

INTRODUCTION

Establishment of the Committee, methodology and structure of the report

On 3 February 1998, at 14:13 hours Z (15:13 local time) a US Marine Corps EA-6B Prowler electronic warfare aircraft, deployed to Aviano with the VMAQ-2 squadron for Operation Deliberate Guard in Bosnia, was engaged in training mission EASY 01 when it severed the cables of the Cermis cablecar, causing the gondola to fall and the death of the 20 passengers aboard. The profound impact of the tragedy was inevitably felt in Parliament, prompting, in addition to close monitoring of developments, a wave of requests for the establishment of a bicameral Committee to investigate the incident. (1)

However, an assessment of the considerable procedural and organizational complexity of convening a bicameral Committee, in addition to the considerable investment of time that such a Committee would require, prompted consideration of the option of establishing a monocameral investigative Committee with the same mandate. (2)

The latter course was supported by the Chamber of Deputies, which on 19 October 1999 approved a resolution for the « Establishment of a Parliamentary Committee of Inquiry into the Cermis Tragedy », with the task of fully clarifying the events, causes and responsibilities at all levels, of evaluating the adequacy of the rules governing military training flights in Italy and of verifying the control procedures and systems for such flight activity (Article 1 of the resolution).

This report is the product of the complex inquiries of the Committee. It is divided into six parts. The first describes the events that led to the tragedy and summarizes the reactions of the various Italian institutions, with a special focus on the inquiries of the Chamber of Deputies. The second part outlines the activities of the Committee, reviewing the hearings and missions carried out and summarizing the main issues examined. The report has been structured in this way so as to provide an overview of the facts and related issues in order to facilitate immediate understanding of its conclusions

(1) More precisely, on 21 July 1998, bill no. 5146 presented by deputies Mantovani, Nardini, Pisapia and Valpiana; on 5 March 1999 bill no. 5785 presented by deputies Paissan, Boato, Crema, Leccese, Balletti and Detomas; on 11 March 1999 bill no. 5803, presented by deputies Mussi, Ruffino, Spini, Schmid, Olivieri, Basso, Camoirano, Caruano, Chiavacci, Gatto, Migliavacca, Malagnino, Ruzzante, Settimi, Gaetano Veneto, Carboni and Di Bisceglie; and, finally, on 23 March 1999 bill no. 5844 presented by deputies Romano Carratelli, Molinari, Angelici and Detomas. In the Senate bill no. 3882 was presented by senators Russo Spena, Cò and Crippa.

(2) The following proposals were presented: on 22 March 1999, Doc. XXII no. 50 by deputies Paissan, Boato, Leccese, Galletti and Crema; on 23 March 1999, Doc. XXII, no. 51 by deputies Olivieri, Carboni and Schmid; on 7 April 1999, Doc. XXII, no. 52 by deputies Romano Carratelli, Albanese, Molinari and Angelici; and, finally, on 7 April 1999, Doc. XXII no. 53 by deputies Fontan and Gnaga.

and proposals, which are set out in Part 6. The interested reader can examine the issues in more detail by consulting parts 3, 4 and 5. More specifically, Part 3 analyzes the administrative and judicial inquiries conducted following the tragedy, Part 4 attempts to specify who was responsible for the developments that led to the tragedy and Part 5 examines the main problems that emerged from the Cermis incident, with special regard to international law, the regulation of flight operations and low-level flights.

For the convenience of readers, the report is supplemented by an appendix containing a list of the agreements and regulations governing NATO and the presence of Allied military units in Italy and the regulation of flight operation, a chronology of events and a glossary of acronyms and abbreviations used in the report.

On behalf of the Committee, the rapporteur would like to thank all of the consultants for their invaluable assistance in analyzing the problems raised by the inquiry: Vincenzo Autera, councilor of the Court of Appeals of Potenza; Lt. Gen. Luciano Battisti, Air Force Reserves; Prof. Sergio M. Carbone, professor of international law at the Department of Law of the University of Genoa; Silvia Daloiso Lupo, magistrate with the sentence supervision court of Bari; Giovanni Kessler, deputy prosecutor at the Court of Bolzano; Francesca Longo, journalist; Antonio Manna, councilor of the Court of Appeals of Potenza; Prof. Giuseppe Nesi, professor of international law and European Community law at the Department of Law of the University of Trento; Davide Romano, attorney at law – Bari; Lt. Gen. Antonio Rossetti, Air Force Reserves; Francesco Paolo Sisto, attorney at law – Bari.

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