

**COMMISSION**

PAR	1/1
-----	-----

---

SENATE OF THE REPUBLIC

CHAMBER OF DEPUTIES

LEGISLATURE X

PARLIAMENTARY COMMISSION OF INQUIRY ON THE PHENOMENON OF THE  
MAFIA

AND ON OTHER SIMILAR CRIMINAL ASSOCIATIONS

TRANSFER TO PALERMO

SESSION OF FRIDAY 22 JUNE 1990

PRESIDED BY PRESIDENT  
CHIAROMONTE

**UNCLASSIFIED**

**in the session of the Commission of *July 14, 2021***

## COMMITTEE

MON	2/2
-----	-----

---

**UNCLASSIFIED**  
**in the session of the Committee of *July 14, 2021***

PRESIDENT. Let's now move to the hearing of Dr Carmelo Conti, President of the Court of Appeal of Palermo, Dr Vincenzo Pajno, Attorney General of the Republic of Palermo, Dr Antonino Palmeri, President of the Court of Palermo, Dr Pietro Giammanco, Public Prosecutor of Palermo, Dr Giovanni Falcone, Deputy Public Prosecutor of Palermo, and Dr Leonardo Guarnotta and Dr Gioacchino Natoli, both examining magistrates of the Court of Palermo.

## COMMITTEE

MON	2/3
-----	-----

-----

I introduce Dr Carmelo Conti, President of the Court of Appeal of Palermo, Dr Vincenzo Pajno, Attorney General of the Republic of Palermo, Dr Antonino Palmeri, President of the Court of Palermo, Dr Pietro Giammanco, Public Prosecutor of Palermo, Dr Giovanni Falcone, Deputy Public Prosecutor of Palermo, and Dr Leonardo Guarnotta and Dr Gioacchino Natoli, both examining magistrates of the Court of Palermo.

PRESIDENT. Magistrates, you know the purpose of our visit to Palermo and of this meeting. We are fulfilling our institutional duty but also an authoritative request by the President of the Republic, who forwarded to us the letter and documentation sent to the Quirinale by the Public Prosecutor of the Court of Palermo.

It is absolutely not our intention to enter into the merits of ongoing investigations. We just want to ask you for some clarifications on facts that have emerged in the public controversies of the past few weeks and that also emerge, in part, from the material that you sent to the Quirinale and that is not protected, since it was officially communicated to us by the President of the Republic, by the confidentiality of judicial investigations.

## COMMITTEE

MON	2/4
-----	-----

---

The purpose of our mission in Palermo is also to start our own investigation, which if necessary may later turn into a real investigation according to the powers that the law allows us, on the issue of public contracts and all legislative provisions that regulate them in the province of Palermo. We therefore ask you for information, obviously within the limits allowed by the confidentiality of judicial investigations, on the ongoing investigations into public contracts in this province.

However, there is another purpose for our meeting, its main purpose. In recent weeks, a public controversy has arisen regarding your work as magistrates of Palermo, which has led the President of the Republic to intervene. We also discussed it in the Parliamentary Anti-Mafia Commission on 13 June last based on a report of mine, the essential points of which met with a very broad consensus.

In this report, I expressed my agreement with the considerations contained in the Note issued by the Quirinale after the President of the Republic met with the heads of the district offices of the Public Prosecutor in Sicily.

## COMMITTEE

MON	2/5
-----	-----

---

We believe that it would be wrong to thrust upon the judiciary a sort of exclusive, or even merely predominant, role in the fight against the Mafia, thus foreshadowing a kind of judicial process for combating the Mafia. We have said this several times in the work of our Parliamentary Commission and of previous Commissions: to effectively combat the Mafia, a global commitment on the part of all the structures of the State, democratic institutions and the entire public administration system, political parties and trade unions, civil society and public opinion will be necessary.

In this context, the judiciary certainly has an important role. However, it must be able to exercise its function according to the norms of the Constitution and the rule of law, in full autonomy. It is our deep conviction that the fight against the Mafia must be conducted in full compliance with these rules of law, while maximising the activities and ordinary functions of the various organs of the democratic state. We must not forget, at any time, that political convictions or considerations of a social nature are very different things from judicial evidence, the validity and substantiation of which is the responsibility of the independent judge alone.

## COMMITTEE

MON	2/6
-----	-----

---

This does not mean, of course, that it is not possible to criticise a judge or a ruling of the judiciary, with full and clear assumption of responsibility on the part of those who making this criticism.

Having said this, and I come to the appeal we have decided to make to you. We believe that the bitterness and in some cases the indignation of citizens, and above all of the families of the victims of the Mafia, are not only understandable but completely right in the face of judicial investigations that go on in vain for years and years, with facts not yet ascertained, with perpetrators not yet identified or prosecuted, with crimes that have gone unpunished. In the face of all this - as the President of the Republic also notes - comes the understandable demand for a more rigorous administration of justice and the fear that mysterious facts hinder its implementation.

I have a duty to say that anyone who raises these questions, and demands that they be overcome, cannot fail to have the support of the Anti-Mafia Parliamentary Commission.

The appeal that we address to you, in full and absolute respect for the autonomy of the judiciary and the independence of judges, is an invitation to take every possible measure to speed up the timeframes and finally conclude the open investigations on the great Mafia crimes.

**COMMITTEE**

MON	2/7
-----	-----

---

I'm sure, honourable magistrates,

**COMMISSION**

ANTIMAFIA

GIAN	3/1
------	-----

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

(The PRESIDENT continues). I am sure that you will understand the spirit of this appeal, which is being addressed to you by an important structure of the Parliament of the Republic; I would be very happy if you could tell us something about the merits of our request.



**COMMISSION**

GIAN	3/2
------	-----

[STAMP: 22 JUNE 1990]

-----

CONTI. Mr President, ladies and gentlemen, I would first like to thank you for your attendance, which is further evidence of the attention that Parliament, and in particular your Commission, pays to our problems, especially the problems of Palermo but in general to the problems of organised crime and Mafia-related activity.

We agree with your point of view that the judicial route alone is of little use. The judicial route alone, because of the length of the judicial process, judges facts and episodes that happened a few years ago, while the Mafia phenomenon should be constantly monitored and possibly prevented in its multitude of forms by a wide range of different types of interventions and actions, as President Chiaromonte rightly said. We have also stated several times (may the honourable members allow me to repeat it) that we need to rediscover that unity of purpose which made it possible not long ago to overcome the terrorist phenomenon. We are well aware that these are two different entities, but we also know that the Mafia phenomenon is far more serious and dangerous than terrorism, which had no roots or point of connection in our society and in public opinion. Precisely for this reason, we go back to saying that an effort must be made by everyone to rediscover that unity of purpose.

## COMMISSION

GIAN	3/3
------	-----

[STAMP: 22 JUNE 1990]

---

Returning to the reason for our visit, I must say that we are obviously at the complete disposal of the representatives of Parliament, in which the republican democratic sovereignty is fully reflected. Naturally (as the President has already mentioned), we must determine who among us has the responsibility for the initiation of the criminal action and the investigation and who then has the duty of the final decision, who must retain absolute impartiality in order to give each his due, without prejudice and without bias. Therefore, I will remind myself of this subtle distinction, and I am ready to underline one of the points that I believe you are interested in, namely the excessive length of the proceedings against Vito Ciancimino, which have undoubtedly experienced very long delays, especially on appeal. However, I would like to point out (and it is also underlined in the document that I will resign, which is a copy of what my office recently sent to the anti-Mafia Commission of the Superior Council of the Judiciary and to the Minister of Justice) that the preventive measure, especially in the appeal judgement, with its postponements (just remember that sometimes this involves assets accumulated over many years, for example, assets located in Canada), it also has the function of broadening the possibility of observation, retrieval and identification of these assets.

**COMMISSION**

GIAN	3/4
------	-----

[STAMP: 22 JUNE 1990]

-----

It is an investigative necessity that tends to supplement the work of identifying these accumulated assets, which were - according to the prosecution - accumulated illegally all over the world, by all means and often with front names and through shell companies. Moreover, the measure is immediately enforceable and remains so. Therefore, the goods are not dispersed, but are grow in value; they are administered by the judicial custodians under the supervision of the first instance judge. Therefore, these long delays have no impact and need not fear any kind of criticism. As everyone knows, the aforementioned Vito Ciancimino complained about it (and here's the other point of view), even to the international protection organisations. So, as far as this aspect is concerned, I will say again that I will deliver this document, which addresses only this part of your inquiry, into the hands of the President.

I can only reconfirm, on every other point, our total willingness, well aware that the Commission has the full powers of the judicial authority (and perhaps even beyond them), declaring myself once again happy and grateful for this meeting, which allows us magistrates to expand on and further underline our permanent commitment on this front.

**COMMISSION**

GIAN	3/5
------	-----

[STAMP: 22 JUNE 1990]

-----

PRESIDENT. Thank you for the document you are giving us on the Ciancimino case. I think it refers to the institutes of preventive measures, which is one of the issues that we intend to raise at the second point of our meeting which concerns - as I have already said - some problems that have emerged from the controversies of the past weeks and also from the material you have. sent to the President of the Republic. The first point concerns our direct appeal to speed up as much as possible (and make every effort to do so) the investigations under way on major cases. This specific appeal is political and does not intend to enter into the merits of the investigations; however, we have a duty to address it, as the public is alarmed and worried about these delays. On this point, some colleagues intend to intervene to reinforce this motion. Then, we will move on to the more specific issues including the Ciancimino case. However, it seems to me that our appeal has been accepted.

PAJNO.

## COMMISSION

GOV	4/1
-----	-----

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

PAJNO. What emerges from the reports in the Commission's possession clearly demonstrates the reason for the delays and difficulties encountered in the various investigations, which stagnated also for reasons beyond the control of the individual judges. Suffice it to say that the stagnation, however inevitable, which occurred after the killing of the investigating councillor Rocco Chinnici, the difficulties arising from the broad drafting of the ruling-order of the "Maxi Trial I", which involved all the examining magistrates to the point of agony, and the evolution, slow but progressive, of events which have been mentioned and which are practically still in motion.

What hope can there be? I believe that there is hope of arriving at certain solutions and that we can be confident that this will happen in the reasonably near future.

Obviously, the individual facts, the single events, the individual links between one crime and another are the subject of a complex investigation which is often made even more complex than it needs to be, since certain facts were ascertained after the entry into force of the new code of criminal procedure and may involve persons other than those who were initially suspected or accused.

**COMMISSION**

GOV	4/2
-----	-----

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

Therefore, there is the difficulty (not only of a formal nature, but also and above all a fundamental difficulty) of proceeding through an indispensable coordination between the activity of the examining magistrate and that of the public prosecutor. My office is watching this activity closely, as is the Public Prosecutor's Office, which plays an active role in the second phase (carrying out its own function, so to speak, namely that of drawing up the indictment for everything pertaining which the judge must rule). As I've said, I am convinced, from what I have been able to glean (obviously, further elements may be provided by colleagues from the Preliminary Investigations Office and the Public Prosecutor's Office), that it will be possible to reach certain conclusions in a considerably short period of time and in any case before the fateful date of 24 October. In this regard, I do not intend to add anything else, as I would not like to get into details that would end up touching on the investigative confidentiality to which I am bound and which President Chiaromonte has well emphasised.

## COMMISSION

GOV	4/3
-----	-----

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

GIAMMANCO. Mr President, ladies and gentlemen, I have nothing to add to what the first president of the Court of Appeal said about the fact that we are delighted to find ourselves before the Anti-Mafia Commission today. We recognize the Commission itself, which is the highest expression of Parliament, which has the duty and power to ensure that the rules against organised crime, and against Mafia crime in particular, are strictly observed even by the courts.

I will immediately say, to get to the heart of the issue, that we, first of all, can only agree with what you, Mr President, wrote in the Commission's report, and we share the bitterness and indignation that pervade the souls of everyone who sees investigations going on in vain for years and years, not so much because the investigations themselves last so long, but because, unfortunately, the cases go on for years without success, and the crimes go unpunished.

With a document that the Public Prosecutor's Office sent to the President of the Republic on 25 May and to the Attorney General on 21 May, we took stock of the so-called political killings. If the Commission will allow it, I will therefore read a note precisely to avoid saying something more or less about the state of the investigation.

## COMMISSION

GOV	4/4
-----	-----

[STAMP: 22 JUNE 1990]

22 GIU. 1990

“These investigations, relating to such serious murders, cannot in our opinion be long and complex. Indeed, such investigations can give useful results only where they reconstruct an overall picture of the connections existing in certain historical periods between the Cosa Nostra families and the unlawful centres of interests operating in Sicilian political, administrative and economic life. This has entailed and obviously continues to entail ensuring that such investigations transcend each single, though serious, crime and take into account a myriad of facts, even apparently secondary ones, resulting in all the other proceedings concerning, on the one hand, Mafia crime and, on the other, economic and administrative crime. The activity of the examining magistrates was inspired by this necessary methodology, with a choice that the Public Prosecutor certainly fully shared, as it was consistent with the philosophy of the old code of criminal procedure, now repealed, which required all useful research activities into the truth, without any time limits. That this is a valid and necessary methodology, especially from the point of view of the old code, can also be inferred, on the contrary, from the fact that there has recently been sometimes even violent criticism of the decision to conclude, albeit after many years, the investigations relating to the serious Mafia murders.

I'd like to remind everyone



**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/1
-----	-----

---

(GIAMMANCO continues) I'd like to remind everyone about the serious murder of Impastato and the disappearance of the journalist De Mauro. Finally, even the unfounded news of the conclusion of the investigation into the murder of the Honourable Pio La Torre has aroused criticism. It should also be remembered that the investigation into the very serious Mafia political crime against Piersanti Mattarella has suffered and still suffers serious obstacles due to concerning false leads.

With regard to the statements including an alleged confession by Benedetto Galati, which the Prosecutor has been dealing with for a long time, and the turncoat Pellegrini, following the entry into force of the new code of criminal procedure, we will have to comply with a very different legislative choice, which requires the investigation to be closed within a mandatory deadline. The choice was made by the legislator in its supreme authority, not by us, and we will abide by this choice, but it can be said right now that such a choice, though rational for common crimes that are not particularly complex, will hardly allow us to carry out the investigations necessary to shed light on the complex and in many respects still obscure criminal context in which the political Mafia crimes take place, for which crimes in particular there are now two examining magistrates, who have had them in charge for a long time, that is my colleague Guarnotta, who has dealt with and is still dealing with the murder of the Honourable La Torre, and my colleague Natoli, who has dealt

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/2
-----	-----

---

with and is still dealing with the murders of the Honourable Mattarella and the Honourable Reina. The reports submitted by them to the President of the Republic, who had requested them through the Public Prosecutor's Office, are in the records of the Honourable Commission, and I can say that both of my colleagues, like all of us, are at the Commission's disposal for any additional information.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/3
-----	-----

---

PRESIDENT. I have three questions to ask you: one concerns the progress of the investigations and on this point I ask if there are any members of the Commission who intend to take the floor to raise issues in addition to the points I have made. Then there is a list of particular issues that can be gleaned from reading the documents that you sent to the President of the Republic, which have been forwarded to us, above all due to the controversies that have emerged in recent weeks. On this issue, vice president Cabras will summarise what emerged in the debate of this Commission.

Finally, we asked for information on the ongoing judicial investigations on the issue of public contracts, this being one of the topics we intend to address in our investigation.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/4
-----	-----

---

MANCINI. I realise that there is no reason to ask questions about the general approach, but the crimes do not take place on the same day, and the crimes dealt with by the Anti-Mafia Commission and also by public opinion have a different time line. I believe that this should be the reason for greater knowledge regarding the possibility of closing investigations and determining their progress.

Another issue that, in my opinion, cannot be ignored, because otherwise one of the issues that is most concerning to the public would not be addressed: during the past several years, while the investigations took place in Palermo within the judiciary and also within the Sicilian and Palermo political forces, there was certainly a considerable degree of a conflict and confrontation. I believe that no clashes of this magnitude have ever occurred in the history of any part of the Italian justice system or judiciary. The question is this: have these events of an internal and external nature caused difficulties in your work, in the investigations, in the means available to the judicial authority and also, possibly, a deterioration of the collaboration on the part of the State structures that must be available to the activities of the judiciary?

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/5
-----	-----

---

MANNINO. I was able to read the briefs delivered to the President of the Republic that the President himself sent to the Commission. I was struck by two facts: one concerned the question of the investigations that had been centralised by the prosecutor Chinnici. I first met Chinnici on the occasion of the celebration of the anniversary of the assassination of agent Calogero Zucchetto, and we scheduled a meeting on a later date (I was recently in the Anti-Mafia Commission and I asked for advice and clarifications). We met the following Saturday and he assured me, in these two conversations, that he believed he had all the elements in hand to conclude the investigation very soon. I also got this feedback from other conversations that Chinnici had with various people. However, nothing was found, and of course this fact strikes me.

Then, the Mattarella murder: there is a certain element that everyone is talking about and that is the fact that Mattarella's widow recognised the murderer with a high degree of certainty. How does this fit in with the kind of very general allegations that affect all the other trials? These are elements that need clarification.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/6
-----	-----

---

Finally, as regards the statements of the prosecutor Giammanco about the application of the new code, it would be reasonable for Parliament to consider a derogation, a tweak - as others have done - to facilitate the anti-Mafia trials, but, in this case, do we realize what public opinion would say if we were to find ourselves, in six months, a year from now, I don't even know how long, back at the starting point?

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	5/7
-----	-----

---

LO PORTO. Mr President, in the meantime I would like to raise an issue regarding the order of business: since we are already dealing with multiple topics, political crimes, Ciancimino, etc., I could also add the problem of the Bonsignore report, which we will have to talk about.

So, as a point of order, I would consider it appropriate to establish - topic by topic - if we talk about it immediately or at another time.

PRESIDENT. The objection is reasonable.

**COMMISSION**

ANTIMAFIA  
22/06/1990

VEN	6/1
-----	-----

---

PRESIDENT. The objection seems reasonable to me. Before giving the floor to my colleagues, I would like to ask vice president Cabras to explain the particular issues that emerged in the Commission's discussion.

CABRAS. I would like to return for a moment, President Conti, to the Ciancimino case, thanking you for the attention you have devoted to this topic, and offering the Commission a document as well. Our confusion and our concern relate to the failure to define the procedure for personal and financial preventive measures against Ciancimino, despite the fact that he is no longer subject to personal security measures (without forgetting that the assessment of his total assets is a very complex operation). If my memory serves me correctly, in 1984 a Canadian lead was identified, so much so that one of Ciancimino's sons was indicted: well, from 1984 to 1990 there were 17 deferrals. You will therefore understand that all this can be confusing for the layman, especially those who, living in Montecitorio and its surroundings, have often met Ciancimino, who lives near Piazza di Spagna.



## COMMISSION

VEN	6/2
-----	-----

---

I now turn to some questions concerning political crimes.

Mattarella's murder. The prosecutor Giammanco referred to the misdirection carried out by Galati: from the document drawn up for the President of the Republic, it appears that Galati declared to a police officer that he was the driver who accompanied Mario Prestifilippo: and that these statements were transmitted by police officers only after the murder of Galati. You will understand that such a delay in the transmission of such an important statement, indeed after the subject of the misdirection has been killed, it raises some concerns. Another issue concerns the expert report on weapons. From the documents, it also appears that some expert reports were arranged very belatedly with respect to the availability of the evidence, and we would like more information about this.

Reina's murder. Restrictive measures were adopted for this murder in 1984; state witnesses consistently confirmed a certain scenario. After the communications of 1985, there were two important witness accounts.

## COMMISSION

VEN	6/3
-----	-----

---

Is it possible to hope that further initiatives have already been adopted or that further initiatives can be adopted to deal with this crime, which to a certain extent started the series of great political crimes in Palermo?

La Torre's murder. The question I ask you refers to the famous meeting that took place in Rome between politicians and administrators for the distribution of some financing: was the fact only recently ascertained or had it already been entered into the procedural documents and was only disclosed following the disputes that occurred in a televised debate?

Insalaco's murder. Even from the reading of the documents presented to the President of the Republic, there are unjustified delays in the performance of comparative ballistic tests by the mobile squad (the report was presented only in May 1990).

Bonsignore's murder. The documents show delays or omissions in the investigations relating to a complaint that Bonsignore presented to the prosecutor on 15 November 1989 regarding his transfer from the regional coordination office.

## COMMISSION

VEN	6/4
-----	-----

---

Bonsignore's wife has repeatedly told the press that often in recent times her husband, upon returning home, would ask if any summoning notices had arrived from the prosecutor's office. Was it ascertained whether Bonsignore had filed other complaints against regional officials on suspicion of corruption, in practice concerning the institutional activity within his competence?

There are also two questions I would like to ask you in relation to the issue of public contracts. From the investigations into Bonsignore's murder and from those in progress into the Baucina's administration, is it possible to reconstruct, through the latest evidence, a picture of the plots between officials, entrepreneurs and the Mafia in the field of public procurement? Finally, we would appreciate your assessment of the issue of public contracts in the light of the recent law no. 55, which reformed the Rognoni-La Torre law.

**COMMISSION**

VEN	6/5
-----	-----

---

We have heard the prefect say that, with regard to the adoption of precautionary measures, greater discretion on the part of the administrative authority would be needed. We don't want it to stop

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	7/1
-----	-----

---

LO PORTO. Mr President, I have nothing to add to what Senator Cabras said. I would just like to ask the judicial authority for an answer to a particular question, as regards the subject of political crimes and the management of the turncoat Pellegriti. This of course is an essential axis of our investigation.

On the merits, I would like to know how it can happen that a person who is so important and so representative for the purposes of the investigation in general can be approached by anyone who wants to approach him: for example, by Mancuso, the public safety inspector, president of the anti-Mafia coordination office at Palermo, who, in addition to being a policeman, is also very involved in his own political activities. How can it happen that, in the context of an investigation of such importance and delicacy, a turncoat like Pellegriti be approached by a person like Mancuso?

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	7/2
-----	-----

---

VETERE. I turn to Dr Guarnotta, head of the investigation into the murder of Pio La Torre since October last year.

From reading the documents you have sent us regarding this specific assassination, a doubt may arise, which I would like to have resolved. Initially, it was Chinnici who dealt directly with the murder of La Torre; subsequently, after the declarations of Buscetta and after the killing of Chinnici, Capuletta took up this investigation itself, but then he was assisted by two colleagues. In the papers I have been able to read, it has essentially been said for the past five years (from 25 October 1984 to 23 October 1989) that this investigation, which was specifically entrusted, was included in the more comprehensive investigation of the anti-Mafia pool. It is not clear - indeed, a misunderstanding is possible and clarification is appropriate - whether or not there was a specific investigation in these five years (even partially, compared to the total ten years) because it seems that this was included in the more general one. I would like to understand the exact meaning of what appears from the papers we have been able to read.

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	7/3
-----	-----

---

VIOLANTE. On the Bonsignore issue, I would like to know if the offices have acquired the documentation relating to his transfer: this entire process, who made the request, who signed it and so on.

As for the Insalaco issue, in the very precise report that was sent to us by the President of the Republic and which I believe was sent to him by the offices, Insalaco's involvement in Freemasonry emerges, if I remember correctly - up to the period immediately following statements made to the Anti-Mafia Commission and the judicial authorities. I would like to know if documentation has been acquired regarding this membership in the Masonic lodge and the reasons for its termination.

Furthermore, in different types of Mafia trials, the not always clear role of Dr Contrada emerged, who at the time was an official of the state police and now is an SISDE official.

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	7/4
-----	-----

-----

In particular, I believe that it would be useful to fully understand, in order to clarify the issue of actual or presumed misdirections, first of all, in what circumstances and with which effects it has played a role in all these trials; secondly, whether the information that Dr Contrada went to the widow Mattarella in London and showed her a identikit by Inzerillo is true; moreover, in what circumstances did this attempted recognition take place, what kind of formal statements did the widow Mattarella make regarding this recognition, whether Dr Contrada has taken similar initiatives on other occasions with respect to eyewitnesses or relatives of victims in order to identify certain Mafia faces as perpetrators of crimes.

Finally, with regard to the last question posed by Senator Cabras on public contracts, I believe it is well known that the framework on which we operate is that of public procurement expenditures, considering this to be one of the key intersections in the relationships between the Mafia and politicians in Palermo and Sicily. I would like to know if you addressed why the provincial control commission of Palermo, which expired a few years ago, almost six years ago, has never been renewed and if this has in any way affected the control capacity of the administration and therefore the control over the type of public spending in Palermo.



**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	7/5
-----	-----

---

CAPPUZZO. I would like to bring the question back to the general level and not get into details. At the end of this hearing, I would like to clarify one thing: are the so-called political crimes, from what we know so far, are they political because the motivation is political or because the victim is a politician?

PRESIDENT. Let us now give the floor to the magistrates to answer the questions raised.

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	7/6
-----	-----

---

CONTI. I will focus on two issues, which also in chronological order were the first raised by the parliamentarians.

First of all, Mr Mancini asked if the conflicts between the judges (for instance, the so-called poisons) in a previous season have led to a slowdown in our work and our commitment.

MANCINI. And not only that: in the same period in Palermo the prefect, the commissioner, the managers of the mobile team and the financial police all changed. There was a clash in the judiciary and also a clash in public opinion.

CONTI. Certainly, but as far as we are concerned, I only know that the view adopted by my colleague Meli - the new examining councillor - and then shared by the Court of Cassation, that there is not a single "thinking head" in the Mafia phenomenon, was the line that the Palermo office necessarily had to follow as well.

PALERMO **COMMISSION** 22/06/1990

MON	8/1
-----	-----

---

However, to say that because of this (CONTI continues). But to say that a slowdown or less commitment may have resulted from this, I really don't think that this is the case.

As for poisons, we are all in agreement - and as my colleague Pajno also said in his inaugural address - that they came and still come from the outside. The Palace of Justice continued, in all its individual parts, to fulfil its duty. We have all always been convinced that this kind of insinuations and obstacles were actually "fabricated" outside the Palazzo, and they certainly baffled and disappointed us in many ways. However, I repeat, there has never been a real slowdown or less commitment on the part of the magistrates, especially those of the anti-Mafia pool both of the Investigative Office and the Public Prosecutor's Office, which in fact recently had other excellent elements and therefore other specialities and additional commitment on the part of some magistrates.

**COMMISSION**

MON	8/2
-----	-----

---

AZZARO. Last night, we heard something different in an interview on television; on the other hand, there is also a discussion on the very procedures that have been adopted or that had been adopted by some magistrates as opposed to those of other magistrates. It seems to me that there is no doubt about the fact that there has been external conflict, but that there has also been an internal conflict within the judiciary is also an established fact.

Now, it seems to me that it cannot be said that everything went well at least from the point of view of public opinion.

## COMMISSION

MON	8/3
-----	-----

---

CONTI. Let me take the liberty of saying that there was a different view of the phenomenon in general, but that this did not lead to a waning of commitment. Several times I have heard from the representative, who is present here today, of the pool at the Investigative Office, who has now been transferred to the Public Prosecutor's Office, my colleague and friend Giovanni Falcone, who on many occasions reiterated to me that the office he directed - the pool to be more precise - worked and continued to work with the same commitment and, moreover, the results can be seen by everyone.

I also took a look at that television interview, but frankly I would not like to personalise the matter because I am not interested in the characters of this possible new page of the Palermo soap opera.

Senator Cabras, as regards the financial and personal measures against Vito Ciancimino, you yourself said that the personal measure, set at four years, was served, and therefore, now on this point there is nothing more to be said or to be done because he has already served a certain period of expulsion from his residence.

## COMMISSION

MON	8/4
-----	-----

-----

Of course, if the means allow him - at this moment certainly not - if he were released, he will also have the right to go to the Hotel Plaza or the Parco dei Principi in the capital.

As for its assets, I must say that, for example, a few hundred meters from this building there is a complex called "Don Orione" that belongs to one of Ciancimino's companies, and we set our sights on this real estate complex just recently. We had a custodian of the Administration appointed by the Finance Superintendent, and we are even commissioning a project to assign this complex of over 1,200 square meters to a judicial office. The poor Prosecutor's Office is currently located in tight quarters at the Sicilian Aqueduct Authority. I say this because even on this point there has been no slowdown. On the contrary, there is the possibility, the capacity and the intention to adapt and use these goods that perhaps - and in any case the final decision will say - are of an illegitimate nature and therefore acquirable by the State.

LO PORTO. This is not the time to solve the judicial building problem!

## COMMISSION

MON	8/5
-----	-----

---

CONTI. This can also be helpful. In another case, a barracks took up residence in a villa in San Lorenzo that was certainly owned by a mafioso. On this point we do not hold back: if the asset is of criminal origin, there is no reason not to proceed and thereby send the message, even abroad, that this asset, once returned to the state's assets, can be destined to host a public office.

On the other points touched on first of all by Senator Cabras, the Natoli colleagues will answer with regard to the Galati murder, and then the various crimes as we discuss them.

## COMMISSION

MON	8/6
-----	-----

-----

PALMERI. I would like to add something regarding the inquiries that are still in the preliminary phase with the magistrates of the Investigative Office, except relating to certain crimes. As of 23 October 1989, my colleague Falcone will be able to report to you first, because he was the director of the pool - at least the de facto director - and therefore in my opinion he should be the one to provide you with the initial indications. From October 23 onwards, my colleague Guarnotta has dealt with the La Torre murder, so he will tell you about it.

As regards the Mattarella and Reina murders, my colleague Natoli can report to you, while as regards the Insalaco murder, the Investigative Office as of 23 October only had a file against unknown persons, and therefore the documents were sent to the Prosecutor, since she was the one who would have to deal with it. As for the Bonsignore murder, I believe that the Court was not absolutely interested in it. What I can say, as President of the Court, is that according to the news that I have received - and based on the reports of the same judges of the pool - the slowdown for what has happened must be considered objective.



## COMMISSION

MON	8/7
-----	-----

---

Any attack weakens the fibre of any man and necessarily leads not so much to stasis as to an attenuation of commitment because if I have to respond to the attacks that are aimed at me, necessarily for a certain period of time I will have to put a little aside the acts I am investigating. Since the professionalism and commitment of the judges of the pool has always been superior to all human expectations and possibilities, all of this could have had a minimal impact.

If I had to make a ranking, it is the examining magistrates are who most sacrificed their existence up to the limit of human possibilities in order to carry out certain investigations.

It is clear that if they

COMMISSION

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GIAN	9/1
------	-----

---

(PALMERI continues). It is clear that they have given precedence to the investigation of those crimes for which there is sufficient evidence, and they have set aside, to a certain extent, those investigations for which the conditions are not present to name the accused or to name them in such a way that does not result in a ruling of insufficient evidence, which would seem like a surrender. I think it is better to keep an investigation open in order to one day be able to name the accused, but above all to hold the culprit accountable, rather than closing the case with a judgement of non-prosecution or with a decree of dismissal (also because this could mean that I don't want to deal with that murder anymore). On the other hand, my colleague Guarnotta continues to actively deal with the La Torre murder, and he will soon file the documents. However, when my colleague Guarnotta files the documents for the La Torre murder, it does not mean that the investigation is closed. In fact (and this is the reason for the delay), recently, following the revelations of the turncoat Marino Mannoia, other details have emerged, and a new investigation had to be opened at the prosecutor's office.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GIAN	9/2
------	-----

---

Therefore, as regards the La Torre crime, once the proceedings before the examining magistrate are closed, other defendants will continue to be charged, and these cases could have more concrete leads and there will be a second trial.

So what is the philosophy of this speech of mine? If the new code had not entered into force (since the revelations of Marino Mannoia were made recently), even the first part of the proceedings would not be able to close on the date it they are supposed to close, probably in a few months.

As for the Ciancimino proceedings that are being talked about so much these days, I must say that Ciancimino is also charged, in addition to the proceedings underway before the Court (the case all the newspapers are talking about), with Mafia-type criminal association, and his sons are also charged with illegal export of currency in that trial. I understand that my colleague Guarnotta is about to dismiss these proceedings, in the sense that he is about to issue a definitive decision (I don't know if it will be a judgement of non-prosecution or committal for trial, a detail that still falls under investigative secrecy).

COMMISSION

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GIAN	9/3
------	-----

When my colleague Guarnotta dismisses this measure (in the near future, I believe, as I understand that the measure is being copied), the results of this measure can be used by the appellate judge who rules on the prevention measures. So, these are all connected: it is easy to say that the judges are lagging behind. First of all, the judges never delay because their workload is enormous. In this regard, I would like to point out that the reduction in the number of judges in the pool from six to four and then from four to three, etc. had an impact. However, the judges consider this phenomenon as a group. My colleague Conti also spoke of the cassation: it is a question that cannot yet be said to be definitively closed, as I do not think it can be denied that the Cosa Nostra belongs to a single pyramid, only from the point of view of a ruling concerning jurisdiction. However, this matter is not closed: it is open, and we will still have to talk about it.

In any case, I can tell you that when there is a ruling, an order of indictment or of non-prosecution, and I am able to read them, I believe, I hope, indeed I am sure, that I will not find substantial delays. If I were to find them, I will what action to take against those responsible, who I suppose, however, are not at all lurking in the office of the Court of Palermo.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GIAN	9/4
------	-----

---

FUMAGALLI. The President of the Court of Appeal spoke of a “Palermo soap opera”. I would like to say that public opinion, which we represent, is looking at this soap opera with great alarm and concern. The container trials, allowed by a rather bold interpretation of our criminal procedure, have led to an indefinite and infinite series of investigations. Conflicts within the judiciary have added unease upon unease, and I believe that the magistrates realise this, all of them, certainly those present do.

Public opinion does not at all ask that the case be closed if there are elements of proof, but rather that the investigations go ahead where there are these elements. The news that is coming out progressively, including in the daily press, is not reassuring. There is, for example, a point that is under investigation and information from the press regarding ICES. I think everyone knows what I mean. It seems that since the early months of 1986, Judge Falcone was in possession of evidence that Vito Ciancimino was actually hiding behind Count Vaselli’s ICES company.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GIAN	9/5
------	-----

---

This statement was made by two other magistrates, Judge Magrone and a colleague from Bari; in particular, Judge Magrone stated that he had received a confidential report from the Guardia di Finanza in which it was claimed that ICES was a Mafia company, that he was in the position to know that these papers were with the examining magistrate, who at that time was Giovanni Falcone, in his office in Palermo.

I would like to know if all this is true and why, if this news was already in the papers and I suppose it was seen by Judge Falcone, he still has not taken action.

COMMISSION

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GIAN	9/6
------	-----

---

CORLEONE. Mr President, I will be very brief, also because I reserve the right to speak later, after the many questions that have been posed are answered. I do not think this is the time to provide one's own interpretation of the operations of the pool, on the maxi trials, etc. It seems to me that we are here for other reasons. Therefore, I would just like to ask for clarification from President Palmeri, who spoke of one of the many proceedings against Ciancimino (it seems to me for criminal association pursuant to Article 416-bis). As for the process of this trial, can you tell us more about the filing times of the committal for trial and the news of its closure?

COSTA.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GOV	10/1
-----	------

-----

COSTA. I would like to contest two statements which seem to me to be highly contradictory. President Conti said: “There was no slowdown as a result of the so-called poisons”; then President of the court stated: “The attacks from outside have led to a stagnation or at least a slowdown”. This is the apparent contradiction. These two statements were made separately but homogeneously, which I do not think can be easily accepted. President Conti argued: “The ‘poisons’ all come from outside”, while President Palmeri said: “The attacks are only external”. I believe that all this is not acceptable on our part.



COMMISSION

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GOV	10/2
-----	------

-----

FALCONE. I would like to begin with Mr Fumagalli's question, in order to clear the air of one of the many misunderstandings that flourish day after day in these cases.

Vito Ciancimino has been a defendant since October 1984. Following his indictment, on the one hand, investigations were carried out which ascertained his presence in Canada (where he had purchased a series of properties through a third party) in 1976 and, on the other hand, bank investigations were arranged (I personally followed them) in Palermo, which revealed an enormous sum of money hidden in credit institutions under fictitious names. An expert report was necessary, which was admirably carried out by two inspectors from the Bank of Italy, who stayed in Palermo for about two years. In the course of the investigations (which unfortunately they could not be pursued to the end, since the documents found came to 1972 and it was therefore not possible to go back further in time, although that was perhaps the best period through which to reach the actual sources of certain banking transactions and certain movements of money), and from those assessments, the figure of Romolo Vaselli emerged, who, subjected to witness examination, after an initial hesitation, began to report facts that unequivocally demonstrated his involvement in the money laundering activity, that is, the concealment of sums certainly belonging to Ciancimino.

COMMISSION

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GOV	10/3
-----	------

-----

I believe I can affirm all this in front of a parliamentary commission of inquiry, which has the same powers as the judicial authority.

The investigations, which found ample confirmation in the banking report, led to the indictment of Romolo Vaselli. I therefore cannot understand why my colleague Magrone claims that we did not proceed, that nothing was done. Vaselli was charged, along with Ciancimino, in the proceedings that my colleague Guarnotta is about to conclude; he is accused of “intermediazione intercettatoria” precisely for his brokerage activity in banking operations carried out on behalf of Ciancimino. I cannot therefore understand what is meant by certain statements. Ciancimino is accused of a Mafia-type criminal association.

FUMAGALLI CARULLI. And the timeframe? It dates back to 1986.

FALCONE. My colleague Magrone, who was conducting an investigation into crimes against the public administration concerning “Ices”, asked me if I knew anything about Romolo Vaselli; I replied that in our offices, he could find documentation on the banking relations between Vaselli and Ciancimino. These same banking relationships led to the charge of receiving stolen goods.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GOV	10/4
-----	------

---

Vaselli was immediately indicted for receiving stolen goods. Therefore, at the request of the Prosecutor's Office, the charge was raised. Nothing was concealed, nor were the responsibilities of anyone concealed. I therefore cannot understand what is meant by certain statements.

LO PORTO. Probably, it refers to the delay in issuing the arrest warrants.

FALCONE. The delay in issuing the arrest warrants concerns a very different procedural matter which, the Investigative Office of Palermo has never dealt with. This matter was managed entirely by the Public Prosecutor's Office, and it concerns a very different problem, that relating to the relations between Vaselli and Ciancimino in the context of the execution of certain public contracts awarded to the Azienda Autonoma Acquadotti and to the municipality of Palermo. These are events that are coming to fruition now as a result of investigations that are being conducted by the Carabinieri, extremely complex investigations that require a series of extremely difficult examinations of the accounting documentation. Therefore, it has nothing to do with the case of the indictment of Ciancimino before the examining magistrate.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GOV	10/5
-----	------

-----

I cannot understand what the “Vaselli/Municipality of Palermo/Acquedotto” case has to do with the “Vaselli as receiver in the interest and on behalf of Ciancimino” case, both of which resulted in an indictment against Romolo Vaselli.

We come now to the Mattarella murder. First of all, I would like to refer to what Mr Mannino said. In fact, I too, like many other colleagues from the Public Prosecutor’s Office and the Investigative Office, heard the late councillor Rocco Chinnici talking about a particular working hypothesis (which he had never explained to me in any case), according to which he interpreted everything that was happening. I must say that it was far from a strange hypothesis. This hypothesis involved “high-profile” murders that are to a certain extent apparently staggered over time but in reality are part of dynamic events occurring also within the Mafia and can be restricted to a well-identified period of time ranging from 1978 (murder of Michele Reina) to 3 September 1982 (murder of Carlo Alberto Dalla Chiesa), even though it might be more appropriate, in light of our investigations, to keep the Dalla Chiesa crime out of this dynamic, since the important murder, the prominent murder, the murder that is framed in a certain context should be, in my opinion, that of Pio La Torre.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

GOV	10/6
-----	------

---

The period from 1978 to 1982 coincides with the height of the internal upheavals in the Cosa Nostra. I will now explain why I consider this link important.

If all this is true

COMMISSION

ANTIMAFIA of 22/6/90

IAN	11/1
-----	------

Palermo

---

(FALCONE continues). If all this is true, I must say that we have not found any trace of what Councillor Chinnici claimed before his death in the procedural documents, and it is not even clear to me which working hypothesis he cultivated, because for the political killings, these trials were managed exclusively by Chinnici (I think we all know this).

Here, I would like, not to come to our defence, but to re-establish the timing of the events, because otherwise we could say: in ten, eleven years of investigations, what is being done? Nothing is being done? Are we letting the papers gather dust? This is not the case.

Rocco Chinnici was killed on 29 July 1983, and the investigations are continued, as regards the Mattarella and La Torre murders, by the deputy councillor Motisi and by judge Miccichè. This also happened for the Reina crime. All this part of the political murders (and this is what I wanted to highlight) even after the arrival of the councillor Caponnetto and after the creation of the pool, these investigations were almost exclusively followed not by the judges of pool. We were only able to begin to deal with it later, but there was a reason why, among other things, that enormously complex ruling of the so-called “container trial” was in progress.

So, in essence, we were only able to deal with the political killings (those of us in the pool) starting in March-April 1986, and I believe that certain steps forward have been made since then.

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	11/2
-----	------

-----

I would like to start with the Mattarella murder, and the first question relating to Benedetto Galati. Here, we must be very careful because we are dealing with extremely complex events and a unique degree of treachery. If you fail to immerse yourself in these realities, you run the risk of being immediately diverted to results of a completely different kind.

When Galati intervened, we were at the point where the extremely singular reality of Cristiano Fioravanti was painfully emerging. He had gone through progressive approximations from a belief that his brother Valerio was involved in the Mattarella murder to a sure affirmation, convinced because he said that it was his brother himself who told him. Cristiano Fioravanti also gave us the explanation: he had decided to say those things because his brother denied being the perpetrator of the Bologna massacre and the Mattarella murder. He said: "I know for sure, because he told me, who took part in the Mattarella murder. Therefore, if he admits - after I accused him - to committing the Mattarella murder, he is responsible for having committed this murder but he had nothing to do with the Bologna massacre; if he still denies both crimes, it means that he is involved in both". You realize the extreme gravity of these accusations and the delicacy of the problem, especially at a time when the trial for the Bologna massacre was simultaneously taking place, and it was necessary to avoid interfering or overlapping in any way with the other investigations?

**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	11/3
-----	------

-----

Then, even before that, following Buscetta's statements, there was the arrest warrant against the members of the commission. We were carefully examining whether and to what extent a material execution committed by black terrorists could be compatible with principals and orders of a purely Mafia nature and brand. While we were intent on developing and looking for confirmation of the statements of Cristiano Fioravanti, taking on the certainly not minor effort of reviewing a bit everything that had emerged on the subject of black terrorism and on the dynamics that could have made the accusations against Valerio Fioravanti plausible, Benedetto Galati was catapulted between our feet, and I will explain to you why I said catapulted.

In February 1986, Benedetto Galati, as I learned later, was the author of a phone call during which a gentleman asked to meet with me because he had to give me very important news about Michele Greco. Obviously I did not go, but I informed the commander of Group two of the carabinieri of Palermo, Colonel Di Gregorio, so that he could try to get in touch with this gentleman. Contact was made, and it was actually Benedetto Galati, son of the steward of Michele Greco's Favarella estate.



**COMMISSION**

[STAMP: 22 JUNE 1990]

22 GIU. 1990

IAN	11/4
-----	------

-----

In that context, after obtaining reassurance as to the identity of the man he was speaking with (who indeed he believed was one of the judges of the pool of which I was also a part), he began to provide extremely important and relevant information that led, in March 1986, not only to the arrest of Michele Greco, but to the arrest of a whole series of extremely important characters in the Mafia Gotha of Palermo, information that was proven to be absolutely accurate. The last person arrested, Nicola Prestifilippo, was arrested right next to the mandarin trees that Galati had said were on Michele Greco's estate. I say this to underline how reliable the collaboration of Galati was, who, in that context, reported to the carabinieri a whole series of criminal events of enormous weight attributable to the Mafia. These events were not immediately reported by the carabinieri, but it is my absolute belief that if this happened - and unfortunately it did - it was exclusively due to the good faith and good will of the officers in question who were all committed to achieving the primary purpose of capturing the fugitives and thought they could postpone the investigative activity and the drafting of service reports to a later date. Undoubtedly, from an abstract, formal point of view, this behaviour is reprehensible and, in fact, it has led to the initiation of criminal proceedings against two officers of the carabinieri for the omission of official documents; the proceedings ended, however, with a sentence of acquittal because the act did not constitute a crime (there was no bad faith in them).

Well, these preliminary remarks

## COMMISSION

VEN	12/1
-----	------

22/06/1990

---

(FALCONE continues). These preliminary remarks were necessary because in that context of Galati's extreme reliability, it was discovered, after his killing in Bagheria in October 1986, that he told one of the two carabinieri officers, Captain Pascali, that he himself was the perpetrator of the Mattarella murder, and that he had driven the car that Mario Prestifilippo and Giuseppe Lucchese (the person who was recently arrested) rode in. This was a statement of considerable gravity both because it was made by a person who was certainly reliable, but above all because it was in absolute contrast to what Cristiano Fioravanti had told us up to that moment.

We thus found ourselves faced with a dual problem: firstly of not being able to confirm with Galati what was known to him, given that from his statements there were evident contradictions with what actually happened in terms of the execution methods. It was necessary to understand if these contradictions should be ascribed to a bad memory of the carabinieri officer or to an attempt at misdirection by Galati.

## COMMISSION

VEN	12/2
-----	------

---

We immediately moved towards this second hypothesis when we, once again, questioned Cristiano Fioravanti. We learned that the latter was aware - his brother had told him - that a mafioso participated in the crime. This fact had not been disclosed in any way, and so we were alarmed. But even more alarming was the identification of another character, who was still alive and was in contact with the Galati: said character confirmed to the carabinieri all the names and facts reported by Galati regarding people belonging - something that in my opinion was remarkable - to Michele Greco's group. From Galati's statements, it is as if the Corleonesi had never existed; the same happened in the case of the witness who was Galati's friend. Later it was discovered that this witness was a cousin of Bartolomeo Pellegrino, in turn a cousin of Scaduto Bartolomeo, who was a cousin of Leggio who was also killed; both Scaduto and Leggio were relatives of the Corleonesi; Scaduto regularly went to the prison of Palermo to speak with Leggio.

## COMMISSION

VEN	12/3
-----	------

---

All this made it clear to us that the manoeuvre that led to the arrest of Michele Greco took place within the Mafia by opposing groups: if we hadn't gotten help from inside the Mafia, Michele Greco, considering where he had settled, could never have been arrested. For this reason, we were even more worried by the news casually reported by Galati to the carabinieri. Given that Galati was a misdirector, we believed even more strongly that the lead we should follow was of black terrorism as a material perpetrator.

The thesis set out in our arrest warrant, which is moreover consistent with the results of an analysis of the documents we provided to the office of the High Commissioner, is the following: in terms of the results emerging from the investigations into black terrorism, the methods of the Mattarella murder are certainly compatible; in terms of compatibility between the Mafia murder entrusted to persons who should not have had connections with the Mafia, an interesting and disturbing reality emerged. 1980 represented the most acute moment of that crisis that would later lead to the Mafia war: on the one hand, there were Bontade and Inzerillo (Badalamenti had already been thrown out of the Cosa Nostra), while on the other there were the Corleonesi.

## COMMISSION

VEN	12/4
-----	------

-----

One fact is certain and has also been confirmed by Marino Mannoia recently: this murder could not have been carried out without the approval of the Cosa Nostra. Mannoia gave an example that seems absolutely clear to me: when we have a murder and we don't know exactly what happened and why that person was killed, all hell breaks loose in Cosa Nostra because obviously everyone tries to understand where the shot came from. In the case of the Mattarella murder, everything was quiet; Michele Greco merely said that he did not know who it was, without entrusting investigations to anyone. This fact was confirmed even earlier by Buscetta, who finding himself on leave in Palermo in March 1980 - a few months after Mattarella's killing - asked Greco what happened and all he said in response was that he did not know what exactly had happened. All this is absolutely incompatible with an extremely serious internal affair in Cosa Nostra.

So if it is clear that there is a mafia matrix, which everyone has confirmed, to a certain extent, then why wasn't this murder carried out by members of the mafia? Marino Mannoia told us very clearly: "If Bontade decided to join, I would have had to go because I was the chosen killer of Stefano Bontade". Mannoia thus concluded that it could only have been Mario Prestifilippo, Stefano (?) Lucchese, etc., those same characters indicated by Galati.

## COMMISSION

VEN	12/5
-----	------

---

In addition, the photographs of these characters were shown to the widow Mattarella, who ruled out their involvement in the murder.

Referring back to the question concerning Contrada, in August 1980, immediately after the murder of Palermo Public Prosecutor Gaetano Costa, Dr Bruno Contrada went to London, on behalf of the Palermo Police Commissioner of the time, Dr Nicolugia. Dr Contrada showed the widow Mattarella the photograph of Inzerillo Salvatore, indicating him as the perpetrator of the murder. Even then

**COMMISSION**

ANTIMAFIA  
22/06/1990

PAR	13/1
-----	------

---

(FALCONE continues). Even then - as she did later to me - the widow Mattarella categorically excluded the possibility that Salvatore Inzerillo (who was involved and who has now been indicted for Costa's murder) could be one of the material perpetrators of the murder. On this point, the statements made by both Dr Contrada, the Honourable Sergio Mattarella, and the widow of Piersanti Mattarella are in full agreement.

But there is more. Further findings are beginning to emerge and have come to fruition, leading the current examining magistrate - who will then report to you - to send the documents to the Public Prosecutor's Office to assess whether the material perpetrators of the Mattarella murder were the same as those of the Reina murder, based on statements made. It is written in a witness deposition, but it is the widow Reina herself who spontaneously decided to show up at a certain point and make some statements on the details of the murder: truly impressive statements in terms of their convergence with the material execution of the Mattarella murder. All this took place only a few months ago and further initiatives are now under review by the Public Prosecutor's Office.

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	13/2
-----	------

---

However, if you think that further clarifications are needed on Mattarella, they are obviously available.

AZZARO. Excuse me, Judge Falcone. You said that in February 1986 you received a phone call from an anonymous person who told you he wanted to make some statements. Rightly, not wanting to meet him in person, you assigned Colonel Di Gregorio, who made contact with this person who - it became known later - was Benedetto Galati. Of course this became known after the meeting ...

FALCONE. No, after Galati was killed.

LO PORTO. Was the circumstance of the meeting known immediately?

FALCONE. Of course. Galati was an informant of the carabinieri.

AZZARO. Galati said very reliable things relating to Greco, so much so that he put the carabinieri in a position to acquire elements that were then extremely useful in arresting Greco.



**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	13/3
-----	------

---

Were you never informed of these activities by the carabinieri?

FALCONE. We certainly knew that the carabinieri had an informant who allowed them to arrest some fugitives. But the judicial police officer does not have to report the informant's name if he does not consider it appropriate.

AZZARO. I asked if the circumstances were reported to you, that is, if the colonel of the carabinieri kept you informed of his activity.

FALCONE. He informed us that he had a good internal source for the search for fugitives.

AZZARO. Did they never tell you - neither the colonel nor others - that they had received this secret information?

**COMMISSION**

ANTIMAFIA  
22/06/1990

PAR	13/4
-----	------

-----

FALCONE. In an absolutely informal way, during these investigations, they told me that they were looking for and that they had begun to acquire important information also regarding the murder of Mattarella. The killing of Benedetto Galati prevented ...

AZZARO. But exactly 18 months elapsed from March 1986 to October 10, 1987.

FALCONE. And this is the reason for the indictment.

AZZARO. I do not want to argue. I just want to understand why all this happened. You are convinced - and of course I cannot blame you and contradict you because I do not have the information you have - that Benedetto Galati was a misdirector. But it isn't absolutely unlikely that the misdirector was Fioravanti?

FALCONE. We had an arrest warrant and six months to collect elements on the basis of which we believe that Fioravanti is not a misdirector.

**COMMISSION**

ANTIMAFIA  
22/06/1990

PAR	13/5
-----	------

---

AZZARO. I would like you to help me understand. Let's go back: you demonstrated and explained very well this morning the matrix of the Mattarella murder. We want to know exactly why he was killed, not who killed him, even though that is extremely important. You are talking to us about the Mafia matrix, that is, the instigator of the Mattarella murder is the Mafia, which has made use of political perpetrators. This is the point, but it must have an explanation, in order to make it clear exactly why Greco in the end puts up a smokescreen in the Mattarella crime ...

FALCONE. It is not Greco.

AZZARO. You yourself said that Greco said he didn't know anything about Mattarella in the cupola: maybe I didn't understand correctly.

FALCONE. Greco was aware.

AZZARO. But it is not unlikely that he himself knew exactly who the principals were. So it is not clear why he made use of political perpetrators, rather than using his own traditional perpetrators.

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	13/6
-----	------

---

When it emerges that the perpetrators are probably the same ones who killed Reina, I must understand that perhaps they are not political perpetrators. It may be that there is a sort of a plot to make this crime political, which, however, is deeply intrinsic to the Palermo situation. If this were the case, we do not want to get carried away in general arguments about the Communists, about this or that other party. We want to know if the Mafia at a certain moment, faced with a politician who was revolutionising certain rules, decided to kill him and Reina and probably others along with him.

FALCONE. We have addressed this problem in the justification of the arrest warrant which - I would like to remind you - was annulled by the Court of Cassation not because the evidence was considered unfounded, but only because, since Fioravanti and Cavallini were already detained for other reasons, it was not necessary to issue a further restrictive measure, according to a certain jurisprudential interpretation.

**COMMISSION**

ANTIMAFIA

22/06/1990

PAR	13/7
-----	------

---

Unfortunately, I cannot be clearer on this point because investigations are underway on this issue. But I think I can be clear enough for the purposes that interest Mr Azzaro.

AZZARO. Say what you can.

FALCONE. There are some

PALERMO **COMMISSION** 22/06/1990

MON	14/1
-----	------

-----

FALCONE. There are some statements by Marino Mannoia that frame this Mattarella murder and place it in a political/Mafia context of considerable interest. I have no difficulty in reporting that, even today, Marino Mannoia, despite the evidence, for example, cannot understand why no Mafia men were used to kill Mattarella.

I'm fine with that because at that level of importance in the Mafia hierarchy, Marino Mannoia can't know these things. In my opinion - but I don't think I'm wrong - this is a further confirmation of the reliability of this collaborator.

Buscetta reported something extremely important. As I just mentioned earlier, in the Mattarella murder there was a basic agreement on the part of the entire commission to eliminate this character, in the sense that no one cared if he remained alive; however, at the height of the crisis, which would then have resulted in a very bloody Mafia war the following year, everyone was afraid to take the first step, and Stefano Bontade, as far as was reported to us, had preferred to watch from window in the sense that he was disinterested in the events of Cosa Nostra in order to then be able to challenge certain events within the organisation from the opposition.

## COMMISSION

MON	14/2
-----	------

---

If for the Mattarella murder - and this was amply confirmed by Buscetta - they had used mafioso killers, in two seconds anyone inside Cosa Nostra would have known who had ordered the murder of President Mattarella.

To this we must add that if a murder of this kind is deliberated, it is necessary to send - and this is one of the internal rules of Cosa Nostra - certain characters, because otherwise it shows a lack of sensitivity and respect towards those who are the most popular in a certain historical moment. This is why Marino Mannoia immediately tells us that Giuseppe Lucchese and Mario Prestifilippo must have killed him because they were at the top in terms of speed and skill in carrying out the murders.

AZZARO. Doesn't this lead us to the conclusion that the instigator of the Mattarella murder was a single mafioso?

FALCONE. Allow me to say that this is absolutely impossible because the killing of Mattarella presupposes a jumble of convergences and large-scale interests.

## COMMISSION

MON	14/3
-----	------

-----

AZZARO. Then explain this step to me. If they have decided to send the cupola as an organisation fee ...

FALCONE. Not the cupola, but some of its characters.

AZZARO. Then not all; so there must have been a part of the Mafia that had no interest ...

FALCONE. There was a basic consensus, but he didn't care that much.

AZZARO. But everyone wanted to know exactly what was going to happen.

FALCONE. Of course.

AZZARO. But then why did a part of the Mafia decide to eliminate Mattarella, but - since there was a lack of interest and indifference on the other side - didn't warn the others?

FALCONE. It was necessary to indicate the reasons for killing a person, What concrete fact is being contested by Mattarella, what person in the political world wanted to have him killed!



## COMMISSION

MON	14/4
-----	------

---

I want to tell you something; Marino Mannoia told me - unfortunately I cannot be more precise - that he had had a meeting with a prominent politician, and Stefano Bontade told him that if that character had not behaved as he claimed, it would have been up to him to kill him.

PRESIDENT. I would like this interview to be interrupted, because we do not want to take the place of Judge Falcone - God forbid! - in the investigation for the murder of Piersanti Mattarella, but only to ask questions - and we did it through Senator Cabras - questions which Judge Falcone was trying to answer; we invite him to continue.

LO PORTO. Mr President, not to make judicial inquiries but I would like to understand the logical process by which certain conclusions have been reached. I would like to understand very cordially, because here - the President is right - we do not want to carry out any inquiries.

Judge Falcone, you base your conviction on the validity of the black run

...

## COMMISSION

MON	14/5
-----	------

---

FALCONE. Not only on this, but on other things as well.

LO PORTO. We must insist on this, because I believe that this logical presupposition is the basis of the whole procedural construction. You make this argument, and you have repeated it now: the Mafia could not have commissioned this crime from the men of Cosa Nostra because in the internal equilibrium the risk of resorting to one's own men would have caused severe conflicts to break out. Therefore, that part of the Mafia decided it preferred to use external hands to keep the origin of the crime secret.

So, I wonder if this logical basis on which the construction of this investigation rests holds up to such an assessment: it is credible that the Mafia, in order not to run the risk of being exposed, does not use its own very faithful members but strangers, who, however, have already given evidence of picturesque criminal events? I only ask you if this is credible, because if this is your assessment, I have some doubts.

## COMMISSION

MON	14/6
-----	------

-----

LANZINGER. On the basis of the elements that emerged very recently, which identify Reina's murderer compared to that of Mattarella, despite this news, would you repeat the investigation concerning this latest murder in the same terms? Is there no element that can induce you to think differently from what you have decided up to now?

The second question I would like to ask is based on one of your last statements, namely that Mannoia allegedly said that if a high-profile political figure did not behave as he was told, he would face a death sentence.

Can you give us some further information on the areas or times in which these threats occurred?

FALCONE. This occurred before both the murders of Reina and Mattarella, that is, in 1977.

LANZINGER. Was the character also identified?

FALCONE. Yes. If this were the only reason for issuing the arrest warrant against Fioravanti and Cavallini, we would have exchanged a more or less respectable and acceptable working hypothesis with evidence.

## COMMISSION

MON	14/7
-----	------

---

Instead, we found ourselves doing the reverse reasoning, that is, starting from evidential results that led us to Fioravanti and Cavallini, which, in our opinion, precisely because of those concerns you spoke of, Mr Lo Porto, seemed to us truly remarkable; and in the course of strenuous investigations we uncovered a whole series of findings, which I omit for the sake of brevity, and that led us to evaluate the fact that these evidential results were compatible with a matrix and therefore with principals certainly within the Mafia, as well as to other obviously external principals.

So, I would say this evaluation

## COMMISSION

GIAN	15/1
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

(FALCONE continues). So, I would say that this evaluation, which may or may not be shared, in my opinion is the only evaluation (which I believe to be well founded) that can explain this type of intermingling. One thing is certain: all the characters, the really important ones, without whom a Mafia murder of that calibre could not have taken place in Palermo, in the area of Francesco Madonia (let's not forget this), none of these characters has been recognized, but not in the sense that they were not recognized by the widow Mattarella but in the sense that it was certainly ruled out that these characters could be involved in the execution of the murder. This is an absolutely incontrovertible fact. Conversely, we have almost certain confirmation with respect to these defendants; we are faced with a modus operandi that they are very similar, in some cases even identical, to those of these characters; however, I do not want to dwell on this aspect because it is all written in that document.

**COMMISSION**

GIAN	15/2
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

PALMERI. It seems to me that too much is being said here about the merits of an investigation, and this is in contrast with the spirit of the session. It is absolutely not permissible that I can still follow this meeting talking about this or that. It must be said that there were so many elements, clues and leads that forced the judges to reflect. There is a judge who has to decide, and this judge is no longer the one who wrote this report. We will carry on and see what needs to be done.

AZZARO. Precisely because of what Judge Falcone said, we are saying that it is not appropriate to close the investigation.

PALMERI. Then, the judge who is leading the investigation will take this into account. This is what the judge tells me: that there are so many leads that he is not sure he will be able to close in 24 hours.

Furthermore, I would like to take advantage of this interruption to respond to Senator Corleone, who asked me why Ciancimino's indictment was filed. I am in a position to answer: the progression of the procedural documents in Ciancimino's trial for criminal association ....

## COMMISSION

GIAN	15/3
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

PRESIDENT. Excuse me President Palmeri, now let's close the objection you raised. After Judge Falcone has finished his speech you will be able to give the answer to Senator Corleone.

As regards the merits of your observation, I agree: we must absolutely try to avoid entering into the merits of the investigation. However, it seems to me that the observations made by Senator Cabras and by Mr Azzaro and Mr Lo Porto can only help us to understand how things stand and modestly also those who are solely responsible for conducting the investigation.

**COMMISSION**

GIAN	15/4
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

FALCONE. Mr President, I will try to answer the huge amount of questions that have been addressed to me in a concise manner.

As for the Insalaco murder, I think it is important to note that this proceeding is currently underway before the Public Prosecutor's Office with the new process and that a very important ballistic analysis has been carried out only just now. It should not be surprising that it has only come out now: the ballistic tests (which must be done) must first be carried out according to a certain working hypothesis, but then there are thousands and thousands, which involve a whole series of tasks that take a long time. In the case in question, there is another problem: this ballistic report inevitably coincides and overlaps with many other ballistic reports in progress at the Investigative Office, and this ballistic report indicated (and naturally indicates) the presence of the shells from the experts located in Rome. So there was this difficulty of usability. However, it is important that it was ascertained that the Insalaco murder was committed by people who were certainly involved in the murder of Captain Da Leo, which took place in 1983, shortly before the murder of Rocco Chinnici. The Insalaco murder took place in the territory of Resultano.



## COMMISSION

GIAN	15/5
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

It was found that the gun that was thrown under a car by some of Insalaco's killers is the same gun that killed Captain Da Leo in 1983. All this makes room for an extremely interesting investigative scenario, on which we have quite clear ideas and which will certainly bring profitable results in the immediate future, also because this time we have a whole series of investigations that converge towards the same result for interrelated procedural events.

As regards the problem of public contracts, we have said on several occasions and for years now that it is a crucial point in the anti-Mafia strategy. We have argued this, and the tests and investigations that are now coming, one after the other, to completion and fruition confirm it for us. We have the confirmation of a Mafia system that, as far as large contracts are concerned, and also in small centres for all contracts, manages their execution in full.

MANCINI. Regarding both private companies and state-owned enterprises?

## COMMISSION

GIAN	15/6
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

FALCONE. Yes. In the second case even more.

We then have a problem of influence upstream and therefore in the contract award phase, but above all we have Mafia influence in the execution of the contracts themselves: sub-contracts, supplies, etc. At present, unfortunately or fortunately (things happen all at once), the results of investigations carried out for at least the past two years by the carabinieri of Palermo, with commendable professionalism, are coming to fruition and a picture of the situation is emerging, which I would not hesitate to call worrying. We can consider it quite well established that, at least in western Sicily, there is a single powerhouse definitely of a Mafia nature that directs the award of contracts and above all the execution of the contracts themselves, with inevitable involvement of local administrations both at the level of the bureaucratic structures and at the level of some administrators.

PRESIDENT. Please excuse the interruption, but I wanted to know, a “single powerhouse”, at what level?

FALCONE. Mafia.

PRESIDENT. From a geographical point of view?

## COMMISSION

GOV	16/1
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

FALCONE. It is always the top of the Cosa Nostra.

PRESIDENT. In Western Sicily?

FALCONE. Yes.

We have no difficulty in saying that everything is controlled by Salvatore Riina. The investigations are still ongoing and are being concluded one after the other. The problem will be to manage, with the chronic lack of personnel and resources, with the new code of criminal procedure, this enormous mass of proceedings, each of which would require the full-time work of at least two substitutes.

I think I've answered all the questions, except for the ones on the La Torre and Bonsignore murders.

The Bonsignore murder is the result of a grievance of us collaborators with respect to problems that I believe are common to all public prosecutors and are general in nature. Undoubtedly, we are faced with such an enormous and endless pile of cases that it is impossible to think of dealing with them all together. It is therefore necessary to set priorities and establish who can decide on them. We pointed out all this in a letter addressed to the Anti-Mafia Commission last November, saying, among other things, that undoubtedly there will be some inconveniences, since we will be asked why one investigation was handled rather than another.

## COMMISSION

GOV	16/2
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

Bonsignore's complaint is emblematic of what happened. I can say, with total peace of mind (and we are convinced of this not only in Palermo but in any other district attorney's office in Italy) that such inconveniences will always occur whenever if there is no streamlining and there are no legal instruments to better organise the work in the district attorney's offices.

In the specific case, the colleague to whom the complaint was entrusted, which did not appear to him particularly serious, in his evaluation, right or wrong though it may have been, decided to give precedence to other cases. Only the killing of Bonsignore made it clear that this was not the case. The investigation is therefore underway these days.

CORLEONE. It would be interesting to know if there are a lot of complaints of that kind from civil servants.

FALCONE. The question is a good one, but I am not the one to answer it.

CABRAS. Were there any previous complaints by Bonsignore in relation to episodes of possible administrative corruption?

## COMMISSION

GOV	16/3
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

FALCONE. No, there do not appear to be. There are other events concerning Bonsignore, but not exposed by Bonsignore.

LANZINGER. There is a complaint that was found in Bonsignore's home.

FALCONE. It is an anonymous complaint that had not yet been sent concerning a villa in the province of Trapani that was claimed to be illegal, built on the border with Bonsignore's house.

As for the murder of Insalaco and their involvement in Freemasonry, I believe that the story is not significant at all. Once again, I received an anonymous letter, to which was attached a photocopy of the register sheet of a Palermo Masonic lodge that documented Insalaco's membership. I personally interviewed the manager of the lodge, and it emerged that the story is almost certainly attributable to internal rivalries within the lodge itself, so after Insalaco's murder his membership in the lodge was reported to annoy the leaders of the lodge.

## COMMISSION

GOV	16/4
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

Everyone we interviewed confirmed that Insalaco had signed up because he was friends with one of the members of the lodge, who nevertheless did not attend, so much so that he then went “to sleep” because he was absolutely uninvolved in the activity of the lodge itself.

Finally, I would like to point out that the documentation concerning the transfer of Bonsignore from the Coordination Office to the Local Authorities Office was acquired and that the affair also constitutes an element of investigation in Bonsignore’s murder.

## COMMISSION

GOV	16/5
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

CALVI. I do not intend to enter into the merits of the arguments made by Dr Di Pisa about the real reasons for his exclusion, as he himself claims, from an important investigation into contracts in the Municipality of Palermo, since this is not what interests us at the moment.

Since, today, we should be acquiring the testimony of the former mayor, Orlando, I would like to ask you the following question: in a Finance Police report of 27 January 1988, it is regularly recorded that in the five-colour council and in the six-colour council led by Leoluca Orlando, the procurement system previously developed continued to persist with impunity; that is, the shadow of Ciancimino remained, as also emerges from some conclusions reached by the magistrates who ordered the arrest of Ciancimino himself. All this testifies to a circumstance of an extraordinary, important and disturbing nature: that the procurement system had not changed in any way in the Municipality of Palermo. The investigation has been ongoing since the time of Dr Di Pisa, who, in November 1988, testified before the Commission regarding the importance of the investigation and its possible results.

## COMMISSION

GOV	16/6
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

I would therefore like to understand, in addition to the implications for Ciancimino, what consequences may or will arise in the relationship between the Mafia and the institutions and what responsibilities may emerge in relation to the councils led by Leoluca Orlando, both the five-colour and the six-colour council.

This is important



**COMMISSION**

ANTIMAFIA of 22/6/90

IAN	17/1
-----	------

Palermo

-----

(CALVI continues). This is important to understand both the continuity and the political implications of the responsibilities of the Orlando council on the public contracts issue. We would like some more information because today is the important hearing of the former mayor Orlando.

PRESIDENT. Our investigation concerns the application of the law approved for Palermo, whether the application of this law has resulted in more transparency or whether it has caused Mafia pollution in public contracts to continue.

AZZARA'. In addition to the things said by Senator Calvi, I refer to one of his statements according to which in 1986 Vaselli had already been suspected of a crime. Therefore, a trial had already begun for receiving stolen goods for ICES.

FALCONE. Not for the ICES but for receiving Ciancimino's funds, meaning money owned by Ciancimino.

AZZARA'. Did Vaselli only have Ices or other companies as well?

FALCONE. Vaselli has many companies.

## COMMISSION

IAN	17/2
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

AZZARA'. So, the companies headed by Vaselli were operating on behalf of Ciancimino?

FALCONE. This did not come out. I just wanted to clarify the assumptions of your question.

AZZARA'. The fundamental point, from what I understood, is that in 1986 Vaselli was indicted for the crime of receiving stolen goods in favour of Ciancimino. Having established this fact, the municipal administration of Palermo was somehow put in a position to know about this relationship existing between Ciancimino and Vaselli and, despite this, the companies that were headed by Vaselli were still able to be awarded contracts or concessions?

BARGONE. Dr Falcone referred to a single powerhouse in western Sicily that controls the awarding of contracts and their execution. He also spoke of the involvement of local authorities from a bureaucratic and political point of view.

I ask this question: how would this powerhouse work? Through the establishment of companies? Through direct relationships between these administrations and political representatives? Through an organic relationship with the bureaucratic systems?

## COMMISSION

IAN	17/3
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

This is important, because speaking of a single powerhouse means, in effect, that all the entrepreneurs interested in these contracts would be in some way subordinated to the choices of this single powerhouse.

Regarding this affair, it has been said that a large mass of documentation, elements and data has arrived at the offices: I wanted to ask Dr Falcone, precisely due to the serious hardship under which they operate due to the lack of resources and tools, if - precisely in order to address all issues in a more adequate and incisive way - there is no need to strengthen the offices so that these issues can be dealt with more adequately.

## COMMISSION

IAN	17/4
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

-----

FALCONE. We have been asking in vain for a long time to expand the offices. In response, we have a project to assign a certain number of judicial auditors that does not include any magistrate being assigned to the Palermo Public Prosecutor's Office. We always ask for it and even now, here, we have no issue reconfirming this need. Now, to avoid any misunderstanding, I would like to clarify that when I speak of a single powerhouse, I wouldn't want this to be interpreted in a literal and simple, if not simplistic and reductive, way: single powerhouse means that we can trace back ad unum an entire series of events that must be part of an overall design or plan. The reality, unfortunately, is much more nuanced and complex than we would like. However, it is now certain that there is a head that directs and coordinates the assignments and executions, that is, the whole matter. Even in the award phase, it is not necessary to directly involve the entity that has to make the tender; very often a system is sufficient for which the conditions of participation are organised, and all this can be separated, to a certain extent, from the involvement, connivance or collusion of the officials in charge of the tenders.

However, I cannot give more details because this is an investigation that is about to be concluded in the coming months, indeed, if possible, in the coming weeks. So I think that it is too delicate to talk about now with regard to these mechanisms.

## COMMISSION

IAN	17/5
-----	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

PRESIDENT. A few more brief questions from Mr Lanzinger and Senator Vetere, because it seems appropriate for many reasons - to close this meeting.

LANZINGER. The procurement system, of course, obviously involves very serious risk exposure, both in the award phase and in the execution phase, etc. My question is this: in your opinion and in the opinion of the magistrates who dealt with the tenders, what are the most relevant gaps that the law allows that could be immediately resolved through legislative intervention, or is the deficiency above all in the enforcement, technical and control mechanisms? I am referring above to all to controls on local authorities.

VETERE. The question is this: In an interview with "Corriere della Sera" in 1982, Finocchiaro said: "Last September we met with the Costanzos, the Rendos and the Gracis. We were all in the Rendo Business Centre building. We made an iron pact. We would leave works worth one or two billion to the little ones, so they too can grow or at least live. We'll take care of the rest". Have you considered this statement or done something more?

FALCONE. I believe that Finocchiaro is forgetting the Mafia variable

**COMMISSION**

ANTIMAFIA 22/6/1990

VEN	18/1
-----	------

-----

FALCONE. I think Finocchiaro is forgetting the Mafia variable. The Costanzos, Pasquales and Carmelos made very long statements that I would like to point out to this Commission so that it can understand what it means for a large company to operate in Sicily, regardless of any responsibility or evaluation of the personality of the Costanzos. If you do not understand the reality of Sicily and certain areas of Southern Italy, you will never be able to do anything but make vague, generic speeches.

Costanzo was the first big Sicilian entrepreneur who widely admitted the entirety of the Mafia's coercion of him: the importance of this statement has not yet been grasped, regardless of judgements of Costanzo from a criminal point of view. And these voices are also starting to come from outside of entrepreneurship; Finocchiaro's statement fits precisely in this context, except it ignores what is upstream. The difference is that Finocchiaro is alive and would like to continue to be.

Regarding the question asked by Mr Lanzinger, any legislation can be perfected in the direction of transparency, but if we believe we can solve the problem - in my opinion - through a better regulatory instrument than the one adopted in the past, we will not solve the problem. In my opinion, the problem can be facilitated by the regulatory instrument but not solved.

## COMMISSION

VEN	18/2
-----	------

---

A few days ago, talking to an entrepreneur, I heard that some measures have already been identified to circumvent the latest regulations approved on the subject. This is the subject that, in practice, is the most susceptible to circumvention of the many we have to deal with. By this, I absolutely do not want to demean the importance of controls, but it would be naive to think that they can have the miraculous effects of regulatory changes.

## COMMISSION

VEN	18/3
-----	------

---

MANCINI. Apart from the merits, the proposal put forward by Nicolosi evidently takes into account these evaluations of his in relation to the Sicilian reality, yet among the various regulations, those governing tenders are almost never observed. Moreover, ENEL has its own regulations, as do SIP and IRI, all regulations that are inconsistent with the European regulations and with the Rognoni-La Torre law.

FALCONE. This is very true.

VIOLANTE. Are certain individuals permanent members of the provincial control commission of Palermo, to an excessive extent?

Certainly the legislation cannot solve all the problems, but it is equally true that controls carried out in this way solve even less.

FERRARA. I would like to hear your view on the contracts that have affected not only local administrations but also the large entities (ENEL, SIP, etc.), as well as on the problem of cooperatives.



## COMMISSION

VEN	18/4
-----	------

---

LO PORTO. According to one interpretation, contracts are defined by a Mafia business committee; considering that very often works contracts are awarded by non-Sicilian companies (and, among other things, they are always the same), I would like to know if you believe that this business committee is based in Palermo or is it national and therefore located in Rome or Milan?

If it is a local phenomenon, why are interests involved that have a headquarters outside of Sicily?

## COMMISSION

VEN	18/5
-----	------

---

FALCONE. On the problem of the single powerhouse or the business committee, I thought I was clear: there is an islander Mafia head that controls the regulation of public procurement; all the rest is extremely nuanced and complex and under investigation, so it will come out a little at a time.

Trying to establish

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/1
-----	------

-----

(FALCONE continues). It seems to me that trying to establish whether this business committee is local or national runs counter to the assumptions of reasoning, that is, the territoriality of the Mafia organisation, which controls the public works carried out in the area.

LO PORTO. Not the award?

FALCONE. Some works are awarded elsewhere. The problem will be fully clarified, but I cannot do it completely at this time because I do not think it is appropriate. But the point is always the same: the prerequisite for the intervention of the Mafia organisation lies in the control of the territory.

CORLEONE. Not the profits?

FALCONE. This is the reason for the intervention, but the prerequisite is control; otherwise, there would be no possibility of intervening. Any company, Italian or even foreign, operating in these areas is certainly subject to the same problems: that's for sure.

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/2
-----	------

---

As for what Senator Calvi said, I believe that we should not say anything else other than that in our opinion - supported by the decisions of the judge for the preliminary investigations - elements of responsibility have emerged against certain officials of the public administration and certain entrepreneurs. Everything else, in my opinion, should not be evaluated by the magistrate. Political evaluation is up to you, not to us, just as it is not up to us, if not as private citizens, to establish whether and to what extent Mr Nicolosi's proposal on a centrality of the State's intervention should be accepted.

And it is also very true - as Mr Mancini pointed out, among other things - that there is a whole series of contracts for which there are specific regulations for award that deviate from the general regulations, which creates the possibility - which is almost always implemented - of strong coercion, especially locally.

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/3
-----	------

---

If so, clearly all this concerns any entrepreneur who operates in certain areas,  
be it a natural person, a cooperative or State-owned entity.

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/4
-----	------

-----

PALMERI. I would like to answer Senator Corleone's question. The proceedings against Ciancimino, accused of criminal association for Mafia purposes and other crimes, have already been filed for the first time, pursuant to Article 369 of the code of criminal procedure, on 7 November 1988. The public prosecutor's written indictment was filed in acceptable terms on 12 January 1989. The decision of the examining magistrate to file the documents was then made, pursuant to Article 372 of the code of criminal procedure (which is different from the previously mentioned filing); then, after the filing notices, the lawyers asked for an extension of the term, granted until 31 March 1989.

At this point, the examining magistrate could have drawn the conclusions, except for a well known event that occurred. In this trial, in addition to Ciancimino and Vaselli, Rosario Spatola is also accused. He was arrested in the United States on 8 May 1989. Then a letter rogatory was sent to the United States on 25 August. The public prosecutor drafted a new brief for the indictment on the basis of this news on 8 September. The documents were filed for the second time on the same day, 8 September 1989. The filing notices were delivered on 28 September 1989.

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/5
-----	------

---

At this point, the new code of criminal procedure came into force, the number of examining magistrates was reduced and the trial was assigned by Dr Falcone to Dr Guarnotta.

There was a further extraction order of documents from the 1817 trial (which is the collective trial), acquired at this new trial. Following this extract and the related acquisition, a new filing of the documents was necessary, with a new brief from the public prosecutor (who was persistent in the conclusions) and therefore with a new filing pursuant to Article 372 of the code of criminal procedure.

Basically, the process of the procedural deadlines ended in December 1989.

As I have already said, my colleague Guarnotta is preparing the final order on the trial.

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/6
-----	------

---

However, I must say that I have assigned 83 trials to him from October 1989 to today and he has decided 61: therefore, he has 22 ongoing. Of these, the acts have already been filed by the public prosecutor for 6 trials. But in most cases they are all complex trials, including number 1817, which still has more than 160 defendants, and the trial against Antonino di Cristina, who is accused of criminal association and drug trafficking. Therefore, I believe that the fact that Dr Guarnotta, from February until now, has not been able to draw up this ruling or indictment order is acceptable.

I communicate this information to you for your evaluation.



**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/7
-----	------

-----

GUARNOTTA. I would like to respond to Senator Vetere about the trial I am dealing with, on the murder of Pio La Torre and his driver, Di Salvo. In the period from 25 October 1984 (when the trial was assigned to me) to 25 October 1989 (date of entry into force of the new code of criminal procedure), allegedly five years passed without anything having been done: this is not correct.

As my colleague Falcone has already said, first of all it must be said that at the beginning the trial was prepared by my late colleague Chinnici, on whose death it passed to the deputy councillor Motisi and to the examining magistrate of the first section, Miciché, who signed the first arrest warrant issued against some members of the commission, because in the meantime the statements of Buscetta and then of Contorno had been collected. There was then a second arrest warrant, signed by the two magistrates and by councillor Caponetto. (who in the meantime had taken over the office): arrest warrant summarising the previous one with the addition of other defendants.

**COMMISSION**

ANTIMAFIA 22/6/1990

PAR	19/8
-----	------

---

At that time, the trial although formally joined to the trial that had not yet been identified as trial no. 1817 (as it would become after that), was formally assigned to us but in reality the investigation was continued by two other colleagues. In the meantime,

PALERMO **COMMISSION** 22/06/1990

MON	20/1
-----	------

-----

(GUARNOTTA continues). In the meantime, forensic and ballistic assessments were carried out in relation above all to the particularity of the weapons used in this murder, and in the meantime - this to answer your question, Senator Vetere - the investigation activity did not suffered any standstills, but did suffer slowdowns attributable physiologically to other preliminary activities carried out by the so-called pool - at that time we were four magistrates - for the drafting between 8 November 1985 and the month of July 1987 of three ruling-orders with which the positions of about 1,000 defendants were defined.

Despite this, the investigation of the trial continued with the hearing of witnesses until March of this year, when I heard our last collaborator, that is Marino Mannoia Francesco, who made his statements regarding the motive and, as far as he knew, the material perpetrators of the murder.

Since I am still stuck with the old code of criminal procedure, it is clear that, with regard to these positions, the Public Prosecutor's Office will deal with it, and I sent them a copy of the statements, which, however, had already been collected independently when my colleague Falcone was still part of the Investigative Office.

## COMMISSION

MON	20/2
-----	------

---

As regards the meeting in Rome, I must specify that according to my knowledge of the proceedings, this meeting would have taken place in Taormina between Christmas 1981 and New Year's Eve 1982, according to the statements made by a witness, who was allegedly told this by La Torre in March 1989.

CABRAS. Before the controversy that came from it?

GUARNOTTA. Sorry, I read the newspapers that talked about documents or papers. I would immediately like to point out that the widow of La Torre, Mrs Zacco, was heard by the councillor Chinnici for the first time about a year after the murder of her husband in his Roman home; Mrs Zacco reported that she had had several interviews with the councillor and that some of these interviews were allegedly recorded by the latter, but there is no trace of this in the procedural documents.

On that occasion, Mrs Zacco said she had her husband's papers and that she had not been able to review them because they were very numerous; it does not appear that these papers have been seized and examined by the councillor, nor that he has adopted any provision in this regard.

**COMMISSION**

MON	20/3
-----	------

---

We therefore spoke only of these documents, which were then seized by my colleague Falcone, who gave a copy to my colleague Ayala, but at a later time, because this happened in June 1986.

## COMMISSION

MON	20/4
-----	------

-----

NATOLI. As for the Mattarella and Reina trials, much of their history up to 1986 has already been summarised by my colleague Guarnotta. These trials up to that date had basically been investigated according to the normal routine, and a whole series of expert reports were carried out, which were also routine.

Conversely, as regards the Mattarella trial, after Buscetta and Contorno made their statements, arrest warrants were issued against the Commission, but the statements, which were then incorporated into the issuance of the last arrest warrant, which dates back to the month of October 1989, which are those made by Cristiano Fioravanti, began to be collected only from March 1986.

Therefore, it is from that date that, with all the details that were provided by my colleague Falcone, we must begin to calculate the operating times of this trial.

As far as Reina is concerned, it can be said that, even less than was the case for Mattarella, apart from the general context in which the preliminary investigation of this trial evidently took place, in July 1988, Reina's widow presented herself to my colleague Falcone to make statements, which were subsequently developed recently, as was anticipated, and as a result of which my office is awaiting the requests and assessments of the Public Prosecutor.

Therefore - and with this I would also like to provide an answer to the initial question put forward by the President - for this process the completion

## COMMISSION

MON	20/5
-----	------

---

times cannot be anticipated except as currently established by law, namely October 24th of next year.

Among other things, again for the Reina murder, we are awaiting the filing of a ballistic report which has not been substantially delayed due to the culpable negligence of the experts, but which is part of that comparative report that includes approximately one thousand findings and which evidently entailed general delays.

## COMMISSION

MON	20/6
-----	------

---

MANCINI. Doctor Falcone, why do you exclude the crime of General Dalla Chiesa from the context of the other political crimes - for example Mattarella and Reina - which took place before it?

LO PORTO. I don't want one of my questions about the relationship between Pellegriti and Inspector Mancuso to be forgotten.



## COMMISSION

MON	20/7
-----	------

---

FALCONE. Regarding these contacts between Inspector Mancuso and Pellegriti, I don't think you should turn to me, but to those who authorised the incarceration of certain individuals.

For us Pellegriti is not detained, and therefore we do not have to authorise anything to have contacts between Mancuso and Pellegriti.

LO PORTO. But whoever authorised them certainly harms you; and since it can be neither the police chief of Palermo, nor the prefect, nor the Ministry of the Interior, understood as a single person, the judicial structure that has a priority interest in this person can activate particular surveillance channels; I wonder whether or not you have activated them and, if not, whether you plan to activate them.

FALCONE. I would like to know what a prosecutor's office can do to allow or prohibit certain things! The penitentiary system does not provide for anything, except for exclusively clearance by the judicial authority at whose disposal he is detained; and Pellegriti is not at our disposal.

Regarding the question that was put to me by Mr Mancini

## COMMISSION

GIAN	21/1
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

(FALCONE continues). As regards the questions that Mr Mancini asked me, I knew that my clarification would arouse his interest. I believe, and in this case I agree with the late Rocco Chinnici, in the existence of a single thread, which runs from the Reina murder to the La Torre murder, in this whole series of murders, let's call them political Mafia crimes, even if obviously every murder has and cannot fail to have its own specific cause. Therefore, in this context, I find acceptable, and indeed think should be shared, the approach to the work that still takes these murders into account, which have matured over that period of time, to carry out the investigations.

As for the Dalla Chiesa murder, I believe that this is a very different matter. There is no doubt that there is a general willingness to get rid of any inconvenient individual, and Dalla Chiesa certainly was inconvenient for the Mafia: we wrote about it extensively in the indictment order, and there have been convictions about it. So, all in all, we've discovered some very important murders. However, I don't think it has a causal link that fits into a pre-existing design and that has the local Mafia political framework as its point of reference.

## COMMISSION

GIAN	21/2
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

This is why I would prefer not to deal with the Dalla Chiesa murder jointly with other previous political killings.

## COMMISSION

GIAN	21/3
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

PRESIDENT. Ladies and gentlemen, we can conclude this meeting. First of all, I would like to express my heartfelt thanks to the judges present here for their availability. I believe that this meeting was frank both on our part and of course on your part, within the limits in which this meeting was convened, that is, with our absolute respect for the secrecy of the investigation, the independence of the judges and the autonomy of the judiciary. However, I would not be speaking truthfully if I told you that all your arguments have convinced me; we will study them within the Commission and therefore I won't express a public assessment.

This meeting was frank: you accepted our direct call for more work, to do everything in your power to move these investigations forward, and this seems to me a positive and important aspect.

With respect to the issues that have been addressed here, you will allow us to carefully evaluate and discuss them within the Commission; we may ask you for another meeting if we deem it appropriate in the course of our work.

Again, my heartfelt thanks, and I wish you good luck in your work.

**COMMISSION**

GIAN	21/4
------	------

[STAMP: 22 JUNE 1990]

22 GIU. 1990

---

The doctors Palmeri, Pajno, Conti, Giammanco, Falcone, Guarnotta  
and Natoli.