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ACTION EUR-01

INFO LOG-00 ADS-00 INR-05 SS-01 CIAE-00 DODE-00 H-01
NSCE-00 NSAE-00 L-03 PA-02 INM-01 INRE-00 USIE-00
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R 220712Z MAY 90
FM AMEMBASSY ROME
TO SECSTATE WASHDC 8860
INFO DEPT JUSTICE WASHDC
DIRFBI WASHDC
DEA HQS WASHDC
AMCONSUL PALERMO POUCH
AMCONSUL FLORENCE
AMCONSUL GENOA
AMCONSUL MILAN
AMCONSUL NAPLES

RELEASED IN FULL

UNCLAS ROME 09876

E.O. 12356: DECL:OADR
TAGS: SOCI, PGOV, IT
SUBJECT: PRESIDENT COSSIGA INTERVENES AFTER EX-PALERMO
-- MAYOR CHARGES POLITICAL MURDER CASES ARE BEING
-- "BURIED"

1. PRESIDENT FRANCESCO COSSIGA HAS DECIDED PERSONALLY TO
LOOK INTO CHARGES AIRD BY EX-PALERMO MAYOR LEOLUCA
ORLANDO THAT THE SICILIAN MAGISTRACY HAS HALTED
INVESTIGATIONS OF A SERIES OF MAFIA MURDERS DURING THE
1980S OF LOCAL POLITICIANS AND OFFICIALS. OVER THE
WEEKEND, COSSIGA SUMMONED A NUMBER OF HIGH-LEVEL SICILIAN
JUDGES TO MEET WITH HIM IN ROME ON MAY 23. A STATEMENT
FROM THE QUIRINALE PALACE SAID THAT COSSIGA'S INTENTION
IS TO CLARIFY THE SITUATION IN SICILY AND PROTECT THE
INTEGRITY OF THE JUDICIAL INSTITUTIONS.

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2. COSSIGA ACTED AFTER WATCHING ORLANDO MAKE HIS CHARGES
ON A NATIONAL TELEVISION PROGRAM. ORLANDO MAINTAINED
THAT THE AUTHORITIES HAD STOPPED PURSUING THE MURDER
CASES OF A NUMBER OF SICILIAN POLITICAL FIGURES,

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INCLUDING THE KILLING, IN JANUARY 1980, OF REGIONAL PRESIDENT PIERSANTI MATTARELLA. ORLANDO FURTHER CHARGED THAT SUFFICIENT EVIDENCE TO PROSECUTE THESE CASES EXISTED BUT WAS BURIED IN THE FILES OF SICILIAN COURTHOUSES. COSSIGA REPORTEDLY CONSULTED WITH PRIME MINISTER ANDREOTTI, AND THE JUSTICE AND INTERIOR MINISTERS, BEFORE CALLING THE MAY 23 MEETING AT THE QUIRINALE PALACE. ATTENDING THAT MEETING WILL BE TOP-RANKING JUDGES FROM PALERMO, CALTANISSETTA, MESSINA AND CATANIA.

3. THE MEDIA IS CALLING COSSIGA'S ACTION "UNPRECEDENTED," NOTING THAT THE ITALIAN CONSTITUTION NEITHER PROVIDES FOR NOR PROHIBITS THE COURSE HE HAS TAKEN. SOME AT THE SUPERIOR COUNCIL OF MAGISTRATES (CSM), THE BODY CHARGED WITH ADMINISTERING THE ITALIAN MAGISTRACY, ARE GRUMBLING, HOWEVER, OVER THE PRESIDENT'S CHOICE OF THIS "UNIQUE CHANNEL" RATHER THAN INVOLVING THE CSM. BY CONTRAST, A GROUP OF MAGISTRATES FROM THE ANTI-MAFIA POOL, INCLUDING GIOVANNI FALCONE AND GIUSEPPE AYALA, HAS WELCOMED COSSIGA'S INTERVENTION, EXPRESSING CONFIDENCE THAT HIS INQUIRY WILL CONFIRM THAT THE CASES HAVE BEEN PROPERLY HANDLED.

4. IN INTERVIEWS, FALCONE TOOK AN EVEN STRONGER POSITION, IN ESSENCE ACCUSING ORLANDO OF USING THE JUDICIAL SYSTEM TO PLAY POLITICS. HE SAID ORLANDO WAS MAKING INSINUATIONS AND TALKING NONSENSE, AND HE DENIED THAT THE INVESTIGATIONS OF THE CASES HAD BEEN STOPPED. HE CHALLENGED ORLANDO TO NAME NAMES.

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5. COMMENT. ORLANDO WAS NOT EXPLICIT ABOUT WHY THE MAGISTRATES WOULD WANT TO SUPPRESS INFORMATION AND HALT PROGRESS ON THE CASES. HIS IMPLICATION WAS THAT THEY ARE NOT MOVING AHEAD BECAUSE OF PRESSURE BEING BROUGHT TO BEAR ON THEM -- BUT HE DID NOT SAY BY WHOM. TAKEN TOGETHER WITH SOME OF HIS PREVIOUS STATEMENTS ABOUT COLLUSION BETWEEN POLITICIANS AND THE MAFIA, THE FURTHER IMPLICATION IS THAT THE MAGISTRATES ARE BEING PRESSURED BECAUSE PURSUIT OF THE CASES WOULD POINT TO THE INVOLVEMENT OF LOCAL AND PERHAPS EVEN NATIONAL POLITICAL FIGURES.

6. ORLANDO'S COMMENTS ON TV COMPLEMENT THOSE FREQUENTLY MADE BY HIS COMMUNIST PARTY (PCI) ALLIES IN PALERMO WHO

HAVE LONG MAINTAINED THAT MANY CHRISTIAN DEMOCRATIC (DC) OFFICIALS IN THE SOUTH ARE DIRECTLY OR INDIRECTLY ASSOCIATED WITH ORGANIZED CRIME. MOST RECENTLY, DURING THE ADMINISTRATIVE ELECTIONS EARLIER THIS MONTH, THE PCI CHARGED THAT SOME DC CANDIDATES HAD MAFIA CONNECTIONS.

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7. COSSIGA'S APPARENT EFFORT TO BOLSTER PUBLIC FAITH IN THE JUDICIAL SYSTEM COMES AT A TIME WHEN THE GOVERNMENT, AND PARTICULARLY INTERIOR MINISTER ANTONIO GAVA, ARE UNDER ATTACK FOR THE CONDUCT OF THE FIGHT AGAINST ORGANIZED CRIME. GAVA WAS PRESSED TO DEFEND HIMSELF DURING A VIGOROUS INTERPELLATION IN PARLIAMENT LAST WEEK. HE DENIED THAT THERE WAS LARGE-SCALE OR SYSTEMATIC COLLUSION BETWEEN POLITICIANS AND THE MAFIA, ALTHOUGH INDIVIDUAL CASES OF CORRUPTION COULD NOT BE RULED OUT. HE REJECTED A PCI CALL FOR HIS RESIGNATION.
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