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R 121033Z JUN 92
FM AMEMBASSY ROME
TO SECSTATE WASHDC 8919
DIRFBI WASHDC 0405
DEPT JUSTICE WASHDC
INFO AMEMBASSY OSLO
AMCONSUL MILAN
AMCONSUL NAPLES
AMCONSUL FLORENCE
AMCONSUL GENOA
AMCONSUL PALERMO

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C O N F I D E N T I A L SECTION 01 OF 02 ROME 10367

DOJ FOR DREW ARENA
OSLO FOR POL (NOLAN)

E.O. 12356:DECL: OADR
TAGS: SOCI, PGOV, IT
SUBJECT: MEETING OF FBI DIRECTOR AND AMBASSADOR WITH
JUSTICE MINISTER MARTELLI; INTERIOR MINISTER SAYS
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GOVERNMENT WILL PERSIST IN ANTI-MAFIA EFFORT

REF(S): A) ROME 9220 B) ROME 10233

- 1. CONFIDENTIAL - ENTIRE TEXT.
- 2. ON JUNE 8, VISITING FBI DIRECTOR WILLIAM SESSIONS
AND AMBASSADOR SECCHIA MET WITH JUSTICE MINISTER

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CLAUDIO MARTELLI. THEIR HOUR-LONG DISCUSSION CENTERED ON THE ASSASSINATION OF JUDGE GIOVANNI FALCONE (REFTEL A), HIS CONTRIBUTION TO JOINT EFFORTS AGAINST THE MAFIA, AND THE FUTURE OF U.S.-ITALIAN COOPERATION. MARTELLI EXPRESSED HIS GRATITUDE AND APPRECIATION FOR U.S. ASSISTANCE AND PRAISED BILATERAL SUPPORT AND COOPERATION IN THIS AREA. WHEN THE DIRECTOR TOLD MARTELLI THAT THE BUREAU WOULD LIKE TO INSTALL AT THE FBI ACADEMY AT QUANTICO, VIRGINIA, A BRONZE PLAQUE COMMEMORATING FALCONE'S IMPORTANT CONTRIBUTION TO THE COMMON FIGHT AGAINST ORGANIZED CRIME, MARTELLI SAID HE APPROVED OF THE GESTURE AND WOULD BE PLEASED TO ATTEND DEDICATION CEREMONIES.

3. MARTELLI ALSO INFORMED THE DIRECTOR AND THE AMBASSADOR OF THE DECREE LAWS JUST ENACTED THAT DAY TO AID ITALIAN AUTHORITIES IN THE FIGHT AGAINST ORGANIZED CRIME. IN ADDITION TO THE PROVISIONS NOTED IN REFTEL B, MARTELLI RELATED THAT THE NEW LAWS ALLOW FOR ATTACKING THE MAFIA AS AN ENTERPRISE, UNDER CIVIL PROCEEDING, TO SEQUESTER THE ASSETS OF THE ORGANIZATION, IN MUCH THE SAME MANNER IN WHICH U.S. AUTHORITIES PROSECUTE UNDER THE CIVIL RICO STATUTE.

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ANOTHER PROVISION WOULD PERMIT THE SEQUESTERING OF THE MOST DANGEROUS MAFIA BOSSES ON AN UNSPECIFIED ISLAND IN A STATE OF ENFORCED EXILE THAT WOULD ENABLE BETTER CONTROL AND MONITORING OF THEIR ACTIVITIES. IN LINE WITH THE NEW MEASURES, ITALIAN AUTHORITIES WERE PREPARING FOR ROUND-UPS OF MAFIOSI WHO WERE CURRENTLY UNDER SOME FORM OF PROVISIONAL LIBERTY AND THOSE WHO WERE CANDIDATES FOR ISOLATED DETENTION.

4. WITH REGARD TO THE FALCONE INVESTIGATION ITSELF, DIRECTOR SESSIONS EXPRESSED THE FULL AND CONTINUING SUPPORT OF THE FBI AND BRIEFED MARTELLI ON ACTIONS CURRENTLY UNDER WAY BY THE FBI IN THE U.S. AND ABROAD. THE DIRECTOR RELATED THAT EVERY FIELD DIVISION AND LEGAL ATTACHE OFFICE IS WORKING ON DEVELOPING LEADS, INCLUDING FROM INFORMANTS AND FROM WIRETAP COVERAGE, IN A COORDINATED EFFORT TO ASSIST ITALIAN COUNTERPARTS. THE RESOURCES OF THE FBI LABORATORY IN WASHINGTON, D.C., ARE AVAILABLE TO INVESTIGATORS, THE DIRECTOR EMPHASIZED, BUT IT IS IMPORTANT TO ACT QUICKLY TO CARRY OUT FORENSIC

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ANALYSIS OF EVIDENCE OBTAINED THUS ~~UNCLASSIFIED~~ UNCLASSIFIED
AUTHORITIES FROM THE CRIME SCENE AREA. MARTELLI
EXPLAINED THAT THE DECISION TO PROVIDE TO THE FBI
EVIDENCE FOR ANALYSIS MUST COME FROM THE PROSECUTOR
HANDLING THE CASE.

5. DIRECTOR SESSIONS MENTIONED TO MARTELLI HAVING
BEEN ASKED RECENTLY WHETHER JUDGE FALCONE'S
ASSASSINATION WAS A MAFIA ACT OR AN EPISODE OF
TERRORISM. THE DIRECTOR'S RESPONSE HAD BEEN THAT
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ALTHOUGH HE BELIEVES THE MURDER WAS A MAFIA ACT, HE
FOUND THE MANNER IN WHICH IT WAS CARRIED OUT--CAUSING
DISRUPTION AND DISBELIEF IN THE ITALIAN
GOVERNMENT--SUCH A HEINOUS MOVE THAT IT RESEMBLED A
TERRORIST ATTACK. IN THAT REGARD, THE DIRECTOR TOOK
NOTE OF AND PRAISED THE EXEMPLARY EFFORTS OF JUDGE
FALCONE, MINISTER MARTELLI, AND THE ITALIAN
GOVERNMENT IN BRINGING ABOUT THE EXTRADITION OF
AL-JAWARY.

6. INTERIOR MINISTER SCOTTI, FOR HIS PART, APPEARS
DETERMINED NOT TO LET THE CURRENT HIGH LEVEL OF
PUBLIC AND GOVERNMENT ATTENTION TO THE ANTI-MAFIA
EFFORT SLIP. IN AN EXCLUSIVE INTERVIEW IN THE

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CENTRIST ROMAN DAILY IL MESSAGGERO ON JUNE 11, SCOTTI
EFFECTIVELY ISSUED A CALL TO ARMS AGAINST ORGANIZED
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CRIME, WARNING THAT ITALY MUST PREPARE
PSYCHOLOGICALLY FOR POSSIBLE NEW MAFIA ATTACKS AND
THAT THE WAR ON THE MAFIA CANNOT BE WON BY DELEGATING
RESPONSIBILITY. HE CALLED ON ALL CITIZENS TO SUPPORT
THE POLICE IN THEIR EFFORTS AND BREAK THE WALL OF
SILENCE THAT IS OMERTA, ADMITTING THAT IN CERTAIN
CASES THIS WILL BE A TRUE TEST OF COURAGE. FOR ALL
HIS SUPPORT FOR THE NEW LAWS, SCOTTI ASSERTED THAT
THE LAWS ALONE COUNT FOR LITTLE BECAUSE THE TASK HAS
TWO OBJECTIVES: TO DEFEAT THE MAFIA AS AN
ORGANIZATION BUT ALSO TO DEFEAT THE MAFIA MENTALITY
AND CULTURE.

7. WE WOULD ADD THAT DESPITE THE POTENTIAL HANDICAP

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THE NEW PROVISIONS MAY HAVE AS DECREE LAWS. SCOTTI
THE ITALIAN GOVERNMENT HAS THE AUTHORITY TO REISSUE
THOSE DECREES REPEATEDLY, AND HAS DONE SO OFTEN IN
THE PAST (SOME OF THE SPECIAL ANTI-TERRORIST MEASURES
INTRODUCED IN THE 1980S WERE DECREE LAWS CONTINUOUSLY
EXTENDED). IN FACT, SCOTTI EXPLAINED TO THE DCM THIS
WEEK THAT UNTIL ONE HOUSE OF PARLIAMENT ADOPTS
CHANGES TO A DECREE LAW, IT CAN BE RENEWED IN TOTO
WITHOUT ANY ALTERATION, AND THAT SCOTTI WANTS TO SEE
THESE LATEST PROVISIONS REMAIN IN FORCE. SECCHIA

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