

For the attention of the Public Prosecutor of Nice
TGI de Nice
3 place du Palais - Palais Rusca
06300 NICE

Dear Sir, Madam,

The European Roma Rights Centre (ERRC¹) is an International public interest law organisation established in 1996, working to combat racism and discrimination, as well as to defend human rights of Roma population across Europe through strategic litigation, research and policy development, advocacy and human rights education.

The ERRC is writing to you to express its deep concern provoked by an incident which occurred in Nice on the 26th June involving England football supporters and Romani children. According to information compiled from various sources, including media articles, the football supporters publically humiliated and racially abused the Romani children. Moreover the scenes filmed by Channel 4 in their recent undercover journalism show England fans to be fully aware of the specific racism which they are exhibiting. In broad daylight, England fans refer to Roma as ‘Pakis of Europe’ before chanting that they ‘all hate Pakis’, which is concerning on multiple levels. The most distasteful example of the deliberate and specific nature of anti-Roma abuse comes when England fans up the ante and chant that they will ‘gas you all’, in direct reference to the Romani holocaust where between 500 thousand and 1.5 million Roma perished at the hands of the Nazis and their collaborators.²

The ERRC is appalled by the unacceptable and intimidating behavior of the group of fans in this video. Amongst the deplorable litany of xenophobic, Islamophobic and misogynistic fan chants, there were numerous occasions of this explicit anti-Roma hate speech which was purposely directed at groups of children.

The fact the victims of this incident are members of the Romani community, and given the circumstances, it is clear that an aggressive, racially motivated incident occurred Nice. Thus, the full investigation and prosecution (if appropriate) of these incidents is a matter of protecting the rights of both the individuals affected and the entire Roma community. A successful investigation and resolution of this case will bring justice to the victims in accordance with Article 13 of the European Convention on Human Rights which stipulates that everyone whose rights and freedoms (which include the right to liberty and security of person and freedom from inhuman or degrading treatment) have been violated shall have effective remedy before a national authority.

¹ www.errc.org

² Channel 4 News (2016) “England’s shame: Undercover with England fans”, 28th June 16, Available: https://www.youtube.com/watch?v=wO_Un-IKwPM

Given the importance of the incident outlined above, the ERRC in accordance with the Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law³ as well as in application of the law application n° 78-753 of 17 July 1978 respectfully requests your respective offices to provide the following written information:

- Is there an investigation into this incident open, and which investigative measures have been undertaken by your office to identify the perpetrators?
- Has anyone been accused of being responsible for this incident and what charges were brought against this person?
- Has anyone been found guilty?
- What sentence was handed down?
- Has racial motivation been investigated? With what result? What guidance was used for the investigation of racial motivation?

Also, the organization would like to clarify that this request is based on the law No 78-753 of 17 July 1978 which grants everyone the right of access to documents held in connection with public service mission by administration. We argue in particular regard to existing protocols and guidelines or decisions taken by your department to determine the racist motivation of the perpetrators during investigation related cases such as the above mentioned.

Finally, we stress that the required information is general and can be provided anonymously and cannot harm the investigation.

The ERRC thank you for your attention to this urgent matter, as well as for your efforts which will greatly contribute to maintaining the status of France as a peaceful and egalitarian society. We look forward to your prompt and detailed response.

Yours sincerely,

Dorđe Jovanović

President European Roma Rights Centre

Piara Powar

Executive Director FARE Network

³ Council Framework Decision [2008/913/JHA](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:l33178&from=FR) of 28 November 2008: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:l33178&from=FR>