

WRITTEN QUESTION E-2301/08
by Gianluca Susta (ALDE)
to the Commission

Subject: Violation of the Charter of Fundamental Rights

In 1997 Pino Masciari, a Calabrian businessman, entered a special witness protection programme together with his family because he had the courage to blow the whistle on the Calabrian mafia, the 'Ndrangeta (to which he had been forced to pay protection money), and its links with some Calabrian institutions. Under Italian Law No 45 of 13 February 2001, amending Law No 82 of 15 March 1991, 'testimoni di giustizia' (people who voluntarily offer to testify against the mafia without they themselves having been involved in any crime) must agree to move to a protected, unknown and isolated place and to live under guard and, as far as possible, out of the public eye. The same law provides for the possibility of such witnesses and their families being 'reintegrated' into society after a certain period of time under the same conditions as those they were living in prior to entering the witness protection programme, and thus to return to 'normal' life.

Pino Masciari has been waiting for years for the Italian State to reintegrate him under the protection programme, as provided for in Italian law, and to put an end to the continual delays in the procedure that are seriously undermining the psychological and physical health of the entire family and leaving them wide open to the risk of mafia reprisals. The Italian authorities have promised to take practical steps to enable the Calabrian businessman to return to work, but have failed to do so, thus violating two internationally recognised rights – the right to work (Article 15 of the Charter of Fundamental Rights of the European Union) and the right to safety.

Does the Commission intend to look into the possibility of setting up a European programme to protect such witnesses?