

PART I

THE EVENT AND THE REACTIONS OF ITALIAN INSTITUTIONS

1. THE EVENT

1.1 The operational context: Bosnia, Yugoslavia and the operational role of NATO and Italy

In order to permit a more complete understanding of the events that led to the Cermis tragedy, it is necessary to begin with a summary review of the context in which the mishap flight took place. Considering the situation in the former Yugoslavia, in December 1995 the North Atlantic Council authorized Operation Joint Endeavour, charging a 60,000-strong multinational NATO force (IFOR-Implementation Force) with the task of ensuring the implementation of the military aspects of the Dayton peace accord, which officially put an end to hostilities (Paris, 14 December 1995). In December 1996, IFOR was replaced by a Stabilization Force (SFOR) of about 30,000 personnel. Beginning in summer of 1998, SFOR adopted a transition strategy involving the gradual and progressive reduction of the force and the implementation of the civilian aspects of the agreement. This strategy was officially adopted by NATO in December that year. However, beginning in January 1998, the situation in Kosovo grew tense, eventually prompting NATO to undertake an air campaign against targets in the former Yugoslavia starting on 24 March 1999.

In this regard, the SFOR operation designated « Deliberate Guard » (DG), which was aimed at monitoring and controlling the situation in Bosnia following the Dayton accords, took the place of the IFOR « Joint Endeavour » operation, which had previously replaced Operation Deny Flight (an operation in the airspace and territory of the former Yugoslavia preceding the Dayton agreements. Between 12 April 1993 and 20 December 1995 it carried out a total of about 100,000 operational and training missions, most conducted in Bosnian airspace). Operation DG was to have been completed in July 1997, but it was extended for another year in view of the instability of the situation in Bosnia. As stated by the Chief of Defense Staff, Gen. Arpino, the Allied air forces had carried out about 200,000 missions. As regards Operation DG, between 22 August 1997 and 3 February 1998, the day of the mishap, the VMAQ-2 squadron had carried out a total of 254 sorties, including 164 operational missions, 69 squadron training flights and 21 functional checkflights.

The Cermis tragedy took place in this context, i.e. when the incident occurred, NATO was transforming a peace-enforcing force into a peace-keeping force in Bosnia.

In order to enable NATO to carry out missions over Bosnia with the necessary effectiveness, Italy, in view of its geographical position, had opened its airbases (including technical and logistical support) to all the participants in the operation. The Aviano airbase, home of the

31st Fighter Wing (31st FW) of the USAF (equipped with F16s), also played host on a rotating basis to aircraft of the Spanish and UK air forces and the US Marine Corps, with F18 and EA-6B Prowler squadrons. The deployment and tactical control of operational missions and preparatory training activities of the latter were handled directly by the Combined Air Operation Center (CAOC) of the 5th Allied Tactical Air Force (5th ATAF) in Vicenza. By contrast, training activities by these units related to other objectives (for example, national needs, such as functional checkflights or technical testing, or currency training for aircrews) were reported to the Italian authorities through the 31st FW, which was responsible for drawing up a daily flight schedule and submitting it to the competent Italian bodies for authorization.

1.2 Description of the flight of 3 February 1998: the impact and its consequences

The second mission in the flight schedule for the VMAQ-2 (Marine Tactical Electronic Warfare Squadron 2) for 3 February 1998 was a flight (denominated EASY 01) over the AV047 route (standard low-level flight of the 31st FW stationed at Aviano, approved by the competent Italian Air Force authorities) with an estimated flight time of 1:30. This training flight was not a NATO mission. Rather, it was a US mission, as confirmed by Gen. Clark, Commander in Chief of US forces in Europe, in rejecting Italy's request for the United States to waive its priority jurisdiction.

The flight plan was authorized by Lt. Col. R. Muegge, Commanding Officer of the VMAQ-2 Squadron, while proper execution of the flight was the responsibility of the pilot, as prescribed by the NATOPS manual (Naval Air Training and Operating Procedures Standardization).

The EASY 01 aircrew was composed of Capt. Richard J. Ashby (with 482 flight hours on the EA-6B and 783.8 total flight hours, including 7 sorties and 14.5 hours in the previous 30 days), pilot and commander; Capt. Joseph P. Schweitzer (998.9 hours on the EA-6B and 1157.5 total hours, including 8 sorties and 18.5 hours in the previous 30 days), navigator and first electronic countermeasures officer (ECMO1); Capt. William L. Raney (201.5 hours on the EA-6B and 368.2 total hours, including 11 sorties and 21.9 hours in the previous 30 days), ECMO2; and Capt. Chandler Seagraves (355.1 hours on the EA-6B and 523.5 total hours, including 6 sorties and 10.7 hours in the previous 30 days), ECMO3.

The entire crew had been judged medically fit for flight operations, although Capt. Schweitzer had had some medical problems a few years earlier. Capt. Seagraves, who had just arrived in Italy to organize the deployment to Aviano of his unit (VMAQ-4), was included late in the flight schedule as a write-in, under authorization from Lt. Col. Muegge, after having received the required briefing and passed the emergency procedure quiz. The other three members of the aircrew were about

to return to the United States. In particular, Capt. Ashby was making his last flight on the EA-6B, as upon his return home he was being transferred to a unit equipped with F18s. His last low-level training flight had been carried out on 3 July 1997.

According to the NATOPS manual, the pilot in command of the mission was in charge of: preparing the charts and flight logs; fuel planning; checking the notices to airmen (NOTAMs); obtaining weather information; completing the flight plan on the basis of existing US and Italian rules; and reading the aircraft maintenance discrepancy cards. The ECMO1 was responsible for navigation, navigation and communication systems and assisted the pilot to enhance weapons system employment. He was also responsible, where necessary, for in-flight changes to the flight plan and assisting the pilot in lookout routing. In addition to their specific electronic countermeasures duties, the ECMO2 and ECMO3 were responsible for contributing to the safe conduct of the flight by assisting the pilot in the lookout routine, with special regard to course changes. All ECMOs were responsible for being aware of the state of the aircraft and the operating environment and for advising the pilot of any corrective action required to avoid collision..

Pre-flight planning began in the afternoon of 2 February under the responsibility of Capt. Recce, the Operations Duty Officer (ODO). Capt. Recce was required to maintain and update the flight schedule and aircraft assignments. The ODO was also responsible for Operational Risk Management (ORM). This was a program being developed by the 2nd Marine Air Wing (MAW), of which VMAQ-2 was a *particolo*. As no formal program yet existed, VMAQ-2 took the initiative in developing an ORM checklist.

The aircraft assigned to the flight was the EA-6B (Bureau Number 162045), which had been certified as « safe for flight ». it had flown 5.8 hours in 2 sorties in February 1998, and 28.7 hours in 14 sorties the previous month. Since its deployment to Aviano, it had flown 245 hours 36 minutes. On 3 February 1998 the aircraft had already been used for a flight between 9:30 and 12:20 that morning on an operational mission over Bosnia. After this first flight, the pilot had reported one discrepancy, namely that the Cockpit G Meter was not recording maximum and minimum G readings. The instrument was replaced but checked good on the ground. All operations prior to taxiing were performed without problems or discrepancies in the on-board instrumentation.

The mission was included in the daily flight schedule of the 31st FW of 2 February for the following day. It was approved at 21:57 by the COA/COM of Martina Franca with the appropriate ASMIX, which envisaged the execution of a standard low-level route designated AV047 BD with turnpoints indicated with related altitude above ground level (AGL), airspeed and heading: first leg Aviano-Ampezzo, 500 ft., 480 kts, 011°; second leg Ampezzo-Brunico, 500 ft, 480 kts., 300°; third leg Brunico-Ponte di Legno, 500 ft., 480 kts, 240°; fourth leg Ponte di Legno-Casalmaggiore, 2,000 ft., 480 kts, 184°; fifth leg Casalmaggiore-Lago di Garda, 2,000 ft., 480 kts, 025°; sixth leg Lago di Garda-Riva

di Garda, 2,000 ft., 480 kts, 015°; seventh leg Riva di Garda-Marmolada, 2,000 ft., 480 kts, 051°; eighth leg Marmolada-Aviano, 2/3,000 ft., 350 kts, 128°.

Takeoff was scheduled for 13:30 GMT, with the flight expected to return about 90 minutes later, with the low-level segment of the flight to end at about 14:20, with the return to base to be conducted on instruments and landing expected at 15:00. The route was included in the SOP ADD-8 directive. The only change on the original standard route contained in SOP ADD-8 was the heading given in the available navigation card (later found on the aircraft), which in the Riva del Garda-Marmolada leg indicated a heading of 049° rather than 051°.

On 3 February 1998 weather conditions in the area were ideal for low-level flight, with visibility of 7 statute miles, few clouds at 22,000 ft, wind 190° at 4 kts., temperature 5°C. On the basis of the time of the mission and the direction of the flight, the aircrew had the sun at their backs in Val di Fiemme.

After the briefing, the Aviano control tower cleared the flight to start engines at 13:12:30 on 3 February. About 20 minutes later EASY 01 reported that it was ready for takeoff. The aircraft took off at 13:35:50, about 6 minutes later than scheduled. Radio contact with Aviano ceased at 13:37, with the flight cleared to contact the Padua air traffic control agency. Given the material impossibility of maintaining radar contact with low-level flights in mountainous areas, it was only after the inquiry that it was possible to identify three segments of the flight during which flagrant violations of low-level flight regulations were committed. In summary: during the first stage of the flight, from Aviano to Ponte di Legno, the altitude, airspeed and, at times, heading restrictions were violated. In the second stage, over the Po flatlands, which are heavily populated and contain numerous population centers, the flight descended below the authorized limit on a number of occasions, flying as low as 100 meters AGL. The third stage, from entry into the Val di Fiemme at Lago del Stramentizzo until Cermis, lasted no more than one minute. The aircraft entered Val di Fiemme at an altitude of between 260 and 300 meters AGL, descending to about 110 meters at the point of impact, covering the ground to the cablecar at a speed of about 540 kts. In addition, during the Riva del Garda-mishap site leg, the aircraft diverged from the route centerline by up to 8 miles, well over the limit of 5 miles, as the pilot followed the contours of the valleys rather than the prescribed route above them.

At 14:13 on 3 February 1998, the aircraft hit and severed the loadbearing and drive cables of the Cermis cable array, presumably banking to the left on a downward trajectory. The descending gondola was about 300 meters from the station. The impact point was estimated at about 40-50 meters from the gondola on the station side. The gondola fell to the ground, first hitting the ridge before rolling and coming to a rest upside down..

The victims included: Italian citizens Marcello Vanza, from Cavalese (Trento), the gondola operator, aged 57; Edeltrand Zanon, born in Innsbruck, 56, resident of Bressanone; and Maria Steiner, 61, of

Bressanone; Polish citizens Ewa Strzelszyk, 38, and her son Filip, 13, of Gliwice; Belgian citizens Rosemarie Ian Paul Eyskens, 25, of Kalmthout; Sebastian Van den Heede, 27, of Brugge; Hadewich Anthonissen, 25, of Vechelderzande, Stefaan Vermander, 28, of Assebroek; and Stefan Bekaert, 38, of Leuven; the Dutch citizen Ada Jannetje Elena Groenleer, 21, of Apeldoorn; the Austrian citizen Anton Voglsang, of Vienna; the German citizens Sonja Weinhofer, 24, born in Munich and resident in Vienna; Annelie Wessig, 41; Harald Urban, 41; Michael Poetschke, 24; Dieter Frank Blumenfeld, 47; Egon Uwe Renkewitz, 47; and Marina Mandy Renkewitz, 24, all resident in Burgstadt, and Juergen Wunderlich, 44, of Hartmannsdorf. The operator of the ascending gondola, Marino Costa, who remained trapped for 50 minutes before rescue, suffered severe emotional distress and is unable to lead a normal life.

After the impact the aircraft climbed and continued the flight under emergency conditions. The collision had damaged the right wing and the upper part of the vertical stabilizer as well as the jamming pod. EASY 01 re-established radio contact with the Aviano control tower at 14:18:10 at 10 nautical miles west of the airbase on a heading of 245°, declared an emergency and landed, engaging the first cable, at 14:26:40. The crew shut down the engines and effected an emergency exit from the aircraft. Capt. Raney broke his ankle (30 days recovery time) while abandoning the aircraft. Capts. Ashby and Schweitzer were the last to abandon the aircraft.

1.3 The reaction of Parliament, the Government and local authorities

Well before the tragedy, on 25 June 1997, Hon. Olivieri and others had presented question no. 4/11163, with which they underscored the phenomenon of low-level military flights in the valleys of the Trentino area, activity that was creating considerable alarm among the local population and had prompted local government officials to lodge protests with the local military commands, asking the Ministry of Defense to intervene. In the days following the tragedy, all political forces become involved in parliamentary initiatives to monitor and investigate the event. The number of such initiatives was so great as to defy summarization in this report. The quality, incisiveness and focus of the entire Italian political community on the events of 3 February 1998 at Cavalese prompted numerous statements by the Governments that have been in power since 1998. These comprise responses to questions, not always judged satisfactory by the questioners, but in any case represent the precise position of the Prime Minister, other ministers and under-secretaries, beginning with the first communication submitted to the joint defense committees of the Chamber and Senate by the then Minister of Defense Beniamino Andreatta on 5 February 1998.

After opening his statement with the declaration that « there would have been no danger if the aircraft had complied with the regulations it was required to observe and which had regularly been communi-

cated to those in charge of flight operations at the Aviano airbase » and ruling out the possibility of a malfunction aboard the EA-6B before impact with the cable car, Minister Andreatta announced his intention to convene a working group that, in agreement with the Ministries of Transport, the Interior, Finance and Justice, would draft a bill reconciling flight operations and noise abatement measures for the civilian population. More specifically, Minister Andreatta underscored the need to « divide Italian territory into zones in which minimum flight altitudes are established in relation to population density; to implement an overall reduction in low-level flights in relation to the gradual introduction of laser-guided weaponry and new flight tactics; to transfer the noisiest air operations over the sea or abroad; to conduct a constant, comprehensive awareness campaign among flight personnel; to abandon important but non-essential training practices (e.g. most summer night flights) ». The minister also note that both the US Secretary of the Navy and the Secretary of Defense Cohen had offered their full commitment to act rapidly and energetically to ascertain the causes of the incident and to adopt the most appropriate preventive measures. He also confirmed that the United States had immediately suspended all low-level flights by US units deployed in Italy. Minister Andreatta announced further reductions on a rotating basis in basic low-level flight training by Allied air forces deployed to Italy. This would be achieved by inserting a clear statement in the agreements with Allied countries that the only authorized low-level flight activity would be advanced training flights (excluding basic skill maintenance) linked to the execution of missions in Bosnia. The minister also announced that he had ordered the armed forces to increase specialized education and training activities for all aviators and personnel involved in providing direct support to air operations at all stages of their training programs. As regards NATO, no call should be made to expel Allied forces from Italy « because this would effectively lead to the renationalization of Italian security and defense, with disastrous political and economic consequences ». The minister concluded with a mention of US intentions regarding an immediate initial payment of damages, intentions that were being encouraged by the Government, with the reconfirmation of the jurisdiction of the country of the crew of the aircraft that caused the disaster and the comment that « the renationalization of security policy would require major changes and an enormous commitment on the part of the Italian State as regards the size and equipment of its military forces and, in a period in which the risks to security are concentrated in southern Europe, would gravely weaken national security ».

A few days later, on 11 February 1998, Minister Andreatta announced that he had ordered the precautionary measure of doubling the minimum altitude for low-level flights from 500-750 ft to 2000 ft for the entire Alpine range and from 500 to 1000 ft above the Po Valley flatlands and the Apennine range, including the islands, without prejudice to the 1500-foot restriction on flights over any town. The minimum altitude in tactical areas was raised from 250 to 500 ft.. He added that on his order the Italian Air Staff had prepared a form for

citizens, local authorities and law enforcement authorities to report flights that they felt were too low or otherwise in violation of flight restrictions. The minister also addressed the issue of compensation of losses suffered by the inhabitants of the Val di Fiemme: « The Minister of Defense will appoint experts to make direct contact with representatives of the local community in order to study possible solutions. This effort will parallel initiatives already initiated by a representative of the United States ». Speaking on behalf of the Minister of Defense on 31 March 1998, Under-Secretary Gianni Rivera confirmed that contacts had been established with the United States for the payment of damages to the local community, stating that « President Clinton himself publicly declared that justice would be done in as short a time as possible. Thanks to the cooperation of the US authorities and the political weight of President Clinton's statement, it was felt unnecessary to present a formal protest to the government of the United States ».

In addition to the Ministry of Defense, parliamentary action also involved the Ministry of Justice. On 19 February 1998, then Minister of Justice Giovanni Maria Flick emphasized that, having heard the Foreign Affairs and Defense Ministers, « the national or NATO nature of the training flight involved in the mishap is irrelevant to the determination of the applicable jurisdiction in this case ». The issue was pursued further at a meeting of the Justice and Foreign Affairs Committees of the Chamber of Deputies on 30 April 1998 in the presence of the Under-Secretary for Justice Franco Corleone. The Under-Secretary, commenting during the discussion of resolution no. 7/00465, presented on 1 April 1998 by Hon. Luigi Olivieri and others, with reference to the possibility of charging those responsible for the tragedy with an offense under Article 432 of the Criminal Code (endangerment of public transportation) that is not envisaged under US law, thereby raising the possibility of double incrimination, argued that « it is not necessary for the action to constitute the same offense in the two legal systems: it is enough for it to constitute an offense in the two systems ». That said, « with the decision not to grant the Italian Government's request to waive jurisdiction over the four airmen, the procedure envisaged under the Status of Forces Agreement (SOFA – the London Agreement) came into effect, with the cesser of concurrent jurisdiction and the recognition of the exclusive jurisdiction of the sending State. In requesting waiver, the receiving State implicitly recognized the jurisdiction of the sending State over an event that occurred in Italy and no other initiative is possible (except where the criminal act should turn out not to have been committed during the execution of official duties or was not committed by a member of the armed forces) to assert primary jurisdiction. »

This summarizes the initial official reactions in the days immediately following the accident. A later event, the acquittal of Capt. Ashby, sparked subsequent parliamentary activity. The Prime Minister, Massimo D'Alema, responded on 10 March 1999, in an address that also contained the US reactions to the event.

D'Alema pointed out that the US technical investigation had explicitly referred to aircrew error, citing « aggressive » maneuvering of

the aircraft with the consequent violation of flight restrictions. It is therefore not possible to characterize the incident (and in truth virtually no one dared to do so) as an unforeseeable accident for which it was not possible to assign specific individual responsibility. The Prime Minister gave a direct account of the substance of his meeting with President Clinton: «I appreciated the sincerity with which the President of the United States acknowledged the responsibility of his country in this incident. This contributed to making our discussions and the search for a solution to the problems raised by this tragic event all the more frank and direct. On my part, I set out the reasons for our deep dissatisfaction with the resulting situation and with the difficulties that establishing responsibility for the event has encountered. I also emphasized that any equitable and due compensation could not in any way conclude or slow the search for the ultimate causes of the tragedy and any related responsibility or negligence. Clearly, our respect for US military justice is not in question here; this is in any case the proper attitude of a political authority with regard to the judiciary in any democracy. We therefore await the outcome of the proceedings under way, one of which regards the serious accusation of obstruction of justice on the part of the pilot. However, we are aware that the full ascertainment of the facts and the prosecution of those responsible cannot depend solely on proceedings now under way. Obviously, the acquittal of the pilot only raises the level at which responsibility must be sought. Having established that the incident was not the consequence of a terrible coincidence but instead depended on a complex of human errors, it is clear that the acquittal of the officer physically in command of the aircraft must shift our attention elsewhere. In my meeting with President Clinton, I emphasized the absolute need to ascertain responsibility at higher levels of the chain of command, to the fullest extent possible, especially considering the outcomes of the criminal prosecutions still under way in the United States. The President's sincere agreement with our request means that our two governments agree that responsibility for the tragedy must be fully exposed, leaving no areas of doubt. This meets our national interest and is appropriate to the essential loyalty and collaboration that marks relations between allies and forms the basis of the North Atlantic Alliance itself. For these reasons, I do not intend to comment on the verdict of the US court martial, which on 4 March acquitted the pilot of the aircraft on all counts. Nor did I expect President Clinton to take any other position with respect to the US military courts during our official meeting in Washington. I will say that the verdict was a worrying sign to many, myself included. And not because many people wanted to find a scapegoat. This was not the issue. The concern arises out of the fact that after that ruling – which on the basis of US military law is final and is not accompanied by a written opinion – concern increased that the true reasons for incident may be further obscured. In short, after the verdict, part of the public both in Italy and the United States increasingly fears that the chances of shining light onto the events in question have diminished and, even worse, that the determination to pursue the investigation into every

aspect of the incident – causes, responsibilities, involvement of higher levels of command – has weakened. Our task is to respond to these concerns. »

Prime Minister D'Alema then announced the Government's decision to lift official secrecy, at least in part, on the Basic Infrastructure Agreement (BIA) and to publish the 1995 Memorandum of Understanding, as well as its intention to address flight safety issues together with the United States, with the establishment of the Tricarico-Prueher Commission: « The Government, following requests from the Military Prosecutor of Padua, which is investigating whether the Italian command of the airbase was in any way responsible, and the Public Prosecutor of Trento to be granted access to the Basic Infrastructure Agreement between the United States and Italy of 20 October 1954, has decided to make the documents available to those judicial authorities. This agreement, heretofore under official secrecy, and subsequent supplementary agreements govern the use of Italian infrastructures in Italy by the armed forces of the United States. Not only will the Government decline to enforce official secrecy, it will also make those documents available to judicial authorities. There is joint agreement to update the special conventions between Italy and the United States governing the operations of the bases on Italian territory. In fact, this effort began with the Memorandum signed by the US and Italian ministers of defense in February 1995 (the Shell Agreement), which introduced new rules and restrictions for each base present in Italy. This document, which is also confidential, will be made available by the Government to Parliament in order for that body to fully understand its terms. » D'Alema concluded with a detailed assessment of the 1951 NATO Status of Forces Agreement: « Within this framework it will be necessary to initiate discussions inside the Alliance on the ways in which the 1951 agreements are implemented today (I note that the European Parliament also shares this concern, expressed in a document approved today). It is clear that while the principles of jurisdiction set out in those agreements remain valid, it is possible in practice first to insist that they be applied only in extraordinary cases; second, that when jurisdiction is claimed by the sending State, the State in which the alleged offense was committed should be protected by specific guarantees, such as the right to participate in the prosecution. I would like to add that it is clear that if after the criminal proceedings under way in the United States responsibility for the Cavalese tragedy has not been ascertained (and I was quite frank on this point with President Clinton and, just now, with the NATO Secretary General, who called to offer his support), it would be even more necessary not only to discuss the ways these agreements are implemented but also to amend and update the agreements themselves because they are obviously inadequate. »

On 12 March 1999 the Deputy Prime Minister Sergio Mattarella underscored the role of NATO and that of Italy within the Alliance: « NATO is probably the international structure that after the end of the Cold War was quickest to adjust its objectives and instruments to the new international context, playing a key role in tackling the new

threats to peace and security on the European continent. Italy was not in any way a passive subject in this transformation, taking an important role in the change and making a major contribution to the Alliance's peace-keeping missions. In addition, NATO has begun a process of developing a strong European identity within the Alliance in order to ensure greater political and military integration and shift more responsibility onto the shoulders of the European countries. Painting NATO as an expression of US hegemony is, in this respect as well, decidedly anachronistic.

Our Committee's work has prompted the Government to take other important positions. In the hearing of 1 March 2000, Under-Secretary of State with the Prime Minister's Office, Marco Minniti, stated: «I believe – and on this matter the Italian Government has undertaken a specific, direct initiative – that the London Agreement of 1951 and the BIA of 1954 need to be amended above all as regards one point, i.e. the prosecution of clear, manifest and unjustified violations in the territory in which operations are being conducted». He then added: «Amending the London Agreement 'could' – the emphasis is deliberate – satisfy our thirst for justice, but any such action must be evaluated with care in order to avoid creating difficulties for Italian military personnel involved in NATO operations». Under-Secretary Minniti also emphasized that «there is a part concerning the regulation of the individual bases to which it is necessary to add a specific note for each individual base» and underscored «the important progress we are making in shifting from classified regulations to regulations that we hope can be declassified to the greatest extent possible, especially as regards relations between bases and the local community».

Finally, note should be taken of the response on 26 January 2000 of the Under-Secretary of Defense, Hon. Paolo Guerrini, to the question submitted by Senator Giovanni Russo Spina on 25 February 1999. Suggesting that the findings of the Committee investigating responsibility for the Cermis tragedy would provide a more complete answer to the senator's question (the senator had focused on the statement of Col. Luigi Stracciari, former commander of the Italian component at the Aviano airbase, to the Military Court of Padua that Italian military personnel at Aviano were too poorly qualified and undermanned to be able to check daily flight schedules), Hon. Guerrini stated that the Ministry of Defense had taken steps to reinforce air traffic control personnel at the base. The mass departure of personnel with the necessary professional air traffic control certification had made it impossible to meet staffing levels, although «since 19 May 1999, at the end of the required training course, three new non-commissioned officers certified in air traffic control had been assigned to Aviano. Additional personnel would be assigned during the course of the year, through both a revision of the staff levels in that specific sector and the assignment of another two personnel of the same category».

In parallel with the activity of the two houses of Parliament and the Government, the Cermis tragedy spurred considerable action on the part of local authorities, especially in Trentino.

A few hours after the incident, the President of the Autonomous Province of Trento, Carlo Andreotti, and the Councilor for Civil Defense, Gianpietro Vecli, went to Cavalese. With ministers Andreatta and Flick and the Cavalese town government in attendance, the first meeting with the then Prime Minister Romano Prodi was held on 4 February 1998. The Autonomous Province of Trento first advanced a claim to be an injured party in the incident and then, on 13 July 1998, as an aggrieved party to the investigation undertaken by the Public Prosecutor's Office of Trento. During the proceedings, and in particular during the taking of evidence regarding the technical study of the cablecar station and cables, it nominated its own consultant. The Province, the Town of Cavalese and the private company Funivie Alpe Cermis SpA, which manages the ski lift, advanced a claim for damages under the terms of the SOFA.

On 5 February 1998, the head of the Trentino government asked the Conference of Regions in Rome to urge that the investigation remain in Italian hands. On 27 March 1998, the Province appealed to the Minister for Foreign Affairs, Lamberto Dini. On 22 April 1998, in Rome, President Andreotti and the Provincial Councilor for Tourism, Francesco Moser, were received by the American ambassador, Thomas Foglietta. Foglietta assured them that US justice would be swift and severe and confirmed the commitment of the United States at all levels. On 26 May 1998, Prime Minister Prodi met with Moser, stating that « Clinton has assured the Italian government that the United States will do their part completely ». In early June, President Andreotti and Councilor Vecli traveled to Washington for three meetings at the Pentagon, the State Department and the Italian Embassy.

On 8 June 1998 the Ministry of Defense issued a press release stating that « In a recent meeting between Pentagon officials and the US Ambassador to Italy, Thomas Foglietta, the Secretary of Defense, William Cohen reaffirmed the United States' commitment to proceed swiftly with reimbursement of 75% of the damages arising out of the tragic accident at Cavalese on 3 February, in conformity with the terms of the London Agreement. Ambassador Foglietta reaffirmed this commitment in a meeting on 4 June with Prime Minister Prodi and Minister of Defense Andreatta, at which the officials of the two government re-examined the efforts being made to help those who lost their loved ones in the accident ... They also re-examined the possibility of assisting the area involved in repairing the damage caused by the collision. They agreed that the governments of the United States and Italy need to continue to work together and to take all possible steps to assist the families of the victims ... The governments of Italy and the United States praise the action of the Government and the Autonomous Province of Trento to advance funds for reconstruction and to facilitate the necessary permit process. The Italian Government will grant the requested authorizations. Senior officials of the US State Department and Defense Department conducted a fruitful exchange of views with the President of the Autonomous Province of Trento on the occasion of the visit of 3-5 June to Washington. The US Ambassador to Italy in Rome and the Consul of the Milan Consulate

will serve as contact points for private US companies, including those specialized in public relations and engineering, that wish to offer assistance in reviving tourism in Cavalese. »

On 10 June 1998 a further meeting was held between the Cavalese town government and Funivie Alpe Cermis SpA. On 9 July 1998 an American delegation headed by Ambassador Foglietta and Representative Bill Young, Chairman of the Budget Committee, visited Cavalese. On that occasion, the United States informed Italy that Congress intended to make a special appropriation of \$ 20 million to meet Cermis-related property damage claims. At the end of October 1998, the new US Consul General, Ruth Van Heuven, personally informed President Andreotti that President Clinton had approved the special \$20 million appropriation.