

SUMMARY OF QUOTES AND PAGE REFERENCES

Italian prosecutor Dr Enrico Zucca's (& team) investigations into the events, circumstances and indictments surrounding the raid on Diaz-Pertini & Diaz Pascoli on the night of 21st.22nd of July 2001 during the G8 summit, Genoa.

PAGE 1 PARA 2

By the time the magistrates understood the situation and freed those unjustly imprisoned, it was already clear that the versions provided during follow-up questioning had also to be taken into consideration. Many of these accounts were made more powerful as they came from people who were clearly still injured, some of whom still in hospital. These versions told an unequivocal tale of violence inflicted upon defenceless individuals. The glaring contradiction between the account in the police report and the alternative version pieced together from the stories told by those arrested led the magistrates to formulate a charge on the basis of their questioning.

PAGE 2 Para 1

The magistrates' initial conclusions seemed to indicate that a disturbing yet simple answer lay at the heart of this operational debacle carried out so publicly: "the police must have lied". As the criminal investigation progressed and incontrovertible evidence was gathered, this theory became increasingly likely.

Page 3 Para's 3-6

The arrest report of 22 July 2001 sets out the circumstances that led to the decision to search the Diaz School, in accordance with Article 41 of TULPS, how the search was carried out and the outcome of the operation; these were considered as evidence on which to base the charges of those arrested; all the occupants of the building were arrested and charged after being allegedly "caught in the act" of conspiring to commit destruction and looting, as well as the illegal possession of fighting weapons and resisting a public official.

Following an incident a few hours previously in which a police patrol in front of the school building was attacked and showered "with dangerous objects from numerous individuals, very probably part of the Tute Nere", the report laid down the premise that the school building was being used as a "refuge for extremists" within that group. It then went on to describe the development of the raid and the search that followed, highlighting the following key stages:

a) the clear opposition of those within the building to the arrival of the police, trying to prevent the latter from entering by closing the gate and the entrance door, which was then barricaded;

b) the violent response that followed, with "a dense hail of all kinds of objects" aimed at the agents that were about to gain access to the school's entrance hall;

c) the further violent reaction of those present, who, "once the agents were inside, sought to resist by engaging in scuffles with the police and then spreading out throughout the different floors of the building, so as to be able to set up various kinds of ambush" (this was the context in which the attack on agent Massimo Nucera was carried out);

d) the discovery, during the search, of numerous objects considered material or pertinent evidence; the precise ownership of these, however, could not be ascribed to individual occupants of the building due to the fact that "during the agitated period when the agents were entering and the scuffles took place... [the occupants] threw their backpacks in every direction";

e) the material seized (including, significantly, impromptu weapons, items of black clothing, handwritten documents, two Molotov cocktails) was proof that the building had been vital in "providing the necessary logistical support and making the planned conspiracy to commit crimes easier to implement, carried out through crimes of destruction and looting" and that it "was being used for the strategic planning and material creation, by all those present in the building, of tools to be used against the police", of which the Molotov cocktails were a clear example.

Similar circumstances, with the same emphasis and the same formulation, were described in the crime report, which is further supported and analytically referred to in the four other attached reports, as follows: the search report (which only described the objects found in detail, while failing to mention how and where they were found, apart from - significantly - the two Molotov cocktails); the report by Vincenzo Canterini, Commander of the 7th unit of the Rome Flying Squad Division (in particular, referring to the active resistance of those in the building to agents entering, and the violent scuffles, including the use of home-made weapons such as crossbars and sticks); the reports of Agent Nucera and Inspector Panzieri regarding an attack on the agent by an unknown individual armed with a knife.

All the events now appear to be the result of clear manipulation, meaning the Judicial Authority was presented with a description of the operation and its results based on non-existent data; in other words, constructed to deceive. The elements gathered were used as a body of

evidence on which to base the arrest of those in the Diaz School. The arrest should consequently be considered an illegal act, at the centre of the criminal conduct charged in this court.

The number of arrests (93 people) - perhaps unique and certainly exceptional in the history of cases against those caught "in the act" of committing a crime - the size and calibre of the force deployed, and the unusual context of the operation - both in terms of the interests pursued and the sensitive conditions and issues of public order - all combine to make the Diaz Operation particularly significant, which, in itself accounts for the public officials' decision to embark on illegal behaviour.

The lead-up to the operation. The attack on the patrol in Via Battisti.

Page 5 Para's 1-5

The official version in the provided in the records passed to the Judicial Authority and confirmed, or at least not denied, by leading officers and those involved, including the defendants in these proceedings, is still that the decision to search the school was triggered by an attack on a patrol crossing Via Cesare Battisti in front of the two buildings in the Diaz complex. The episode in question, fundamental to statements in the arrest report, is the only prior incident that could logically form the basis of investigative reasoning that weapons were in the building. This conclusion was the only one able to legally justify an emergency operation decided upon autonomously by the investigative police in accordance with measures laid down in TULPS Article 41.

Several aspects stand out when looking at the records and the statements made. Firstly, the apparently disproportionate size of such a substantial, costly and risky police operation compared to such a "small" incident (Small if compared with the serious destruction and looting carried out by demonstrators the precious day, but clearly still reprehensible and requiring action). Secondly, the vagueness of the reconstruction, which contains numerous contradictions, gaps and inaccuracies that distinguish police statements from those of the victims.

In regards to the first question, the explanation might simply be that the initiative was considered useful for wider investigative purposes. If so, however, not only are these purposes not explained, they are instead roundly denied. The initiative is undoubtedly consistent with police instructions and planning in a broader context, leaving out, therefore, the patrol in this instance.

In regards to the second head, the substantial failure of the operation in terms of costs and benefitcan be viewed as an element that would result in an overemphasis on the [patrol] incident in order to provide more solid justification for the raid, precisely because its most important aspects were so disappointing.

The records state that the attack on the patrol led by Di Bernardini took place at 22:30. Several other statements, starting with that of Genoa's then police chief Colucci, followed and referred to this hour, which was originally specified in Di Bernardini's own report, before being used in various other reports and finally being incorporated into the arrest report.

This detail was clearly wrong. Other statements, which tally with the records of phones used by the various officials, showed that the episode took place shortly after 21:00 on 21 July 2001.

Page 10 Para 2-3

..... what happened in front of the Diaz school complex, in the general context of the dramatic G8 period, was an pretext on which to base what had become a concretely practicable aim, above all in terms of a political opportunity: a mass search in the centres organizing opposition to the G8 summit.

This objective, certainly no coincidence, can be arrived at through an analysis of the circumstances at the time, as well as through the concrete evidence of criminal political instructions, drawn up and issued during the final days of the G8 summit. The substantial shift in police policies towards markedly more repressive action, starting from 21 July 2001, is difficult to disprove, as will be shown.

Page 11 Para 2-3

....Reports to the police force concerning the presence of the more violent groups, particularly the Black Bloc, are of an entirely different nature; these requests for intervention were not, however, the deciding factor in the requested preventative and repressive actions and especially the requested searches.

While not wishing to give support to rumours reported by some witnesses regarding information on a large police operation, such as that effectively carried out in Diaz, it's difficult to deny that the latter appears to be an operational decision that was anything but coincidental. Instead, it seemed to be the logical development and implementation of an order that considered that night the right moment to carry out a highly risky tactical-military and political-social initiative. As such, it is

difficult to accept the official description of the operation as an impromptu decision ().

Page 12 Para 3-4

.....Despite its complexity and, above all, given that it was geared towards achieving results for investigative police, the extreme tactic of an emergency search was resorted to, without preliminary judicial approval. ...

....As later represented to the Judicial Authority, it was the results of the search itself that eventually allowed police to carry out the mass arrest of 93 people. Overall, the result could not objectively be considered a success, with an important series of aims achieved. The expectation was fully met and the human costs of the operation were antiseptically omitted from the records.

The police arrival on the premises

Page 15 Para 2

.....The arrest report of the 93 occupants described all of them as putting up resistance: by barricading themselves in the building, closing the gate, blocking the entry door from within, throwing dangerous objects at the police to stop them entering and finally, by resisting the police physically, some with weapons, and engaging in scuffles when they entered.

Page 15 Para 4-6

....as is clear both from witness statements and objective evidence, most of which made up of film footage. The difference between the official picture of the occupants' alleged resistance and what actually happened is so enormous that it cannot seriously be attributed to a misplaced emphasis or a merely strained interpretation of something that actually occurred, which would have justified the adoption of precautionary measures by the investigative police. Returning to the analysis previously indicated regarding the attack on the patrol, the disconcerting contrast between the various statements gathered on the issue springs to attention.

First of all, the statements make it easy to reconstruct how the police approached the place where the operation was carried out. Vehicles were left in Piazza Merani or nearby and the first array of men, led by Mortola, entered Via Battisti. Although police and witness statements highlighted different elements, they seem to agree that most of this first contingent came from the Flying Squad Division, the only one equipped

with antiriot suits, helmets and batons. Some had shields. Their approach caused immediate alarm, as it was clear that this type of force planned to engage in a repressive operation. There was so much concern that many people in the area, most of whom staying in the Diaz school buildings, rushed inside [the buildings]. () Several officials, including Mortola and Ferri reported that once the police entered Via Battisti and could be seen from the complex, a group of people (estimates vary - between 10 and 20) in front of the Diaz Pertini School rushed inside, perhaps alerted by the cries and shouts of warning. Some of them chained shut the external iron gate leading into the courtyard.

Shortly after, when the police were still gathered outside the gate and trying to force it open, the main entrance door to the building was closed. Images linked to this report, filmed (the undercurrents film) from the building opposite the Diaz - Pascoli school and documenting the first arrival of the police (Frames 6, 7 and 8), speak volumes. Within the school building, according to witness statements, a small group of people caught up in the air of general panic, tried to barricade the entrance door with furniture, including a bench and other items. The majority of the building's occupants watching on the ground floor disapproved of this action.

Page 17 Para 3-6

It was during this general chaos, as police prepared to enter the building, after the other side had fled, that one of the episodes of gratuitous and brutal violence took place, the attack on the British journalist Mark Covell.

According to his own dramatic account of what happened, which he repeated several times - with difficulty owing to his serious injuries - he was grabbed by the first police at the gate as he tried to cross the road together with a companion to reach the Pascoli School. Both were attacked by police. While the other youth managed to reach the building in front by climbing the fence, Covell was instead savagely battered in three successive stages. A film exists of this final stage, fully confirming his story. However, the beating was also accurately described by witnesses looking out the window of the school opposite. ()

Several sequences have been extracted from the film confirming the time, place and the gratuitousness of the attack. Numerous agents were involved in the attack, which was carried out in the impassive presence of others (Frames 27-46). The resolute nature of the blows by numerous police officers, as Covell had already been attacked and was lying on the ground helpless, bleeding and suffering from serious injuries, led the Public Prosecutor's Office to describe the behaviour as attempted homicide in separate proceedings against unknown

aggressors (from the description, presumably members of the Flying Squad Division in the first stage, and, afterwards, judging by the film, from members of other flying squad units or Digos).

At the time the attack on Covell was carried out he was not resisting - a single man surrounded by an army of police officers on Via Battisti - and nor was there any resistance from others. According to police, the active resistance, when objects were thrown, took place during a later period, once the gate had been broken down. Despite this, no matter how grotesque it may seem, Covell was also arrested together with other occupants of the Diaz School.

It must also be underlined that those officers, whose presence at the site has already been testified to, were unable to give any details about what happened (). Nor did the police reports contain any mention of the episode in question or the circumstances under which the arrest was carried out.

Page 19 Para 2-5

.....There are no legal norms authorizing the kind of behaviour described or any operations to "secure" a building, as the arbitrary search operation was euphemistically described, under such conditions.

At this point, the entire version provided in the arrest report and the records sent to the Judicial Authority appear to collapse. These records unequivocally describe a growing resistance as the police approached aimed at preventing them from carrying out the operation. It was portrayed as a collective action with a certain level of organization and basic tactics on the part of those within the building. According to the reports, after barricading the door, the occupants spread out through the various levels of the building, armed themselves, and greeted the first wave of police with a hail of stones and other objects. Later, they met the police armed with objects they had found to hand, (sticks, wooden spades, bars, metal objects; crime report and Canterini's report).

However, the violence on the part of police can be verified. This was carried out with no other purpose than to achieve a goal decided in advance: that of "putting an end to it all", shown both by their behaviour as well as by what they actually said (reported by various victims testifying to what happened).

The police had not yet entered the building and there were already incidents of absolutely unnecessary and disturbing violence, completely out of all proportion to the situation (the attack on Covell is emblematic of this), as well as illegal arrests.

Page 21 Para 1

The resistance of the Diaz School occupants. The "hail" of objects
The arrest report and its attachments describe how the police amassed
in front of the Diaz Pertini school gate managed to break into the
courtyard, breaking down the gate by ramming it with a vehicle. They
were immediately greeted by "a heavy hail of objects of every kind"
(according to the crime report, stones and other objects as well as
glass bottles [Canterini's report]). This hail of objects was fundamental to
the charges of resistance brought against those arrested, allegedly
"leading agents to the total conviction that young demonstrators inside
the building had every kind of weapon". It appears as though the event
never occurred.

Page 21 Para 3-6

.....The material was already considered at length by the courts during
the charges brought against the protestors and dismissed on 12 May
2003. The court concluded there had been no such attack. However,
other evidence should be considered here, that either wasn't available,
hadn't been provided or wasn't admissible at the time of the other trial,
including statements by the defendants and the films.

The police statements are utterly contradictory on whether and how
many objects were hurled. These statements also contradict the arrest
report. The contradictions are extreme.

All the defendants admitted there was no "heavy hail" of objects as
described in the arrest report. The hearing allowed them to "clarify" that
they had inferred the hail, mainly through the noise of breaking windows
or the movement of fleeting shadows through the windows. Those that
insisted they saw the objects were unable to say with any certainty
where in the building they came from.

This is not just a game of semantics or twisting details of an event that
actually occurred. It will be shown that the only objective proof that the
occupants resisted, which lay at the core of the arrest report, has been
undermined. In other words, the fear of a "heavy hail" of dangerous
objects was the only evidence of criminal conduct on the part of those
arrested.

Page 24 Para 2

...The film shows no dangerous objects on the ground able to back up
the version of a "dense hail" at the time of the events, nor were such

objects noted on the ground during the inspection the following day (by the Carabinieri of the Northwest Provincial Command on 23 July 2001).

The entry and the armed resistance.

Page 26 Para 1-4

The entire account of events inside the building following the police entry comes from Canterini's report. The level of detail is intended to justify the operation's extremely high human cost; even official figures state that two thirds of the occupants arrested suffered injury, many of whom had to be taken to hospital on a stretcher. However, there is little detail or explanation on how these serious injuries occurred. The report merely focuses on the levels of "resistance and violence" the police encountered and were only able to subdue thanks to their numbers. Canterini's report states that "some of the occupants" (amended to "most of the occupants" in the crime report) tried to organize themselves and arm themselves with rudimentary weapons.

His report goes on to highlight a "scuffle arising from the resistance, which was particularly bloody and confused" once the police entered. Some of the police tried to contain the first floor while others went upstairs where they "met with equal resistance". The only other detail is the episode in which Nucera was stabbed by a man with a knife.

Canterini concludes with the vague statement that he had noticed "numerous and various items on the ground able to cause injury, such as sticks, chain" and even a large "hammer with a long handle"

The lack of detail regarding a scene that already appears unlikely should surely have led those drawing up the official reports to realize there were gaping holes in the reconstruction of what happened.

It's unlikely that occupants, armed as poorly as described, would have engaged in hands-on fighting with such a large number of police equipped with anti-riot gear. This is particularly the case given the difference between the size of the police force and the numbers of occupants. In view of the injuries inflicted on them and the weapons to hand, such as stonebreakers, the occupants would have had to be the wildest attackers imaginable to have forced the police to such extremes in order to "protect their safety".

Page 28 Para 3-9

.....the injuries sustained by occupants were far more serious and needed hospital treatment. Twenty-eight people had to be kept in for

continuing treatment. These were nearly all instances linked to cranial trauma, arm fractures, a clear indication of the levels of violence used on those arrested. It is difficult to ascribe these injuries to deliberate scuffles; instead they seem to be have come from attempts at self-protection, when the subject was on the ground and completely harmless.

The high number of injured among those arrested - 62 and three reserved diagnoses - was a clear sign that the situation had gotten far out of hand and should have raised disturbing questions for those in charge.

But questions should first and foremost have been raised by the fact those in charge were there and, as such, were able to inspect the site, hear the screams reproduced in the film, see the blood and many disfigured faces, experience the bloody horror of the situation, which emerges only from the accounts of those arrested and is inexplicably absent from that of the police.

The police even went so far as to justify the human cost as a predictable and normal development of searches in "particular" circumstances, rather than a blatant sign of degeneration.

The embarrassing official police stance, that the injuries were "pre-existing", deserves little comment. Even the investigative police records admit they were caused during the clashes, showing the difficulty of persisting in an illogical position, lacking in evidence. The actual course of events shows a persistently aggressive and violent attitude by police from the moment they arrived at the school.

Serious flaws began to appear in the police version of events a few days after the operation.

Reports after the events by squad chiefs of the 7th Unit of the Rome Flying Squad Division, the largest group and the first one into the school, immediately began distancing themselves from the subsequent violence, even though they reiterated the hostility of the occupants. Some even said they had witnessed scenes of gratuitous violence against those arrested, carried out by police personnel from other divisions.

Page 30 Para 2

....Fournier went further. He described how, as one of the first in the building, he'd found numerous people with injuries on the first floor, where he said there was a "bloodbath". The violence was blamed on other officers. In Compagnone's report, confirmed in his interrogation,

he described agents "beating youths like wild beasts. One of the youths was on the floor in a pool of blood and showed no signs of life".

The reconstruction of what happened.

Page 31 Para 1-3

What actually happened was vastly different. Police saw those arrested as all part of a single group, conspiring to commit crime. But the only thing the group shared was their version of what happened. A single, powerful and coherent story was all that linked a 20-year-old American student from Oregon, a reporter with a respected Italian daily, a 63-year-old Spanish lady living in Germany, a Turkish exile granted political asylum in Switzerland, a violinist from Berlin and young people from a variety of places. This detailed account emerged after hours and hours of questioning by Italian and foreign magistrates.

The statements of those arrested were given in conditions that assured their genuineness. Despite the number of those arrested, each one had experienced their own horrors, and from the earliest stages, the statements were given to different magistrates under conditions allowing for no contact or interchanges. Receiving the same version of events from someone in a Genoa hospital and someone else in a Piedmontese jail makes this version particularly powerful. The immediate forced deportation of many of the foreigners, who were accompanied to the borders, prevented most of them from communicating with each other.

Yet in international rogatories their stories all tallied, creating a single picture of what happened inside the Diaz School.

Page 32 Para 2-5

The police entered first by knocking down the main door, as shown in films shot from various angles. The squads of the 7th Unit, gathered in front of the door, are clearly recognizable from their antiriot uniforms, which has a dark belt instead of the light one normally worn by flying squads, and which includes a matt blue helmet.

The film shows the door being broken down and the first policeman, a member of the 7th Unit judging by his uniform, entering the building. He is forced to climb over a kind of bench barricading the entrance (this was confirmed by the occupants' statements). This is clearly shown by the attached images 14-16 and 54-60. Numerous other officers from the same division follow him in quick succession.....

..... Around 30 people had bedded down for the night in the room, with their personal belongings, bags and sleeping bags. The noise of the

entry, the sound of the glass being smashed by police batons, the blows needed to break down the door, clearly woke and alerted the occupants. Gripped by panic, some sought to flee to the upper floors. Most, having got dressed again, were lying still, waiting. A group of around 10 Spaniards were in the centre of the room, right in front of the entrance, and were the first in sight upon entering. According to their statements, and those of others elsewhere in the hall, they were all on the floor, either kneeling or sitting, arms raised in a sign of complete surrender. Having climbed over the furniture blocking the doorway and several chairs, they made straight for this group and began violently kicking them and beating them with batons.

Other policemen headed for other groups and began kicking and beating them. In a few minutes, the room was full of police that took control, continuing to beat those present (). The description of the police officers' uniforms indicates that those first in the room, responsible for the violence, were members of the 7th Unit.

Page 33 Para 3-10

In the space of a few minutes, all the occupants on the ground floor had been reduced to complete helplessness, the groans of the wounded mingling with the sound of calls for an ambulance.

The clear line of vision, the lack of exits and the kind of the people in the room add weight to the theory that the alleged scuffles with occupants armed with impromptu weapons could not have taken place. And in fact, the statements of 7th Unit squad chiefs, who say they were in the ground floor, contain no mention of scuffles with impromptu weapons.

The plaintiffs' statements not only render the police version useless and irrelevant, they also highlight the provocative nature of other versions. The plaintiffs' injuries could only have been inflicted under the conditions described in their statements.

Another section of the police that entered the hall headed for the sides of the building and climbed the stairs leading to the upper level. In the meanwhile, around 50 seconds after the front door had been broken down, a side door to the right of the building was broken in, as clearly shown in the films. Other 7th Unit squads entered here, but this time with personnel from other divisions. A staircase was located at this entrance, so, given the large number of police already on the ground floor, the new entrants naturally went upstairs.

About the same number of occupants were on the first floor as the ground floor, most of whom positioned along the walls of the long, wide corridor from which the rooms led off.

Similar events occurred on this floor as on the lower level, judging from plaintiff statements, which all corresponded. Having heard the screams and noises from downstairs, occupants arrayed themselves along the wall, hands raised in a sign of surrender. Despite the narrow, dimly lit conditions, visibility was still clear here. Statements described the police arrival in precise detail, from the moment they turned into the corridor from the small entrance through to when they started beating the occupants, with determined ferocity, even though many of the occupants were laying on the ground, some in response to police orders. ()

One of the most serious injuries occurred on this floor, that of Melanine Jonasch, who was left lying on the ground unconscious. At this sight, Fournier (shouting "Enough! Enough!") ordered the police to stop every action and to withdraw. This was also ordered by Canterini, who had arrived on the scene, as well as officials from other divisions and the top-ranking police officials present.

The victim statements leave no margin of doubt regarding police intentions: the manner in which the injuries were inflicted, the determination of the baton blows, the fact that injured people were struck over and over by different officers, the screams, the insults, the obscene mimes (such as simulating coitus in front of bleeding individuals) have no legitimate justification.

Three people were hiding in another room on the first floor, leading off the entry hall before the corridor, but the police, breaking down this door as they did every other door in the building, attacked them with violent blows. They also threw window frames they found at them. Other police arrived, made the occupants get up and go downstairs, where they were struck again. ()

All described the 7th Unit's entry and its use of tonfa batons. Agents from other flying squads and the Digos said they had witnessed scenes of unnecessary and reprehensible violence on the part of 7th Unit.

Page 37 Para 1-2

.....The number of injuries - 87 in total - indicate a use of force so widespread that it could only have been justified in the face of solid, organized resistance, which, statements indicate was far from the case, even in Canterini's report and the official version.

Another consideration is how such a high injury tally was possible in an operation carried out by the 7th Unit, a handpicked and specially trained experimental anti-riot unit.

The search.

Page 48 Para 1-4

With the building "secured", the search began, even while some of the occupants were still being brought to the ground floor.

The investigative police records, which should have described how the operation was carried out, contained not a single, precise detail regarding how the objects had been found. The only exception was the Molotov cocktails. All the other items were merely listed, with a note that they had been found during the search, even though the arrest report and the crime report imply that they were material evidence for potential charges. The objects included several small knives, black items of clothing, objects and work tools that might have been considered impromptu weapons, cameras, mobile phones, notebooks and various annotated papers. None of the possessions could be specifically linked to any of the individuals arrested.....

..... Filled with gaping holes, the report neither identified who they belonged to nor described the circumstances in which they were found, which might have led to an identification. It's perhaps even more significant that the report does not suggest any agent was in charge of the search nor are the finds attributed to any named officer.

The 'appearance' of the Molotov cocktails.

Page 54 Para's 1-11

The ordered laying out of the items on the banner in the school contrasts with the chaos of the rest of the search and suggests that perhaps those in charge had planned to display the discoveries at a meeting with journalists and TV crews, which had been called in advance. In the event, tension involving demonstrators outside the school stirred up by the sight of the ambulances meant that the items were rushed away.

The collection of items would certainly not be so significant or indicative of a dangerous, destructive group, if not for the providential appearance of the Molotov cocktails.

The "discovery" of the petrol bombs in the building and their consequent seizure was the clearest occurrence of evidence being fabricated against those who had been arrested.

The Molotov cocktails were considered the central, key piece of evidence in the charges, not only constituting illegal possession of a weapon of war but also as an indicator of conspiracy to commit looting and destruction, symbolic of the dangerous nature of the protests during the G8 summit and therefore of the building's occupants.

According to the arrest report and the crime report, the discovery was made "on the ground floor of the building, in an area visible and accessible to everyone". This was held to indicate that the building "was used by everyone within for strategic planning and creating material that could be used against the police forces".

While a specific location was given for the discovery of the bombs the records do not contain an individual report by the agent responsible for finding and identifying the evidence - even for such a significant find. There is not a single direct source to confirm where the Molotov cocktails were discovered; it was all through word of mouth.

It can in fact be shown that the Molotov cocktails were not seized during the search of the Diaz School (which records say began at 11:30pm on 21 July 2001 but which was in reality at around midnight). These were already in police possession on the afternoon of 21 July, having been found abandoned in a flowerbed following a charge against demonstrators on Corso Italia, where it crosses with Via Medaglie D'Oro di Lunga Navigazione.

The original find was covered in a service report about the G8 events dated 8 August 2001. This was written by the Deputy Assistant Police Commissioner Pasquale Guaglione following a request for documentation by the parliamentary committee set up to investigate the G8 events. The report mentions the discovery of "two Molotov cocktails made from wine bottles, filled with inflammable liquid, sealed and with a wick ". The discovery was also mentioned at the time in a service report dated 21 July 2001 by Maurizio Piccolotti, a higher-ranking official tasked with public order. He noted the discovery of "a plastic bag containing two Molotov cocktails, comprising two 0.75 litre wine bottles, filled with inflammable liquid, with a wick for the trigger".

Furthermore, on 7 May 2002, the Genoa police department received a request regarding the Molotov cocktails found on that afternoon, noting that they had not been handed over to magistrates, nor had charges been filed in their regard against an unknown perpetrator. At this point they could not be found. Later statements by Guaglione and Piccolotti

contained details that confirmed that the two petrol bombs seized during the Diaz search were, in fact, the same ones that had been found in Corso Italia.

Guaglione reported that shortly after their discovery, the two devices were handed over to Donnini, who was in charge of coordinating the operations and logistics of the flying squad contingents during the G8 summit. Donnini said he placed them inside the two armoured vehicle he was using, where they were left, until the vehicle arrived back at the police station and he got out. His story was largely confirmed by the vehicle's driver, Michele Burgio. Burgio, who had been assigned to help Donnini, was officially working as a driver for Troiani, who was on the same team as Donnini.

Without going into details, it is evident from the film, traces of conversation and telephone contacts, that through his driver, Burgio, Troiani ensured that the two bottles came into the possession of officials involved in the search of the Diaz School and, in particular, Di Bernardini.

The problem of the chain of command.

Page 58 Para's 1-6

The case of the Molotov cocktails was not just an instance of exaggerations or biased statements, which do appear, but of a radically altered version. This was one constructed against those arrested in which all elements, of themselves false, were organized with the objective of justifying, after the event, an operation during which unprecedented violence was inflicted on those inside (and outside) the building.

This Office had to ask how this series of fake evidence came together and whether, at the moment of deciding to arrest all the occupants, the top-ranking officials were unaware of the falsified nature of the evidence. It also had to consider whether any individuals, unbeknownst to others, had decided beforehand to manufacture evidence to ensure there was sufficient evidence to carry out arrests.

The need to falsify evidence implies a lack of genuine evidence and has a specific aim. The chaotic nature of the rest of the search can be contrasted with the perfect coordination in collecting the proof that was falsified.

The questioning cut to the core of the problem, that of the command structure and the orders given to those in various divisions. Numerous

top-ranking officials and commanders, in charge of a series of different elements, were present on the scene.

The issue of the so-called chain of command was subject to particular consideration from the start of investigations into the management of the Diaz operation. Immediate checks carried out within the state police department regarding this aspect resulted in an investigative report by Giuseppe Micalizio, which was completed on 30 July 2001. Also significant in this context was work by the parliamentary joint committee tasked with investigating the G8 events, which, after 10 sessions and 27 hearings (including some of the defendants in the current proceedings), produced its concluding report on 20 September 2001.

The parliamentary committee report concluded that the failure to appoint an overall official in charge of the operation was the main reason for defective operational and decision-making coordination.

Page 59 Para's 4-11

The top-ranking figures present were: a) Gratteri, a superior commander, director of the SCO; b) Caldarozzi, his deputy, responsible for the flying squads and the crime prevention division; c) Luperi, a superior commander, the deputy of Prefect La Barbera; d) Prefect La Barbera, the central director of the prevention police, the highest ranking official, whom the Digos police answered to; and e) Canterini and Fournier, who were the highest figures in the flying squad division. This chain of command was entirely spontaneous and instinctive for divisions that retain a strong sense of hierarchy even though not strictly military.

Prior to the operation, two meetings were held Gratteri's orders, after Di Bernardini had returned to police headquarters following the attack on the patrol.

The first meeting decided that the operation should be carried out, while the second focused on the operational details. Although Prefect Andreassi was present at the first meeting, it is clear from descriptions that the meetings were chaired by Prefect La Barbera. Andreassi did not even attend the second meeting.

The decision-making initiative seems to have been taken in agreement between La Barbera and Gratteri, the highest representatives of the Ucigos and SCO.

Although La Barbera, Luperi and Gratteri might have recommended caution, calm and restraint, having received a specific message of this kind from the chief of police, a general overall recognition that the

decision was reached "collectively" made Genoa Commissioner Colucci's claim to the Judicial Authority that he was "pressured" by higher ranks, or at the least by central offices and their representatives, appear more likely (a situation confirmed by Mortola, as noted above).

Claims that the initiative had been called for by local or lower-ranking officials, and that their superiors got "dragged along" appear unconvincing.

The filmed evidence also corroborates this conclusion. The top-ranking figures of the separate divisions operating in the area can be seen acting jointly, as a kind of "executive board". It cannot be coincidental that these were also the individuals involved in discussions over whether to embark on the operation. This group - Luperi, Gratteri, Caldarozzi, Murgolo and sometimes Mortola - can be seen stationed in the school courtyard or exit. Many statements by agents involved described this group as the one in charge, recalling that searching for their superiors regarding a problem, they were to be found in the courtyard in the company of others (see finds 44, 177.5 p.19, 199 p.1, 173 p.3, 174 p.1).

Page 65 Para 4

....Footage by the local broadcaster, Primocanale, clearly shows Luperi holding the blue bag containing the Molotov cocktails. Next to Luperi is Caldarozzi, in front of him are Mortola, Murgolo and Canterini, all examining the bag and engaged in what appears to be a heated discussion. Other officials are standing next to them and looking at the bag, including Fiorentino. Gratteri and Troiani. Burgio is standing in front of the door.

Page 66 Para 2

Questioned after the acquisition of the film, the defendants were unable to provide versions that corresponded with the footage and even reiterated their lack of attention to the most important find. Some suggested that the film did not correspond to the time that the devices were first found and handed over, saying they had seen the bottles before the scene shown.

Page 70 Para 4

Although Luperi came forward of his own accord, on first seeing the film - which showed him with the bag containing the Molotov cocktails in his hand - he asked for the questioning to be stopped.

Page 73 Para 3

The call Luperi is seen making began at 00:41:33. The same film shows others in the courtyard making phone calls afterwards, including Mortola, Canterini and Murgolo. Analyzing the phone records of Mortola, this second piece of film takes place two minutes afterwards. At that moment, inside the door of the building, in the gym, the banner was lying with the finds, including the Molotov cocktails, under the eyes of Gratteri, Caldarozzi and Luperi.

Page 79 Para 3-7

The police saw the Diaz Operation as a chance to "make up for" serious incidents carried out by extremists during the G8 demonstrations and rebut charges of police ineffectiveness.

National Deputy Police Chief Ansoino Andreassi, the highest-ranking state police official there, was the one who decided a change of police strategy was needed, prompted by the arrival of La Barbera on the afternoon of 21 July and the final round of planned demonstrations, which represented the city's most serious security phase. This is not just a hypothesis but a fact. Andreassi himself pointed to key events that indicated a tougher police approach was required. This involved the SCO taking direct responsibility, starting with the Paul Klee School operation, and inevitably leading to the Diaz search. The objective was to ensure a large number of arrests.

La Barbera's arrival confirmed this objective, which was to restore the police image of effectiveness in any way possible,

Prefect La Barbera said he travelled to Genoa on 21 July to make contact with foreign police, given the large number of foreigners arrested, not to wade in and try and take over at the last moment to take credit for results.

The patrol led by Di Bernardini that was attacked that evening was part of an operation of "mixed patrols" (ie composed of men from different divisions) tasked with searching the city and trying to find those responsible for the trouble of the previous day. By this time, however, most of the activists who had travelled to Genoa were on the point of leaving, so the order from the chief of police to carry out patrols was, in Andreassi's opinion, questionable.

Page 91 Para 5-8

.....The development of the operation and the methods used, all combining to damage the occupants, show that each defendant was aware that his own, personal statement diverged from the truth and

was able to perceive that statements by the others were equally untruthful.

The charges against the defendants converge on an utterly illegal arrest. A strained interpretation was put on some events, which, while not totally fabricated, became formal falsification used to artificially support at any cost the deprivation of personal liberty.

The lack of evidence following the search led those writing the reports to formulate fantastical theories, suggesting that all those arrested were part of an organization known as the Tute Nere, whose leaders allegedly chose the building as their logistical support base for carrying out their criminal program. The extent of these individuals' links to the organization can clearly be seen from the remark in the arrest report: "the aforementioned youths were clearly members of the so-called Tute Nere organization, which is fully confirmed by the discovery and seizure of various items of black coloured clothing".

Page 93 Para 3

Reading the arrest reports and other papers, it's impossible to ignore the fact that not everyone arrested was inside the building, even though the charges were based on the active resistance of the building's occupants, who had closed and barricaded themselves inside. Mark Covell, for example, was grabbed in Via Battisti, outside the gate and literally smashed to the ground even before police had entered the building. No one suggested he'd been complicit in the violent resistance, there was no evidence given of his ties to the others arrested, the Molotov cocktails or the black clothes and items that were considered proof of the crime.

Page 94 Para 3-5

The film shows that the attack on Covell was clearly visible to anyone standing in front of the building at the time, particularly given that the violence was carried out by three separate, successive group of police officers. The body of the British journalist lying on the ground, in a clearly visible pool of blood, could be seen by anyone entering the courtyard, even for a short period of time. As each of the defendants entered the school courtyard, he was clearly in a position to see Covell. The film itself shows plain-clothes police standing by watching the attack, without intervening. Some statements described the presence of an official wearing a mustard coloured suit, partially bald, clearly in command at this moment. Mortola was filmed standing a few steps away, in front of the Flying Squad vehicle.

Lieutenant Cremonini, surrounding the building with his Carabinieri officers, noticed the unconscious body lying on the ground. He pointed it out to two officials, one of which Gratteri, asking if he could help the injured individual. Both said they were already aware of the situation. The second official ordered him to reassume his position, saying only that an ambulance had already been called. This attitude is not just negligence but complete indifference. However, it's confirmation that this serious episode arose not just from a loss of control and from being overlooked. It appears that not a single official drew up a report or ordered anyone else to write one in regards to this injury - the gravity of which, the circumstances and the location, should have made it particularly embarrassing and suspicious, as there were a 100 police officers present compared to just one injured man.

But in view of the formulation of the "global" arrest record, the indifference and lack of report regarding this incident fit in perfectly: just being in the vicinity of the Diaz School at that moment acted as kind of containment that would inevitably lead to someone's arrest, particularly if they were had injuries that no police officer could have justified.....

Responsibility for injuries.

Page 102 Para's 1-2

Charges for the injuries were originally considered for all the officials involved in the Diaz Operation who were in charge of the various divisions. However, they are now only being brought against Canterini, Commander of the experimental 7th Unit of the Rome Flying Squad Division, his deputy, Fournier, Inspectors Fabrizio Basili, Angelo Cenni and Ciro Tucci, Superintendent Carlo Lucaroni, Vice-Superintendents Vincenzo Compagnone, Fabrizio Ledoti, Pietro Stranieri and Emiliano Zaccaria, all non-commissioned officers acting as squad chiefs and all in positions of command over the personnel deployed there.

The decision was based on the mass of evidence available to support the accusation in personal terms, given that it was impossible for plaintiffs to identify individual perpetrators. This is a key factor in analysing responsibility. Similarly, at no point during the investigation was it possible to identify responsibility for each single episode. On the other hand, it has emerged that attacks were made by police at all levels and from all units present. Furthermore, it has been seen that all individuals arrested outside the building were subject to unjustified violence and, in some cases, presumably carried out by police who did not even enter the building.

Page 104 Para 4

.... There can be no doubt that the collective action of all the divisions expressed a common, aggressive purpose, clearly evidenced by the insults and battle cries accompanying the indiscriminate beating. The deliberate use of the batons, the kicks and the spitting on the occupants suggest a furious outburst of a charged-up aggression, which exploded without any control, first in the initial wave of attacks and later in the assaults on already bleeding bodies.

Page 109 Para's 2-7

....Michelangelo Fournier, who openly admitted to being one of the first people to enter the building from the main door. Partly contradicting other statements, he explicitly declared he had personally seen no resistance during his time in the building, nor had he seen any objects being thrown prior to the entry.

He goes on to describe his arrival alone on the first floor where, surreally, he was faced with a series of people lying on the ground wounded. Approaching a girl lying on the floor in a pre-comatose state, he says he instinctively took his helmet off and ordered his men to immediately stop what they were doing and withdraw outside. He says he shouted "basta! Basta!", alarmed and disgusted by the scene. In his version, the shout was directed at no individual in particular but was a general outburst of emotion.

Fournier's intervention was recalled by nearly all the plaintiffs on the first floor, most of whom foreign, who were able to physically describe the official. The detailed versions of the plaintiffs, however, describe the development of events fairly differently, but place his outburst in a realistic context, at the culmination of the violence and its dramatic consequences. The occupants described how Fournier was forced to repeat the order several times before the agents obeyed, so determinedly were they engaged in their actions against those present. From what Fournier said, it is certain that he arrived on the first floor just a few seconds after entering the building.

Yet, it will be recalled he was one of the first ones in the building, making it impossible for him to have already found a number of people already lying on the ground injured, particularly so seriously, if none of the agents were still in action. But plaintiff statements describe a long series of beatings by the agents, who ranged up and down the corridor, with the order to stop arriving late. They also identify Fournier as present on the same floor during the worst incidences of violence, and some even say he participated personally. In effect, Fournier was noticed earlier but it was only once he ordered his men to stop that the actions stopped, not before. Therefore, his claim that he arrived entirely alone and only once the damage had been done cannot be reconciled either

with the logical progression of events, based on the entry time, but also with all the witness statements, some of whom even describe him as present when the wounded were being mocked.

The only explanation for his frequently repeated version - which Fournier himself acknowledges is something of a "mystery" - is a questionable loyalty to the men in his unit and some misguided concept of personal honour that prevents him from accusing his own men.

Page 110 Para's 4-5

While Fournier refutes the statements of most of his colleagues regarding the crucial, salient points of the operation (such as the throwing of objects, the resistance, the hostility encountered outside, that 7th Unit men were in first), his version is basically consistent in his portrayal of a bloody and unjustified operation. However, it is an operation committed by others, from which he seeks to distance himself, without, however, providing any details that would allow for those responsible to be identified.

His refutation of the most straightforward evidence echoes similar declarations made by others. Just as those squad chiefs who entered the gym first described unbelievable scenes - a mystery explicable only through infiltrations or other police having entered the building before the door was broken down - so Fournier, one of the first to arrive on a floor where a homicide could have been committed, portrays a ghostly scene, with bodies already lying on the ground and nothing left to do except try and help. The description of events appears heartbreaking, shaped by dismay and indignation; but it is not completely convincing at this level if compared to the powerful sensations conveyed by the plaintiffs' versions. Gone is any mention of the agonized screams of the injured, the baton blows, the enraged shouts of "bastards". The omission is not just the result of professional detachment. The repeated insistence, even beyond the evidence, of the operation of other, phantom divisions, either in uniform or in plain clothes, loses all cognitive content and becomes nothing more than a message aimed at reiterating only that 7th Unit men were not responsible for the bloodbath.

Page 112 Para 4

From the analysis covered several times, it follows that the defendants from the 7th Unit under the command of Canterini should be considered fully responsible for the injuries to the occupants of the school. While there is no proof of their direct participation in particular episodes, the aforementioned defendants can be assigned the responsibility of having been complicit with those who carried out the crime, given the methods of action. In their different ranks, they guided and conducted the charge

and entry into the building, directly witnessing the lack of any attacks from the occupants and the motiveless, indiscriminate brutality of the first wave of police, who were then joined by others. The nature of their role in command and control of the operation meant that their mere presence consolidated and implicitly supported the actions of their subordinates.

In the GSF building.

The arbitrary search of the Pascoli School.

Page 123 Para's 1-5

Closely linked to the search of the Diaz-Pertini School was the police's entry into the building opposite, the Pascoli School, which was part of the same complex.

Genoa municipal council had allowed the Diaz Pascoli school building at Via Cesare Battisti 6 to be used by the Genoa Social Forum, in accordance with Law 251 of 03/07/2001 (under which Liguria regional authorities provided funding in order to "set up service areas, spaces and structures" for those participating in initiatives and gatherings during the G8).

Statements made to the investigative police on 23 July 2001 by Genoa council's sector road network and security head, Paola Spagnolli, and the delivery report of 11 and 12 July 2001 show that Genoa council had acquired and rented writing, computing and electronic materials, as well as telephone and network equipment, which was being used for free by the GSF. The entire building, equipped with computers, phones and writing material was made available to the GSF, which during the demonstration period had turned it into a press centre.

None of the records cited, which form the body of the crime report arising from the Diaz operation, contain any mention of the intervention or operation carried out in the Diaz-Pascoli School, even though this was particularly significant and was carried out by a large number of operators.

An explicit mention of the operation in the Pascoli School appears only in the service reports of Chief Commissioner Salvatore Gava (of the Nuoro Flying Squad), Deputy Commissioner Filippo Ferri and Commissioner Alfredo Fabbrocini (Calabria Crime Prevention Division). However, these reports were never sent to the Judicial Authority but were acquired only in the course of investigations for the present proceedings, sometimes after they had been drawn up specifically for that purpose.

In his report of 24 July 2001, Gava noted that, together with personnel from the Nuoro and Rome flying squads and the Crime Prevention Division, he had entered the school through a back gate, following the head of the Genoa flying squad, Dominici. It was only once they were on the third floor that Gava said he realized that it was not the building for which the search had been planned in the police station in accordance with TULPS Art 41. Nevertheless, he carried out a "summary check" of the building itself, in which he remained for only a few minutes, he said.

Page 127 Para's 2-3

Reports by Gava (24 July 2001) and Bassani, Pantanella and Garbati (8 August 2001) must also be considered. In the first, Gava states he carried out a "summary control" of the building; in the second, the three Digos officials state that they entered the room of the school, saw four micro-cassettes on a table, which they took away to the Digos offices. One of these cassettes was tampered with in order to make its images legible on a regular VHS, during which operation, the Police admits that some "interesting" images were wiped. The contents of this tape (Exhibit 189), documents the arrival of the police at the Diaz Pertini school gate, the entry and images of what could be seen happening inside the building through the windows. The soundtrack provides a commentary by the Pascoli school occupants of the break-in to the Diaz Pertini School all the way through until the police entry into the Pascoli school (some shouting can also just be heard before the filming abruptly stops).

Other video images (footage by a RAI3 operator used in a montage of images by Indymedia and another find, erroneously classified as "Diaz Search" but apparently showing the search in the Pascoli building; Exhibit 32 p.1) confirm that the police went beyond the mere identification of those in the building. The Indymedia video (transposed into Exhibit 198.3.p.3) show the occupants sitting on the ground along the corridors, backs to the wall, while plain-clothes agents wearing police bibs walk up and down the corridors and in and out of rooms. In all, it appears to indicate an action far beyond that required for a simple identification. The activity cannot, however, be classed as a full search.

Page 128 Para 5-9

Pascoli was being legitimately occupied and used by the GSF under an official act by Genoa city council, delegated by a state law.

The GSF had therefore organized the school as its own offices and press centre, making the many rooms (on the second and third floor) available to print, broadcast and wire journalists. It was well known by officials at the Genoa Police Headquarters (see the aforementioned statements by Mortola) that a number of GSF coordinators were in the building, as

were lawyers from the Association of Democratic Jurists, doctors and nurses, accredited Italian and foreign journalists, as well as European and Italian MPs; furthermore, the Pascoli school, unlike the Pertini building, was not being used to house demonstrators.

It is therefore impossible to find any evidence, no matter how weak, as to why the police believed there might have been weapons in the school building. And not even weak evidence would have legitimised the entry into the other building.

And in fact, the occupants' declarations reveal that the police, rather than looking for weapons, appeared entirely focused on seizing items that the occupants could have used to document what was happening at that time, not only during the operation in the opposite building but also, more generally, what had been documented during the street clashes at the summit.

In regards to this, it should be noted that unlike the Pertini operation, the police in no way based their action on TULPS Art 41 or any such norm that could have justified the action. Instead, they simply said that no search had been carried out. The search of the Pascoli School clearly did not fall into the categories prescribed by law, making it illegal and arbitrary.

Page 129 Para's 6-12

.....as has already been underlined, the official police version, coinciding with the aforementioned report of Gava (24 July 2001) is that the entry into the Pascoli School was accidental, as poor organization meant that several divisions ended up there rather than in the Pertini building. Once there, however, they decided to carry out a "summary check" for security reasons, and, regardless, the police were present in the school for only a few minutes.

However, this version is intrinsically illogical and therefore implausible. It's abstractly possible that some of the police divisions - particularly if composed of agents from outside Genoa who were unfamiliar with the area - might have ended up in the wrong building by accident given all the confusion. However, this is merely an abstract possibility because, given the deployment of vehicles and men, as seen in the film of Exhibit 234 on the Diaz Pertini School operation, there could not possibly have been any uncertainty as to which building was the target. On their arrival in the road, they would clearly have seen that the gate and the doors of Pertini were being broken down or had just been broken down, while the premises were being surrounded by Carabinieri officers.

It is no more acceptable, even abstractly, that once they realized their error, they decided to search the rooms anyway, rather than immediately withdrawing from the premises and heading for their real target.

In fact if, as claimed, only the Pertini School was meant to be searched as only this building met the conditions prescribed under TULPS Art 41, then why, realizing he'd ended up in the wrong building, would an investigative police official not immediately withdraw and move to the correct premises? Why would he order a "summary" search of the premises (and people) when he had no legitimate authority under law to do so?

The occupants' statements suggest the police were in the Pascoli building for between 30 and 45 minutes, undermining the police claim that they were there for only "a few minutes".

The fundamental unreliability of the police version was one of the elements indicating an awareness of an abuse of power on the part of investigative police officials.

Claiming they entered the school by accident and that no search was carried out is an implicit admission that they knew the legal conditions required for a search there did not exist.

.....in his statements to the Public Prosecutor on 10 August 2001, Mortola, then director of Digos, unequivocally stated that the entry into the Pascoli School was dictated by "the need to secure the area outside the building", given that the numerous occupants could have "hindered the operation under way in the building opposite".

Page 132 Para 1

The theory that the building had been entered by accident was clearly constructed afterwards to justify or to head off requests for justifications, even before the formal launch of investigations by the Public Prosecutor's Office. Once the defendants came under investigation, they returned to this theory. The voluntary and deliberate entry into the Pascoli School building was, in fact, clearly represented in a fax message sent by Colucci at 17:15 on 22 July 2001 and directed to the chief of police. This stated: "At the same time as the search, an inspection was carried out inside the GDS press centre in the building opposite the Diaz school complex, without any further actions or operations being taken owing to the absence of any security-related problems."

Page 133 Para's 1-2

It appears evident that those in charge of divisions, who led their men inside the school and ordered the search, must have been aware that the search had not been authorized by the Judicial Authority and that the material circumstances of the situation did not allow them to carry out such a search on their own initiative.

In fact, no report was drawn up of the action, nor was any validation requested from the Judicial Authority, which was instead provided with an entirely implausible version, under which no search had been carried out in the school and that the building had merely been entered by accident.

Page 134 Para 3

...there were some extremely peculiar aspects to events inside the room occupied by the Association of Democratic Jurists (set up as the GSF's legal office on the first floor), both in terms of the seriousness of what happened, as well as in view of the fact that nothing similar occurred in any other part of the building. Events in the room in question should therefore be examined independently and separately.

Page 143 Para's 3-8

This was the second room on the right on the first floor eastern corridor (Via Cesare Battisti) (Photographs 122 and following).

Those present in the room (Fabrizio Galvan, Alessandro Minisci, Stefano Lenzi and Francesca Bria) have reported that four or five police officers burst into the room brandishing batons and yelling at everyone to drop to the ground facedown, accompanying their orders by banging their batons on the tables. When everyone was lying on the ground, they began smashing computers, monitors and telephones with their batons. The occupants recalled hearing the noise of the baton blows and objects breaking, and out of the corner of their eye could make out the movements of police officers hurling objects to the ground. Bria and Minisci also said they themselves were struck by police at that time. The occupants were then ordered to stand up and were taken into the corridor, where they were ordered first to kneel and then to sit against the wall.

While on the floor in the corridor, some of the occupants (Fabrizio Galvan, Graziella Arzaroli and Bria Francesca) recalled seeing agents enter the room, close the door behind them, and then come out again a few minutes afterwards.

Minisci also said he saw some police officers leaving the school carrying black bags.

Numerous occupants said they entered the legal office after the police had left the school and saw many broken objects, including telephones, monitors and computers. Many of those interviewed also said they had personally verified that some of the computer equipment had been dismantled and was missing inner components (hard disks - in other words, the memory).

Page 144 Para 7-11

A film (Exhibit 192.20 p.3), part of the Rai3 footage already mentioned, further supports the occupants' statements; this shows what remained of the computers after some of their parts had been taken away. The missing parts were not only hard disks but also CPUs and DSL communication ports. Removing these parts required spending time in the room with screwdrivers in order to dismantle the computer cases and in order to access the individual internal components. This operation not only had to have been carried out deliberately, it also required relative tranquility (the GSF expert interviewed, explaining the damage to the equipment, described it as a "scientific" operation), after the occupants had been taken from the room and ordered to sit along the corridor, as stated by the aforementioned witnesses. Filmed evidence by Hamish Campbell, of which the original has been acquired, shows the same scenes just after the police had left the building (Exhibit 239). If the first stage of "furious behaviour" can be attributed to "impetuous" conduct, the second stage appears far more meditated and geared towards an ulterior objective.

The occupants' description of what happened suggests two stages to the police behaviour.

The first phase involved the destruction of monitors, computer equipment and parts, and telephones by baton blows or by hurling the objects to the ground.

The second phase involved dismantling some of the computers, removing the internal components (specifically the hard disks) and taking them away. Naturally, without mentioning any part of this operation in the report.

Page 146 Para 5-8

The events in the legal office were entirely unique, given that nothing in the investigation suggests that similar behaviour occurred in other rooms of the building. The police behaviour in that room therefore

appears to have been entirely independent, distinct from a general assessment of what happened in all the other rooms.

The action - entering the room yelling and brandishing batons, ordering everyone to lie facedown on the ground with the implied threat of being beaten, smashing and throwing objects to the ground - suggests charges of actual criminal behaviour rather than a police act, no matter how illegal, such as seizing items. This is suggested both by the lack of any respect for the formalities of a seizure and by the impossibility of defining the items removed as evidence or pertinent to the action. The utter lack of any police report regarding the action and, above all, the failure to request Judicial Authority validation, mean these actions cannot be categorized as a police seizure for evidence.

Printed lists of lawyers - members of the Association of Democratic Jurists who were willing to defend demonstrators - and demonstrators who had been separated from their original groups and were missing were removed, as were the hard disks containing statements by demonstrators and names of other missing individuals.

The paper material could not possibly have had any connection to potential crimes. The same conclusion must be reached in regards to the computer hard drives.

Page 151 Para's 7-8

The inquiries by the investigative police revealed that 59 members of the state police had entered the school, including three officials: Deputy Commissioner Ferri Filippo and Chief Commissioners Salvatore Gava and Alfredo Fabbrocini.

With the exception of the three officials, who were obviously wearing plain clothes, the only divisions wearing uniform appear to have been the Calabria Crime Prevention Division and the Campania Crime Prevention Division. These were wearing the normal short-sleeved shirt uniform with a large black belt, rather than the uniform worn by police in charge of public order. Personnel with the different flying squads were in plain clothes with a police bib, while the Digos officers were in plain clothes with no indication of their status.

Page 154 Para's 7-10

Gava Salvatore is the highest-ranking state police official among the personnel operating in Pascoli.....

.....He said he came to the building by following Nando Dominici, head of the Genoa Flying Squad, believing that the latter, working in Genoa,

would be familiar with the buildings. He saw Dominici stop near a gate leading into a courtyard at the back of the Pascoli School.

He said he entered the courtyard and then the building, followed by men from the Nuoro and Rome flying squads. The Crime Prevention Unit also entered the building, although not at his orders, at those of Fabbrocini, he said. Upon entering the building, he said, he realized almost immediately that there had been a mistake and that this was not the building intended for search.

The Conclusion.

Extracted from Page 170 onwards....

In the aftermath of the tragic events that occurred during the police operation in the Diaz School, there was a general sense of the gravity of the situation combined with a feeling that it would be impossible to identify the individuals responsible. This stemmed from the chaotic nature of the operation and the fact that so many men from different divisions were acting en masse. However, by the end of the parliamentary inquiry it was clear that excessive and anomalous behaviour had occurred, encouraged by a lack of coordination and by organizational holes in the entire operation.....

.....it also concluded there had been serious disciplinary negligence on the part of those in charge who attended the operation, including the defendants Luperi, Gratteri, Canterini, Dominici and Mortola.

...the Diaz Pertini School episodes, undoubtedly more glaring and serious, which at the time appeared to indicate nothing more than an excessive use of force....

....with evidence that contradicted the official version given in the original press release immediately after the operation, a second version emerged. This indicated an undeniable deviation from professional standards but the gravity of the violence inflicted on the occupants led to the conclusion - perhaps unconsciously to avoid the disturbing idea of more widespread and generalized violence - that these were isolated incidents borne of the days of tension and generated by the context....

...However, as shown by the summary, the investigations verified that, in reality, the breakdown in appropriate behaviour - within an operation already considered very complex and sensitive for obvious reasons - was widespread and affected various different levels of those overseeing the forces deployed, including individuals at the very top of the command chain.....

....A situation developed, responsibility for which could not just be chalked up to negligence. The scenario that emerged cannot merely be attributed to unprofessional behaviour, approximation and negligence forming a kind of chain of "errors ", whose concurrence and convergence appear increasingly unlikely. Instead, the picture that emerges is that of a conscious and deliberate action, which, with the apparent scope of justice, used every means of achieving its aims, forgetting that justice can only be achieved by following the rules....

....It appears clear that everything considered, elements must have been twisted, which is the only way to explain how utterly straightforward evidence, such as that required to support an arrest "in the act of committing a crime", fell apart at the first test of legitimacy....

The pressure to obtain results combined with a sense that repeated criminal action was going unpunished, clearly led the police to believe they had justification - even in the face of public outcry - to pursue individuals they believed were "substantially guilty", irrespective of whether they had the necessary evidence, which they were, however, ready to manipulate if needs be.

....On the basis of the reconstruction, decisions on what action to take following the entry and search were clearly conditioned by the importance of what was at stake and the need to produce a result, which at that moment not only failed to match the high expectations that had developed..... an open admission that the operation had failed would not only have been held to reflect mistakes made at a broad level, but that this would also have had repercussions on individual careers and even undermined the image of the committed institution that the defendants represented. In other words a "reason of state" that allowed them to take the shortcut of the end justifying the means.

.... The "political" nature of the opposition to the violent [section of demonstrators] inevitably led to simplifications and a blurring of definitions, both in identifying the enemy and in understanding the values being represented and defended.

The obstinacy in insisting that elements acquired later legitimised the results - regardless of the clear faults in the operation and evidence of the abuse carried out - is representative of an attitude that is still unable to grasp the importance of respecting the rules of obtaining proof and engaging in professionally correct behaviour.

All the conduct attributed to the defendants - as well as other behaviour that cannot be attributed to them but which nevertheless has been shown to have occurred during the Diaz operation - express the conviction that "adjusting" or artificially "improving" the evidence against

certain individuals is behaviour that, rather than deviating from the aim of the institutions, is instead required as a way of achieving this aim. While some elements considered fundamental to the arrests - such as the occupants' alleged resistance to police entering the building - have gradually been refuted by everyone, the only incident that the defendants explicitly and angrily distanced themselves were accusations they planted the Molotov cocktails.

This can be seen to have a double layer of importance. On the one hand, this element more than any other was of an objective nature, leaving no room for alternative interpretations as the bottles had originally been found kilometres away under circumstances entirely unconnected to the present operation. Yet proof otherwise was all based purely on statements made by personal statements. On the other hand, there was the symbolic value of having falsified the piece of evidence, which, more than anything else, showed the dangerous nature of the individuals arrested. This evoked the scenario of a city gripped by the destructive rage of demonstrators but would instead turn out to be one of the most disgraceful acts committed by the police.

Leaving to one side proof provided by the available footage, the plaintiff statements are still subject to development; this is because it is only once all the oral evidence is laid out in the trial that the detail with which events inside the Diaz School can be reconstructed will become clear. Only then will it be possible to fully evaluate the contradictions and utter implausibility of every claim made by the defendants. It will become clear how unconvincing are claims of not having seen, not having been a direct witness to events. The reason for records that are apparently authorless will also become clear.