

State prosecutor's office
at the Court of Bari

Notification of suspects of the completion
of preliminary investigation

- Article 415 bis of Penal Code –

THE COURT HAS ASSIGNED ATTORNEYS

-Article 97 paragraph 1 Penal Code and 28 of the law by decree number 271/98-

A Notification to the attorney

-Article 87 paragraph 1 Penal Code and 30 of the law by decree number 271/98-

PEŠIĆ-JEKNIĆ Dušanka, in the role of business representative in Montenegro, was working as a between Savino Paolo and the highest officials of Montenegro government. She was particularly in touch with the president of Montenegro Đukanović Mile, and with Vujošević Branko and Barović Veselin, since she had been keeping updated the said persons about the sums of money wired by foreign buyers of tobacco products which were used to pay for delivered goods and to the representatives of Montenegrin government.

Also, with the intent to facilitate the activities of the organization she belonged to, the said person had participated in creating false documents which were subsequently filled during the interrogation of DELLA TORRE Franco. Specifically, Dušanka Pešić together with other persons including Barović Veselin, Vujošević Branko, Ivanišević Miroslav and with a nod from Đukanović Mile, she wrote certain documents which were filed by the defense team of DELLA TORRE during the interview which took place in Bern on April 3, 2001 conducted in accordance with a request for international legal assistance which the state prosecutors from Bari filed with Federal Prosecutor's office of Swiss Confederation. Through DELLA TORRE Franco the defendant has participated in the distribution of the organization's profits by receiving periodically large sums of cash made through illegal activities of the mentioned organization that, in the period between June and July of 1997 had been used, among other things, for procurement of cars AUDI model A4, c.c. 1.800, 125 CV, blue color, at the price of 44.600.000,00 lira from a dealership SAGAM d.d.. Ulica Luigi Sacco broj 5/A, 20146 Milan.

IVANIŠEVIĆ MIROSLAV, pro-tempore minister of Republic of Montenegro together with other persons including Barović Veselin, Vujošević Branko and Pešić Dušanka, with an okay from Đukanović Mile, created certain documents which DELLA TORRE filed during the interview which took place in Bern on April 3, 2001 conducted in accordance with a request for international legal assistance which the state prosecutors from Bari filed with Federal Prosecutor's office of Swiss Confederation. Also the mentioned Ivanišević, Barović and

Vujošević carried out the transfers and reinvested the organization's profits and also used the mentioned funds for procurement of some **assets** and equipments that have been used to improve the organization's activities.

SUBOTIĆ STANKO, the owner of Dulwich company, was in charge of laundering the money made by the criminal organization: it was in his small aircraft that money was transported as can be seen from the following table from Swiss Confederation to Republic of Montenegro to Republic of Cyprus.

TABLE

Aircrafts including those of registration numbers N999CX, N999CN and N9888CX have been used for the said activities; one of the aircrafts was bought with the money which partly came from transit duties collected by Republic of Montenegro, and partly from Subotić's own money.

During the reported period the transports of money in the above mentioned way were done as follow:

TABLE

Significant sums of money were transported in aircrafts and under the care of the above mentioned errand boys. Subsequently, following Subotić's orders Nebojša Katić and Nikola Milošević and their associates deposited (the money) in the Bank of Cyprus where it was converted into a foreign currency or where used to purchase foreign currency as can be seen in the following table:

TABLE

Subsequently, the subject authorized the above mentioned associates to forward payments from the account number 0385-41-097039-48 of the Bank of Cyprus, as can be seen in the following table:

TABLE

DRAŠKOVIĆ ANDRIJA – took over the leadership of the criminal organization located in the Federal Republic of Yugoslavia after Željko Ražnjatović a/k/a Arkan, the former commander of the Serb paramilitary forces, the Tigers, was killed in Belgrade. He was to provide protection to the criminal community from Puglia region whose leadership was represented by the runaways sheltering in Montenegro – in exchange for the monopoly over the shipments of heroin and cocaine – by way of mediating disputes between them and local criminal groups and the disagreements between the Italian criminal community and various representatives of the Italian “criminal cartel”.

MICUNOVIĆ BRANISLAV, the head of organized crime in the Republic of Montenegro (Federal Republic of Yugoslavia) guaranteed protection which mostly manifested itself in resolving disagreements between the Italian criminal community residing in Montenegro and high government officials as well as local criminal groups in exchange for getting a share of the profit from illegal trading from Montenegro to Italy. Aggravating circumstance were the weapons, ammunition and explosives found to be at the organization's disposal.

In Bari and the nearby areas which, in any case, belongs to the inshore area between the town of Brindisi and cape Gargano, Republic of Montenegro, the Swiss Confederation and Milan, and the crimes were committed starting at an unspecified period in 1994 to 2002.

ĐUKANOVIĆ Milo, VUJOŠEVIĆ Branko. BAROVIĆ Veselin, PEŠIĆ Dušanka, CLERICI Patrizio, DONZELLI Giancarlo, GOVERNALE Demetrio, GUIDOTTI Giuseppe, NUVOLETTA Antonio, PAGNINI Pietro, PATARO Giuseppe Mario,

b) for a crime in the articles of 81 of the Penal Code, 110, 112 no 1 Penal Code, 282, 291 bis, 291 paragraphs 1 i 2 e) Legal Decree no. 43 from 23.01.1973. of modified Law no. 92/2001 dated 19.03.2001. ĐUKANOVIĆ, VUJOŠEVIĆ and BAROVIĆ together and in collaboration with other persons against whom have been initiated separate investigations - on more than five occasions which represent the integral part of one and the same criminal plan - took part in the transport into the State's territory, the stockpiling and selling of smuggled tobacco products of foreign origin.

In Bari and nearby areas which, in any case, belong to the inshore area between the town of Brindisi and cape Gargano, Republic of Montenegro, the Swiss Confederation and Milan, and the crimes were committed starting at an unspecified period in 1994 to 2002.

The said persons in collaboration with PEŠIĆ Dušanka, CLERICI Patrizio, DONZELLI Giancarlo, GOVERNALE Demetrio, GUIDOTTI Giuseppe, NUVOLETTA Antonio, PAGNINI Pietro, PATARO Giuseppe Mario and other persons who have been investigated separately, in actions on more than five occasions which represent the integral part of one and the same criminal plan, took part in the transport into the State's territory, the stockpiling and selling of smuggled tobacco products of foreign origin, in the amount of 1 million 38,000 kg (seized at Barletta site on Feb 26, 2002), 1,200 kg (seized in the waters belonging to the coastal area of Puglia region at the location of Zapponeta on March 16, 2002) and 1 million 208,400 kg (seized at the location of Torre Santa Sabina – Puglia region on May 9, 2002).

Specifically:

- Clerici and Pataro were charged with maintaining direct contacts with multinational tobacco companies with the goal of purchasing cigarettes which were subsequently intended for transport to duty free zones of Montenegrin harbors.
- Pešić, who was a link between Savino and the top officials of Montenegrin government, especially with the president of Montenegro Đukanović Milo, Vujošević Branko and Barović Veselin, informed the said persons about the foregoing wiring of cash to the accounts at the disposal of Đukanović, Vujošević and Barović. The arrival of cash was the condition for the departure of tobacco products of foreign origin being stored in duty free zones in Montenegro bound for Italy and other European Union countries.
- Considering his role of the head of “smuggling department” operating in Campagnia region Nuvoletta had a role of permanent buyer of tobacco products of foreign origin that had been illegally imported;
- Donizelli, as Savino’s direct report, he was a middleman between Savino and Nuvoletta, and between the latter and Clerici and Pataro. He was guaranting for the physical transport of money intended for procurement of tobacco products of foreign origin, which Nuvoletta had collected from chiefs of “departments”.
- Pagnini, as Savino’s direct report was in charge of resolving potential squabbles, especially of financial nature, which might arise within an organization.
- Governale and Guidotti were couriers charged with carrying the money – needed to buy cigarettes - from Naples to Switzerland.

As an aggravated circumstance is mentioned in the article 295 of the aforementioned Legal decree no 43/73, that is, for the criminal activities were used to transport vehicles (a truck and two speed boats of „Supetermoli“ type) which belonged to the person which did not participate in the crime which had been committed, and that they have done this crime as members of criminal organization whose aim was smuggling; an aggravating circumstance laid down in the article 291 para. 1 of the foregoing Legal decree related to the events from May 2002.

Also, another aggravating circumstance related to the events from May 2002. is that the crime was committed with money provided by the states which have not ratified the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, which was signed in Strasbourg on November 8, 1990, while it was ratified and came into power on August 9, 1993 in accordance with the law 328 or which have not signed and ratified the Mutual Legal Assistance Convention with Italy when the crime of smuggling is involved.

As an aggravating is used a circumstance cited in the article 296 of the Legal Decree no. 43/93 related to repeat offenders.

Another aggravated circumstance is the fact that the organization was made up of more than ten people and that the crime was committed with money provided by the states which have not ratified the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime which was signed in Strasbourg on November 8, 1990, while it was ratified and came into power on August 9, 1993 in accordance with the law 328 or which have not signed and ratified the Mutual Legal Assistance Convention with Italy when the crime of smuggling is involved.

In Bari and in other locations at the state and international territories (Montenegro and Slovenia) from January to May 2002.

First time repeat offender for DONIZELLI Giancarlo.

Repeat offender for NUVOLETTA Antonio.

First time repeat offender for PAGNINI Pietro.

NOTIFIES

the aforementioned persons that they are the subjects of investigation due to foregoing crimes and their defense attorneys that the prosecutor at this point considers preliminary investigation to be completed;

WARNS AT THE FOLLOWING

- Documents related to the following preliminary investigation has been deposited with this office, while the persons which are under investigation and their attorneys have a possibility of studying it and getting a copy;
- The subjects of this investigation have a right to sent their own thoughts and documents (within the period of twenty days) and deposit documents which is related to the investigations conducted by the defendants, and ask from a prosecutor to conduct all investigative acts, give statements, that is, request to be interviewed.
- Court assigned attorneys have an obligation to provide legal assistance and can be changed only in cases of grave abuse of discretion

NOTIFIES

The interested parties that in accordance with the Law no. 217 from August 30, 1990. can request legal assistance at the expense of the state, in cases stipulated by the cited law and in any cases there is an obligation to pay fees to the court appointed attorneys.

This document also serves as a warning to the persons under the investigation in accordance with the article 369 of the Penal Code, to take the advantage of

appointing a trusted attorney (had they not already done it) in accordance with the law and choosing an official address of residence. It should be noted that there is a legal obligation (on the part of defendants) to report any changes of address and in case of the failure or inappropriate choice, the subsequent notifications will be sent to the place where this document has been delivered.

This is to be sent to the authorized department for procedural reasons.

Bari, May 31, 2007

Deputy state prosecutor – signature