



Trieste Libera
Svobodni Trst
Free Trieste

To the Judge of the Preliminary Hearings at the Court of Trieste

to oppose the decision to terminate criminal trials

Numbers R.G.n.r. 2133/14, 2134/14, 2135/14, 2136/14 and 6002/14

To the chief prosecutor and to the attorney general of the Republic in Trieste

To advocate the investigation

To conduct further investigations they are competent for:

To the Prosecution Office of the Republic at the Court of Bologna

To National Anti-Corruption Authority

To the *Direzione Investigativa Antimafia* (anti-mafia investigative agency)

To require international protection:

To the Security Council of the United Nations

Represented by the President pro-tempore

To the Governments of the Permanent Members of the Security Council:

China, France, Russian Federation, United Kingdom, United States

for their role of international guarantors of the rights of the citizens of the Free Territory of Trieste, of its legal status and of the international Free Port of Trieste (see: UNSC Resolution No. 16/1947; Article 21, sub-paragraph 1 of the Treaty of Peace of Paris of February 10th, 1947).

1. Synthesis of the document.

The analysis of acts of Italian magistracy in Trieste provided the evidences of the fact that certain members of the Italian judiciary did divert or omit criminal investigations in order to grant the impunity of an organization of persons that is acting, by committing crimes, to prevent the political organization "Movimento Trieste Libera" (Free Trieste Movement) and the investigative newspaper "La Voce di Trieste" (The voice of Trieste) from contrasting and denouncing serious illegal actions and the corruption of the Italian political and administrative system in the Free Territory of Trieste.

Said illegal actions and corruption do seriously damage the legitimate interests of the sovereign population of the Free Territory of Trieste as well as of all the States holding interests and rights as for the use and management of the international Free Port of Trieste.

This document is an act of opposition to the termination of the omitted criminal investigations, but for self-defense needs, it is also sent to the main Italian and international competent authorities, as well as being published.

2. Legitimation.

The complainants and currently opponents, Roberto Giurastante and Paolo G. Parovel are representatives of the Movimento Trieste Libera – Gibanje svobodni Trst – Bewegung Freies Triest – Free Trieste Movement and they are, by law (see Annexes 1 and 2) citizens of the Free Territory of Trieste – Territorio Libero di Trieste – Svobodno Tržaško Ozemlje, temporary entrusted under special trusteeship to the Italian Government, as well as being representatives of the Movimento Trieste Libera – Gibanje svobodni Trst – Bewegung Freies Triest – Free Trieste Movement.

The Free Trieste Movement is a subject recognized under international law, it has already been supported with more than 26.000 signatures of the citizens, and it defends the legitimate interests of the sovereign population of the Free Territory of Trieste as well as the legitimate interests of the other States of the International Community as for the use and management of the International Free Port of Trieste.

3. Reasons of the complaints and of the opposition to their termination.

The present opposition regards the requests to terminate certain report and complaints presented by Roberto Giurastante, current president of the Free Trieste Movement, and by Paolo G. Parovel, director of investigative – printed and digital – newspaper “La Voce di Trieste” and representative of the same political movement.

The Free Trieste Movement opposes to the illegal simulation of sovereignty of the State of Italy over the current Free Territory of Trieste and over the International Free Port of Trieste, entrusted to the Italian Government under temporary civil administration, while La Voce di Trieste is the only investigative newspaper of the city, and it denounces serious networks of corruption, either ordinary or suspected to be related to mafias.

It is the same corruption that has been widely investigated and denounced in past years by Roberto Giurastante through legal actions, complaints to the European Union and in investigation-book “Tracce di legalità” (Tracks of legality), published in 2010.

This is why the Free Trieste Movement, its President, Roberto Giurastante, and journalist Paolo G. Parovel are independent, active and efficient opponents of a powerful, protected “system” of political and economic corruption, covered up by illegal interests of State, which influence Italian institutions, violating also Italian Law No. 17/1982 on transversal structures of power.

Said local “system” of corruption damages and parasites the economy of the Free Territory of Trieste, its sovereign population and its international Free Port committing very significant, illegal economic operations, which do also arise anti-mafia questions.

Because, among these operations, besides illegal dumping sites and the control of public tenders, there are the attempts to illegally eliminate the Northern Free Port of Trieste to realize building and housing speculations amounting to 1,5 billions Euro.

This is why the “system” of local corruption, as well as its illegal protections by the State, have a relevant and converging interest to commit or favor actions to get rid of the Free Trieste Movement, as well as both its president, Mr. Giurastante and journalist and newspaper director Paolo G. Parovel.

The most aggressive and harmful of said operations has begun in April 2014 and it continues with more and more crimes, by individuals who are clearly manipulated or used for the purpose.

Since May 12th, 2014, both R. Giurastante and P.G. Parovel presented complaints to local, Italian judicial authorities for them to punish the persons responsible for said crimes, as well as to prevent the continuations of these.

Instead, the Italian judicial authorities in charge did divert and omit the investigations, as well as trying to take no further actions on the complaints, protecting the responsible persons for them to keep committing the crimes, damaging as much as possible the Free Trieste Movement, its President, the investigative journalist and the cause of the Free Territory of Trieste and of its international Free Port.

It is yet to investigate if said illegal behaviors of Italian judicial authorities in Trieste are caused by personal initiatives or the execution of orders.

Anyways, it is clear that this is a case of political repression by judiciary means, in violation of both the principles of democracy and of the very Constitution of the Republic of Italy.

4. The context and the contents of the complaints.

The complaints under examination describe and record the following facts.

In the middle of April 2014, both the Free Trieste Movement and investigative newspaper La Voce di Trieste received classified information about upcoming operations of criminal organization *'ndrangheta* against them and against the Port Authority of Trieste in order to favor the above mentioned attempt to a massive, illegal speculation at the expenses of the international Free Port of Trieste, which is supported with increasing insistence by an abnormal, transversal consociation of local politicians.

To prevent the above mentioned operations of the *'ndrangheta*, the President of the Free Trieste Movement, Roberto Giurastante and the director of La Voce di Trieste, Paolo G. Parovel, did immediately bring that to the attention of judicial authority, as well as publishing the notices and analysis on that.

The Prosecution office did assign the investigations – of which no practical results are known yet – to Public Prosecutor Mr. Federico Frezza, who, here in Trieste, is always

responsible of both investigations against the Mafia – it is unknown whether actions he takes to fulfill this duty – and these about the Free Trieste Movement and its leaders, members and supporters, that he has already unfairly charged with several crimes, including “subversion”.

Due to this second kind of investigations, there are serious reasons of incompatibility, since the current leaders of Free Trieste did often report Public Prosecutor Frezza to the Prosecution office of Bologna (under Article 11 of the Italian Criminal Code) also for different and previous facts, including the lack of information on the conclusion of trials regarding crimes committed by certain, particular politicians and local administrators.

The news, published by both the President of the Free Trieste Movement and the director of La Voce di Trieste, about the possibility that the 'ndrangheta is interested to the speculation in the Northern Free Port was not denied by local politicians.

On the contrary, immediately after the publication, on the net (Facebook and websites) an organized and extremely violent campaign of defamation was unleashed against both authors and it last, uninterrupted, since nearly 9 months, carried on by an abnormal transversal consociation of subjects who are either inside or outside the Movement, and also by people residing abroad (Mexico, South America, Kazakhstan).

The analysis of what is being published confirms that the published material has, as main purposes, to deny that in Trieste there are connections between politicians and organized criminality, by portraying as psychotics both the President of the Movement and the journalist, to seize the Movement through an illegal “*golpe*” from the inside and supported from the outside, to eliminate the two men from politics and press.

Among the conductors of these operations there are previous offenders or individuals compromised for having been involved in trafficking and consuming cocaine, money laundering, fraud and computer fraud, forging documents, theft, illegal detention of weapons, violence, prostitution; some of them, along with other people, resulted to be co-responsible for subtracting to the Movement significant amounts of money, including these entrusted to the Triest NGO of London.

The aggression conducted as above described uses local newspaper “Il Piccolo” to be intensified. It does also appear to have been systematically designed, following professional themes and techniques of “propaganda war” and having nothing to do neither with normal political polemic nor with the cultural and psychological profile of its public protagonists.

Therefore, here are enough facts and analysis to confirm that the aggression was and still is directed, used and protected by Italian political-institutional environments in order to neutralize and dissolve the Free Trieste Movement and to put an end to the investigations of La Voce di Trieste.

As for the Free Trieste Movement, the President-in Office, R. Giurastante and a part of the management board defended themselves from the aggressive group by discharging their leaders and by revoking – it was put into writing – to them also the role of

administrators and users of the website and the page of the Free Trieste Movement on Facebook, which had 12,000 contacts, as well as the authorization to use the emails of the Movement.

Because the page on Facebook, the website and the emails had been created and were only used under appointment, in the name of, as a function of, and under payment and use of the Free Trieste Movement, which does also hold the rights on the logo, name and contents published by the Movement, in person of its legal representative, who is the president-in office and who is also civilly and criminally responsible of the contents published on these.

So, on May 10th, 2014, the persons who had regularly and legitimately been discharged from the administration of the website, the page on Facebook and the emails did, instead, illegally seize these, in agreement with the other internal promoters of the “*golpe*”, as well as cutting out from the administration and access to these both the President and the users he had authorizes in order to prevent them, from that moment on, to communicate with the members and supporters of the Movement, but also from replying to campaigns of defamation more and more violent.

At the same time, the “*golpisti*” cancelled from both the website and Facebook the legitimate Assembly to approve the Balance that had been summoned by the President for June 21st, but also other contents and, also, they illegally appropriated of the emails of the names and addresses of its members, that were used to summon an illegitimate assembly on May 31st, falsely declaring terminated and to be reelected all representatives elected on January 18th, including the President.

This is how the no longer authorizes administrators and the authors of the “*golpe*” did illegally take the place of the authorized administrators of the Facebook, website and emails of the Movement, illegally using these hiding behind the name and logo of the Movement itself, to deceptively proclaim to be the legitimate owners and leaders of that, to try being elected ad its new leaders, up to organizing an outright, physical siege to the headquarter of the organization, where the members and the Carabinieri stopped them.

Since they failed this attempt, they used the website, Facebook and emails they stole to the Movement to take control over collateral organizations (Triest NGO and Trieste Libera Impresa) to create, on June 28th, their own imitation-movement (Territorio Libero 3 – Cubed Free Territory) which is furiously against Free Trieste.

Anyways, they continued to use as their own even the name an logo stolen to the Free Trieste Movement and it was not until July 11th for the website and until September 10th when it comes to the page on Facebook that they substituted these with their own, yet, without stopping to use as their own the contents (articles, images and other references to the logo) of the Free Trieste Movement.

The violent campaign of outrages, defamations and threatens – even death threatens – supporting said operation using the website and the Facebook that were stolen continues, unstoppped, since May 10th, 2014 to this day (January 24th, 2015), meaning since 9 months, and it is integrated by extremist and racist expressions against others.

All of this continued also by anonymous persons or others using pseudonyms, causing very serious, unfair moral and material damages to the Movement and to the persons that were and attacked by defamation and are also unable to take action and to reply to deny the insults and defend themselves.

5. Formalization of complaints and alleged offences.

This is why the President of the Free Trieste Movement, also due to the fact that he is legally responsible of the stolen Facebook and website, and director of the investigative newspaper denounced, since May 12th, 2014 the persons who committed said illegal actions, by precisely listing all their names, describing the facts in detail and annexing documents for the following, alleged offences, committed under the following articles of the Italian criminal Code:

«No. 416 (criminal organization); 640 (fraud); 661 (taking advantage of the people's credulity); 595 (defamation); 612 (threaten); 392, sub-paragraph 2 (alteration, editing or elimination of digital material); 491 bis (forgery in a digital document); 615-ter (unauthorized access to a computer system); 615 quater (unauthorized detention and diffusion of the entrance keys of a computer system); 616 sub-paragraph 4 (violation of electronic correspondence); 617-quater (illegal intercepting, prevention and interruption of electronic communications); 617sexies (falsification and elimination of the content of electronic communications); 621 (breach of digital data); 635-bis (damaging others electronic data); 640-ter (computer fraud).»

6. Unfair dispersion and unjustified depersonalization of the proceedings, unjustified reduction of the alleged crimes.

The Prosecution office assigned to Public Prosecutor Mr. Frezza all the three acts constituting the report and complaints for the informatics attack that were presented on May 12th, 14th and 17th 2014, as he is "specialized" in legal proceedings against Free Trieste and despite these acts being addressed to Chief Prosecutor Mr. Mastelloni.

The three parts of the report and complaint make a sole proceeding and do clearly list the names and family names of the people reported, as well as the alleged offences they committed, see point 5.

Instead, Public Prosecutor Frezza changed, without reasons, the subject of the investigation, because he has divided this only proceeding in four different proceedings, registered under numbers 2133, 2134, 2135, 2136, he registered these as "*against unnamed persons*" and he shortened the alleged offences to only that envisioned at Article 615 ter c.p. - "*unauthorized access to a computer system*", ignoring all these listed and documented in the complaint.

Aldo, the Public Prosecutor did not take into account that the stolen and misused properties were, besides media and therefore means of communication as such, the name of the Movement, its logo, its public image and identity, its actions and all that it had published to that moment, the correspondence, the personal data of the members, nor did

he take into account that these properties were used to attack and damage it, committing other crimes, in particular defamation.

It is like a theft stealing a loaded truck and used it to run over the owners, yet, the Public Prosecutor would only know if the truck did actually belong to them, and considered the theft as only actual offence.

7. Omissions in the investigations that favored the reported persons.

These diverting choices of the Public Prosecutor were refined with an enormous deviation of the investigations of the criminal police, to the great benefit of the denounced persons.

On May 22nd, the Public Prosecutor delegated the Fraud Police to investigate as for the only alleged offence mentioned above, asking if urgent measures were possible.

From the acts, it does not result that the Fraud Police has answered to him, nor that it has enforced urgent, precautionary measures to prevent the continuation of the denounced crimes, nor that it has conducted technical assessments on the stolen website and page on Facebook.

On May 29th, the Fraud Police heard Roberto Giurastante to confirm the report complaint, but from the acts it does not result that this was taken into account.

The following day, May 30th, the denounced persons were already sure that the case would be discharged, so they presented a counterclaim against Giurastante and Parovel, and once again, the Prosecution Office assigned that to Public Prosecutor Frezza.

To hear the denounced persons, the Fraud Police waited that the assembly denounced in the complaint for being illegal took place, on May 31st, and then that the management that had illegally elected appointed, on June 2nd, it's illegitimate president, the person namely said Mr. Vito Potenza.

On the evening of June 3rd, Potenza and his followers did publically attempt to siege the headquarter of the Free Trieste Movement and were repelled by the members of the Movement and by Carabinieri.

On the morning of June 4th, the Italian Fraud police heard Potenza himself, in order to clear him and the other denounced persons: it qualified him as new President of the Free Trieste Movement instead of Giurastante, as well as asking him, for this role, to denote the legitimate owners of the entrance keys of the website and Facebook of the Movement.

Indeed, in the record there is the following question: *«Premising that on last June 2nd you were nominated president of the "Trieste Libera" movement by the management board elected during the Extraordinary Assembly of last May 31st, discrediting, de facto, the current president, Mr. Giurastante and, as for the complaint he presented to this office on last May 11th, and the following integrations, can you explain who has the*

entrance keys to internet www.triestelibera.org and to the official Facebook profile of the Movimento Trieste Libera?»

Qualified as president like this, by the Italian police, Mr. Potenza did falsely state the legitimate owners of the entrance keys are Alessandro Gombac and Arlon Stok (both had already been removed, as stated in the complaint). And once heard, on June 5th and 6th, they did falsely confirm this legitimacy. Mr. Stok did also present, as fake evidence, a receipt for a payment that had been sent to him, yet, that was in fact that was in the website of the Movement's name and it was the Movement to pay for that.

Also, the Fraud Police did not take into account that, even if Mr. Potenza had actually become legitimate president on June 2nd, he and his followers had actually stolen the website, the Facebook, the email and the data of the members of the Movement, committing all related crimes, and all of this would have happened during the undisputed presidency of Mr. Giurastante.

This is also confirmed by the hearing of Arlon Stok, who admits excluding, under request and in agreement with others, the President-in-Office Giurastante, who was also legally responsible for these media.

This is why the investigative procedure followed by the Fraud Police as for this case does violate the most elementary criteria of coherence and effectiveness in an investigation.

The final report of the investigation, written on June 10th and sent forward to the Prosecution Office on June 16th, does falsely claim that Vito Potenza is the new president of the Free Trieste Movement, elected during the "extraordinary assembly" and that the digital media of the Movement are managed by the legitimate, original administrators, whose access and control key have never been questioned.

The report of the Fraud Police is deceptive because of other reasons as well: it confirms that Mr. Stok removed the access to the media to the President-in-Office, Mr. Giurastante, yet, it does not take into account that this was an illegal act; it states that the digital database that was stolen is the mailing list of the Movement, while that does also include the list of its members, which was kept in the office of the Movement; it paradoxically claims that the mailing list with the name list and emails of the members and supporters of the Movement "does not contemplate" (does not contain?) personal data, but it does and, along with these, it involves correspondence.

The report does also omit to compare these affirmations with the contents of the complaint which contradict these, and it ends stating that *"Therefore, the current situation of the administration of the website, the Facebook page and the email address, would exclude the alleged offence of unauthorized access described in the complaint by Mr. Giurastante."* This conclusion is demonstrably against the truth.

Essentially, the Fraud Police did not investigate, as it has suggested and verbalized the false claim that the investigated persons were the actual owners of the properties they

had stolen to the Movement and that these people misused said media in public, to attack the Movement and deceiving both its members and public opinion.

The purpose of this farce is clear: discharging all investigations by claiming that one of the persons who had committed the crime had become, as new president, the legal owner of all stolen properties.

Yet, in note of transmission dated June 16th, the Fraud Police suggested to Public Prosecutor Frezza to reunite the proceedings, as these revolved around the same facts.

Public Prosecutor Frezza omitted both to reunite the case files and to object the lack and absolute abnormality of the investigations, also, he suspended all other acts on this matter for three months, which means he allowed the illegal, aggressive actions against the Free Trieste Movement, against Roberto Giurastante, against Paolo G. Parovel and against the Free Trieste Movement to continue without being punished. Take note that the same Public Prosecutor promoted and supported criminal charges in other proceedings against the same subjects.

8. The request to dismiss the complaint that had been diverted as described above.

On September 18th, the Public Prosecutor formulated the request of dismiss the complaint that had been diverted as described above. His argument for that was drawn upon the report of the Fraud Police dated June 10th, to which he did only add his consideration that *«According to the Public Prosecutor, who shares completely the conclusions of the Fraud Police, therefore, this management of both the website and Facebook page ads well ad the email address, would not fall under the definition of the offence of unauthorized access, unlike stated in the complaint by GIURASTANTE.»*

Due to this, it is clear that said conclusions are false and that the Public Prosecutord did intentionally ignore all the other contents and different implications of the complaint, including these anti-mafia, which refer also to open investigations that were assigned to himself.

9. Omitted notifications of the notice of dismissal, further division of the case files by the President of the GIP and abnormal digital cataloguing.

The offices of the Prosecution Office did send forward to Mr. Morvay, president of the Ufficio GIP (Office of the Judge for Preliminary Investigations) the request of dismissal on September 22nd, but did omit to notify that to the complainants, Giurastante and Parovel, preventing them from opposing to that.

The President of the GIP Morvay did not object the omitted notification nor did he reunite the four case files, yet, he did divide these once again, as he kept for himself files No. 2134 and No. 2135 (and he did already take note on the dismissal form of No. 2134 *«complaint absolutely ungrounded, de facto and under the law»*) and then assigned No. 2133 and No. 2136 to the Judge for Preliminary Investigation Mr. Dainotti.

On the contrary, GIP Dainotti did immediately object the lack of notification as for the case files that had been assigned to him and he sent these back to the Prosecution Office for the requests of dismissal to be notified.

The president of the GIP, Morway, did send his case files back for the needed notifications only five days later, on September 27th.

The offices of the Prosecution Office waited three more months to justify the omitted notifications with a note, dated December 6th, but did not proceed before the hearing before the GIP on January 7th, 2015, scheduled to discharge the counterclaim that Vito Potenza and other complainants had lodged on May 30th.

The day before this hearing (that was postponed) Mr. Potenza and his group bragged on Facebook that the report and complaint of Giurastante and Parovel had been, since long, destined to termination, which is something they should have not known, since the notification of that had been omitted even to the very complainants, Giurastante and Parovel.

They did immediately take action to find the file cases in the chancellery of the G.I.P. only to discover that even the four proceedings had inexplicably been abnormally archived in the digital archive of the Court and that had caused serious problems in the research process, defined by the functionaries in charge as never seen before.

The notification of the request to terminate the proceedings, dated September 18th, 2015, was finally notified to Giurastante and Parovel on January 15th, 2015.

10. The defenses of Giurastante and Parovel as for the abnormal faults of the proceeding.

As it was analyzed and demonstrated above, the Italian judicial authorities who deviated and omitted the investigation on the criminal proceeding split and registered as No. 2133, 2134, 2135 and 2136 allowed Vito Potenza and his followers to continue, since May 2014 and with no punishment, a seriously violent campaign of defamation and threatens using the website and the Facebook page they had stolen to the Free Trieste Movement, as well as to subtract in its digital correspondence.

This is why the President of the Movement, Roberto Giurastante, and journalist Paolo G. Parovel had to defend themselves presenting, between September 27th and December 5th, a series of report complaints against the authors and the people sharing their responsibility as for the most serious defamations and threatens: above mentioned Vito Potenza, namely said Paolo Deganutti and others.

Even when it comes to these complaints, Italian judicial authorities, as well as Public Prosecutor Frezza, as he was the chef of the investigations, showed slowness and reluctance in incriminating the aggressors who, in the meantime, are unpunished and so establish their own "security groups" that did even beat up a policeman in front of the headquarter of the Free Trieste Movement.

This is why, on December 10th, Roberto Giurastante demanded to Prosecutor General at the Court of Appeal of Trieste to advocate the investigations. The Prosecutor General did partially answer on January 7th, refusing to do that: this allowed us to discover that Public Prosecutor Frezza keeps treating new report complaints as separate proceedings, even if these are closely related since they revolve around the repetition of the same crimes, committed by the same group of people, using the same means (in particular, the website and Facebook page they stole to the Free Trieste Movement) and for the same purposes.

Follows that the above mentioned legal slowness and reluctance grant to the aggressors a *de facto* protection that allows them, since May 2014 to commit, unpunished, the same crimes as they believe to be authorized and supported by Italian authorities to attack by all means, to defame and threaten Giurastante and Parovel in public and through the press, with more and more offensive violence that had never been allowed before against any person in Trieste.

On the contrary, it is very easy demonstrating that, since 2010, the very same Italian judicial bodies in Trieste and the same Public Prosecutor Frezza do not hesitate to request the commitment for trial of the journalist due to the complaints presented by politicians and public administrators who support the speculative operations he claims to be illegal, like these at the expenses of the Free Port, yet, without prosecuting the crimes that the same politicians commit in the light of the day: these proceedings are frozen since years.

11. The request to dismiss the complaint against Deganutti and others.

The evidences of this uneven treatment that, in fact, protects the aggressors, was obtained through the notification, on last January 15th, 2015, of the request to terminate proceeding No. R.G.n.r. 6002/14 concerning the report complaint presented by Giurastante and Parovel on September 27th, 2014:

«versus Paolo Deganutti and others, for ongoing defamation in the press they committed both as individuals and as groups, under their own name or under pseudonyms/ anonymously, as part and in order to commit criminal actions that have already been reported to the present Office, also under the consideration that this stable consociation results in the commitment of a plurality of crimes, their continuation or the participation to these. – We do also require to extend and to connect the investigations as for above-mentioned point 5 (“Mafia-style threatens and implications”).»

The report complaint regards an especially intense, hammering and violent sequence of defamation and threatens, even in the style of the mafia.

It is about defamations and threatens systematically broadcast on flyers and published on the internet (using the website and Facebook page stolen to the Free Trieste Movement) and on newspaper Il Piccolo, to the point that as Chief Prosecutor Carlo Mastelloni assigned this proceeding to Public Prosecutor Frezza, did immediately emphasize (September 29th) in written form the responsibilities of the director and of a journalist writing for that newspaper.

Instead, already on November 17th, Public Prosecutor Frezza took note in the case file that *«tone and contents do fit within the limits of critique that, as for politics, has especially wide boundaries »* and, with this same argument, on December 4th, he demanded the termination of the proceeding without investigations.

To understand why the request of the Public Prosecutor is so abnormal and, under the light of all that has been documented to this point, its utility, it is enough comparing it with the extraordinary, systematic and deliberate violence and range of offence of the defamatory expressions reported, which does clearly follow organized schemas, themes, slangs and professional techniques of the “propaganda war” and reaches a huge number of readers, on the net and on the newspaper.

The offenders do, actually, openly accuse Giurastante and Parovel to be “*two paranoid maniacs*”, “*two characters out of mind*”, a secret, either masonic or Templar “*sect of the solstice*”, taking advantage of the money of thousand of Triestine patriots, crooks, informers, liars, detractors, *mafiosi*, traitors of the cause of the Free Territory of Trieste, to be paid by Italian political parties, and there have also been cases of diffusion and illegal use of information on their personal health.

The threatens are both implicit and explicit: “*we must eliminate them*”, as well as using a typical expression used by Italian mafias, defining the activities of investigative Paolo G. Parovel “*the last spasms of a dead man walking*” (Vito Potenza on “Il Piccolo”)

This formula does not appear random nor harmless under the light of the development of the whole picture of an entire system of local corruption interacting with the interests of the 'ndrangheta underlined above, at point 4, that are assigned to the same Public Prosecutor who wants to terminate these cases on sight, with no further investigations, as he does with this kind of threatens and nine months (to this day) of aggressive, defamatory public campaigns, which are professionally organized.

In the mixture of defamations and threatened, the same aggressive group does even defend the work of Italian judicial authorities who, *de facto*, protect it. This is why this group does come as far as accusing Giurastante and Parovel to present even ungrounded complaints and to be “*two shady individuals, whose only purpose it that of carry on their personal fights against Italian magistracy*».

This is why both the criminal nature and the status threaten to public safety of the facts in proceeding 6002/14 – that Public Prosecutor Frezza demands to terminate without investigations – and of all related proceedings on which Italian authorities are diverting or omitting the needed investigations and proposing the termination in favor of the attacking group, and these do not even need a comment.

Yet, it does also appear clear that the behavior of Italian judicial authorities in the Free Territory of Trieste – entrusted under a mandate of temporary civil administration to the Italian Government – are abnormal and constitute a public danger.

12. Other investigative observations on the behaviors of Italian judicial authorities in Trieste.

It is demonstrated that the crimes committed to this moment, in public and yet unpunished, by an organized group of people against the Free Trieste Movement, against its President, Roberto Giurastante and against investigative journalist Paolo G. Parovel, director of investigative newspaper La Voce di Trieste, could only last due to abnormal behaviors of certain members of Italian judicial authority, who had the legal duty to prevent these crimes (Article 40 of the Italian Criminal Code) and did, instead, protect the attacking group.

These abnormal behaviors of institutional bodies are also worsened by the circumstances that the facts presented in the report complaints are not private matters, as these are brought to the highest public attention, and how the “dedicated” Public Prosecutor was also aware of the criminal records of the persons denounced since, as a magistrate, he could access these or did already know that due to other investigations.

Among these, there are the classified documents Public Prosecutor Frezza received between February and March 2014 by the Carabinieri of the ROS (Special Operations Department) on investigations charging with serious offences the members of the attacking group, as that includes several previous offenders as well as excluding the responsibility of R. Giurastante.

Also, it is yet to be discovered why did the Public Prosecutor allow the persons under investigation and others to discover the investigations of the ROS, as these are (and, with these, the names of the informers, who were put in serious danger, the interceptions of telephones and environments) by adding said documents to the case file of proceeding No. 840/14, which became available after a request for commitment for trial revolving on completely different facts.

Because, in facts, the Public Prosecutor could not be unaware that his choice could have favor the persons under investigations, leading them not to commit more compromising actions since they became aware to be followed, photographer and intercepted by the ROS.

At the same time, it is rather surprising that during a recent criminal proceeding her in Trieste, against a local cocaine dealer that had already been condemned abroad (in Germany) no facts or investigations come out, even if these should have been recorded due to his assiduous frequentation with some of the protagonists of the ongoing aggression against the Free Trieste Movement.

In the end, it is important taking note that Italian judicial authorities proof to be inactive or acquiescent when it comes to crimes committed against the Free Trieste Movement or its leaders, did even issue documents where they falsely state the historical and legal existence of the Free Territory of Trieste, of the rights of its citizens, of the mandate of temporary trusteeship that was entrusted to the Italian Government and the international legal status of the Free Port of Trieste.

13. Conclusions and requests.

Considering all of this, the undersigned do:

13.1. Formulate , to the Court of Trieste:

a) before the Judge for Preliminary Investigations, the opposition to the decision to terminate criminal proceedings No. R.G.n.r. 2133/14, 2134/14, 2135/14, 2136/14 and 6002/14, on the base of the new emerged facts described here, as for the deviation and omission of the investigations, on the connections between the proceedings and their real status of threatened to public safety and security;

b) the consequent request to conduce, at the earliest possible time, the omitted investigations and new ones, and that the Chief Prosecutor or the General Prosecutor retains theses to proceed with the indictment and the conviction of the people responsible for the reported crimes.

13.2. Send a copy of the present document, for the following to conduct further investigations they are competent for:

a) To the Prosecution Office of the Republic at the Court of Bologna, under Article 11 of the Italian Criminal Code;

b) To National Anti-Corruption Authority;

c) To the *Direzione Investigativa Antimafia* (anti-mafia investigative agency);

13.3. Demand protection and direct assistance to the international guarantors of the legal status of the Free Territory of Trieste, of the rights of its citizens and of the international Free Port of Trieste (UNSC Resolution No. 16/1947, art. 21, sub-paragraph 1, of the Treaty of Peace of Paris of February 10th, 1947) and, precisely:

a) to the Security Council of the United Nations, represented by its President-in-Office;

b) to the Government of China, France, Russian Federation, United Kingdom, United States, as their States are Permanent Members of the Security Councils of the United Nations.

Trieste, January 24th, 2015.

Roberto Giurastante:



Paolo G. Parovel

