

THE DIRECTORATE OF ANTI-MAFIA INVESTIGATIONS
OPERATIONAL CENTER BARI

Br. 125/BA/2°Sett.Inv.Giud./H5.148-1/1379
Bari, 2.2.2005

SUBJECT: Findings of the investigations against:

1. ĐUKANOVIĆ Milo, Born on the 15.02.1963. in Nikšić (Republic of Montenegro which is part of the Alliance Serbia – Montenegro), his business address is in the premises of the Montenegro government;
2. PEŠIĆ Dušanka, born on 13.02.1959. in Danilovgrad (Republic of Montenegro), living in Milan in Andrea Solari street 32, widow of the late Janko Jeknić, the minister of foreign affairs of the Republic of Montenegro;
3. IVANIŠEVIĆ Miroslav, born on 30.05.1956. in the republic of Yugoslavia, his passport number is 000063408, Minister of Finance in the Government of the Republic of Montenegro;
4. GALFETTI Renzo, born on 18.06.1947, living in 6832 Pedrinete (the Swiss Confederation) in Santo Stefano street no.11, a lawyer;
5. BIONDI Clemente, born on the 28.08.1954 in Naples where he lives in Caracciolo street. 20, his law firm is in Naples in Generale Orsini street 44, a lawyer;

RESPONSIBLE FOR:

1. ĐUKANOVIĆ Milo;
 - a) The crimes stated in sections 61 article 2 and 10, 112 article 1, 2 and 3, 416 bis article 1, 2, 3, 4 and 5 of the Criminal Law, “for being a member of a criminal organization of camorra– mafia type, that was organized and led by PRUDENTINO Francesco, SARNO Constantino (he stayed in Montenegro until 31.05.1997, the day of his return to Italy where he was arrested), LASPARTA Raffaele (he stayed in Montenegro until 07.10.1997, when he escaped from this country to Italy where he was arrested on the 11.12.1997), LASPARTA Tommaso (he stayed in Montenegro until the 07.10.1997 when he escaped from this country to Italy where he was arrested on the 30.01.1998), LASPARTA Donato, VITELLARO Umberto, CELLAMARE Giuseppe (they had remained in

Montenegro until the 20.01.1998, when they were extradited to Italy to be arrested, STANO Benedetto (he stayed in Montenegro until the 10.11.1997, when he was arrested in Italy whose territory he had illegally entered), VANTAGGIO Santo (he stayed in Montenegro until 16.09.1998, the date of his murder), SPARACCIO Francesco, RILLO Bruno (they stayed in Montenegro until October 1996), MONTEFORTE Cesario (remained in Montenegro until 07.06.1999, when he was arrested in Italy) and other, top representatives of criminal organizations of camorra – mafia type which operated on the territory of the Puglia and Campania region, and which, after the Italian judicial authorities issued an arrest order escaped capture by fleeing to the coastal parts of Montenegro where they took up permanent residence and from where they carried on their executive roles during the time which corresponded to the time they had spent in the said Republic and took part in the execution of the agreement with four concessionaires – CUOMO Gerardo, LLORENS Gilbert – MONNIER Patrick, VARANO Michele Antonio, GARSIA CANCIO Luis Angel – on the license for the export of foreign tobacco products – which the authorities granted to Franco DELLA TORRE, and with the collaboration from the Authorities of the said state they maintained mafia-like control over the illicit trade with the coastline of Regiona Puglia and, in particular, with the coastal area belonging to the Bari Appeals Court district. The activities included weapons, foreign tobacco products, drugs and also did some additional financing of the criminal ring.

Specifically, **Milo Đukanović**, first as the head of the government, later as the president of the Republic, and eventually again the head of the government of the Republic of Montenegro (a state which before was part of the Federal Republic of Yugoslavia and from the beginning of 2003 is a part of the Serbia – Montenegro Alliance according to international law) together with other subjects which were or were not representatives of institutions of that state:

With the help of the following persons: Corrado BIANCHI and Franco DELLA TORRE, both Swiss citizens, granted a license for import into Montenegro territory of about 100,000 boxes of foreign tobacco products which is the equivalent of 1000 tons per month, which was later, in the agreement with Franco DELLA TORRE himself, divided into four concessions which were granted to the following individuals CUOMO Gerardo, VARANO Michele Antonio, GARSIA CANCIO Luis Angel and MONNIER Patrick who took over after the death of LLORENS Gilbert;

- With the help of people he could trust among whom was Žarko MARKOVIĆ, the CEO of ZETA TRANS company, he approved using state companies to procure the logistics necessary to achieve his goal, that is, making the import of the mentioned boxes containing foreign tobacco products possible – by using Montenegrin border crossings and airports as well as ports, and making possible the subsequent transport, escort and storage in warehouses:
- With the help of police and security agencies in charge of the border control and with the help of the aforementioned state agencies he enabled strong speedboats owned by and at the disposal of members of criminal organizations to be dock at the ports of Bar and Zelenika. These speedboats were used exclusively for the transport of :
 - Weaponry qualified as illegal and wartime according to the Italian legislation;
 - The aforementioned boxes containing foreign tobacco products, from Montenegro to the Italian coast, especially towards the part of the coastline under the jurisdiction of the District Appeal Court in Bari
 - narcotics;
 - persons who entered the country illegally, among them Italian citizens who had been sentenced to prison by the Italian authorities and who were illegally transported to Montenegrin towns to find refuge there;
- he approved “Jugopetrol” company to supply the aforementioned vessels with fuel and the logistics required for their maintenance;
- together with other individuals he decided to establish the Montenegrin company called **Montenegro Tabak Transit**, in order to maintain control over all boxes containing foreign tobacco products that were imported into the territory of Montenegro by licensed concessionaires with the help of the Panama SANTA MONICA S.A. – run by Franco DELLA TORRE, so that he could, again with the help of Franco DELLA TORRE, have at his disposal the funds collected on the basis of the so called “transit tax”. With the help of the company INTERCAMBI S.A, owned by Freddy BOSSERT he distributed the aforementioned enormous capital in the following manner:
 - various deposits to an account number Q5792668 ZETA TRANSA, at S.B.S. in Lugano and later at U.B.S. S.A.;
 - to an account in USD number 101.255/1001 ANNANDALE Enterprises Corp. at KBS – Krediet bank Swisse with headquarters in Lugano;

- to an account in USD number 111.099/1001 KRESTA Enterprises Ltd. at Krediet bank with headquarters in Lugano;
 - to an account in USD number 113383 100200115 MONTAGNE BLUE Ltd. at KBS – Krediet bank Suisse with headquarters in Lugano;
- sums which were, after being transferred to the aforementioned accounts as directed by the persons in charge at the M.T.T. – Branko VUJOŠEVIĆ, Inteso Filip or Philip and Vesko BAROVIĆ – and ZETA TRANS, later redirected to foreign company or individual accounts in the following manner:
- to an account number 0155-41-101346-96; BK Cyprus Nicosia, Pegalimi Limited;
 - to an account number PO 477017.0; U.B.S. Zurich, IKOS Finance Company Ltd;
 - to an account number 944490; Deutsche Bank AG., Frankfurt, Germany, GML/WEBO Ltd;
 - to an account number 218-25-132070, RBA (X) Raiffeisenbank, Austria D.D., Zagreb, ŽIVKOVIĆ Slobodan Croatia;
 - to an account number 241-07-128399-01, ELLENIK BK Nicosia, Coperman Shipping Ltd, Limassol Cyprus;
 - to an account number 1004-512967-302, XIOSBANK S.A. KFSIA Brank 14562 Kfsia Atena (Greece), CAPTAIN Holding Ltd;
 - to an account number 2628005025/1100, TATRA BANKA A.S. Bratislava, Republic of Slovakia, EAST AIR COMPANY Ltd, Bratislava, Republic of Slovakia;
 - to an account number 107222.10.333.01, ANKER BANK Taistrasse no. 82 CH-8022 Zurich, ROBECCO AVIATION S.A., Panama;
 - to an account number 15206012, BK AMERIKA Frankfurt, ED & MAN SUGAR Limited, London, England;
 - to an account number 033-41-036556-48, BK Cyprus Nicosia, MIJOVIĆ Verica;
 - to an account number 1026814, DEUTSCHE BANK, Bon, Germany, AUTOHAUS JACOB FLEISCHHAUER, Bon, Germany;
 - LANBADA, Novi Sad;
 - CENTAR SAVREMENE;
 - To an account number 4100796093, REGIONT BANK Lousiana New Orleans, TIODOROVIĆ Tijana;
 - To an account number 871-483739-7, WASHINGTON MUTUAL BANK, FA EL SEGUNDO FINANCIAL CENTER, 1432 550 North Sepulveda Blvd EL SEGUNDO CA 90245, BURIĆ Đorđe;
 - To an account in USD number 08133000424, CYPRUS POPULAR BANK Ltd, GORANOVIĆ Predrag c/o Linopetra Brank,;

- To an account number 323.790.010, VERWALTUNGS PRIVAT-BK Vaduz, CODEX Ltd;
 - to an account number 9288457, KAERNTNER LANDERS UND HYPOTEKEN BANK AG, Klagenfurt, Austria, INTERNATIONAL TRADING PARTHENERS Ltd;
 - to an account number 5D-554.249.0, U.B.S. Zurich, NIVADA IMPORT AND EXPORT GMBH;
 - to an account number 3199304, LHB INT. Handelsbk Frankfurt, ZETATRANS;
- and other accounts
- with the help of highest representatives of the police and security agencies he provided for the protection of Italian citizens whom the Italian court authorities issued arrest warrants for, and who, after escaping the Italian court authorities, found refuge in the republic of Montenegro. To be more precise, the following Italian citizens are:
 - PRUDENTINO Francesco (arrested in Thessaloniki – Greece in December 2000. after spending a longer period of time in Zelenika and Budva, towns in the Republic of Montenegro);
 - SARNO Constantino (he stayed in Montenegro until 31.05.1997, which is the date of his return to Italy where he was arrested);
 - LASPARTA Raffaele (he stayed in Montenegro until the 07.10.1997, when he escaped from the aforementioned country and went to Italy where he was arrested on the 11.12.1997);
 - LASPARTA Tommaso (he stayed in Montenegro until the 07.10.1997, when he escaped from the aforementioned country and went to Italy where he was arrested on the 30.01.1998);
 - VITELLARO Umberto (he stayed in Montenegro approximately until the 19.08.2000, when he was arrested in Italy);
 - CELLAMARE Giuseppe (he stayed in Montenegro until the 20.01.1998, when he was extradited to Italy where he was arrested);
 - STANO Benedetto (he stayed in Montenegro until the 10.11.1996, when he was arrested in Italy after illegally entering its territory);
 - VANTAGGIO Santo (he stayed in Montenegro until the 16.09.1998, which is the date when he was murdered);
 - PAGANO Antonio (he stayed in Montenegro until October 1996);
 - SPARACCIO Francesco (he stayed in Montenegro until the 02.10.1999, when Montenegro extradited him to Italy where he was arrested);
 - RILLO Bruno (he stayed in Montenegro until October 1996);
 - MONTEFORTE Cesario (he stayed in Montenegro approximately until the 07.06.1999 when he was arrested in Italy);

- TAURISANO Carmine (he stayed in Montenegro until the 02.10.1999, when Montenegro extradited him to Italy where he was arrested);
- LASPARTA Donato (he stayed in Montenegro until the 02.10.1999, when Montenegro extradited him to Italy where he was arrested);
- RISPOLI Enrico (he stayed in Montenegro until the 02.10.1999, when Montenegro extradited him to Italy where he was arrested);
- TEDESCO Giuseppe (he stayed in Montenegro until the 15.10.1999, when Montenegro extradited him to Italy where he was arrested);
- COFFA Maurizio (he stayed in Montenegro until the 15.10.1999, when Montenegro extradited him to Italy where he was arrested);
- CAVALIERE Erminio (he stayed in Montenegro until the 28.10.1999, when Montenegro extradited him to Italy where he was arrested);
- COLUCELLO Domenico (he stayed in Montenegro until the 28.10.1999, when Montenegro extradited him to Italy where he was arrested);
- VASTARELLA Diego (he stayed in Montenegro until the 28.10.1999, when Montenegro extradited him to Italy where he was arrested);
- RISO Fabio (he stayed in Montenegro until the 28.10.1999, when Montenegro extradited him to Italy where he was arrested);
- SARDELLA Giovanni (he stayed in Montenegro until the 20.11.1999, when Montenegro extradited him to Italy where he was arrested);
- CUCINELLI Leonardo (he stayed in Montenegro until the 20.11.1999, when Montenegro extradited him to Italy where he was arrested);
- BUCCOLIERI Massimo (he stayed in Montenegro until the 11.12.1999, when Montenegro extradited him to Italy where he was arrested);
- NACCI Raffaele (he stayed in Montenegro until the 11.12.1999, when Montenegro extradited him to Italy where he was arrested);
- ALFARANO Francesco (he stayed in Montenegro until the 18.12.1999, when Montenegro extradited him to Italy where he was arrested);
- CINCINNATO Marcello (he stayed in Montenegro until the 22.12.1999, when he was extradited from Montenegro to Italy where he was arrested);
- MONTALTO Rocco (he stayed in Montenegro until the 29.12.1999, when Montenegro extradited him to Italy where he was arrested);
- CONDUSSI Carmine (he stayed in Montenegro until the 03.02.2000, when Montenegro extradited him to Italy where he was arrested);
- SODANO Salvatore (he stayed in Montenegro until the 09.02.2000, when Montenegro extradited him to Italy where he was arrested);
- LAGO Ferdinando (he stayed in Montenegro until the 09.02.2000, when Montenegro extradited him to Italy where he was arrested);
- ORSO Mario (he stayed in Montenegro until the 16.02.2000, when Montenegro extradited him to Italy where he was arrested);
- D'ARIENZO Umberto (he stayed in Montenegro until the 04.03.2000, when Montenegro extradited him to Italy where he was arrested);

- BORRELLI Salvatore (he stayed in Montenegro until the 04.03.2000, when Montenegro extradited him to Italy where he was arrested);
 - PUGLIA Salvatore (he stayed in Montenegro until the 04.03.2000, when Montenegro extradited him to Italy where he was arrested);
 - CONTE Fusto (he stayed in Montenegro until the 13.03.2000, when Montenegro extradited him to Italy where he was arrested);
 - CONTE Rocco (he stayed in Montenegro until the 22.03.2000, when Montenegro extradited him to Italy where he was arrested);
 - SIMINI Vito (he stayed in Montenegro until the 08.04.2000, when Montenegro extradited him to Italy where he was arrested);
 - LEONE Giovanni (he stayed in Montenegro until the 28.04.2000, when Montenegro extradited him to Italy where he was arrested);
- And other;

b) The crime stated in articles 61 paragraph 2 and 10, 112 paragraph 1, 2 and 3, 416 of the Penal Code and 282 T.U.L.D., for instigating, establishing and running a criminal organization with the intention of committing an indefinite number of offences of smuggling foreign tobacco products the amount of which, in any case, was not less than 100.000 boxes per month which is the equivalent of 1000 tons per month. The aforementioned amount was defined in the wording of concession as „import and transit license“;

c) The offences stated in articles 110, 81, 648 bis of the Penal Code and article 7 of the Legal decree no. 152/1991 - conspiring with other persons during the execution of one and the same criminal plan, in cases which do not presume the participation in the committing of the offence listed under b) received money that could be traced to the crime related to the conspiracy mentioned under a).

Specifically, **Milo ĐUKANOVIĆ**, together with his closest “associates” was paid - by the concessionaires holding „the import and transit licenses“ and brokered by Franco DELLA TORRE – as better explained under a) a uniform monthly sum for the transit of 100,000 boxes, i.e. 1000 tons even in cases when the concessionaires, for various reasons, imported in the Republic of Montenegro the amounts of tobacco products of foreign origin in the quantities significantly lower than the aforementioned.. In such instances, concessionaires used resources gained through other criminal activities conducted on the territories under control of certain bosses of branches of the criminal organization. Such activities involve drug and weapons trade, extortion and other things. During the elections held in the autumn of 1996 in Montenegro, **Milo**

ĐUKANOVIĆ received money from high-ranking individuals of Italian organized crime, especially from STANO Benedetto and brothers LASPARTA.

The crimes were committed during an unspecified period between 1994 and 2000 in Bari and its vicinity which, in any case, belong to the inshore area between the town Brindisi and cape Gargano, the Republic of Montenegro, the Swiss Confederation and Milan

2. **PEŠIĆ DUŠANKA**
3. **IVANIŠEVIĆ MIROSLAV**
4. **GALFETTI RENZO**
5. **BIONDI CLEMENTE;**

d) The criminal deed stated in articles 61 paragraphs 2 and 9, 112 paragraph 1 and 2, 378 of the Criminal Law and 7 of the Legal decree no. 152 from 13.05.1991 modified with the Law no. 203 from 12.07.1991, since they cooperated with each other and with BAROVIĆ Veselin, VUJOŠEVIĆ Branko, Paolo SAVINO and were in agreement with Milo Đukanović, to facilitate the activities of the organization listed under a), with the help of Franco DELLA TORRE, who organized and managed an organization of camorra – mafia type which was under investigation, while falsifying documents (tampering with evidence??) which were later to be submitted to judicial authorities during the interrogation of the already mentioned DELLA TORRE on the day 03.04.2001. They also **tampered with evidence** related to the criminal proceedings number 129/01-21 conducted by the District Board for Fighting the Mafia in Bari.

To be more precise, Dušanka PEŠIĆ, together with Clemente BIONDI and Renzo GALFETTI, the Italian and Swiss defenders of the suspect Franco DELLA TORRE, Veselin BAROVIĆ, Branko VUJOŠEVIĆ, Miroslav IVANIŠEVIĆ, with the approval of Milo ĐUKANOVIĆ, composed certain documents, some of which were used during the investigation of the suspect DELLA TORRE by the defense attorneys. These documents were labeled and submitted as annexes number 10 and 11.

In Bari, Naples, Milan and the surrounding area; the Swiss Confederation and the Republic of Montenegro, with the note that the crimes were committed on the 26.02.2001 – the day of O.C.C.C.'s execution, no. 129/01-21 and 1257/01-21 issued on the 19.02.2001 by the Office of the Judge for Preliminary Investigations at the Court in Bari against Franco DELLA TORRE + others approximately to the day 03.04.2001 when the aforementioned interrogation of Franco DELLA TORRE was conducted in Switzerland, as specified in the request for providing international legal

assistance which D.D.A. from Bari submitted with their opposite number at the Swiss Confederation's government.

2. PEŠIĆ DUŠANKA

e) The offence set forth in articles 110, 81, 648 bis of the Criminal Code and 7 of the Legal decree. 152/1991, since she, together with other persons worked on carrying out a single criminal scheme ??? j and in cases that do not entail taking part in the crime listed under b), she received money received money that could be traced to the crime of conspiracy mentioned under a).

To be more precise, Dušanka PEŠIĆ, with the mediation of Franco DELLA TORRE, according to the criteria stated under a), periodically received great amounts of money which she used during the period between June and July 1997, among other things, to purchase a vehicle AUDI model A4, c.c. 1.800, 125 CV, blue, at the price of 44.600.000,00 lira from the concessionaire SAGAM d.d. Luigi Sacco Street number 5/A, 20146 Milan. In Bari and the surrounding areas which in any case belong to the inshore area between the town of Brindisi and cape Gargano, the Republic of Montenegro, the Swiss Confederation and Milan, the crimes were committed during an unspecified period between 1994 and 2000.