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Degree Program in Politics: Philosophy and Economic  
Chair: International Relations

**How Do the Italian Intelligence and Security Services  
Manage the Threat of Terrorism?**

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Academic Year 2023/2024

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## Abstract

The aim of this thesis is to find an answer to the question: “ How Do the Italian Intelligence and Security Agencies Manage the Threat of Terrorism?”. The answer will be found through an analysis of the main aspects that influence the phenomenon. Starting with historical reconstructions of the main terrorist attacks, both of national and international matrix, we will be able to define what have been the trends of the past years. This is followed by a detailed analysis of the capabilities that Italy has at its disposal to counter the phenomenon of terrorism, with a focus on the Intelligence system and its general functioning. The last chapter specifically examines one of the most worrying aspects of current terrorism: *foreign fighters*. These fighters choose to swear loyalty to a state to which they do not belong but whose ideology and religion they share. By reconstructing this trend, it will be possible to obtain a global view of the problem and thus define the challenges involved. Through the investigation of two case studies we will finally come to study the behavioural patterns of enlistment and radicalisation, up to the legal and law enforcement intervention. What emerged from this research is the excellence of the Italian security services derived from collaboration and exchange of information. The Comitato di Analisi Strategica Antiterrorismo (CASA) (Counterterrorism Strategic Analysis Committee) is the epitome of efficiency. This round table brings together law enforcement and intelligence services with the aim of developing a cooperative analysis and assessing which threats should be given preemption.

## Introduction

The research question "How Do the Italian Intelligence and Security Services Manage the Threat of Terrorism?" is intended to arouse the reader's interest in discovering something that seems extremely segregated in our society: how to prevent a terrorist attack. The study of this question has been structured into three main sections, each with the aim of capturing specific aspects of the phenomenon in order to reconstruct its fundamental aspects. The first part deals with the history of terrorism in Italy, starting with the Red Brigades and ending with the bloody attacks in Fiumicino Airport. The description of those events serves to understand where the notions acquired by the security and intelligence services come from. The purpose of the chapter is to show which events marked the historical and social evolution of Italy. I maintain that, through the study of past events, an awareness of the origin of the readiness of the Italian system can be achieved. The second chapter focuses on a detailed description of the Italian intelligence system, outlining its history and the various competent bodies. In my opinion and for the purposes of this thesis, the part concerning the Counter-Terrorism Strategic Analysis Committee is the key aspect. The in-depth study about CASA describes how Italy is at the forefront of law enforcement and intelligence collaboration. This sharing feature allows the terrorist prevention machine to work at its best. The last part of the chapter is dedicated to the evolution of the Italian legislature on counter-terrorism. It serves to highlight how, over the years, the experience has become an integral part of the legislature, serving as an inspiration for the creation of ad-hoc laws. The third and final chapter serves to flesh out the theory and history contained in the previous ones. The central topic is that of foreign fighters: fighters who choose to fight for a state that is not their own, inspired by its religion and ideology. This phenomenon often brings together the ideal way for terrorist organisations to arrange attacks in the fighter's home state. The latter often risks his or her own life to accomplish the mission he or she has received. Of great importance for the writing of the chapter were the testimonies provided by Dr. Lamberto Giannini, the current prefect of Rome and an expert in the field of counter-terrorism. Thanks to his account, I was able to construct the two case studies. The first, concerning the foreign fighter Abderrhaim Moutharrik, whom he himself took part in the investigation. The second one is about Maria Giulia Sergio, an Italian foreign fighter who, once converted to Islam, declared her

willingness to serve the self-proclaimed Islamic State. This last part will serve to put into practice what has been explained in the previous chapters to arrive at a finding an answer to the question: "How Do the Italian Intelligence and Security Services Manage the Threat of Terrorism? "

## **Chapter 1**

### **Evaluating the landscape of terrorism in Italy: the evolution of the threat**

#### **1. Introduction**

This starting chapter is aimed at providing an in-depth overview of the evolution of the terrorist threat in the Italian environment, beginning with post-World War II happenings up until the 1980s. Historically, Italy has faced a terrorist experience that has to be considered as both uncommon and educational, scarred by the *'anni di piombo'* (leaden years) evolving in contemporary forms of menaces. In this section the examination of the terroristic phenomena will delve into the political, ideological and social roots of the latter, analysing its metamorphosis throughout different decades. The starting point is the controversy behind the actual definition of terrorism. This is followed by the historical reconstruction of the evolution of the topic, which will highlight critical moments and personalities such as the Brigate Rosse and the assassination of Aldo Moro; this part will provide an understanding of the conditions that led to certain extremisms. Furthermore it will show Italy's initial struggle with the threat as a direct representation of global challenges and difficulties in securing peace and justice. Moreover, this division will extend beyond national borders, highlighting the clout international terrorism had on Italy. The Middle Eastern peril, as the rise of Al-Qaeda and its outgrowth, have strongly influenced the guiding measures and the Italian approach to security. The two attacks conducted in Fiumicino Airport are remembered with much sorrow to this day, but at the same time have allowed us to recognise our shortcomings and develop more effective prevention systems, such as increased control over those entering Italy from countries with high terrorist influence. This chapter is the presentation of how strong the impact of the terroristic phenomenon was on Italy's political and social evolution,

by studying the past events it is possible to gain an inside look of the difficulties Italy is facing today regarding the security outlook.

## **2. Definition of Terrorism in an International Background**

Terrorism may be identified as the unlawful use of violence against civilians, to achieve political, religious, or similar objectives. We can define terroristic as a violence that aims at or otherwise has the effect of terrorising. (*Terrorismo in "Enciclopedia Italiana" - Treccani, n.d.*) International terrorism involves the civilian's over the territory of more than one country, national terrorism instead, has a national border development. As far as Italy is concerned, the best known domestic terrorist organisation - i.e.those that are born, operate and strike within the territory of a state - is undoubtedly that of the Brigade Rosse.

To have a precise definition of terrorism is harsh, the first controversy is about the relationship between terrorism and other forms of political violence. Is a state-sponsored part included in the definition? Has the state, directly or indirectly, ever financed a terrorist attack? The mass-murder terrorist attacks of recent years appear not to be directly supported by the states. However, I believe that if a group backed by a state party acts using terrorist methods, this falls squarely within the definition. One more controversy is about the term '*civilians*', is it accurate? Attacks on military personnel, who are not on active duty, should also be considered terrorism, for this reason, many prefer to use the term '*non-combatants*' instead of '*civilians*'(Sørensen et al., 2021, p.326). Again, regardless of guidelines that replace the definition of civilians to that of non-combatants, it is considered that terrorist action is unrelated to a moment of conflict and strikes with actions designed to create terror among non-combatant civilian or military elements. The biggest slice of terrorism is national, due to political struggles, especially in those states where the democratic regime in question is weak. This can lead to the risk of civil wars and in that case , such terrorism can be identified as national. After the end of the Cold War, there was hope that the era of mass violence had ended, at least in western countries, until the terrorist attack conducted by the Al-Qaeda group on the 11<sup>th</sup> of September 2001 put the importance of the connection between national and international security back on the agenda. (Sørensen et al., 2021, )

### 3. Brief Introduction about the History of Terrorism in Italy

Over the course of its modern history, Italy had been touched by multiple waves of terrorism, with episodes that left an indelible imprint over the social and political background of the country. Italian terrorism sinks its roots in the post-war period gaining more importance during the 70s and 80s. One of the first forms of terrorism was politically motivated, fueled by both left and rightwing extremism. All along the 70s, groups as the *Brigate Rosse*<sup>1</sup> and the *Nuove Brigate Rosse*<sup>2</sup> have inflicted a series of murders, kidnappings, and armed attacks, mainly targeting governmental institutions, and prominent industrial and political figures of that period. Concurrently, far-right terrorism, unleashed a campaign of violence against trade unionists, leftist activists, and members of ethnic minorities.

The terrorist strategy in Italy had been characterised by a series of kidnappings, bombings, and targeted killings which have claimed dozens of innocent lives and sowed terror throughout the country. During the 80s, the terrorist phenomenon changed with the appearance of groups known as *Prima Linea*<sup>3</sup> that performed their actions following a different agenda, focusing more on terrorism against specific objectives as entrepreneurs, instead of acting on behalf of a political ideology. Since the end of the 80s until the start of the 90s there has been a significant decrease of terrorism in the Italian environment, with the detention of most of the leaders of the terrorist groups and a heightened diligence from the law enforcement forces. However, the footprint of those '*anni di piombo*' still burdens Italy's

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<sup>1</sup> *Brigate Rosse (BR)*: Terrorist organisation active in Italy in the 1970s and 1980s. Of 'Marxist-Leninist' and Guevarist inspiration (with strong sympathies for the Tupamaros experience), their aim was to destabilise institutions. The B.R. were founded in 1970, a few months after the Piazza Fontana massacre, by R. Curcio and M. Cagol (from the student movement in Trento, with a Catholic background), A. Franceschini and P. Gallinari (who had left the Communist Youth Federation of Reggio Emilia), joined by M. Moretti (technician and CISL trade unionist at Sit-Siemens). (*Brigate Rosse in "Dizionario Di Storia" - Treccani*, n.d.)

<sup>2</sup> Born from the dissolution of the first B.R.

<sup>3</sup> *Prima Linea (PL)*: an armed terrorist group affiliated with the extreme left of the Italian communist movement. After breaking away from Lotta Continua, this legitimate extra-parliamentary political movement saw its members quickly develop a preference for armed conflict. Prima Linea, a terrorist organisation that was founded in the fall of 1976 and formally organised the following spring, was to rank second in Italy, after the B.R., in terms of the number of people it had hit (39 of whom were killed), the number of armed actions it had claimed (101 attacks), and the number of members. The extra parliamentary left-wing movements' order services, which in the 1970s lined up at the front of marches occupying, precisely, the front row, served as the model for the name choice. (Alessandrini & Bignami, n.d.)



political and social context, which keeps on staying on guard against the resurgence of extremist movements that could undermine the country's stability and security.

## **Different Stages of Terrorism in Italy**

From the second half of the 1960s Italy has seen a radical growth in the advent of political and social tensions, the first definite homicide falling under the label of terrorist death took place the 17<sup>th</sup> may 1972, the name of the victim was Luigi Calabresi. After his homicide, a chain of more deaths followed until 9 April 2010, when Bruno Fortunato, the last wounded man to survive the action of the Nuove Brigate Rosse, took his own life. Fortunato made this gesture crushed by guilt both of having failed to protect Superintendent Emanuele Petri and of killing his terrorist, Mario Gelsi. Some years before the episode he declared: “ *Brigate Rosse had wounded me, the State forgot about me*” denouncing the lack of attention and care by the State for many of those affected by terrorism in those years. (Adinolfi, 2018)

Libero Mazza, prefect of Milan at the end of the 1960s, coined the term “*extremist opposites*” in a prefectural report before the happenings of the years to come. He described the upcoming violent turn of events coming both from extreme-right and extreme-left organisations. His declarations, published the 16th of April 1971, have not been taken seriously, on the contrary, he was denigrated by journalists, mayors, and politicians, accused of netting. The only journalist that agreed with Mazza was Carlo Casalegno, writing on “La Stampa” an article in defence of the prefect. Six years later this article had cost the life of the journalist, killed by the Brigate Rosse on 16th of November 1977. Casalegno is just one of the many intellectuals that opposed to the extremist terrorism of those years, and for this reason became victims of the latter. (Adinolfi, 2018)

The following pages will serve as a reconstruction of the main historical events that had marked Italy and its society from the end of the 1960s onwards, evaluating and studying the evolution of the political terrorism threat in our country, also mentioning, and analysing the terrorist phenomenon of the Middle East and how it had impacted the nation.

#### **4. Stage 1: Political Terrorism in Italy**

During the second half of the sixties, Italy was the cradle of many political and social tensions. At first, the terrorist phenomenon was locally concentrated, especially in the regions of Sardinia and Alto Adige, it was in the latter, at Malga Sasso, in the province of Bolzano, that a bomb was detonated in front of the Guardia di Finanza station, three officers were killed and four wounded. In 1966, Renato Curcio, founder of the Red Brigades, took his first steps in Trento, not far away from Malga Sasso. The 1st of March 1968 left and right-wing students clashed with the police in Valle Giulia, in a 'battle' that marked the beginning of the 'Italian Sixty-eight'. (Adinolfi, 2018). The main characters of the fight were part of the PCI party (Partito Comunista Italiano). The writer Pierpaolo Pasolini, considering the middle-class background of these young people wrote the poem "*figli di papa*" (daddy's boys), in which he sided with the cops against the students. This stream of violence and uprising is the fuse to the official birth of the Brigade Rosse, 28th November 1969, at Villa Maris Hotel in Chiavari. A meeting of the collective Politico Metropolitano, organised by Renato Curcio, is the nativity act of the extremist movement that has only been in possession of its own name since 1970. Brigade Rosse were not the only extremist movement formed during those years, Mauro Rostagno, Italian sociologist, journalist and activist, is the founder of the movement Lotta Continua (extreme-right). Pino Rauti and Clemente Graziani founded Ordine Nuovo, an extreme rightwing neo-fascist group, responsible for the Piazza Fontana massacre in Milan of 12 December 1969, causing 17 deaths and 88 injured. This slaughter is recognized as "*the mother of all post-war massacres*" and marks the beginning of what would later be called "*anni di piombo*". (Adinolfi, 2018)

##### **The Killing of Luigi Calabresi**

19th November 1969, we are in Milan in the middle of a communist demonstration where policeman Antonio Annarumma loses his life due to an iron pipe cracking his skull thrown by protesters. All this happened under the eyes of his colleagues who, full of resentment, would have wanted to slaughter Marco Capanna, the man who had dared to describe Annarumma's death as caused by a vehicle collision. Capanna decided to attend the policeman's funeral,

risking lynching, which was avoided thanks to the intervention of a commissioner: Luigi Calabresi. (Adinolfi, 2018) The trial for the assassination of Annarumma did not find anyone guilty. Milan continued to be the core of the violence in Italy, in fact, not even a month later the death of Annarumma, takes place the first massacre of the *anni di piombo*: a bomb explodes in Piazza Fontana in Milan, it was the 12<sup>th</sup> of December 1969. Four days later, on the 16<sup>th</sup> December 1969, another man lost his life. We are talking about the anarchist Giuseppe Pinelli, who mysteriously plunged from the windows of the Milan police headquarters, where he had been detained for investigations about the bloodbath that took place a few days earlier. The Court of Cassation declared that it was not anarchists who planted the bomb, instead it was responsibility of a cell of Ordine Nuovo, a neo fascist organisation. (Adinolfi, 2018)

The homicidal political violence in Italy opens with the assassination of Luigi Calabresi conducted by Lotta Continua, 17<sup>th</sup> May 1972. The organisation built up a hate campaign against Calabresi, accusing him of killing Giuseppe Pinelli. Luigi Calabresi was the main suspect of this murder, declared innocent by postmortem in 1975 by the outcome of the investigation about Pinelli's death, conducted by Milan prosecutor Gerardo D'Ambrosio. Calabresi was used as a scapegoat by Italy itself. An example of the outright persecution Calabresi was subject to is a letter that appeared in the weekly newspaper *'L'Espresso'* that resembled a manifesto against Calabresi, in which his dismissal was called for and he was described as a *'torturer commissioner'*. The text of the letter is reproduced in the next few lines to convey the hatred and pressure Commissioner Luigi Calabresi had to endure a few months before his murder:

*“The trial that was supposed to shed light on the death of Giuseppe Pinelli came to a halt in front of the coffin of the railway man who was killed without fault. He who bore the responsibility for his end, Luigi Calabresi, found in the law the possibility of recusing his judge. He who should have celebrated the judgement, Carlo Biotti, polluted it with the petty calculations of a senile careerism. He who wore the robe of legal aid, Michele Lener, concealed in it the plots of hateful coercion.*”

*Today as yesterday - when we openly denounced the slanderous arbitrariness of a Quaestor, Michele Guida, and the unworthy cover granted to him by the Public Prosecutor's Office, in the persons of Giovanni Caizzi and Carlo Amati - our indignation is that of those who feel their faith in a justice that is no longer such when the conscience of citizens cannot recognise itself in it. For this reason, in order not to give up this trust without which any possibility of civil coexistence would die, we in turn formulate an act of recusal.*

*A recusal of conscience - which has no less legitimacy than that of law - addressed to torturing commissioners, persecuting magistrates, unworthy judges. We demand the removal from their offices of those we have appointed, as we recuse ourselves from recognising in them any representation of the law, of the state, of citizens."<sup>4</sup>*

This open letter received 757 signatures, some of those belonging to high-profile names in Italian history and culture. Here are some of those names: Eugenio Scalfari, Pier Paolo Pasolini, Dacia Maraini, Primo Levi, Umberto Eco, Federico Fellini, Dario Fo, Gae Aulenti, Margherita Hack, Paolo Modugno and many more. Luigi Calabresi was innocently subjected to the media pillory, so much so that Lotta Continua wrote in their editorial about the announcement of his imminent murder, here is an example: "*This trial must be done, and this marine from the easy window will have to answer for everything. We are on his tail now and it is useless for him to struggle like an angry buffalo running around the four corners of the burning forest.*" (Adinolfi, 2018)

The history of political terrorism in Italy starts with this murder caused by political injustice and popular pillory. Luigi Calabresi will be killed<sup>5</sup> on 17<sup>th</sup> May 1972, shot on his way to work. His killer's name was Ovidio Bompressi<sup>6</sup>, who was sentenced to 22 years in prison in 2000, but released in 2006 on health grounds. In 2017, Bompressi was sentenced again to three months for injuries. (Adinolfi, 2018, )

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<sup>4</sup> L'Espresso, 27 June 1971, p. 6 (Adinolfi, 2018)

<sup>5</sup> Senders : Giorgio Pietrostefani and Adriano Sofri, leaders of Lotta Continua (Adinolfi, 2018, ) (Adinolfi, 2018)

<sup>6</sup> President of the Republic Giorgio Napolitano as the first act of his presidency in 2006 signed a pardon 'for humanitarian reasons'. Bompressi had lost 13 kilos and was considered anorexic. (Adinolfi, 2018, )

## The Kidnapping of Aldo Moro

Starting with the killing of Luigi Calabresi, political terrorism blazes, “Neri” organisations are behind many of the bloody massacres and urban guerrilla actions with the organisations *Ordine Nuovo* and *Nuclei Armati Rivoluzionari* (NAR). “Rossi” associations (as Brigate Rosse) focus more on attacking and assassinating Christian Democrat politicians, law enforcement officers, journalists, and magistrates.

16 March 1978, Aldo Moro and his five escort agents were on their way to the Chamber of Deputies, Montecitorio in Rome, to take part in a session that would have led to the creation of the new Andreotti government of national unity. The upcoming government would have come from the collaboration of Christian Democracy (DC) and Italian Communist Party (PCI). Back then, Moro was the president of DC, and had been elected twice as President of the council of Ministers. He played a crucial role for the formulation of this government by supporting the “*Historical Compromise*”<sup>7</sup> between the two leading parties of Italy. Once on Via Mario Fani, Moro and his escort are victims of an ambush organised by the Brigate Rosse, more specifically fourteen red brigade members fired ninety-one shots at the politician and his escort, killing all five agents<sup>8</sup> and kidnapping the target of the mission. From that moment Moro's kidnapping begins in the brigadist prisons, 55 days of imprisonment that will end on the 9 May 1978 with the discovery of Moro's corpse. (Adinolfi, 2018, )

The body was found in the boot of a red Renault 4, it is no coincidence that the car was left in via Caetani, midway between the DC and PCI headquarters. During his incarceration period, Moro was given the chance to write letters, supposed to be secret, published publicly by BR. More precisely he wrote 13 letters addressed to Italian politicians, in which he tried to cooperate and communicate for negotiations that were supposed to set him free. The problem was in fact their publication, with this modality any negotiation and bargaining broke down. Before his execution, Aldo Moro, wrote one last letter to his wife, Eleonora Chiavarelli:

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<sup>7</sup> A political strategy elaborated and sustained between 1973 and 1979, which was based on the need for collaboration and agreement between the popular forces of Communist and Socialist inspiration with those of Catholic-Democratic inspiration, in order to create a political alignment capable of implementing a programme of profound reorganisation and renewal of Italian society and the state, on the basis of a mass consensus so broad that it could resist the backlash from the more conservative forces. (*Compromesso Storico in "Dizionario Di Storia" - Treccani.*)

<sup>8</sup> Giulio Riviera, Francesco Zizzi, Raffaele Iozzino (police agents), Oreste Leonardi and Domenico Ricci (carabinieri)

*“ My sweetest Noretta, after a moment of very slight optimism, due perhaps to a misunderstanding on my part as to what I was being told, we are now, I think, at the final moment. I do not feel the need to discuss the matter itself and the incredibility of a sanction that falls on my meekness and moderation. Certainly I have erred, for good, in defining the direction of my life. But it cannot be changed now. All that remains is to recognise that you were right. Yes one can only say that perhaps we and our children would have been punished in another way. I would like to make it very clear that the D.C. bears full responsibility for its absurd and unbelievable behaviour. It must be firmly stated just as one must reject any medal that is usually given in this case. It is then true that many friends (but I do not know their names) either misled by the idea that speaking out would harm me or concerned about their personal positions, did not act as they should have done. A hundred signatures collected alone would have forced a deal. And that is all for the past. For the future, there is at this moment an infinite tenderness for you, the memory of each and every one, a great big love loaded with seemingly insignificant and in reality precious memories. United in my memory you live together. I feel as if I were among you. For charity's sake, live in one house, even Emma if it is possible, and have recourse to good and dear friends, whom you will thank so much, for your needs. Kiss and caress for me everyone, face for face, eyes for eyes, hair for hair. To each one my immense tenderness passing through your hands. Be strong, my sweetest, in this absurd and incomprehensible trial. These are the ways of the Lord. Remind me all relatives and friends with immense affection and to you and all a warm embrace pledge of eternal love. I would like to understand, with my small mortal eyes, how we will see each other afterwards. If there was light, it would be beautiful. My love, feel me always with you and hold me close. Kiss and caress Fida, Demi, Luca (so very much Luca) Anna Mario the unborn baby Agnese Giovanni. I am so grateful for what they have done. Everything is useless when you don't want to open the door. The Pope has done little: perhaps he will be scrupulous.” (Adinolfi, 2018)*

The letter was left incomplete and unsigned. This moving memorandum does not reveal the statesman's political role but his loving role as a family man, a father who had to give up his affections because of Italian political mysteries that are still unsolved today. Many speculations were conducted on whether Moro's death could have been avoided or not, to this

day, the only certainty is the name of those behind this page of history which inevitably marked Italian society. As mentioned earlier, the association responsible for having organised the ambush and kidnapping is the Brigade Rosse, led at the time by Mario Moretti, considered to this day the mastermind of the massacre and the main person responsible for the killing of Moro. Moretti was arrested in 1981 and has been living in semi-custody since 1997. Like the latter, all the brigadists who took part in the massacre are now in semi-freedom. (Adinolfi, 2018)

Valerio Morucci and Adriana Faranda ,brigadistas who took part in the assault, are the ones who spoke of Alessio Casimirri as a member of the Via Fani commando: the two BR dissidents decided to disassociate themselves with a document in which for the first time they indicated only by initials the names of two terrorists who had never appeared before, namely A.C. (Alessio Casimirri) and A.L. (Alvaro Lojacono). Having left the BR in 1980, Casimirri left Italy two years later to find refuge, in 1983 he moved to Nicaragua where he took part in the armed struggle against the counter-revolutionary Contras armed groups. Casimirri's relations with the secret services have always been debated and doubtful, services that in some reconstructions would have helped him escape by providing him with false documents in exchange for information. In the Central American country, Casimirri married a Nicaraguan citizen in 1998, who gave him two children and the citizenship. In Nicaragua, 'Camillo' runs a restaurant in the centre of the capital named '*Magica Roma*'. Sentenced to life imprisonment for the Via Fani massacre in 1985, Casimirri has never served a day in prison. (RaiNews, 2015)

## **The Bologna Massacre**

The morning of 2 August 1980, a bomb was placed in the waiting hall of Bologna train station, the outcome was 85 victims and 200 injured. It was 10.25 am when in the Bologna station the entirety of the west wing was razed to the ground by a bomb contained in a suitcase. The date of the happening had not been chosen at random by those responsible, the 2<sup>nd</sup> of August is in the middle of the summer period when many head to the station to go on vacation. A multitude of families is ready to leave the northern part of Italy to move towards the southern part where the seaside bursts. (Barlozzetti, 2023) The entire city of Bologna was immediately mobilised to help the injured. A horde of volunteers rushed to the scene to help, firemen, conscripts, traffic wardens, policemen, porters and railway men, different people found themselves working side by side. Almost immediately bulldozers and diggers arrived from a nearby construction site. The city reacted moved by pride and unity, everyone lent a hand. The very first aid was given by the other travellers in the station. In addition to the volunteers, there was a great mobilisation of medical personnel and it was soon realised that there were not enough ambulances available. It was therefore decided to also use unconventional means for transporting victims and the injured, such as taxis, private cars, and buses. This happening made clear the necessity of better coordination for health services when it came for maxi emergencies. The 2<sup>nd</sup> of August 1980 saw the realisation of the idea of the 118, which had been in mind for months. Marco Vigna, one of the fathers of the 118 emergency services in Bologna, recounts that the phone call of the explosion at the station came during a meeting in which organisational proposals for emergency medical services were being discussed. During the World Cup in Italy in 1990, Bologna activated the 118 service for the first time in Italy. The 118 service was then officially established in Italy with the Presidential Decree of 27 March 1992, with the Bolognese system being taken as a model. (Di Pasquale, 2020)

Who are those responsible for this massacre? The judicial process of the Bologna massacre so far consists of five trials:

1. The first trial, the main one, had as main defendants the NAR terrorists, together with Licio Gelli and some SISMI officers. This trial has been the longest one, starting in 1980 and



ending in 1995. It was characterised by many difficulties. The first investigations started from a prisoner close to extreme right-wing circles, who had anticipated an imminent sensational action in the first week of August. This led to the initial indictment of extreme right-wing groups such as the NAR, Ordine Nuovo and Avanguardia Nazionale. During the course of the investigations members of the P2 Masonic Lodge and the SISMI were also involved, with attempts at deception including false international leads and the manipulation of evidence. In 1992 the Court of Cassation cancelled the appeal sentence due to lack of justification, ordering a new judgement confirming the initial sentence of charge of massacre for Giusva Fioravanti and Francesca Mambro<sup>9</sup> sentencing them to life imprisonment in 1994. (Tobagi, 2021)

2. The second trial, the so-called *Ciavardini trial*, has as main suspect Luigi Ciavardini, a young member of the NAR association who had soon taken part in the massacre but was a minor at the time of the events. He was brought to court in 1997, the trial was characterised by several changes of sentence. In 2007, his conviction for the massacre became final based on his relations with Fioravanti and Mambro, who had threatened him to keep his silence on the details of the massacre. (Tobagi, 2021)

3. The third trial, the so-called trial on *Red Herrings*. This trial saw the indictment of Federigo Mannucci Benincasa, former head of the counter-espionage centre in Florence, and Massimo Carminati, a leading member of the Banda della Magliana and close collaborator of Giusva Fioravanti and the NAR organisation. For Mannucci and Benincasa, the main charge was related to the dissemination of false information on Licio Gelli. Carminati, on the other hand, was implicated for possession of a cache of weapons from which a machine gun used in the deception came. (Tobagi, 2021)

4. The fourth trial, the so-called *Cavallini trial*. During the first trial relating to what happened in Bologna gilberto Cavallini was only convicted on charges of armed gang. However, in 2017, due to the assessment of his role in providing logistical support to NAR members, Cavallini was also indicted for the crime of massacre. The trial begins in 2018 and ends in 2020 with a first-degree conviction at the Court of Assizes. The trial also brought to light new evidence corroborating the guilt of the NAR and the alleged collaboration with the Italian Mafia. (Tobagi, 2021)

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<sup>9</sup> To this day, Francesca Mambro and Giusva Fioravanti have not yet admitted their guilt, pleading innocence.

5. The fifth and last trial, the *Bellini trial*. The new trial was triggered by the discovery of documents concerning monetary transactions relating to the Bologna massacre. The main defendant is Paolo Bellini, who appears to have had relations with the suspects present at the time of the explosion. The Assize Court sentenced Bellini to life imprisonment. This case not only confirmed many of the hypotheses of the first trial, but also linked these events to a broad pattern of protection and collaboration between the extreme right and deviant sectors of the state, revealing a much more complex and articulated picture of the responsibilities behind the massacre. (Tobagi, 2021)

The relatives of the victims have now united under the association '*Associazione tra i familiari delle vittime della strage alla stazione di Bologna del 2 Agosto 1980*', headed by Paolo Bolognesi, who lost his mother-in-law in the attack, she was decapitated and had only been recognised thanks to the wedding ring on her finger. To this day Mambro and Fioravanti live in semi-freedom despite having to serve a total of 17 life sentences and pay out EUR 2 billion to their victims. Mario Adinolfi in his book "*Storia del terrorismo in Italia: L'oblio delle vittime e il potere dei carnefici*" (2018) conducts a restless analysis regarding the freedom of most of the terrorist who stained their hands with blood during the '*anni di piombo*'. In relation to those guilty of the Bologna Massacre he expresses his disappointment not only about their freedom but also their figure in the public arena.

## **5. Stage 2: The threat of Palestinian terrorism**

In Europe, a wave of attacks of the Middle Eastern matrix rocked the continent during the 1960s and 1980s. Palestinian organisations frequently took the lead in these acts in effort to raise awareness of the long-running conflict and of the fight for the liberation of the occupied lands. The targets included the West, the State of Israel, and Arab nations who withheld their full support for the Palestinian cause. Following the 1967 Six-Day War, Israel expanded to its greatest extent, taking up the West Bank and Gaza Strip. Anger increased between the two groups. Rome became one of the primary hotspots for the Israeli-Palestinian conflict, as it was the epicentre of both Israeli secret agency Mossad operations and terrorist strikes by Palestinian organisations. In July of 1968, the first hijacked aircraft carrying the Israeli flag took off from Fiumicino Airport. Following the 1972 Munich Olympics massacre, there were

increasing amounts of reports about potential fresh assaults. October of that year saw the assassination of Wael Zuaiter, the PLO (Palestine Liberation Organization) representative in Italy and Palestinian intellectual travelling with a Jordanian passport, near Piazza Annibaliano in Rome. His name was first on Golda's list, which was dubbed "*Operation Wrath of God*" an operation by Mossad to remove anyone believed to be either directly or indirectly involved in the Munich tragedy. (SkyTG24, 2024)

Thirty-two persons were killed in the Palestinian Resistance's first massacre attack at Fiumicino Airport on December 17th of 1973. By seizing control of a Lufthansa Boeing the commando managed to flee. A hearing for the terrorists charged with carrying out the botched bombing of an Israeli El Al corporate plane was set for that same day. Prime Minister Golda Meir, who landed in Italy on January 14th of 1973, for her official visit, would have been the commando's objective. The danger turned out to be significantly more grounded in 1974, when the Palestinian Revolutionary Council an association otherwise called the FMT (from the Arabic: *Fath/al-Majlis al-Thawrī*), was made by Abu Nidal, *nom de guerre 'the warrior'*, and separated itself by its savagery and activities on a worldwide scale. The FMT emerged from a split in Al-Fatha, driven by the Palestinian chief Arafat, who was viewed as excessively moderate by Abu Nidal who dismissed the possibility of any harmonious talks. On 9th of October 1982, a commando of Palestinian terrorists having a place with the Abu Nidal association went after the Synagogue in Rome. A two-year-old kid, Stefano Gaj Taché, was killed and 37 people were injured. On 14th of June 1985, the hijacking of Trans World Airlines flight 847 between Athens and Rome took place. On the 7th of October 1985, the Italian-flagged ship Achille Lauro was hijacked by a four-man commando belonging to the Front for the Liberation of Palestine (FLP), while it was cruising in the Mediterranean off the coast of Egypt. A Jewish US citizen was killed. His name was Leon Klinghoffer. The hijacking was also the cause of a diplomatic clash between Italy and the US, known as the Sigonella Crisis (SkyTG24, 2024).

In 1985, terrorist organisations repeatedly struck what was renamed the '*bomb triangle*', an area bounded by Via Veneto, Via Barberini and Via Bissolati, where many airlines and embassies were based. Yet again what had the most disastrous outcomes was the 27 December 1985 assault at Fiumicino air terminal by Abu Nidal's men, who went after

individuals in the registration line of the Israeli organisation El Al and the American TWA. A couple of moments later, the Vienna air terminal was likewise hit by a cell of 7 men belonging to the same organisations. The balance was 13 dead, 76 harmed in Rome; 3 dead and 44 harmed in Vienna. The photograph spread by the French magazine 'Paris Match' became renowned, on the cover, the body of a young lady covered by a blue coat. Following the assaults in Rome and Vienna, the degree of safety efforts was raised all through Europe. (SkyTG24, 2024)

### **17 December 1973**

Following their attack at Fiumicino Airport on December 17th of 1973, five Palestinian terrorists took hostages and detonated bombs inside a Pan Am aircraft resulting in 32 fatalities while the terrorists made their getaway. It caused a lot of controversy in the Italian political debate and was the deadliest terrorist massacre in Europe up until the 1980 bombing of Bologna. The motives of the attack and the organisation of the terrorist remain uncertain to this day. During those years many attacks had been made around Europe including, for example, at the 1972 Munich Olympics. (Il Post, 2023)

At around midday of the 17th december 1973, 5 palestinian terrorists arrived at Fiumicino Airport with a plane arriving from Madrid. In the luggage they carried, the terrorists had machine guns and hand grenades. When arrived at the control barrier, the terrorist pulled out the weapons and took 6 police officers as hostages. Then the group split up: the ones with the hostages started moving towards gate 14, and the others started to shoot at the windows to gain direct access to the runway. On the runway was Pan Am Flight 110, preparing to take off with a delay of about 25 minutes. Some of the terrorists climbed onto the plane via the escalator, threw two explosive grenades and a phosphorus bomb inside, 30 people, 4 of whom were Italian, died on the plane. While the attack against the Pan Am 110 was in progress, the second group of terrorists, together with six Italian hostages taken earlier, reached another plane: a Lufthansa Boeing 737 that was waiting to take off. After collecting two more hostages the group reunited onto the Boeing 737 and departed towards Athens. Once landed in Greece the terrorist started to negotiate with the Greek government for 16 hours to free Palestinian terrorists arrested beforehand. During the negotiations, the terrorists killed an

Italian hostage and dumped his body on the airstrip. The plane then left for Beirut and then Cyprus where it was not allowed to land. (Il Post, 2023)

Finally, the terrorists landed in Kuwait City, where they started negotiations with the government for the release of hostages in exchange for their freedom. After being arrested the 5 terrorists were moved to Egypt under the responsibility of the PLO (Palestine Liberation Organisation). They remained in prison in Cairo until the 24th of November 1974, but were released in exchange after other terrorists hijacked a British plane. The Egyptian government then released them in Tunisia and they have not been seen since. After this attack at the Fiumicino airport many speculations started to circulate. An example is the “Iodo Moro” named after Aldo Moro, who was at the time the President of the Council of the Ministers. The pact stipulated that the Palestinians could use Italy as a crossing point but no longer subject it to attack. The Fiumicino attack killed a total of 32 people and injured 15 others. Of those 32 victims, 6 were Italian and their names were: Giuliano De Angelis, his wife Emma Zanghi and their 7-year-old daughter Monica, Antonio Zara<sup>10</sup>, Domenico Ippoliti and Raffaele Narciso. (Il Post, 2023)

The aforementioned attack was later claimed by the Black September Organization, a palestinian terrorist cell, born in 1970 and active until 1973. Its name comes from the offensive of the Giordan government enacted in 1970 against palestinian guerrillas who settled in the kingdom after the Third Arab-Israeli War (1967).<sup>11</sup> (*Settembre Nero Nell'Enciclopedia Treccani - Treccani.*)

## **27 December 1985**

The morning of the 27 December 1985, has been the theatre of yet another terrorist attack, later attributed to Abu Nidal's palestinian organisation. At around 9.15am a commando of four terrorists made their way into the main departure area of the Fiumicino Airport, throwing bombs and firing machine guns towards the passengers near the counters of El Al

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<sup>10</sup> He was a 20-year-old financial police officer and sacrificed his life in an attempt to thwart terrorists (Il Post, 2023)

<sup>11</sup> King Husain managed, with Israeli, American and British support, to eradicate the guerrilla bases, putting an end to the organised presence of Palestinians in Jordan. Syria and the USSR were equally involved in the very serious political crisis, alongside the Palestinians, while the Egyptian president G.A. Nasser acted as a mediator between Jordan and the PLO, the main guerrilla organisation at the time. (*Settembre Nero Nell'Enciclopedia Treccani - Treccani.*)

and TWA companies. Three passengers near the TWA counter were torn apart by a bomb, while bursts of machine gun fire were fired in the direction of passengers waiting to board. This triggered the reaction of the security agents around the area, including some El Al security employees that were armed with weapons legalised by the Italian government. The result of the counteraction was a furious exchange of fire to which the terrorist responded with Kalashnikov shots and the activation of two more bombs. (Senato della Repubblica, 1985, 5) The clash ended up with the killing of three out of four of the terrorists, one of the deceased has been found with another activated bomb in his hand that remained unexploded thanks to the immediate intervention of the blaster. The surviving terrorist was then handed to the state police by the airport police and was later transported to the Celio Hospital due to its severe health conditions. (Trincia & SkyTg24, 2024)

Inside the jacket of one of the terrorists a receipt for currency exchange at the Bank of Rome was found, registered under a Moroccan passport. The Italian security agency DIGOS immediately conducted investigations that led to an accommodation down via Cavour, in the centre of Rome. At least two of the terrorists stayed there from the 15th until the 27th December, morning of the violent incursion. 15 people lost their lives in the attack: 12 passengers ( 3 Greek, 2 Mexicans, 4 Americans, 1 Algerian and 2 Italians) and 3 terrorists. 9 of the passengers were killed instantly, the other 3 died in the hospital due to the wounds inflicted. 74 people were counted as injured and were carried right away to hospitals around Rome. (Senato della Repubblica, 1985, 6)

Simultaneously with the attack at Fiumicino Airport, another European capital was being targeted. An almost identical terrorist action was being carried out in the Vienna Airport. The two attacks resulted to be almost identical leading to the hypothesis and then confirmation that the same organisation was behind both. Various claims were soon made for the terrorist offensives in hotspots from all over the European continent. Furthermore, inside the pocket of one of the terrorists was found a manuscript written in Arabic which charged the responsibility of the spilled blood to Zionist planes that hit the PLO headquarters in Tunis. (Senato della Repubblica, 1985, 7)

During the hearing in the Senate held the 28th December 1985, a relation of the happenings of the day before, and an analysis of how to proceed in order to prevent other attacks to protect civilians has been made. The Ministry of the Intern of the time, Oscar Luigi Scalfaro, reported a detailed explanation of the situation at Fiumicino Airport right after the occurrence. The main aim of the sitting was to find an instant solution to the threat of terrorism in the Italian country. What emerged from the discussion between the ministers and the President of the Council was the need to implement the control on people entering the country, who are coming from nations with a strong tendency for terrorist activities, without generally criminalising the stranger. (Senato della Repubblica, 1985, 13)

The topic of the stranger identified as a threat still hunts Italy and the international environment to this day. As time went by the ‘terrorist stranger’ phenomenon was given the name of : *Foreign Fighter*. *‘Foreign Fighters are individuals who are recruited to travel to a conflict zone or who choose to do so on their own in order to train and/or fight with a particular group. The motivation for this travel may be political, ideological or religious.’* (Theiacp, 2012)

## **6. Conclusion**

In this chapter, a general but necessary overview of the most egregious cases of terrorism in Italy was made. This analysis has not only revealed the clear shift of focus from national to international terrorism, but has also highlighted what were the weak points of our security system. What emerged from the sitting in the Senate on 28th December 1985 was the need for increased controls over those falling under the characteristics of a wanna-be terrorist. The biggest burn received by the Italian state, which emphasised its shortcomings, was precisely that the 27 December bombers had stayed in the heart of the capital for more than ten days before striking, thanks to forged passports. The Foreign Fighters (foreign fighters) phenomenon is in line with past experiences. The aim is to strike a country from the inside, after the recruit, to affect the heart of society, and to demonstrate the strength of the organisation. All this serves to put the state with its back to the wall, stripping it of its greatest responsibility: keeping its citizens safe since without security there is no society. What is the Italian state doing to prevent and monitor Foreign Fighters? How does Italy and its

Intelligence branch handle the terrorist threat today? The answers to these questions will be provided in the following chapters, through an in-depth study of the Italian Intelligence System and the analysis of foreign fighters case studies.



## **Chapter 2**

### **Italian Intelligence and Terrorism Management**

#### **1. Introduction**

The preceding chapter served as means of contextualization of the evolution of the terrorist peril related to the Italian environment, to the most up-to-date threats and how the need for action has emerged. Noting that counter-terrorism must be characterised by a multilateral approach, through the collaboration of intelligence, international organisations and law enforcement agencies, this section will explain the activities conducted by Italy to prevent and manage the threat. Since September 11th 2001, many nations have improved legislative and operational systems to deal with the complex nature of terrorism, this enhancement comprehends a strategic amalgamation of legal instruments, military powers and international cooperation to neutralise and prevent any extremist insurgence. Pivotal for Italy's counterterrorist procedures is its Intelligence System furtherly developed and explained in the following paragraphs. Furthermore, roles covered by national and international bodies highlight the proper care that every action carried out is performed in compliance with international law and human rights. Through these explanations, the chapter aims to offer an insight into the integrated approach conducted by Italy for the security of its citizens, offering comparison bodies, such as CASA, to maintain a deep collaboration on all aspects of the threat.

## 2. Fight against Terrorism: Means and Measures adopted Italy

The international community has developed initiatives to prevent and contrast terrorism since 11th September 2001, exploiting military and law enforcement instruments, facing conditions of social and economic nature that could encourage the spread of extremist propaganda. The EU encourages a synergistic approach in which any member (diplomacy, politics, intelligence and investigative forces) plays a crucial role. A pivotal doctrine sustained by the EU is the development of the fight against terrorism according to International law and Human Rights (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale, n.d.*). Italy is nowadays equipped with a legislation that follows the international guidelines regarding terrorism and violent extremism contrast. The Italian system evolved due to the necessities of the 1970s to clash the threats of the terrorist menace. In 2015 the Italian government, with the Decree Law No. 7 of 18 February 2015, adopted the Resolution No. 2178 of the UN Security Council related to the counteraction about the phenomenon of the *Foreign Terrorist Fighters (FTF)*. Furthermore Italian legislation was supplied also with Law No 43 to be more efficient when in occurrence of the FTF<sup>12</sup> or 'lone wolf'<sup>13</sup> phenomenon. Contrast strategies embraced in Law No 43/2015 foresee the formulation of new incriminatory norms<sup>14</sup> and the adjustment of the ones already in act. Moreover, the Anti-Mafia regulation envisages the restriction for those (Italian citizens or not) who are suspected of sympathising some extremist cause, to leave the country, precluding the latter the possibility to fight next to Islamist militias and then return to the country to act. In addition the Anti-Mafia regulation provides the government with the right to expel any non-EU citizen that manifested the interest to fight in terrorist conflicts abroad. The Decree Law No. 90 of 2017 implemented EU directives about the prevention of the financial recycling of criminal origin, widening the functions of the Financial Security Committee. (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale, n.d.*)

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<sup>12</sup> That is, a profile of a terrorist distinct from the traditional one, affiliated to a criminal organisation, including an international one, as was described by Article 270-bis et seq. of the Criminal Code (Associations for the purpose of terrorism, including international terrorism). (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale, n.d.*)

<sup>13</sup> i.e. people, often second- or third-generation immigrants, who have individually converted to the 'Jihad' cause and are acting 'motu proprio'

<sup>14</sup> the incrimination of the enlisted person and not only the recruiter, self-training, the organisation of transfers abroad for terrorist purposes (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale, n.d.*)

### 3. Main multilateral coordination areas against terrorism

The international outlook is equipped with a counterterrorist branch in almost each of its organisations. The combination of information gathered through these bodies and collected by Italian organisations makes an important contribution to the management of international terrorism. Collaboration, as we shall see later, is the key for the success of sensitive prevention activities. Sharing information in real time is certainly the most effective weapon to prevent future attacks and threats. Here are the organisations that play a relevant role in countering international terrorism:

- **United Nations:** On the 8th of September 2006 the General Assembly adopted the Global Strategy<sup>15</sup> for the fight against terrorism, focusing on the reasons why this phenomenon arises. With the Resolution 71/291 of the General Assembly the UN Office for Counter-terrorism (UNOCT) was instituted. UNOCT is directed by the Under-secretary General of the UN and has five main functions:

1. Provide a guide for antiterrorist mandates for all the Member States
2. Improve communication and coherence between the 38 entities that collaborate in the sector
3. Enhance the anti-terrorist assistance mechanism for Member States
4. Upgrade the defence, monitoring and visibility for antiterrorist actions conducted by the UN
5. Guarantee the priority of the anti-terrorist topic in the UN system (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale*, n.d.)

- **Anti-Daesh coalition:** after the fall of Mosul in 2014 the US promoted the creation of a coalition to contrast the self-proclaimed Islamic state (*Daesh*). The coalition develops five lines of action: military operation, fight against propaganda, contrast of FTF, blocking of any financial activity supporting Daesh and the stabilisation of the freed areas. Italy has a significant role in the Anti-daesh coalition deploying the second largest military contingent after the US. The main aim was the training of military forces and Iraqi police. Italy also co-chairs the Counter-ISIS Finance Group, together with the United States and Saudi Arabia,

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<sup>15</sup> The strategy is structured as follows: 1) addressing the conditions that lead to terrorism; 2) preventing and combating terrorism; 3) building the capacities of states and strengthening the role of the United Nations; 4) ensuring respect for human rights and the rule of law. (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale*, n.d.)

with the ambition to block any funding for Daesh. (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale*, n.d.)

- G7: In 2017 under the Italian presidency at the G7 meeting, the leaders have adopted a Declaration that put in evidence topics as the need of internet control to prevent propaganda, the management of the FTF, the impeding of terrorist founding and strengthening of frontiers. (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale*, n.d.)

- European Union: The EU Strategy against Terrorism of 2005 is based on prevention, protection, persecution and feedback. The external action of the EU comprehends dialogue with MENA countries<sup>16</sup> and international organisations to strengthen security and anti terrorist strategies. The EU also takes part in the Anti-Daesh coalition with a strong role in the management of fighters that attempt to come back from Iraq and Syria. The EU implements programs as the EES<sup>17</sup> and PNR<sup>18</sup> to improve border security and track movements between the Schengen area.<sup>19</sup> (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale*, n.d.)

- NATO: after the twin towers attack, NATO has activated Article 5 of the Washington Treaty about collective autodefense for the first time. Since then, the Alliance implemented its role in terrorism contrast in seven different areas: intelligence and analysis, preparation, capabilities development, building up partnerships, operations, internal governance and strategic communication. NATO is also part of the Anti-Daesh coalition, contributing with intelligence exchange throughout AWACS devices. (*Lotta Al Terrorismo – Ministero Degli Affari Esteri E Della Cooperazione Internazionale*, n.d.)

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<sup>16</sup> The Middle East and North Africa (MENA) is a region, affected by economic and political transformations, but with a potential for more and better growth. Its geographical location permits access to large markets; an increasing educated population; and advantages in sectors such as , renewable energy, manufacturing and tourism. The MENA-OECD Initiative comprises: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestinian Authority, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates and Yemen. (*MENA - Organisation for Economic Co-Operation and Development*, n.d.)

<sup>17</sup> The EES is a tool utilised for the electronic registration of entry and exit, and length of stay in the Schengen Area of third-country nationals. (*Entry/Exit System (EES)*, n.d.)

<sup>18</sup> Passenger name record data is unverified information provided by passengers and collected by air carriers to enable the reservation and check-in processes. (*Passenger Data - European Commission*, n.d.)

<sup>19</sup> The border-free Schengen Area guarantees free movement to more than 425 million EU citizens, along with non-EU nationals living in the EU or visiting the EU as tourists, exchange students or for business purposes (anyone legally present in the EU). (*Schengen Area - European Commission*, n.d.)

## **4. Origins of Italian Intelligence: Tracing the evolution of Intelligence practices**

### **Roots (1859-1899)**

Immediately after the establishment of the unitary State under King Victor Emmanuel II of Savoy, Italy found itself with the necessity to reorganise the various information systems that were fragmented geographically and organizationally. The Army State Information Office (*'Ufficio Informazioni dello Stato dell' Esercito'*) was established in 1863 and was the first information police body, headed by Colonel Edoardo Driquet. It was dissolved in 1866 due to the suffered defeats and then reconstituted in 1890 with police and counterespionage functions. During the late 19<sup>th</sup> century, Italy signed into the Triple Alliance in 1882, intensifying intelligence activities in southeastern France. A particularly prominent agent was Eugenio de Rossi, engaged in observation missions of transalpine troops. However, the threats were not just of foreign nature. The economic difficulties, the advancement of the social question and the consolidation of different political movements and ideologies led to the development of control activities at a national level. The Confidential Office of the Minister of the Intern (*'Ufficio Riservato del Ministro dell'Interno'*) was assembled giving birth to the double definition of Italian intelligence: civil, concerning internal security and military, concerning foreign security. (*Sistema di Informazione per la Sicurezza della Repubblica, 2024*)

### **World Wars (1900-1948)**

In 1900 the Army State Information Office became the General Staff Office (*'Ufficio del corpo di stato Maggiore'*), headed by Felice de Chaurand de Saint Eustache, colonel of Carabinieri. Despite limited resources, De Chaurand and his successors were able to use ciphers and encryption and to collaborate with geographers and archaeologists. During WW1, military services were expanded and further information services were created, as the Queen Navy Information Service (*'Servizio Informazioni della regina Marina'*), leading participant in the 1917 strike of Zurich against Austrian espionage. At the end of WW1, Italy was found

in a position of difficulty relating to the dualism of the military and civil intelligence forces. In 1919, a reform was made leading to the dissolution of the Central Bureau of Investigation (UCI) and the institution of the General and Confidential Affairs Division (DAGR). In 1927, the military intelligence was reformed with the creation of the Military Intelligence Service (*'Servizio di Informazione Militare'*) (SIM). In 1946, following a first security reform implemented by Minister Giuseppe Romita, Special Information Service (*'Servizio Informazioni Speciali'*) (SIS) was instituted, holding all of the responsibilities previously given to the DAGR. The SIS stayed active until, in 1948, with the birth of the Italian Republic, it was replaced by the Reserved Affairs Office of the Ministry of the Interior (*'Ufficio Affari Riservati del Ministero dell'Interno'*). (*Sistema di Informazione per la Sicurezza della Repubblica, 2024*)

## **Second post-war period (1948-2007)**

Following the Italian Republic's founding, on March 30th 1949, military information services were reorganised, leading to the creation of the Armed Forces Information Service (*'Servizio Informazioni Forze Armate'*) (SIFAR), which was headed by the General Giovanni Carlo Re and directly reported to the Chief of the Defence Staff. Additionally, to support each Armed Force, the Operational Information and Situation Section (*'Sezione informazioni operative e situazione'*) (SIOS) was established, with specific duties including military police and technical-military information. Italy's entry into the NATO alliance directly led to the establishment of the SIFAR. In addition, the armed forces underwent yet another reform in 1965 when the SIFAR was renamed the Defence Information Service (*'Servizio Informazioni Difesa'*) (SID) to handle information services, military secrecy prevention and protection, and other national security and defence-related activities. Act No. 801 of 1977 severely radicalised Italian intelligence and resulted in the creation of the Military Intelligence and Security Service (SISMI) and the Service for Information and Democratic Security (SISDE). The two organs were under the control of the Ministry of Defense and the Ministry of the Intern. Moreover, Act No. 801, attributed the direction and coordination of information policies to the President of the council of ministers which coordinated the two intelligence services throughout the Executive Committee for Information and Security Services (*'Comitato esecutivo per I servizi di informazione e sicurezza'*) (CESIS). (*Sistema di Informazione per la sicurezza della Repubblica, 2024*)

## **Current landscape of Intelligence (2007- today)**

In 2007, the intelligence apparatus underwent an additional change when Law 124/2007, which created the Republic Security Information System, was implemented. The President of the Council of Ministers, who presides over the nomination process for directors and vice directors of the various agencies and coordinates with the DIS, AISE, and AISI, has overall accountability for all the bodies. (*Sistema di Informazione per la sicurezza della Repubblica, 2024*)

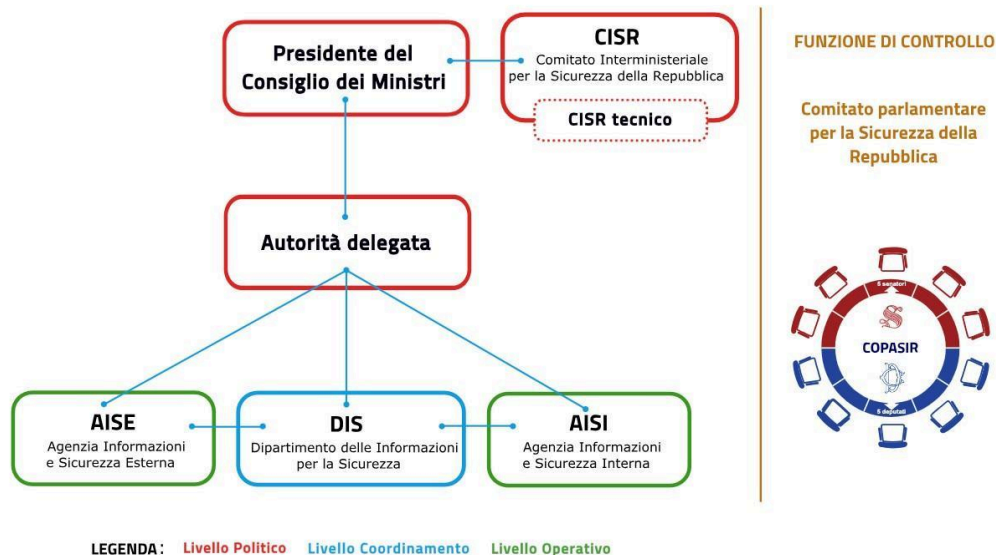
## **5. Actors involved in the fight against terrorism in Italy**

The fight against terrorism in Italy involves different actors coming from different backgrounds, starting with law enforcement agencies such as The State Police, Carabinieri, Guardia di Finanza and the ‘Agenzia Informazioni e Sicurezza Interna’(AISI). These bodies oversee the identification of the peril and arrest any suspect. Secondly, as part of the prevention and contrasting of terrorism process, we have the Judicial system formed by the judiciary, prosecutors and courts that play a crucial role in applying law against terrorist cases. Afterwards, Intelligence services, as AISI, AISE and DIS, work to monitor, and oppose threats throughout the collection and analysis of information. Armed forces, including the army, the navy, and the aeronautics, can be involved in national security and in emergency situations. Political and governmental institutions such as the Parliament work to implement national security policies, as anti-terrorism laws, and in allocating resources for counterterrorism activities. International Organizations and Cooperation as EU, NATO, UN, and Interpol collaborate with Italy for the exchange of information and the participation in joint operations against terrorism. Civil society and local communities also have a role in combating terrorism. Civil society, including non-governmental organisations, religious groups, and other community institutions, can act to prevent violent extremism and provide support to the victims. Lastly, the media and public opinion hold considerable importance in the diffusion of the data regarding terrorism, influencing public opinion and the perception of the risks related to security.

The actors mentioned above often collaborate and coordinate their activities to deal with the menaces of terrorism in Italy, working together to prevent attacks, they identify and prosecute those responsible, and protect the safety and the stability of the country. The following paragraphs provide insights into the functioning of the Italian Intelligence system.

## Organisation and structure of Italian Intelligence services

Law No 124 of 2007 established the Information System for the Security of the Republic and reformed the Italian intelligence sector that, until then, had operated under Law 801/1977 (*Legge Sull'Intelligence (Legge 3 Agosto 2007, N.124) - Sistema Di Informazione per La Sicurezza Della Repubblica, n.d.*). Italian intelligence services are branched in what is called the Information System for the Security of the Republic (Sistema di informazione per la sicurezza della Repubblica), the set of organs and authorities which are responsible for the information activities aimed to safeguard the Republic. It was established following Law No 124 of 2007 which has reformed the National Intelligence Service. The following illustration outlines the collective structure of the Information system for the security of the Republic:



(Organizzazione - Sistema Di Informazione per La Sicurezza Della Repubblica, n.d.)



The interesting aspect of this semi-pyramidal system is the trust placed in the delegated authority, which receives its tasks from the president of the council of ministers. All actions carried out must be reported to COPASIR, the real control function, the parliamentary body that monitors the conduct of all other bodies. The coordinating role of the DIS is supported by the counter-espionage activities conducted by the AISE and the AISI. The various ministers involved then discuss initiatives at the CISR, which also has a technical section. Everything works as a machine, a collection of bodies working to the maximum for the best functioning of the system.

- **Department of Security Intelligence (DIS):** This agency is a tool for the delegated authority and the President of the Council of Ministers for for the exercise of their functions and assuring unity throughout the program of the system.<sup>20</sup> Law No. 133 of 2012, initiated by COPASIR, reinforced its coordinating role, specifically in strategic intelligence analysis and unified resource management<sup>21</sup>. Its functions are: coordinating AISE and AISI, gathering data from the different law enforcement powers, creating reports, examinations and research projects for CISR aimed at reinforcing public digital security and network protection, to guarantee data trade between AISE, AISI, and police powers, creates the arrangement for the procurement of human and material assets and whatever other assets that are regardless instrumental to the movement of the security data administrations, to be submitted to the President of the Council of the Ministers for endorsement, and curates exercises to advance and disperse wellbeing society and institutional correspondence. (*DIS - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

- **President of the Council of the Ministers :** The President of the Council of the Ministers is charged with the responsibility of administering the policies of information security aimed at the defence of the Republic's democratic institutions. More specifically his tasks fall under the following division: protection of state secrecy, coordination of information security policies, maintaining stability and safeguard of the AISI and AISE agents , imparting of directives to strengthen the activity for the shield of critical infrastructures, holding the right for the Director general of the DIS, the Director of AISE and AISI, and determination

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<sup>20</sup> Law of August 3, 2007, n.124 (*DIS - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

<sup>21</sup> The same law gives DIS the power to coordinate the informative actions for the protection of the critical infrastructures and of the country's cyberspace. (*DIS - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

of the annual amount of financial resources for the Italian information security services. (*Presidente Del Consiglio - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

- **Delegated Authority:** This figure receives its powers by decision of the president of the Council of the Ministers. It must be a Minister without portfolio or an UnderSecretary of State and is recognized as “*Delegated Authority*”. The latter can solely exercise the government functions specified in accordance with Law 124/2007.<sup>22</sup> (*Autorità Delegata - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)
- **Internal Intelligence and Security Agency (AISI):** AISI’s task is of research and elaboration, between its areas of competence, of information useful for defending the internal security of the Republic, from any threat, subversive activity and all forms of criminal or terrorist aggression<sup>23</sup>. Its specific competences are activities of information for the security inside national’s territory<sup>24</sup>, and detection and countering of espionage activities directed against Italy (in national territory). The Director of AISI<sup>25</sup> is responsible for the organisation and functioning of the agency, constantly referring the activity performed to the President of the Council of Ministries or the delegated authority and presents an annual report to the CISR about the functioning of the institution. AISI agency has its own magazine called ‘*Gnosis*’, born in 2004, that deals with domestic and international security, drawing on the opinions of experts from the institutional academic, scientific and intelligence analysts. (*AISI - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)
- **External Intelligence and Security Agency (AISE):** AISE expertise consists of counterproliferation activities concerning strategic materials and security intelligence activities, which take place outside the national territory, to protect Italy’s interests. (*AISE - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)
- **Interministerial Committee for the Security of the Republic (CISR):** is established at the Presidency of the Council of Ministers to advise, propose and deliberate to the general directions and purposes of information policy for security<sup>26</sup>. Its duty is of generating the

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<sup>22</sup> The law also prescribes the obligation to provide constant information to the President of the Council of the Ministers about the conduct of the delegated functions. (*Autorità Delegata - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

<sup>23</sup> Art.7 Law No.124 of August 3, 2007 (*AISI - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

<sup>24</sup> AISI can take part to foreign operations only when in collaboration with AISE (*AISI - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

<sup>25</sup> Appointed by the Council of Ministries. Its mandate has a duration of maximum 8 years, without continuity (*AISI - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

<sup>26</sup> The CISR is supported by the so-called “Technical CISR” as a permanent collegial body, chaired by the Director General of the DIS, and composed of the Senior Executives designated by the Ministers members of the CISR and Directors of AISE and AISI. (*CISR - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

fundamental objectives to perceive regarding security information policy and of deliberating on the allocation of financial resources between the DIS and the security intelligence service. The Committee is chaired by the President of the Council of Ministers and formed by most of the ministers that are seated in the parliament, together with the delegated authority. (*CISR - Sistema Di Informazione per La Sicurezza Della Repubblica*, n.d.)

- **Parliamentary Committee for the Security of the Republic (COPASIR):** The committee, headed by a member of the political opposition, is a bicameral organ formed by 5 senators and 5 deputies chosen to have an organic representation of political majority and opposition. The President of the Council of the Ministers and the DIS are required to render a detailed set of communications to COPASIR. Furthermore, COPASIR, can request to the President of the Council of the ministers the conduction of internal investigation to ascertain the propriety of the conduct of members of the Information and Security Bodies. Annually, the government submits to the parliament a report of information security policy and achievements in the previous years known as '*Relazione annuale sulla politica dell'informazione della sicurezza*'. COPASIR is required to present an annual report to the Parliament about the activity conducted in the past year and to make proposals or reports on matters within its jurisdiction. During the year the Committee can transmit urgent information and reports to the Chambers, as in the case of findings of a conduct that violates regulations on security information activities. (*COPASIR*, n.d.)

## Cycle of Italian Intelligence Service



Intelligence can be described as an information process defined by a cycle of actions, scattered in several stages (intelligence cycle) aimed at the general objectives identified by the governing authorities. The phases of the intelligence cycle are:

1. **Defining information objectives:** 'information needs', i.e. the set of information that government authorities require in order to have an exhaustive knowledge framework on thematic areas, phenomena, events, geographical areas and subjects/organisations of interest.
2. **Informative search:** consists of using the various sources and carrying out info-operational activities to acquire useful information to prevent, detect, contain and counter threats to national security.
3. **Analysis:** through analysis, the raw information element is transformed into an articulate cognitive contribution.
4. **Production and dissemination:** forwarding to institutional users information of interest, reports, analyses and situation points, useful for decisions to be made or activities to be undertaken.
5. **Evaluation and feedback:** an assessment is made of the extent to which intelligence products have been useful for information providing based on the need of the government regarding national security. After this assessment comes the decision on whether to continue with the investigations or not.

The qualities that must characterise intelligence products are: accuracy, topicality, completeness, concreteness, objectivity, relevance and tempestiveness. These are methodologies and practices that guide the performance of intelligence activity for security and the implementation of the individual steps in which it is concretely articulated according to the resources, technical and/or human, employed. They are the so-called 'INTs' of intelligence jargon. Today different types of information collection and processing, these include:

- **OSINT (Open Source Intelligence)** consists of researching and processing news of national security interest from open sources. The exceptional growth in publicly available news in recent years has given OSINT significant relevance also in the context of security intelligence activities for the integrated analysis of phenomena and situations of interest, also allowing other intelligence disciplines to focus on 'covered' sources.

- **IMINT (Imagery Intelligence)** processes images of national security interest acquired by means of photographic, radar, electro-optical or infrared or thermal sensor systems based on land, naval units or air-space launchers.
- **HUMINT (Human Intelligence)** research and processing of news of national security interest from individuals.
- **SIGINT (Signal Intelligence)** processing of news of security interest originating from signals and/or electromagnetic emissions from abroad. The main branches of SIGINT are COMINT and ELINT.
- **COMINT (Communications Intelligence)** Research and processing of news of national security interest from signals emitted by foreign electromagnetic communication systems.
- **ELINT (Electronic Intelligence)** processing of news of national security interest from foreign electromagnetic emissions other than communications.
- **TECHINT (Technical Intelligence)** Concerning weapons and military equipment.
- **MASINT (Measurement and Signature Intelligence)** Research and processing of technical and scientific elements related to physical attributes of events and targets of information interest in order to locate them and identify their salient features.

*(Analisi Intelligence - Sistema Di Informazione per La Sicurezza Della Repubblica, n.d.)*

## **State Secrecy**

State secrecy covers a wide variety of topics, including actions, records, data, activities, and other aspects whose disclosure would jeopardise the integrity of the Republic. This might cover matters pertaining to international treaties, the defence of governmental institutions, the independence of the country from other nations, diplomatic relations, military preparedness, and defence plans. Certain matters, though, are expressly excluded from state secrecy. These include activities that compromise the integrity of the constitution, acts of terrorism, crimes against humanity such as mass murder intended to compromise state security, criminal associations, including mafia-related ones, and electoral transactions involving political mafias. The Constitutional Court and the Parliamentary Committee for the Security of the Republic (COPASIR) are in charge of monitoring state secrecy. State secrecy has a 15-year maximum, renewable for an additional 15. Anyone with an interest may ask the President of the Council to get access to the information, documents, acts, activities, items, and locations covered by the State Secret after 15 years from the date of the affixing or confirmation of the opposition. State secrecy is terminated following agreement with the appropriate foreign or international

authorities when, as a result of international accords, it also impacts the interests of foreign nations or international organisations. (*Legge Sull'Intelligence (Legge 3 Agosto 2007, N.124) - Sistema Di Informazione per La Sicurezza Della Repubblica, n.d*)

## **Counter-Terrorism Strategic Analysis Committee (CASA)**

The Counter-Terrorism Strategic Analysis Committee (CASA) is a permanent board which meets on a weekly basis and is formed by judiciary, police and intelligence services. It is an important national tool for sharing and evaluating information related to the threat of domestic and international terrorism. It was established by the Ministry of Intern on the 6<sup>th</sup> of May 2004, with a decree-law named '*National Plan for the management of events concerning terrorism*', the latter also contained the modalities regarding the functioning of the unit. The entity is headed by the Central Director of Prevention Police. The police forces with general competence -State Police and Carabinieri Forces- take part in it, as well as intelligence agencies – AISE and AISI. For special tasks Guardia di Finanza and the Department of Prison Administration are convened. By ministerial directive the board '*performs tasks of analysis and evaluation of reports of particular relevance to domestic and international terrorism received by the Department of Public Security*' even in occurrence of international collaboration with the primary purpose of providing top management with elements for threat assessment and the adoption of consequent measures. The object of the committee is evaluating the scope of the single terrorist threats throughout the allocation of experience and information. CASA usually meets on a weekly basis, but, in emergencies, it can also meet more frequently, up to and including a 'permanent' meeting during cases that require it. (Roberti & Giannini, 2016, 39-40)

CASA's main competence is the one of real time analysis of information coming from law enforcement forces and intelligence agencies besides of the qualified contributions made by liaison officers or in the framework of international cooperation relations. During weekly sessions ongoing investigations and monitoring activities are discussed and evaluated, predicting possible future developments and analysing possible measures to be taken. The reports received are examined every week and the various agencies are then tasked with assessing the reliability of the news and the reliability of the information sources. Another competence of CASA is to plan and coordinate activities for terrorist prevention in Italy,

monitoring potential hubs and individuals at risk of radicalization , as well as online propaganda.<sup>27</sup> The committee is also authorised at implementing bilateral relations with separate antiterrorist organisations, even outside Europe's borders. <sup>28</sup> (*L'esperienza Italiana Nel Contrasto Al Terrorismo: Il Ruolo E L'evoluzione Del C.A.S.A.*, n.d.)

CASA committee is structured by an operative shared table, chaired by the Police Chief or the Minister of the Intern. Liaison officers from the police forces of other countries, who are able to make qualified contributions to the required information analysis, are also sometimes invited to the regular meetings. The structure of the bureau is what makes it adaptable to contingencies, operating simultaneously as both a bottom-up analysis tool and a top-down executive device. Between the actors who take part regularly to the board we have both Italian law enforcement forces (Carabinieri and State Police) having a general jurisdiction upon counterterrorist investigations, with specialised national, regional and provincial units to which the judicial authorities delegate investigative activities to combat domestic and international terrorism. Intelligence agencies' role mainly falls between information gathering and analysis referred to law enforcement agencies to boost police investigations and assess priorities in countering the threat. Guardia di Finanza is appointed by the National Anti-Mafia and Anti-Terrorism Prosecutor to carry out investigations into money laundering and terrorist financing. The Department of Prison Administration is responsible for monitoring and investigating prisoners accused or convicted of terrorism offences. (*L'esperienza Italiana Nel Contrasto Al Terrorismo: Il Ruolo E L'evoluzione Del C.A.S.A.*, n.d.)

CASA can today be considered both a strategic and tactical tool for preventing and combating terrorism. In a top-down model, through CASA, coordination in investigative activities is respected and best practices implemented in other countries are discussed. At the tactical level the weekly meetings allow the discussion of ongoing investigations and intelligence activity. The bottom-up information that law enforcement and intelligence

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<sup>27</sup> A technical working group also establishes the procedures for the implementation of violent extremism prevention initiatives, approved by the CASA. and delegated to the Police Authorities on the national territory. (*L'esperienza Italiana Nel Contrasto Al Terrorismo: Il Ruolo E L'evoluzione Del C.A.S.A.*, n.d.)

<sup>28</sup> Italy and the United States, for example, have signed a cooperation agreement to share information and monitor persons under investigation for terrorist activities; the data and information received by the US partner is managed directly by the CASA. (*L'esperienza Italiana Nel Contrasto Al Terrorismo: Il Ruolo E L'evoluzione Del C.A.S.A.*, n.d.)

agencies provide on subjects deemed to be at risk of violent radicalisation provides the Minister of Intern with the data to assess possible courses of action and limit the terrorist threat. An important aspect related to this activity and connected to the jihadist threat, is the instrument of expulsion for reasons of state security, also used to prevent the spread of jihadist ideologies. Finally, since 2014, the Committee has compiled a list of foreign terrorist fighters in our country (Italian citizens, foreigners residing in Italy and Italian citizens residing abroad), mapping routes to and from combat zones, facilitators and other relevant investigative information, always with a view to international police cooperation, in view of the transnational threat posed both by potential foreign terrorist fighters and by veterans returning from the theatres of conflict . (*L'esperienza Italiana Nel Contrasto Al Terrorismo: Il Ruolo E L'evoluzione Del C.A.S.A.*, n.d.)

The most interesting feature of this round table is the deep respect between the units and the joining of forces, done for the best success of threat management. Through collaboration, comprehensive objectives are achieved that could hardly be realised without sharing. This body highlights the vanguard of the Italian system, emphasising the progress established on the basis of past experiences.

## **6. Italian legislation against terrorist activities**

The last weapon that Italy possesses to contrast terrorism is the legislative one. After having listed and extensively explained which bodies are in charge of prevention, it is appropriate to analyse and explain what legal weapons they possess, which minutely follow the guidelines of international law and human rights. The Italian legislation in charge of the prevention and punishment of terrorist activities has evolved throughout the years, shaping into the latest trends and necessities. The collection of Italians regulations adopted in case of terrorism is contained in Italy's *Codice Penale* alternatively referred to as *Codice Rocco*<sup>29</sup>. The penal code was released in 1930, splitting the personality of the state, considering the international one separated from the national. Furthermore, *Codice Rocco* was based on a criminal model

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<sup>29</sup> *Codice Rocco* (1930) is named after Alfredo Rocco, its developer, who from 1925 until 1932 has been the ministry of grace and justice and religious affairs during the fascist regime of Benito Mussolini.



of attack and supported the theme on some pivotal articles, first and foremost *article 270*. The aforementioned article was conceived by the legislator in order to criminalise opposing political parties, as a consequence, the article is the result of a mentality prior to the second world war, clearly unsuitable for dealing with a political emergency including the '*anni di piombo*'. Due to the updated necessities requested by the period, the state appealed to specific technical and jurisdictional provisions, with the adjustment of substantive and procedural law through progressive interventions known as "*emergency legislation*". The regulatory framework was articulated on two directives: the first one about the provision of new criminal offences with the tightening of the penalties for the ones responsible and the introduction of new operative systems for the law enforcement agencies. The second provision was to create specific rewarding norms for terrorists that decided to collaborate with police forces. (Roberti & Giannini, 2016, 11-13)

The history of emergency legislation can be divided in three phases:

1. The first phase is antecedent to the kidnapping and killing of Honourable Aldo Moro, the need to fight against political criminality led to emergency procedures as the unsettling of penalties or advancement in the powers of the public order forces. During the same period acts about 'preventive detention'<sup>30</sup> were approved and new laws about seizure of premises, entities, and associations in the case of intervention *in flagrante delicto*<sup>31</sup> for weapons offences, were created. The primary law created in that time was the '*Legge Reale*'<sup>32</sup> which implemented a reform of law-and-order institutions, creating restrictive rules on pre-trial detention and bail, as well as police custody, while also granting more power to law enforcement agencies.

2. The second chapter of emergency legislation starts with the slaughter of *Via Fani* and the killing of Aldo Moro, during those years specialised measures to fight against terrorism were approved with rewarding trends<sup>33</sup> for cooperative terrorists. Moreover, part of this phase is the Decree law of 15 December 1979 n.625, which included the new figure of association for the *purposes of terrorism and subversion of the democratic order*, terrorist attacks, bail

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<sup>30</sup> Law No.296 of 7 June 1977 (Roberti & Giannini, 2016)

<sup>31</sup> Law No.533 of 8 August 1977 (Roberti & Giannini, 2016)

<sup>32</sup> Law No. 152 of 22 May 1975, created by Oronzo Reale Former Minister of Justice of the Italian Republic (1974-1976) (Roberti & Giannini, 2016)

<sup>33</sup> Decree no. 59 of 21 March 1978 criminal offences are introduced e.g. kidnapping for terrorist purposes art289 bis of the criminal code (Roberti & Giannini, 2016)

limits, increased sentences, and increased terms of pre-trial detention for subversive offences, and the possibility of conducting searches with the authorization of the public prosecutor by telephone.

3. The third and last phase concerning emergency legislation, coincides with the decline of the terrorist organisations with the incentive of collaborative behaviour. With the latter, the legislator intended to give formal recognition to activities aimed at preventing the crime or repairing the damage of the event. This is the period that gives birth to two new figures in the terrorist environment: *the repentant*, who chooses to collaborate with the Jurisdiction, and *the dissociated* who publicly claims his detachment from the armed organisation. (Roberti & Giannini, 2016, 13-17)

### **Articles of Italian law against terrorist activities**

- **Art. 270 of Codice Penale - Subversive Association**

Punishable with 5 to 12 years' imprisonment “*Anyone who, on the territory of the State, promotes, sets up, organises or leads associations aimed at and suitable for the violent overthrow of the economic or social order constituted in the State or the violent suppression of the political and legal order of the State*”

- **Art. 270 bis of Codice Penale – Association with terrorist or subversion of the democratic state purpose**

The legislator aimed to punish those who took part in such associations with an appropriate tool, since the previous article (art.270) was designed to counter fascist organisations. There was the necessity of an article which included specifications such as '*the state territory*' and '*terrorism and subversion of the democratic order*'. An interpretative problem concerning the analysis of art.270 bis is the disorganisation between the text and the rubric, since the former only mentions the term subversion and the latter mentions both. Historically, the decision was made by considering terroristic purposes only those activities that through violence generate fear in the community. As often the case, the doctrinal and jurisprudential disputes surrendered in the face of the harshness of the actual data and the reported discrepancy in the wording of *Article 270 bis* was overcome by the realisation that, regardless of the

inconsistencies between the text and the heading, the reference to acts of violence for the configuration of the offence rendered any further disquisition sterile.

- **Art.280 of *Codice Penale* – attack for terrorist or subversion purposes**

According to the legal norm, anyone who watches out for life or limb of a person is punished with imprisonment, the amount of time that will be spent in prison varies based on the gravity of the action. Article 280 is often subject to the subjectification of the criminal case, and seems as it favours the international element over the material conduct in the scope of ‘common goods’ as life or limb. It follows that this article is applied in case of murder for terrorist purposes done by subversion organisations.

- **Art.289 bis of *Codice Penale* – kidnapping for terrorist or subversion purposes**

The norm is aimed to the specialisation of the offence of kidnapping and has a dual role:

1. Punishes in a stricter form seizure for terroristic purposes.
2. Induces disruptive mechanisms of the organisations responsible of the seizure, providing substations sentence reductions for those who, by dissociating themselves , contribute to the liberation of the hostage.

- **Art. 306 penal code – armed organisation**

*“When, to commit one of the offences indicated in Article 302<sup>34</sup>, an armed band is formed, shall be liable, for this alone, to a term of imprisonment from five to fifteen years. For the sole fact of participating in the armed band, the punishment is imprisonment of three to nine years. The leaders or sponsors of the armed band are subject to the same punishment established for the promoters.”*

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<sup>34</sup> Article 302 of the Codice Penale states as follows: “Anyone who incites a person to commit one of the offences, without negligence, provided for by the first and second chapters of this title, for which the law establishes a life sentence or imprisonment, shall be punished, if the incitement is not accepted, or if the incitement is accepted but the offence is not committed, by imprisonment from one to eight years. However, the punishment to be applied shall always be less than half the punishment established for the offence to which the incitement relates.” (Art. 302 Codice Penale - Istigazione a Commettere Alcuno Dei Delitti Preveduti Dai Capi Primo E Secondo, n.d.)

The offence represents a *quid pluris* concerning what is written in *article 270*, adding a structure and a system identified as the '*band*' and establishes the existence of a bound between the components, without the necessity of being armed for every single member. (Roberti & Giannini, 2016, 18-22)

## **The 2001 legislative reform: an updated model**

The aforementioned '*emergency legislation*' turned out to be insufficient with the advent of international terrorism and the climax provoked by the terrorist attacks of the 11<sup>th</sup> September 2001 against the Twin Towers as well as the entirety of the international community. In 2001, the Al Qaeda<sup>35</sup> group determined an acceleration in the approval process of new reform texts, suddenly thrusting the world into a battle that needed new laws to respond, since the threat itself was something new never seen before. Hence, possible regulatory gaps were filled by the legislative reform of 2001, implemented by Decree-Law No. 374 of 18 October 2001<sup>36</sup>. Below are the main innovations introduced by the above-mentioned decree called '*urgent provisions to counter international terrorism*':

- **New Art. 270 bis of *Codice Penale***

The first adjustment of the reform has been the introduction of the cases of association for the *purpose* of international terrorism, as a remedy to the criminal deficiencies provided by the old version of the article that did not make it possible to punish transnational violent behaviour. The new *Art. 270 bis* distinguishes two different types of associative forms: the terroristic one and the subversive one. In the new disposition, the terrorist intent occurs also when the violent attacks are against a foreign country, an institution, or an international body. The penalties remain unchanged in reference to the previous *Art. 270 bis*<sup>37</sup> for those responsible for the financing of the association.<sup>38</sup>

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<sup>35</sup> Al-Qaeda is an international terrorist paramilitary movement with an Islamist ideology, inspired by Sayyid Qutb and Abd Allah al-Azzam. It was founded on 11 August 1988 and led by Osama bin Laden until 2 May 2011. It is known to have planned and carried out the attacks of 11 September 2001 causing the death of about 3000 people including rescue workers, citizens, workers and the terrorists themselves.

<sup>36</sup> Converted with amendments by Law No. 438 of 15 December 2001 by which the Financial Security Committee was set up at the Ministry of the Economy to counter the financing of international terrorism. (Roberti & Giannini, 2016)

<sup>37</sup> For the financiers of the group from 7 to 15 years, while for those who merely participate the penalty is slightly increased with a prison term of 5 to 10 years (previously 4 to 8). (Roberti & Giannini, 2016)

<sup>38</sup> With the aim of circumscribing possible financiers. Sometimes is used the definition given by the International Convention adopted by the UN assembly the 9<sup>th</sup> December 1999. (Roberti & Giannini, 2016)

- **Art.270 ter of Codice Penale**

With this new norm anyone who : ” *gives shelter or provides food, hospitality, means of transport, means of communication to any of the persons who participate in the associations indicated in Articles 270 and 270-bis*” can be punished with imprisonment up to 4 years, the punishment increases in case of continuative assistance.

- **Art. 41 bis of Codice Penale**

With Law No. 279 of 23 December 2002, the relevant article which sentenced for hard prison only for convicted mafia offenders has been modified, specifically the second comma recites: *"in the event of serious reasons of public order and security, also at the request of the Minister of the Interior, the Minister of Justice also has the power to suspend, in whole or in part, in respect of prisoners for offences committed for the purposes of terrorism, including international terrorism, or subversion of the democratic order through acts of violence] in relation to which there are elements such as to suggest the existence of links with an association ... terrorist or subversive association the application of the rules of treatment ... which may be in concrete conflict with the requirements of order and security. Suspension shall entail the restrictions necessary to meet those requirements and to prevent links with the association ...'*

In addition to those just mentioned, the reform of 2001 gave law enforcement more space for action, providing them with the possibility to conduct undercover investigations, preventive interceptions, and investigative coordination with other bodies. (Roberti & Giannini, 2016, 25-38)

## **7. Conclusion**

Through the analysis and dismemberment of terrorism prevention agencies, a complete picture of the approaches taken by the Italian state, to maintain efficient security for its

citizens, can be reconstructed. The robust framework highlights Italy's commitment to security, both national and international, from the roots of the intelligence services post-war system, Italy demonstrated its adaptation ability to the changing landscape of the threat. The legislative measures underscore the safeguarding of the nation while respecting international standards. Collaborations with international organisations are central in the reinforcement of Italy's defence mechanisms and for the continuous evolution of the tactics. The insights provided in this chapter aim at the explanation of the complexities and challenges of security maintenance in a globalised world. The narrative of the chapter served as a demonstration of the deep preparation administered by the country. It is interesting to observe the profound and respectful collaboration between all its constituent entities where the watchword is collaboration.

## Chapter 3

### The Foreign Fighter Phenomenon

#### 1. Introduction

The following chapter is designed for the explanation of one of the phenomena that challenge international security the most: foreign fighters, *'non-citizen of conflict states who join insurgencies during civil war'* (Malet, 2013, 9). Through the study of this reality, this section's intent is to build a concrete image of the fighter, in order to provide insights and characteristics to clarify any doubts, as the discussion is full of technical quibbles that might lead the reader astray. It is interesting to start with the work of Sandra Kraehenmann who provides a detailed clarification of the phenomenon, for example, it is important to understand the conversion and mobilisation patterns undertaken by the subjects. How do they come to share certain ideologies to such an extent that they risk their lives to fight? The entanglement that then leads to the perpetration of terrorist acts by these individuals is a clear modality used by organisations in order to cause damage in countries where they want to impose their ideals. This technique of 'pawns' allows the upper echelons of terrorist organisations to do a lot of damage, irreversibly scarring societies, but without actually getting their hands dirty. In the course of the research, I was able to benefit from the valuable collaboration of the current prefect of Rome, Lamberto Giannini, an expert in anti-terrorism. His testimony was invaluable for the proper definition of the phenomenon, providing detailed descriptions about investigations and how cases such as that of Abderrahim Moutharrik were handled by Italian security agencies. The main character of the second case study, Maria Giulia Sergio, gives us an interesting insight into the manipulation of recruitment. Both cases bring out the promptness and efficiency of the Italian security services, which managed to avoid bloody events through cooperation.

## 2. Analysis of the main characteristics of the phenomenon

Leaving the country of origin to take part in foreign conflicts sets its roots in ancient times, an example is the Arab-Israeli War or the Spanish Civil War, demonstrating that foreign fighters are not only a muslim phenomenon. However, the presence of foreign fighters whose primary or unique connection is religious affiliation has been a central feature of almost every conflict in the Muslim world since the Soviet invasion of Afghanistan. After 9/11 the term entered common speech due to the high presence of the foreigners that fought with the Al-Qaeda organisation and the Taliban. Due to this background this term is strongly associated with '*Jihadists*', '*Muslims*' and '*Islamists*'. (Kraehenmann, 2014, 5).

As David Malet points out in his book '*Foreign Fighters*' (2013), 'is not an established term in political science literature' (Kraehenmann, 2014, 5). Heggammer in his work '*The Rise of Muslim Foreign Fighters*' (2011) interestingly defines the figure of the foreign fighter midway between local rebels and international terrorists. Malet defines terrorists as '*non-citizen of conflict states who join insurgencies during civil war*' (Malet, 2013, 9) he continues his analysis by descending and explaining the diversities with mercenaries. Mercenaries are hired by governments usually in return for money, foreign fighters are not motivated by 'material gain', their primary motivation is ideological or religious (Heggammer, 2011). Sandra Kraehenmann developed an interesting study called '*Foreign Fighters Under International Law*' (2014) discussing Heggammer's definition summing it and analysing it in the next page scheme:



### Box 1. Definitions of 'foreign fighter'

In *The Rise of Muslim Foreign Fighters: Islam and the Globalization of Jihad*, Hegghammer proposes a refined four-pronged definition of 'foreign fighter'.

"I build on this formulation [Malet's definition] and define a foreign fighter as an agent who

- (1) has joined, and operates within the confines of, an insurgency;
- (2) lacks citizenship of the conflict state or kinship links to its warring factions;
- (3) lacks affiliation to an official military organization; and
- (4) is unpaid.

These four criteria set foreign fighters apart from other types of violent actors who cross borders. Criterion (4) excludes mercenaries, who are paid and follow the highest bidder. Criterion (3) excludes soldiers, who are usually salaried and go where their generals send them. Criterion (2) excludes returning diaspora members or exiled rebels, who have a preexisting stake in the conflict. This distinction, which disappears in Idean Salehyan's term 'transnational insurgent' or John Mackinlay's 'global insurgent', matters because ethnic or kinship links to insurgents presumably facilitate mobilization considerably. Finally, criterion (1) distinguishes foreign fighters from international terrorists, who specialize in out-of-area violence against noncombatants."

To distinguish foreign fighters from other transnational actors, including terrorists and mercenaries, Hegghammer and Colgan adopt a slightly different definition which clarifies that foreign fighters may be paid, but payment is not their primary motivation.

"The distinguishing features of foreign fighters are that (a) they are not overtly state-sponsored; (b) they operate in countries which are not their own; (c) they use insurgent tactics to achieve their ends; (d) their principal objective is to overthrow a single government/occupier within a given territory; and (e) their principal motivation is ideological rather than material reward."\*

\* Colgan and Hegghammer, 'Islamic Foreign Fighters: Concept and Data', Paper presented at the International Studies Association Annual Convention, Montreal, 2011, p. 6.

(Kraehenmann, 2014, 6)

What is interesting about the explanation above is the distance between foreign fighters and international terrorists, narrowing the nature of the phenomenon. A foreign fighter fights in/for a nation he does not belong to, is not retributed and is not attached to a military organisation. What is the transaction that brings foreign fighters to commit actions that sometimes are directed against their own country? Kraehenmann, considering what Hegghammer stated, sustained that today there's a lack of information that permits to circumscribe the foreign fighters phenomenon as travelling abroad to train and carry out attacks at home. For this reason, it is right to stick to the following definition, which does not make terrorist intentions explicit:

*“A foreign fighter is an individual who leaves his or her country of origin or habitual residence to join a non-state armed group in an armed conflict abroad and who is primarily motivated by ideology, religion, and/or kinship.”* (Kraehenmann, 2014, 6)

By keeping the focus on foreign fighters as participants to a foreign armed conflict it *“accommodates the possibility that some individuals may be recruited and trained, directly or indirectly, to carry out terrorist attacks in their home state”* (Kraehenmann, 2014, 7). Even if in some cases they are paid, being ideology or religion their central incentive, they are still considered to be different from mercenaries, who act only and intuitively for the sake of financial return. (Kraehenmann, 2014, )

## **Mobilisation**

It is pivotal to understand the fishing net that attracts and captures individuals, turning them into foreign fighters. The recruitment of western foreign fighters is acknowledged to be conducted via social media platforms. Kraehenmann maintains that recruitment can be conducted both locally and globally. When it comes to local recruitment governments and institutions are the ones responsible for the action, on the other hand, the global recruitment follows means of modern technology. Social media platforms are proved to be more efficient in the recruitment of Western countries<sup>39</sup> citizens instead of the people belonging to North Africa and Middle East<sup>40</sup> Countries. (Kraehenmann, 2014, 8). The state of origin of the largest slice of foreign fighters is typically Arab Countries, most specifically Saudi Arabia<sup>41</sup>.

Foreign Fighters' level of danger remains untested to this day, but it is a given that they are responsible for 90% of the deadly attacks in Iraq, despite being only 10% of the militants. The increase in the lethality<sup>42</sup> of Al-Shabaab<sup>43</sup> has been linked to foreign fighters, together with connections to the Al-Qaeda movement. Although foreign fighters might be considered

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<sup>39</sup> Foreign fighters from European states and the USA were involved in the conflicts in Afghanistan, Bosnia and Herzegovina, Chechnya, and Iraq. (Kraehenmann, 2014)

<sup>40</sup> Foreign fighters from South Asia (Pakistan) principally participated in the Afghan conflicts. (Kraehenmann, 2014)

<sup>41</sup> The number of non-Arab foreign fighters might be underestimated since most datasets draw on Arab sources (Kraehenmann, 2014)

<sup>42</sup> With the increase of suicide bombing (Kraehenmann, 2014)

<sup>43</sup> Al-Shabaab, which translates as 'The Youth', is a military group linked to al-Qaeda and listed by the United States as a terrorist organisation. Its goal is the creation of an Islamic-fundamentalist state in Somalia. (*Camera.it - Documenti - Temi Dell'Attività Parlamentare*, n.d.)

valiant soldiers are still a risk factor. Their lack of experience could lead to too much promotion of their ideology in the communities causing the opposite of the desired effect. (Kraehenmann, 2014, 12)

*“Foreign fighters are perceived as a major terrorist threat to their countries of origin (their state of nationality or habitual residence). It is feared that trained foreign fighters, experienced in handling weapons and explosives, may plan and carry out terrorist acts on return to their home countries, or set up new terrorist cells, recruit new members, or provide funds for terrorist acts or movements.”*(Kraehenmann, 2014, 12). This is the missing link we encountered when precisely defining foreign fighters as the key that makes them the most desirable individuals to become international terrorists. Where does this tendency arise from? Kraehenmann in her analysis connects it to two main events. The first was when the Soviets occupied Afghanistan, the second occurred when foreign fighters went to fight abroad and became easy prey for terrorist organisations, which trained them and then had them carry out attacks in their home countries. The term *'blowback'* refers to individuals who return to commit attacks that are externally-directed.

## **Nationality issues**

The first thing that comes to mind when discussing how to prevent the phenomenon of foreign fighters is to interrupt the process at the grassroots level by preventing them from leaving to fight for another state, unless they are enlisted militarily. International law obliges states to control the crossing of foreign fighters within the country and to take measures to prevent their nationals from joining foreign armed conflicts. When states fail to compel such obligations, the latter can be accused of supporting fighters' cause.<sup>44</sup> The principle of *'non-intervention'* (customary law) affirms that states should not intervene in other states' affairs, including military support for armed groups during NIACs (non-international armed conflicts). (Kraehenmann, 2014, 49-51)

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<sup>44</sup> This was the case of Syria during the conflict in Iraq in 2003 (Kraehenmann, 2014, 49)

Where stands the power of states to prosecute their nationals who take part in armed conflicts abroad? Committing international crimes during a conflict<sup>45</sup>, united with domestic laws, can give them the right to prosecute their foreign fighters. Foreign fighters that join groups identified of terrorist inclination, can be indicted for domestic terrorism laws. After capturing foreign fighters, the diplomatic protection process that states are obliged to activate in the case of a citizen begins. Public opinion can influence government decisions concerning its nationals, especially in the case of human rights violations. (Kraehenmann, 2014, 51-54)

International Humanitarian Law (IHL) affirms that states have a duty to protect individuals from acts of terrorism, even though measures to combat foreign fighters have raised doubts as to whether human rights are being respected. Countries may withdraw citizenship on the grounds of security, often when links to terrorist acts are alleged. The state may withdraw citizenship on the grounds of security, this practice has increased since the advent of foreign fighters.<sup>46</sup> Despite this rule, individuals who become 'citizens of nobodies' are subject of discussion regarding the violation of human rights. Considering this, states must respect the principle of non-refoulement, which prevents the transfer to other countries of individuals who might commit further crimes. As a consequence, states have diminished the freedom of movement such as withholding of passports for citizens' security checks. (Kraehenmann, 2014, 55-60)

### **3. Italian Foreign Fighters: An Analysis**

After the fall of the self-proclaimed Islamic State, also known as '*Caliphate*', about 60.000 individuals are counted, coming from all over the world have travelled to Syria and Iraq to join the Islamic State and become fighters. The challenges related to foreign fighters that spent a period of time in the Syrian-Iraqi theatre are diverse. In Europe, the most feared consequence is that of the 'blowback' effect, i.e. the possibility that foreign fighters may benefit from the training, experience, knowledge and contacts acquired at the front to launch

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<sup>45</sup> Crimes against humanity or war crimes

<sup>46</sup> An example is Bosnia and Herzegovina that revoked many citizenships after the happenings of 9/11 (Kraehenmann, 2014, 55)

attacks once they return to their home countries.<sup>47</sup> (Marone & Vidino, 2018, 11) The Italian country is unfortunately very familiar with the phenomenon, it has played one of the primary roles in the first jihadist mobilisations. The Egyptian and Maghrebian networks based in Lombardia during the Bosnian conflict were crucial, when a Milanese mosque served as a veritable gateway to the Balkans for volunteers who came from all over the world to fight in defence of Bosnian Muslims.<sup>48</sup> A few years later the mobilisation towards Iraq began, not many left Italy but the majority lost their lives in one of the first bloody conflicts directed by Al-Qaeda in Iraq. Despite this, Italy has seen smaller numbers of foreign fighters leave than other European countries<sup>49</sup> (Marone & Vidino, 2018, 13). Why? In their book *“Destinazione Jihad: i Foreign Fighters D’Italia”* (2018) Francesco Marone and Lorenzo Vidino identify as major causes the generation gap that separates us from other central/northern European countries, and the careful work of our anti-terrorist apparatus. Although the phenomenon may seem narrow, it is important to understand who the Italian foreign fighters are, the context they come from, their socio-economic characteristics and the relationships they had in our territory before their departure.

I had the privilege of engaging in a discussion on this subject with Lamberto Giannini, the esteemed Prefect of Rome and a distinguished expert in counter-terrorism. During the interview, Dr Giannini gave his consent to publish the elements that emerged from the discussion. The prefect has many years of experience in the field of counter-terrorism. He started working in the DIGOS in Rome in 1992, where he served for over 21 years, directing it from 2004 until 2013. During those years, he was in charge of its counter-terrorism section.<sup>50</sup> He was then promoted to senior manager and became head of the central counter-terrorism service from 2013, for the following 4 years. At this time, the *Daesh* threat, the self-proclaimed Islamic State, was rising. He then became director of the Prevention Police and was consequently put in charge of the CASA (Committee for Strategic Antiterrorism Analysis) for 4 years. From March 2021 until May 2023 he was the head of the Italian Police and to date holds the position of Prefect of the capital.

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<sup>47</sup> As it happened in the case of the Paris macro-cell and Brussels, responsible for the attacks of 13 November 2015 and 22 March 2016, which included several former foreign fighters (Marone & Vidino, 2018, 11)

<sup>48</sup> This network produced what would go down in history as the first jihadist suicide bombing in Europe: a car bomb driven by an Egyptian resident in Milan against a Croatian police barracks in Fiume/Rijeka in 1995. (Marone & Vidino, 2018, 13)

<sup>49</sup> About one thirteenth of those departing from France and a third of those departing from Austria (Marone & Vidino, 2018, 13)

<sup>50</sup> At the time of the murders of Professor D’Antona, Professor Biagi and Superintendent Petri of the State Police.

Dr Giannini defines foreign fighters starting from the 1970s, during the USSR invasion of Afghanistan, when there were individuals who, in the name of a cause, in defence of the Afghan people and religion, went to fight against Russian troops.<sup>51</sup> Recently, the majority of foreign fighters are linked to the self-proclaimed Islamic State, they are dissidents who leave their own countries to go and fight in a state whose ideological, but above all religious motivations for conflict, they share. Dr. Giannini recounts that there have been cases where foreign fighters, on their way to the Islamic State, have been promised economic benefits as a result of their conquests. According to him, the key element was the desire of these people to take part in this 'great gamble' of the realisation of a Caliphate, following the Shari'a (Islamic law<sup>52</sup>), in which the foreign fighters believed to find the values of their 'fathers'. The total number of young Europeans who left for the Islamic state is around 5,500, very often children of second or third generation immigrants, who had acquired the country's citizenship. The process of radicalisation has several modes. It can take place in mosques where there are entrenched preachers, it can take place on the web, glorifying war videos and exploits. The spread of the phenomenon is also very frequent in prisons where in situations of severe deprivation, the weak find comfort in the guidance of avid evangelisers. An interesting differentiation that emerged from the talks is the one between ISIS and Al-Qaeda. These are two different phenomena, ISIS wants to build its own state and conduct a conquest activity, this is the purpose of recruitment. Al-Qaeda has a different projection, namely to attack Western society, according to the '*theory of a thousand cuts*': conducting a series of attacks aimed at weakening the community.

Discussing the pre-emptive approach, the Prefect defines this topic as of paramount importance nowadays. Drawing a parallel with what was the terrorism of the Brigade Rosse, he defines the differences between the methods of the past and those regarding the threat of Islamic terrorism. The attack methods of the Brigade Rosse were profoundly different from

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<sup>51</sup> Among them was Osama Bin Laden who became the leader of Al-Qaeda, the organisation responsible for the 11 September 2001 attack on the Twin Towers

<sup>52</sup> In the Islamic and Qur'anic lexicon, it is the 'revealed way', and thus the sacred law, not elaborated by men but imposed by God. Interpreted and developed by Islamic law from its canonical sources, it extends to every human act, from individual and interior ones, related to devotion and worship, to exterior ones, which include all activities related to social interaction, from the personal to the communal to the political sphere. Every act can be classified according to a scale of acceptability with respect to religion, with obligations of faith in first place (the so-called 'pillars of Islam'), and prohibited acts in last place. In this sense, it also encompasses criminal law, where the criminal categories see in first place crimes against God, i.e. apostasy and blasphemy, then adultery, drinking alcoholic beverages, theft and robbery. These establish severe punishments (hudud) up to death, while murder - condemned if the victim is a Muslim - provides for a complex system of compensation (the so-called law of retaliation) to be paid to the victim's family. (Enciclopedia Treccani, 2011)

those of the Islamic terrorists. Brigade Rosse selected their target very carefully according to ideological principles. For example, he recounts that the operation that led to the killing of Professor D'Antona was prepared for eight months. Official documents were found dating back to 1989, 10 years before the assassination, which theorised a rebirth of the organisation that could only have come about through such an impactful operation. As far as radical religious jihadist terrorism is concerned, there is no interest in the choice of target, the aim is to strike as hard and indiscriminately as possible. Dr Giannini also refers to attacks that have occurred through actions that were in principle legal, such as the attack in Nice in 2016. The terrorists were driving a means of transport and started running over as many pedestrians as possible. In the face of those kinds of events, it was not possible to continue investigations in the traditional way, there was the need to anticipate law enforcement action. Most preventive investigations therefore focus on finding information to prove that targets are dangerous.<sup>53</sup> Once it is proven, removal from the state can be pursued. Since 2015, more than 750 people have been sent away from Italy, by orders of the prefect or the Minister of the Interior. From a legal point of view, Dr Giannini defines Italy as one of the most advanced countries on the subject, so much so that there was no need to implement European directives when published. It is thanks to the great study conducted by the academic world, together with law enforcement agencies and CASA, which emphasised to the legislators<sup>54</sup> the need to implement laws to provide counter weapons.<sup>55</sup> Norms were also implemented to expand Intelligence Services powers, such as the possibility to conduct interrogations with prisoners who are still in jail. The next sections will deal with foreign fighters in a more tangible way, through the case studies of Abderrahim Moutharrik and Maria Giulia Sergio.

## **The case of Abderrahim Moutharrik**

Prefect Lamberto Giannini gave his testimony regarding the investigation and capture of one of the most dangerous foreign fighters of the country. Abderrahim Moutharrik was an italo-moroccan citizen<sup>56</sup>. Moutharrik was a martial arts champion who often travelled between

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<sup>53</sup> Most of the terrorists are proud to be part of organisations so they often talk about it openly even though no actions were being taken that would have allowed them to continue from a legal point of view.

<sup>54</sup> Giannini himself was subject to auditions from the parliament about the topic.

<sup>55</sup> Italy was equipped with laws to condemn those in charge of organising foreign fighters transfers, those in charge of online enlistments and those who train thanks to information found online.

<sup>56</sup> His Italian citizenship was withdrawn after his conviction for terrorism-related offences.

Switzerland and Italy. Dr. Giannini recounts that he was intercepted thanks to the monitoring of another ongoing prevention activity, emphasising the foiled risk of an attack in the capital, he adds that the investigation was the result of three different strands of investigation. His radical extremist stance was certainly no secret, he himself fought his matches wearing a black T-shirt with symbols linked to terrorist groups. His accusation is that he enlisted with the Islamic State, giving his willingness to go and fight for the jihadist message. The organisation, instead of transferring him to Mosul<sup>57</sup>, entrusted him with an attack mission in Italy, against Christians, more specifically, it was assumed to take place at St. Peter's in Rome.

The security forces reached Moutharrik through a prevention activity, the starting point was the family of another foreign fighter who left its city, Varese, to go and fight in the Syrian-Iraqi theatre. When it comes to the investigation of a foreign fighter it is important to make a detailed observation of the family and friends environment since the radicalizer might be found in that circle. While analysing the family this latter enters in mourning, since the other son who went to fight in the Syrian-Iraqi theatre was killed and became a martyr. While conducting this research the figure of Moutharrik emerges since he was in contact with the martyr before he died, manifesting its intense desire to fight in the conflict. It is important to note that becoming a foreign fighter is not an easy process, there is the need for support from a relevant figure in the field. In Moutharrik's case, it could have been the martyr's brother, as after the latter's death, he had become a reliable figure, but in reality they were looking for someone more competent to provide information for the future employment. Moutharrik then came into contact with this Moroccan individual, unaware that the man was being monitored by the Carabinieri. He was being controlled because of a complaint filed related to him and his wife Alice Brignoli for leaving and taking their children with them without giving notice<sup>58</sup>. He was also suspected of fighting with the Islamic State. A joint investigation between the Carabinieri and State Police was then initiated, the key contact was the sister of Alice Brignoli's husband, who had taken it upon herself to carry the message of Moutharrik's intention to fight for the Islamic State. The interception took place by means of messages exchanged on the Telegram platform, which presents great difficulties in capturing information shared on it. Nevertheless, it was possible to retrieve these voice messages because Moutharrik, proud of his position, had them mistakenly played in a place where the

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<sup>57</sup> Iraqi city that was then the last major city remaining in the hands of the Islamic State.

<sup>58</sup> complaint lodged by Brignoli's parents



police had placed bugs. The content of the messages was alarming, Moutharrik was in fact asked to carry out an attack in Italy, with the aim of creating a bigger harm. Then the conversation evolves into the report of the desires of an emir, starting with exhortations to act supported by an epic poem in which Moutharrik is represented as a lion who bleaches fire or as the man who makes the explosion.<sup>59</sup> Moutharrik heard these messages and the police intervened before he could accept. The messages also specified that further information would have arrived to build an explosive bomb, with material available online.<sup>60</sup>

Thanks to all the material collected it was possible for the authorities to conduct a judicial action against Moutharrik, at first Milan prosecutor's office requested precautionary measures, arresting the individuals involved. The difficulty encountered in the investigation, once he was identified as an individual in contact with the ISIS organisation, was ensuring that there were no more individuals concerned in the network. Moutharrik's action of contacting elements that were inside the system has been of huge importance for the success of the operation. Dr. Giannini asserts that what pushed Moutharrik to join the cause is the ambition of creating a project which would have given dignity and ideological completeness to those believing in the more radical sense of the islamic religion in our country. The key to the capturing was collecting proofs day by day, that went beyond the simple ranting. The act of assignation received by Moutharrik has been the final proof of his involvement in an illegal terrorist organisation allowing the judiciary to condemn him definitively. Giannini adds that even if the fact was made public, the perception of the foiled risk was never of big concern, as there was no real perception of gravity by citizens directly. He then argues that the awareness of the threat is certainly more present in countries where attacks took place leaving dozens and dozens of victims. After this case, a law was established providing the possibility to revoke Italian citizenship to those who are definitively accused of terrorism crimes, as all the fundamental values that the individual swore to respect once receiving citizenship are being violated.

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<sup>59</sup> According to Arab culture, thanks to the intelligence analysis, through the observation of the cadence in speaking it was possible to figure out who was talking in the message, finding out that it was an intellectual expert in those kind of poems

<sup>60</sup> Many of the worst killing attacks have been done by using this type of device

## **The case of Maria Giulia Sergio alias Fatima Zhara**

Maria Giulia Sergio, born in the province of Naples, is one of the main characters when it comes to the phenomenon of Italian foreign fighters. After moving to the province of Milan and marrying her first husband, a Moroccan man, she converted from the Catholic religion to the Islamic religion and changed her name to Fatima Zhara. Dr. Giannini tells how impressed he was by Sergio's deep desire to go and fight for the Islamic State, to go and live the Shari'a. It is unclear when Sergio became radicalised to the point of such extremism: in 2009, she had publicly spoken about the need for women to cover their bodies in the tv programme *Pomeriggio 5*. In the following years, she had started posting increasingly radical messages on her Facebook page and wearing the niqab, the full veil. According to investigators, the turning point came in 2014: in September of that year, Sergio married the Albanian Kobuzi. Shortly after the wedding, she started moving around Italy, so as not to arouse suspicion, all the way to Rome. From there she took a plane to Istanbul, and then another internal flight that took her to Gaziantep, a city in southern Turkey from where she entered Syria and joined ISIS. According to police reconstructions, in February 2015, Sergio was trained in Syria to become a fighter and in the meantime continued to maintain regular conversations with her family members. (*Chi è Maria Giulia Sergio E Cosa C'entra Con L'ISIS*, 2015)

The police made several arrests in the provinces of Milan and Bergamo and in a city in Albania: the charges were association for the purpose of terrorism and organisation of travel for the purpose of terrorism. Law enforcement forces communicated that many of the incarcerations were made thanks to telephone tapping. Among those arrested are not Sergio and her husband Kobuzi. Instead, there is the Canadian Haik Bushra, who indoctrinated the two sisters Maria Giulia and Marianna and included them in a group called '*Aqidah and Tafsir*' that incited jihad. The Italian press website "*Il Post*" reports that there were intercepted conversations between Maria Giulia Sergio and her family members. In one conversation, Maria Giulia said that those who deny jihad must have their heads cut off, because they are responsible for having 'brought Islam to the level it is now'. She also stated that it is necessary to live under the Shari'a and not under democracy. In another interception,

Maria Giulia was organising the trip together with her mother: the conversation seems rather bizarre, given the circumstances, because she focused on some practical matters such as the weight and type of suitcases to be brought. Her sister Marianna and her parents Sergio and Assunta, were on their way to join Maria Giulia in Syria: they had already put the house furniture up for sale and had withdrawn a passport that needed to be renewed. (*Chi è Maria Giulia Sergio E Cosa C'entra Con L'ISIS*, 2015)

Dr. Giannini discusses the strong influence Giulia had on her family, also envisaging economic benefits as the once the transfer has occurred. The parents were persuaded not only from the ideological point of view but also by the dream of enrichment<sup>61</sup>. When Sergio reached the Islamic territory, parental mobilisation began, evidenced by her father's dismissal. The exaltation of the Shari'a was emphasised by Giulia to the point of being proud of the bloody corporal punishments brought to punish even the most minor offences. Also in this case, as in Moutharrik's, telephone tapping, together with the imminent relocation of the family, were of paramount importance for the conviction of Maria Giulia Sergio. The Milan Court of Assizes of Appeal sentenced Maria Giulia 'Fatima' Sergio to nine years, confirming the sentence imposed at first instance. The sentences imposed at first instance were also confirmed for the other defendants, including 10 years for Fatima's husband, Albanian Aldo Kobuzi.

Concluding the discussion, Dr Giannini wished to point out the importance of picking up on all the signs that may presage the radicalisation and dangerousness of subjects. For example, once a child wrote that he was sorry because his best friend was a kafir, i.e. a non-believer in Allah, and for this reason he would have to kill him when he grew up. This was traced back to the family by identifying the father as a particularly dangerous element. Another example is one that started at kindergarten exit time. A woman who had gone to pick up a little girl, was dressed in traditional clothes and avoided all contact with the surrounding environment, probably for religious reasons. With time it emerged that she was dangerous and had made herself available to fight and conduct terrorist attacks in Italy, at the cost of risking her life. Dr. Giannini concludes by emphasising that radicalisation is always lurking and can originate

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<sup>61</sup> The terrorist organisation, although born from a small core of fighting in Syria against the al-Assad regime, had been expanding with al-Baghdadi, the religious leader, thanks to the dream of the caliphate and had conquered large territories and great wealth

even from places considered to be the safest. It is of pivotal importance to always be on the alert and never underestimate the danger.

#### **4. Conclusion**

The aim of the chapter just concluded was to define the international phenomenon of foreign fighters, starting from the definition, the aspect of mobilisation and nationality problems. The two case studies, that of Abderrahim Moutharrik and of Maria Giulia Sergio, took place, at least for the most part, on Italian territory; the choice was not accidental. The aim was to demonstrate the efficiency of the Italian security services, which, through their decades of experience in the field of counter-terrorism, despite the evolution of the latter, have succeeded admirably in managing the threat through interception and prevention techniques. It is interesting to see how the most recent cases were discovered and solved, for the most part, through interceptions of information exchanges via online platforms. In both Moutharrik and Sergio cases, these web-based interactions, along with other factors, played a key role in bringing suspects to trial. Let us remember that even though they did not actually carry out terrorist attacks in the end, through certain proof of intention or even enlistment for the Islamic State, it was possible to prosecute them, convict them and, in the Moutharrik case, withdraw their Italian citizenship. To summarise, the purpose of the chapter for the aim of this thesis was to finally demonstrate the effectiveness of the Italian security and intelligence services, through the analysis of case studies that, thanks to their intervention, foiled the likely killing of civilians and innocents.

## Conclusion

Through the in-depth analysis conducted, we can now better understand the multiple aspects of terrorism that affect the Italian country. The question “How Do the Italian Intelligence and Security Services Manage the Threat of Terrorism” can be answered by taking into consideration all the issues addressed in the previous pages. Starting from the first chapter, the in-depth historical study on political terrorism of the leaden years, up to the Palestinian terrorism of Islamist matrix, has served to highlight the different methods of attack adopted by the two currents. The political terrorism of the 1970s and 1980s had a very precise purpose: to strike at personalities, mostly illustrious, of the Italian public scene in order to resonate. Islamic matrix terrorism, on the other hand, attacks to cause as much damage as possible, bringing terror and unconditional death, to overpower Western society. Chapter two is a representation of the composition of one of the most influential apparatuses in the field of terrorism prevention in the Italian country: Italian intelligence. Through the brief outline of its history, we can reconstruct the factors behind why it is composed the way it is today. Its structure, from the DIS direction to the COPASIR hearings, is a machine working towards the same goal. Preventing possible threats and managing imminent dangers is not an easy job and that requires cooperation. The intelligence services work together with other law enforcement agencies around a table: the Counter-Terrorism Strategic Analysis Committee (CASA). This committee is the body that allows our country to boast one of the most effective counter-terrorism prevention systems in the entire world. The real keyword of the system and of this research is ‘collaboration’. Through this element, with the help of the legislature, the Italian apparatus is able to contain the threat extensively. The legislature also plays a key role. The appendix at the end of the second chapter shows how it has adapted to the evolution of the menace and, therefore, how those who hold legislative powers are ready to collaborate with the security services. The third and final chapter illustrates the phenomenon of foreign fighters, those who choose to fight for a country to which they do not belong but whose ideology they deeply share. Through the analysis of the different definitions of the topic, we are able to outline the main characteristics of these individuals who represent one of the greatest challenges in the fight against terrorism in recent years. Foreign fighters are real pawns who serve terrorist organisations to attack society from within, like a Trojan horse. For

the realisation of this last part, the collaboration of Rome's prefect and anti-terrorism expert, Lamberto Giannini, can only be described as precious. His accounts allowed me to reconstruct in detail the entire process the security forces went through to capture Abderrhaim Moutharrik, which highlighted how the unity of law enforcement agencies could lead to the disruption of an expanding terrorist nest. Moreover, the case of Maria Giulia Sergio served to represent the power of deep radicalisation. Not only did she decide to enlist for the Islamic State, but through persuasion, she managed to convert her entire family to Islam and join her on the battlefield. In conclusion, as evidenced by the examination of the three chapters, I maintain that the answer to the question “How Do the Italian Intelligence and Security Services Manage the Threat of Terrorism?” is: through collaboration. Thanks to this partnership and teamwork, the Italian security model is considered as one of the most efficient around the world. The ability of the agencies and law enforcement forces of putting aside the desire to succeed alone, constantly sharing intercepts and news around the CASA table, has enabled them to achieve astounding results, not only capturing dangerous elements, but saving countless lives.

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