 2019, Vincenzo Vecchi, perfectly integrated in France for more than ten years, was arrested under two European arrest warrants, one of which turned out to be a "fake", since the corresponding sentence had already been served.

A "judicial saga" then began in France, punctuated by two refusals by the appeal courts of Rennes and Angers to send him back. Each time, the prosecutors, relaying the will of the French executive power, relentlessly appealed to the Supreme Court. The French Cassation finally asked the CJEU for its opinion on the interpretation of European texts.

Thus, on 14 July 2022, in the name of cooperation between European states, the CJEU ordered the French Supreme Court to hand over Vincenzo Vecchi to Italy to be imprisoned.

This decision is unbearable. It perverts the spirit of French and European laws, denies our freedoms, opens the door of Europe to a Mussolini law and ratifies a dangerous jurisprudence intrinsically contrary to human rights. The rules of European collaboration, initially intended to fight against organised crime, terrorism and "white collar" crime, cannot be placed above the fundamental principles of law and target an ordinary citizen for having participated in a demonstration more than twenty years ago.

Vincenzo Vecchi is one of the first citizens that Europe has condemned for having demonstrated one day ... on 20 July 2001 ... twenty-one years ago! After three years of legal battle, the ball is now in the court of cassation's court, which will give its decision in Paris on October 11th.

In a context where freedom-destroying laws are gaining ground all over Europe, every demonstrator, every activist, every one of us, can imagine ourselves in Vincenzo's shoes!

We ask for your support by taking a public stand on this case in your respective towns and countries.

We therefore ask you to organize symbolic actions in front of the embassies and consulates of France (in priority) and Italy, on the morning of October 11th.

If you organize this action, we give you to inform us and propose to you to give a letter of our share to the consuls or the ambassadors, of France or Italian (a model of letter is proposed to you for this use, but you can, of course, transform it with your liking and sign it of your organization).

You can of course act in other ways, depending on your means and your culture of struggle. The main thing is to be together.

Thank you for your support. Together we will win !

Vincenzo Vecchi's support committee

<https://www.comite-soutien-vincenzo.org>

