

# **A FASCIST LAW seen as EUROPEAN LAW via the European Arrest Warrant (EAW) ... The right to demonstrate in France and in Europe is in danger, we need to DEFEND Vincenzo Vecchi**

**The President of the French Republic, the French Parliament, the French Senate, the French Minister of Justice, the European Parliament, and the European Court of Justice**

*This petition is addressed to you by the Vincenzo Vecchi support committee*

**On July 14, 2022, a battle was lost through injustice ... and Europe lost a chance to comply with fundamental freedom.**

By calling on the French justice system to apply the European Arrest Warrant issued by Italy for M.Vincenzo Vecchi, the Court of Justice of the European Union (CJEU):

- Deprives the EAW of safeguards by requiring its systematic application without legal verification. Indeed, the execution of the EAW requires the equivalence of the alleged offences in both countries and proportional penalties.
- Distorts the spirit of the law establishing the EAW, originally created to exchange criminals from organized crime, terrorism... Today the CJEU applies it to an ordinary protestor!
- Opens the door in the legal European area to a law dating from the Mussolini<sup>1</sup> era. Under this law Mr Vecchi was sentenced, as a scapegoat, to 10 years' imprisonment for demonstrating.
- Sacrifices legal principles for the sake of European cooperation by focusing on EAW effectiveness. In doing so, it allows a fascist law to be applied in Europe and exposes demonstrators to heavy penalties.

We, members of the Support Committee, demand that the EAW is not applied and that Vincenzo Vecchi is not handed over to Italy.

We remind the European Union that the rules cannot be changed during the game by removing the conditions of applications governing the EAW.

<sup>1</sup> This Mussolini law created the crime of « Devastation and ransacking » which allows a simple demonstrator to be sentenced to a heavy penalty (8 to 15 years) for his mere presence, using the concept of « moral support ».

## **Why is it important ?**

Vincenzo Vecchi was convicted of the crime of «Devastation and ransacking », which makes it possible to unjustly sanction a demonstrator for the damage committed, whether he caused it or not. This is the Rocco<sup>1</sup> law, reintroduced in 2004 to punish the Genoa counter-summit protesters in 2001. Italy has been requesting the extradition of Vincenzo Vecchi for 3 years, though he has perfectly integrated in France for 11 years now.

A « judicial series » then began in France, with two Courts of Appeal - Rennes and Angers - refusing to send him back to Italy. Each time, the prosecutors wouldn't give up and sent the case to the Court of Cassation, thus relaying the will of the French executive. The French Court of Cassation finally requested the opinion of the CJUE on the interpretation of European texts.

This is how on July 14, 2022, the CJUE ordered the Court of Cassation to hand over Vincenzo Vecchi – though he has been living in France for 11 years, fully integrated to local community.

**Yet Vincenzo Vecchi did not harm or assault anyone.**

With this abusive interpretation of the European texts, the CJUE sets precedents that are dangerous for fundamental rights and freedom and make it possible to send back an individual automatically, without any more safeguards.

From now on, a Polish citizen who had had an abortion in her country could be subject to such a warrant, a Hungarian journalist living in France could be handed over for his opinions...!

Defenders of human rights and freedom, it is your role and your commitment that is trampled on.

Protestors of all causes, your rights are in danger.

Vincenzo Vecchi is one of the first citizens convicted by Europe for demonstrating one day ... on July 20, 2001... 21 years ago !

After years of legal struggle, the ball is now in the Court of Cassation in Paris.

**It is up to this Court to demonstrate that darkness has not invaded the “land of enlightenment”.**

Please sign for the right to demonstrate and to defend Vincenzo Vecchi.

The Vincenzo Vecchi support committee

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

In partnership with :

