

UNCLASSIFIED

PAGE 01 ROME 18240 041427Z
ACTION EUR-00

INFO LOG-00 ADS-00 INR-10 CIAE-00 DODE-00 NSAE-00 SSO-00
L-03 TRSE-00 PA-02 INM-07 INRE-00 USIE-00 DEAE-00
FBIE-00 SP-02 PRS-01 DS-01 DSE-00 /026 W
-----147645 041435Z /44

O 041423Z AUG 88
FM AMEMBASSY ROME
TO SECSTATE WASHDC IMMEDIATE 2789
INFO AMCONSUL MILAN
AMCONSUL NAPLES
AMCONSUL FLORENCE POUCH
AMCONSUL GENOA POUCH
AMCONSUL PALERMO
DEPT JUSTICE WASHDC

RELEASED IN FULL

UNCLAS ROME 18240

JUSTICE FOR ATTORNEY-GENERAL'S OFFICE, OFFICE OF THE
ASSOCIATE ATTORNEY-GENERAL, OFFICE OF INTERNATIONAL
AFFAIRS MOLLY WARLOW

E.O. 12356: N/A
TAGS: PGOV, SNAR, PREL, IT, US
SUBJECT: UPDATE ON THE PALERMO MAGISTRATES
CONTROVERSY: THE STATE OF PLAY IN ROME ON
AUGUST 4

REF: (A) ROME 18146 (B) PALERMO 653

1. SUMMARY: THE PALERMO MAGISTRATES CONTROVERSY
CONTINUES TO RECEIVE EXTENSIVE COVERAGE IN THE ITALIAN
MEDIA ON AUGUST 4. THE PRESS REVEALS ADDITIONAL
DETAILS OF THE DELIBERATIONS OF THE SUPREME COUNCIL OF
THE MAGISTRACY (CSM) ANTI-MAFIA COMMITTEE, WHICH
CONFIRM THAT THE DEBATE TOOK ON PARTISAN OVERTONES. A
REPRESENTATIVE OF THE CSM WILL EXPLAIN THE ANTI-MAFIA
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 ROME 18240 041427Z

COMMITTEE'S FINDINGS TODAY TO PRESIDENT COSSIGA. THE
LEADERS OF THE FIVE COALITION PARTIES WILL CONSIDER
THE MATTER WHEN THEY MEET TODAY, AND JUSTICE MINISTER
VASSALLI WILL GIVE THE GOVERNMENT'S VIEWS ON THE

AFFAIR IN AN APPEARANCE BEFORE THE SENATE. END
SUMMARY.

UNCLASSIFIED

2. WITH THE SUMMER DOLDRUMS ALREADY HAVING SET IN ON OTHER FRONTS, THE ITALIAN MEDIA ARE DEVOTING EXTENSIVE COVERAGE TO DEVELOPMENTS IN THE PALERMO MAGISTRATES CONTROVERSY (REFTELS). THE PRESS ON AUGUST 4 CARRIES MORE DETAILS OF YESTERDAY'S DELIBERATIONS IN THE ANTI-MAFIA COMMITTEE OF THE SUPREME COUNCIL OF THE MAGISTRACY (CSM). IT REVEALS, FOR EXAMPLE, THAT THE REPORT ADOPTED BY THE MAJORITY OF COMMITTEE MEMBERS FINDS BASELESS THE CHARGES ORIGINALLY MADE BY MARSALA MAGISTRATE BORSELLINO IN THE LETTER TO PRESIDENT COSSIGA WHICH TOUCHED OFF THIS ROW. THE REPORT ALSO FINDS NO FAULT WITH THE ADMINISTRATION OF THE PALERMO OFFICE OF INSTRUCTION. IT CONCLUDES WITH THE OBSERVATION THAT INVESTIGATING MAGISTRATE GIOVANNI FALCONE AND THE OTHER MAGISTRATES IN THE ANTI-MAFIA "POOL" HAVE BEEN DOING A GOOD JOB AND ASKS THEM TO CARRY ON.

3. TODAY'S REPORTING DOES MAKE CLEAR THAT THE CSM SPLIT ALONG PARTISAN LINES IN CONSIDERING THE PALERMO CONTROVERSY. THE REPORT EVENTUALLY ADOPTED WAS BACKED BY REPRESENTATIVES OF THE CONSERVATIVE TO MIDDLE-OF-THE-ROAD MAGISTRACY FACTIONS, "UNION FOR THE CONSTITUTION" AND "INDEPENDENT MAGISTRACY." LAY CSM MEMBERS ASSOCIATED WITH THE CHRISTIAN DEMOCRATS (DC) ALSO VOTED WITH THE MAJORITY. ARRAYED AGAINST THE

UNCLASSIFIED

PAGE 03 ROME 18240 041427Z

MAJORITY WERE REPRESENTATIVES OF THE LEFTIST MAGISTRACY FACTION, "DEMOCRATIC MAGISTRACY," AND LAY MEMBERS ASSOCIATED WITH THE SOCIALISTS, COMMUNISTS, AND GREENS. (COMMENT: THE CSM CONTAINS TEN MEMBERS ELECTED BY PARLIAMENT WHO ARE NOT JUDGES AND SO ARE CALLED LAY MEMBERS. IN PRACTICE THESE TEN POSITIONS HAVE BEEN SHARED OUT AMONG THE POLITICAL PARTIES ROUGHLY ACCORDING TO THEIR STRENGTH IN PARLIAMENT).

4. NOW THAT THE CS1 ANTI-MAFIA COMMITTEE HAS SPOKEN IT IS TIME FOR THE OTHER ACTORS IN THIS DRAMA TO TAKE ACCOUNT OF ITS FINDINGS. CSM VICE-PRESIDENT MIRABELLI WILL BRIEF PRESIDENT COSSIGA ON THE ANTI-MAFIA COMMITTEE'S DELIBERATIONS TODAY. THE LEADERS OF THE COALITION PARTIES WILL DISCUSS THE MATTER IN A MEETING

UNCLASSIFIED

WITH PRIME MINISTER (AND SECRETARY OF THE DC) CIRIACO DE MITA. JUSTICE MINISTER VASSALLI WILL ALSO BRIEF THE SENATE ON THE SITUATION IN PALERMO.

UNCLASSIFIED

5. COMMENT: WE HAVE OBVIOUSLY YET TO HEAR WHAT PRESIDENT COSSIGA, THE PARTY LEADERS, AND JUSTICE MINISTER VASSALLI WILL SAY. THE MOST IMPORTANT THING, HOWEVER, MAY BE THE REACTION IN PALERMO. AS ONE OBSERVER HAS POINTED OUT, THE CSM ANTI-MAFIA COMMITTEE'S REPORT DOES NOT CRITICIZE THE TWO PRINCIPAL ANTAGONISTS, CHIEF PALERMO INVESTIGATING MAGISTRATE MELI AND HIS JUNIOR, GIOVANNI FALCONE, BUT RATHER URGES THEM TO CARRY ON. WHETHER AND HOW THEY DECIDE TO DO THAT WILL LARGELY DETERMINE THE EFFECTIVENESS OF THE ANTI-MAFIA EFFORT IN SICILY.
RABB

UNCLASSIFIED

NNNN

UNCLASSIFIED