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M. V. ... 28/12

D S Keeling Esq
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LAST PAPER

Your reference

Our reference	was 014/2.
Date	27 DEC 1979

PA

28 December 1979

Dear David,

ITALIAN POLITICAL SITUATION: ANTI-TERRORIST MEASURES

- In the face of a general deterioration of the security situation over the last few weeks the government introduced this weekend, as reported in para 8 of our Saving telno 19, ⁽¹⁰³⁾ a package of new anti-terrorist measures.
- Most of these measures have been introduced by decree law, which means that they will have immediate effect from 17 December (their date of publication in the official gazette) subject only to the requirement that they must be approved by Parliament within 60 days. Other measures are being put forward in the form of draft legislation for discussion and approval in Parliament in the normal way. A third category consists of the appointment of new Prefects in Genoa, Milan and Turin, the three Northern cities which have been most affected by terrorism; and the transfer of General Dalla Chiesa, Italy's best-known anti-terrorist operator, to the command of the Northern Division of the Carabinieri. I enclose a note giving further details of all these measures.
- Cossiga has chosen to introduce the bulk of these measures by decree law, without making them an issue of confidence in Parliament. This is probably not so much because he was afraid they might not be accepted in Parliament as for reasons of speed. In fact the reactions of the political parties have been generally favourable. The Christian Democrats, Social Democrats, Liberals and Republicans have all welcomed the measures. Some Socialists have expressed doubts about their effectiveness, though it is not thought likely that the party as a whole will seek to block them. There have also been the usual protests from the Radicals and other far-left groups, who can always be counted on to oppose increased security measures, and some sniping from the extreme right (MSI) on the grounds that the measures do not go far enough. The Communists have not so far expressed a view. But the PCI President of the Chamber of Deputies, Nilde Iotti, speaking at a rally in Milan on Saturday to commemorate the 10th anniversary of the Piazza Fontana bomb outrage (in which 14 people were killed by a bomb planted by right-wing extremists) made clear that she hoped

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that Parliament would rapidly approve the new decrees.

4. The general feeling among commentators is that the measures do not add up to very much, but are a modest step in the right direction. It is pointed out that increased penalties are only effective if the terrorists can be caught: the onus of catching them remains firmly on the security forces, whose coordination and operational effectiveness still leave much to be desired despite some successes by both the Carabinieri and the police during the past year. On the credit side, however, the new definitions of crimes of terrorism should make it easier to secure convictions once terrorists have been caught; and the increased powers of search and detention may do something to help the security forces in their task.

5. Above all, in political terms, Cossiga has given an impression of prompt and decisive action in a field which, as a former Minister of the Interior, he knows well. In so doing he appears to have won a breathing space for his government among the many difficulties with which it is currently beset.

- Re-introduction of the system of provisional arrest by the police; the arrested *Yours ever,* to be brought before a magistrate within 48 hours; the magistrate may extend the period for a further 48 hours.
- More widespread use of tele *Mark* interception.
- Increased powers of search for the police.
- Establishment of a National Commission for Public Security and of an office for the coordination of police forces under the direction of the Chief of Police. *M E Pellew*
- Bank operations involving payments or withdrawals in cash in excess of 20 million lire to require formal identification of the person effecting the operation.

cc: HM Consul-General, Milan

PROPOSED LEGISLATION

- Attacks against members of the Government, magistrates and the forces of Law and Order to be made a special category of offence.
- The possession of documents and other material connected with terrorism or subversion to be regarded as an offence.
- Incitement to subversion, eg through diffusion of documents inciting to terrorism, to be regarded as an offence.

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NEW ITALIAN ANTI-TERRORIST MEASURES

Decree Laws

- Heavier penalties generally for offences committed "for purposes of terrorism or subversion".
- Life imprisonment for terrorist killings and for the murder of magistrates or members of the police forces.
- Double penalties for terrorist woundings (eg "knee-capping").
- No provisional liberty for those accused of terrorist offences, with a consequent increase in the period of preventive detention.
- Reduced sentences for terrorists who collaborate with the police and give evidence against their accomplices.
- Re-introduction of the system of provisional arrest by the police; the arrested person must be brought before a magistrate within 48 hours; the magistrate may extend the period for a further 48 hours.
- More widespread use of telephone interception.
- Increased powers of search for the police.
- Establishment of a National Committee for Public Security and of an office for the coordination of police forces under the direction of the Chief of Police.
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- Increased penalties for ordinary crime, and greater powers for judges to intervene in cases of kidnapping.
- The Public Prosecutor to be empowered to suspend conditional discharges.
- A Bill to provide for the incorporation of national servicemen as auxiliary policemen in the Public Security forces, and modification of the system of recruiting Public Security officers.

Administrative Appointments

- General Edoardo Palombi (a Carabinieri General) to be Prefect of Genoa - a significant innovation since it is the first time a military officer has ever been made a Prefect.
- Vincenzo Vicari (formerly Prefect of Pavia, Minister Rognoni's home town) to be Prefect of Milan.
- Emanuele De Francesco (formerly Questore, ie chief police officer, of Rome) to be Prefect of Turin - another unusual appointment from outside the Prefectorial Service.
- General Carlo Alberto Dalla Chiesa (formerly Commander of a special anti-terrorist liaison unit) to be Commander of all Carabinieri forces in the North of Italy (about 25,000 men).