

To the
Public Prosecutor's Office Rome
Piazzale Clodio n. 12
00195 Roma

For the attention of:

- **Giancarlo Capaldo**, attorney general
- **Elisabetta Cennicola**, public prosecutor

THE CASE OF THE ENRICA LEXIE: ANALYSIS OF THE PIROLI REPORT

ATTACHED DOCUMENT TO THE DOCUMENT N. 051695
(registered at the Public Prosecutor's Office on 13th March 2013)

OBJECT: Technical analysis and observations about the case of the oil tanker Enrica Lexie and of the two Italian marines Massimiliano Latorre and Salvatore Girone jailed in India and accused of the murder of two persons.



TABLE OF CONTENTS

TABLE OF CONTENTS	2
THE PIROLI REPORT	3
<i>Premise</i>	<i>3</i>
Error or Intentionality:	5
<i>Error.....</i>	<i>5</i>
<i>Intentionality.....</i>	<i>5</i>
The rifles of the marines	6
<i>Hypothesis 1: The rifles mistaken for the own ones</i>	<i>6</i>
<i>Hypothesis 1.1 – rifles used at random.....</i>	<i>7</i>
<i>Hypothesis 1.2 – the agitation of the moment</i>	<i>8</i>
<i>Hypothesis 1- Conclusions</i>	<i>8</i>
<i>Hypothesis 2 – A mistake in the identification of the identification number of the rifles during the Indian shooting tests and the ballistic expertise.</i>	<i>8</i>
<i>Hypothesis 2 - Conclusions</i>	<i>8</i>
<i>Hypothesis 3 – The attribution is right and the found bullets were fired from the rifles of Voglino and Andronico.</i>	<i>9</i>
<i>Hypothesis 3.1 – The Indian authorities did not know that the identification numbers of the rifles</i>	<i>9</i>
<i>Hypothesis 3.2 – The Indian authorities did know</i>	<i>9</i>
<i>Hypothesis 3 – Conclusions:.....</i>	<i>10</i>
<i>Hypothesis 4 – The Indian authorities in Kerala manufactured false evidences against the two marines.....</i>	<i>11</i>
<i>Summary of the relevant steps which characterize the case of the Indian ballistic expertise:</i>	<i>14</i>
<i>Conclusions:</i>	<i>17</i>

THE PIROLI REPORT

PREMISE

On 6th and 7th April 2013 the Italian newspaper *La Repubblica* exclusively published a summary of the report written by the rear admiral [Alessandro Piroli](#), a thumbnail survey about the case of the Italian marines Latorre and Girono accused of the murder of two fishermen embarked on the fishing boat St Anthony and dated on 11th May 2012.

From the article published in [La Repubblica on 6th April](#) (Piroli report):

"For the sake of completeness I will summarize the results and conclusions of the Indian authorities (...). 4 bullets were analyzed: 2 of them were found on the fishing boat and 2 of them in the bodies of the victims. It was reported that the firearms correspond to the 5,56 NATO bore manufactured in Italy. The bullet found in the body of Valentine Jelestine was fired from the rifle with the identification number corresponding to the marine Andronico. The bullet found in the body of Ajiesh Pink was fired from the rifle with the identification number corresponding to the marine Voglino".

[...]

"If the results of the Indian tests are confirmed or if, as a consequence of further investigations acknowledged also by the Italian party, the authorities will prove that the bullets belong to the Italian marines, then the competent judiciary should find out if the fire was open with the purpose of firing warning shots into the water, which wrongly or accidentally hit the fishing boat, or if it was fired on the fishing boat with intent."

Some elements contained in the article of the newspaper, which reported to have one unabridged copy of the Piroli report, are very interesting from the point of view of a technical analysis because they allow to identify some objective elements which can have probative force and which can shed light on important details of the whole case. Some examples in the following:

4 bullets manufactured in Italy were found and analyzed by the Indian authorities; they were fired **from two different rifles** corresponding to **two of the 6 rifles belonging to the Italian marines**, which according to the corresponding identification number correspond to the rifles of the marine **Massimo Andronico** and the marine **Renato Voglino**; **each rifle shot and hit** in the same way: one bullet on the fishing boat and the other one in the body of one of the victims.

Such evidences exclude the hypothesis that one of the marines shot dead two persons intentionally or by mistake. It is clear that there were **two victims** and hence there are **two culprits**.

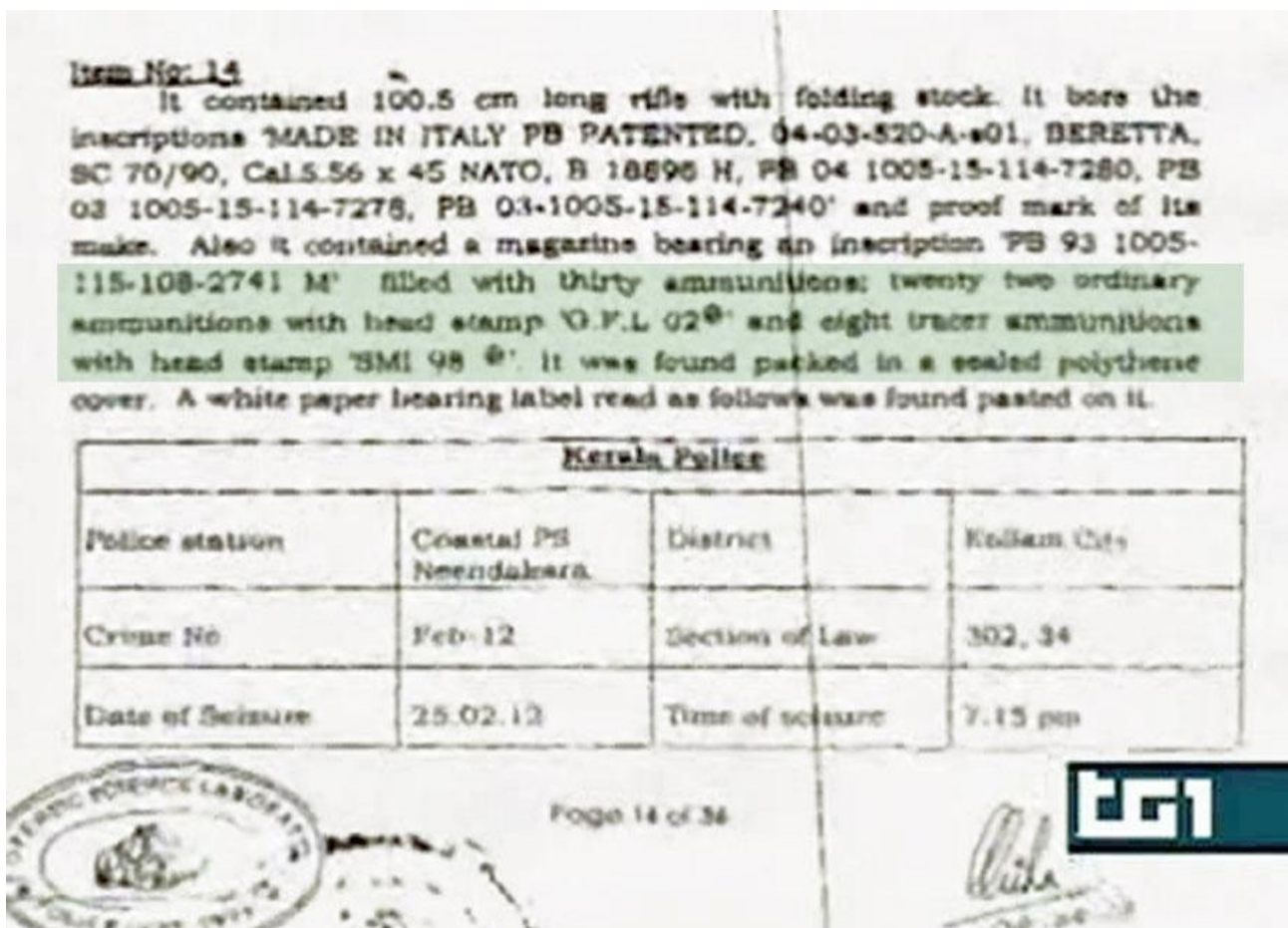
This remark is in line with what the Indian Police in Kerala reported. The Indian authorities intuitively and before getting the ballistic expertise **arrested not one but both marines** considered to be the ones who had opened fire.

Another interesting point is the fact that **according to the authorities in Kerala the rifles from which the bullets against the fishing boat and against the fishermen were fired are not the ones belonging to Latorre and Girone**, who have always declared that they were the only ones who opened fire (into the air first, and then into the water). **Rather, according to the identification numbers the rifles belong to two other members of the detachment embarked on anti-pirates protection service on the Enrica Lexie.**

The Pirolì report is the first official document in which for the first time the hypothesis that other **two members of the detachment could be the ones who opened fire and not Latorre and Girone**, as it was indicated in all official documents and statements so far, is formulated.

The detachment the six marines were part of was equipped with individual firearms (six Beretta assault rifles "SC 70/90") and two FN Minimi light machine guns, having a 5,56 x 45 NATO bore and standard cartridges (Fiocchi manufacturer) and tracer (SMI manufacturer) manufactured in Italy.

In other words, the Pirolì report released by the influential newspaper shows once again the public opinion the results of [the Indian ballistic expertise](#), also broadcasted by RAI news last year on 14th April 2012.



At the same time it proposes novel elements which allow to formulate many and diverse hypotheses about the case, which are to be considered.

Error or Intentionality:

ERROR

Let's consider the hypothesis according to **which one of the two arrested marines is guilty**.

During the anti-pirates operation some of the fired warning shots fired into the water from the oil tanker could have hit by mistake the fishing boat and the marine did not became aware of it.

We can set up a hypothesis of manslaughter (in the case of a failure of the used firearm or of the cartridge) or of unintentional murder (in the case of warning shots which hit the target accidentally). This is an acceptable hypothesis, even if a tragic and fatal one.

On the other hand, it is not credible that both of them are guilty because of exactly the same error in shooting:

- because of shots fired from a distance of 500 and 100 meters. This shooting distance and the natural shot dispersion make the trajectory of the shots against a target uncertain;
- because of the shots fired from a moving target (the oil tanker Enrica Lexie while navigating) against a moving target (the small boat which was approaching) made unstable by the ocean waves.

The case in which both marines make the same mistake and get the same result hitting with one bullet the fishing boat and with one bullet one of the fishermen **is impossible**.

Admitting that under those conditions both of them made the same mistake and got the same results *is like winning twice in succession at bingo playing the same lottery numbers*.

This has never happened.

INTENTIONALITY



Let's admit now for a moment reputedly that one or both of our marines shot with the purpose of hitting the target.

According to the eyewitness accounts by the fishermen who had survived the attack, one of the victims was in the steering cabin (he had taken the helm) and the owner of the boat (Mr Freddy) layed on the floor.

Outside the steering cabin the other nine fishermen were sleeping and laying down on the upper deck of the fishing boat (point A).

In this position the sides of the vessel represent a good shelter from shots coming from

a horizontal trajectory, while shots coming from a vertical trajectory are in this case lethal.

On the deck of the oil tanker (point B) at about 23 m above sea level (like on the roof of a 7 m high building) stand two marines, good trained, expert gunmen.

They were equipped with different cartridge. Each cartridge had 30 bullets. The marines took aim with rifles which fire 670 shots in a minute/more than 11 shots in a second.

On the same side of the vessel their alleged target was approaching at 60-100 m.

Under these circumstances, if one of them or both of them had opened fire against the fishing boat with the purpose of hitting the 11 fishermen of the crew, they would have surely killed the whole crew of the fishing boat.

These are the reasons why in my opinion the intentionality is a hypothesis that can be excluded.

It is worth remembering that:

Even if the Indian authorities mention shots fired following a **trajectory from the top**, on the St Anthony the only fishermen shot dead are the ones who during the alleged shooting were in the cabin. **The ones lying down on the upper deck were not hit and survived.**

On board of the Enrica Lexie there were not only the marines, but also **the crew of the oil tanker, which saw the whole operation.** Most of them have the Indian citizenship. None of them saw any bullet hitting the boat. On the contrary. Let's listen now to [the interview of Antonio Iovane to the captain Carlo Noviello](#), who worked on the oil tanker and gave an eyewitness account.

The unabridged interview published on 12th March 2013 can be listened to on the La Repubblica website: <http://video.repubblica.it/dossier/enrica-lexie/il-comandante-in-seconda-non-sono-stati-i-maro-a-colpire-i-pescatori/122037/120524>).

The rifles of the marines

With reference to the Piroli report it is surprising that only one year after the incident the possible relevant role of other marines, who were part of the detachment, in the incident is mentioned.

In this case too we can formulate different hypothesis:

HYPOTHESIS 1: THE RIFLES MISTAKEN FOR THE OWN ONES

With reference to what was released in the newspaper *la Repubblica* the most credible hypothesis is that the marines mistook the rifles of their colleagues for the own rifles unintentionally.

Two scenarios are possible:

(A) the rifles were in their arm-rack and **used at random independently of their identification number** at the moment of the operation;

(B) only in that case, because of the alarm and **the agitation of the moment, each marine took a rifle at random**, without verifying the own identification number.

HYPOTHESIS 1.1 – RIFLES USED AT RANDOM

The first hypothesis is hardly to be proved.

- **The formal attribution** of the firearm to a soldier has as a consequence not only that it has to be used only by the marine whose ID corresponds to the identification number of the firearm, but also that the marine is responsible of its care;
- **The legal implications** of the use of a firearm assigned to another soldier are clear both in the army and in the police. It is sure that also the detachment on board of the Enrica Lexie was well aware of them;
- **The good working conditions** of the individual firearms. Every soldier has to keep and take care of the own firearm by servicing and cleaning the sight according to the individual needs;



- **The training and drilling procedure** of the soldiers and marines includes practicing shooting (**also while navigating**). They have to make a statement of accounts after the training. They have to write a report in which they have to indicate date, time, place, number of fired shots, kind of fired shots. In this way each marine can get other cartridges;
- **The operation procedure.** What was said above about the training procedure is very important in the case we are analyzing, which is a real one. The use of the firearms has to be justified and explained by indicating the used firearm, the fired shots, and every detail which is useful for further investigations. This is a compulsory procedure for the detachment on board, the members of which have also the function of police officers.

These elements lead to exclude the hypothesis of the arms of the colleagues mistaken for their own arms.

HYPOTHESIS 1.2 – THE AGITATION OF THE MOMENT

We have to examine now just another possibility, the hypothesis of agitation.

Actually, **the approaching vessel was detected by the on board radar of the Enrica Lexie when it was at about 2,8 NM** (about 5km) away from the tanker, when the approaching vessel could be seen by sight.

In the Piroli report released by La Repubblica we can read that the warning signals were carried out (*light signal, showing the arms, ...*) when the approaching vessel was at about 800 m away from the tanker.

If we take into account the average speed of a fishing boat like the St Anthony, which can sail at about 8/10 max. kts. (according to the Indian Coast Guard) covering hence a distance of about 300m in a minute, it follows that from the moment of the sighting at 5km to the moment when the signals were carried out at 800m away from the vessel, 14 minutes elapsed; another minute was needed (from 800 to 500 m) before the first warning shots were fired (warning shots into the water).

From the moment in which the on board radar picked up the vessel on and for about 15 minutes till the warning shots were fired the approaching vessel was kept under observation and the marines had enough time to prepare the operation according to the procedure, and hence they had also enough time to take aim with their own arm.

I daresay that also **the agitation** can be excluded.

HYPOTHESIS 1- CONCLUSIONS

The whole hypothesis of the firearms of the colleagues mistaken for the own on board of the Enrica Lexie can be excluded. It can just be considered as a mere supposition and till further proofs.

HYPOTHESIS 2 – A MISTAKE IN THE IDENTIFICATION OF THE IDENTIFICATION NUMBER OF THE RIFLES DURING THE INDIAN SHOOTING TESTS AND THE BALLISTIC EXPERTISE.

In other words, the Indian authorities made a transcription error. They mistook the identification number of the rifles while carrying out the shooting tests.

HYPOTHESIS 2 - CONCLUSIONS

This hypothesis can be excluded, because as we will see it is likely that the Indian authorities did not know the identification numbers of the rifles corresponding to the six Italian marines. It can just be considered as a mere supposition and till further proofs.

HYPOTHESIS 3 – THE ATTRIBUTION IS RIGHT AND THE FOUND BULLETS WERE FIRED FROM THE RIFLES OF VOGLINO AND ANDRONICO.

Also in the case of this hypothesis we have to take into account different possibilities:

(A) The Indian authorities **did not know** that the identification numbers of the rifles from which the shots were fired belong to the rifles of Andronico and Voglino

(B) They did

HYPOTHESIS 3.1 – THE INDIAN AUTHORITIES DID NOT KNOW THAT THE IDENTIFICATION NUMBERS OF THE RIFLES

Analyzing case A is less complicated.

If they did not know the single correspondence between the identification numbers of the firearms and of the different members of the detachment on board, the Indian authorities suppose that the two rifles from which the shots were fired belong to Latorre and Girone, for they admitted to have been the ones who had opened fire.

They did find the bullets of two rifles and hence they took for granted that they had two quasi confessed criminals. The Indian authorities were led to think that the culprits are Latorre and Girone. They charged them with murder and they arrested them awaiting trial.

HYPOTHESIS 3.2 – THE INDIAN AUTHORITIES DID KNOW

The analysis of case B is more complicated.

It is worth remarking here that on 30th March 2012 some police officers of Kochi got back on board of the Enrica Lexie in order to interrogate the other marines on board (Antonio Fontana, Alessandro Conte, Renato Voglino e Massimo Andronico) in the presence of the Italian consul general Giampaolo Cutillo and with the help of a questionnaire containing 15 questions. The 4 marines on board were asked details about the identification numbers and the description of the firearms they were equipped with.

It is evident that if the Indian authorities had known about the single individual identification numbers of the seized firearms they would have had the proof that Andronico and Voglino had opened fire and they would have charged them with murder when the Enrica Lexie was in the port of Kochi. Actually, under these premises they could clear Latorre and Girone of the charge of murder. They could just be charged with false statements in the first part of the investigations.

There were no reasons to charge Latorre and Girone if the Indian authorities were aware of the identification numbers of the firearms. They would not have lied to their superiors and to the public opinion.

And they had not risked to charge with murder two innocent persons and create the situation in which during or after the trial the two culprits or the other two members of the detachment could reveal the circumstances.

Also Indian sources had had the possibility to reveal such a lie, as many persons took part in the ballistic expertise in different roles.

HYPOTHESIS 3 – CONCLUSIONS:

The hypothesis according to which the Indian authorities **did not know** about the attributions of the identification numbers of the rifles to the single marines is credible. If they knew about the identification numbers they could charge Andronico and Voglino with this murder.

The Piroli report leads one to the conclusion that the Italian authorities did know the attribution of the identification numbers of the rifles. This may have some consequences we can not analyze here.

HYPOTHESIS 4 – THE INDIAN AUTHORITIES IN KERALA MANUFACTURED FALSE EVIDENCES AGAINST THE TWO MARINES

This is a very harsh hypothesis, but in a technical analysis it needs to be considered, especially if it is true that the authorities in Kerala did not know about the identification numbers of the rifles.

It is obvious that if Latorre and Girone admitted to have shot, the bullets which hit fishermen and fishing boat must have been fired from their rifles.

But what are the rifles of Girone and Latorre?

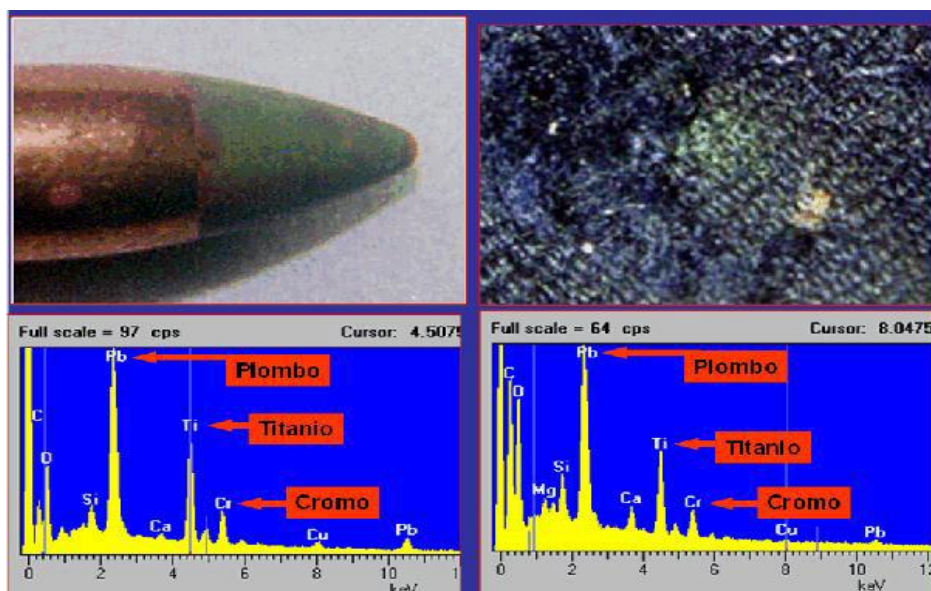
According to the Indian authorities two of the six rifles were seized from the Enrica Lexie because they do not know the single attributions of the identification numbers of the rifles.

In order to find out which ones of the six rifles are the ones from which the shots were fired they carried out the shooting tests.

They fired one or more shots into the water in a basin using the six Beretta rifles and some ballistic gelatine to recover the bullets afterwards.

The bullets can be recovered and analyzed under the microscope together with the bullets found in the bodies of the victims and on the fishing boat in order to find out if the rifling on the bullets matches with the rifling on the bullets they had recovered.

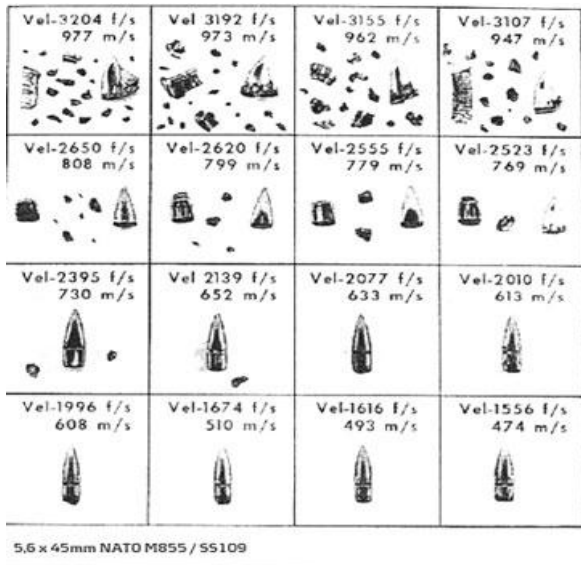
In special cases when the bullets are destroyed (as in the case of our 5.56 NATO bore) it is necessary to carry out more sophisticated chemical analyses using a mass spectrometer in order to find out the correspondence of the alloy (copper, lead, steel) and of the composition of other elements such as gunpowder.



Analysis with the use of a spectrometer: the particles which compose a trace of green paint left by a shot which hit a tactical waistcoat correspond to the ones used to color the point of a bullet seized from the alleged culprit.

The splintering of the cartridge 5.56 NATO bore at the moment of the impact is not a remote possibility.

The next picture shows under x-ray gaze on the left the results of different shooting tests on varying of the impact speed and hence of the distance and on the right the dispersion of the metal fragments of the bullet after the impact on the soft tissues of the human body.



In case of fragmentation it should be compatible with the features of the firearms, with the type of cartridge, the shooting distance, the kind of target and other elements.

All this to explain how during complicated forensic technical analyses it is not enough to find out **the mere correspondence of the bullets** if other elements are not in line with the hypothesis to be followed during the investigation and to be proved.

Only the results of the comparisons between the bullets recovered after the shooting tests and the ones recovered from the bodies of the victims by the Police of Kerala and on the fishing boat will make possible to find out from what rifles the shots were fired.

The exclusion of the Italian experts from carrying out the ballistic expertise.



Before carrying on with our observations, it is necessary to highlight and stress the fact that Major Luca Flebus and Major Paolo Fratini, the two ballistic experts of the RIS Carabinieri, who were sent to Kerala in order to take part together with the Indian authorities in the ballistic analysis, which was thought to have to be carried out in cooperation, were admitted to take part in the survey just as external observers and only during the shooting tests. (This was confirmed by many and diverse serious sources).

The fact that they were present when the shooting tests were carried out plays no role in terms of control over the reliability of the results of the ballistic expertise and of the investigations altogether.

The decision not to admit the two officers of the Carabinieri to take part in the shooting tests and in the comparisons of the results of the test give a bad impression about the reliability of the survey and about how in India the authorities manufacture and deal with evidences against our marines.

At this point the question we have to ask is the following one:

With what exactly were the bullets of the rifles compared, which allowed to say that the shots that killed were fired from the rifles of Andronico e Voglino?

I have no answer, but [some suspicions](#) I have already formulated elsewhere.

The diffusion of the report written by Admiral Piroli, who surely did his best in drawing up the report, just boosts the huge amount of declarations of the authorities who speak only of probability and compatibility, it boosts the huge amount of declarations, of the TV reports of Keralian politicians who promise an exemplar sentence based on incontrovertible evidences against the two marines, of the unconfirmed press reports about more or less confidential documents.

The fact that the investigation is going on within a frame of honesty and of openness is considered to be guaranteed by the mere presence of the Italian experts of the Carabinieri in the first phase of the technical survey. But it is always omitted that the Italian experts of the Carabinieri were excluded from decision-making, they had no role in carrying out the technical survey and went back to Italy before the end of the analyses they were not allowed to contribute to.

More than one year after the incident, and after the conclusion of the investigation no evidence having probative force, no uncontroversial technical element has been released and presented to the public opinion (*autopsy, exhibits, technical surveys, eyewitness accounts*).

Why do the Indian authorities say they have evidences without showing them?

During the trial the evidences against the marines have to be shown and **the defense has the right to let them analyze by the own technical experts**. In order to be able to do this they need to have access to the trial acts and the authority to carry out new analysis without destroying or damaging the exhibits.

http://banchedati.camera.it/sindacatoispettivo_17/showXhtml.asp?highLight=0&idAtto=550&stile=8

The Indian authorities have to show any evidence to the contrary, if they do not have the intention of making provision for a legal punishment in spite of the blemish one can easily find out by analyzing the facts.

I would be able to carry out a more detailed technical analysis if the acts were public and accessible.

The quite unorthodox way of the Indian authorities in conducting the investigations leads to the conclusion that the hypothesis of the falsification of evidences is real.

The following observations support this hypothesis:

- the authorities in Kerala had two confessed criminals to be charged with murder;
- they needed the evidences that the Italian marines had killed and that each of them had killed one man;
- the marines were equipped with six rifles, the Indian authorities did not know that the rifles had identification numbers;
- they seized two rifles and manufactured the evidences against two persons, for they were convinced that the rifles were on a arm-rack and that they were spread

and then taken at random, which is quite normal in many armies all over the world;

- the Indian authorities were so short-minded that they took for granted that the two marines made exactly the same mistake and got the same result;
- the whole dispute settlement procedure collapses in the light of the fact that the Indian authorities in Kerala charged Latorre and Giroen with murder, even if they knew that the shots were fired from Andronico's and Voglino's rifles.

(...)

There are other technical and procedural elements which support the mentioned hypothesis, but it is not appropriate to talk about them here. They can be illustrated later on.

SUMMARY OF THE RELEVANT STEPS WHICH CHARACTERIZE THE CASE OF THE INDIAN BALLISTIC EXPERTISE:

26th Feb 12	SEIZURE OF THE FIREARMS At the end of the second day of search on board of the Enrica Lexie the police of Kerala seized four cases which contained the firearms the Italian marines were equipped with. They are now in the hands of the Indian police in Kerala.
04th Mar 12	DIFFERENT BORE The press released the report of Prof. K. Sasikala, who carried out the autopsy of the victims. In his report he describes the bullets recovered from the bodies of the victims. The measures are not compatible with the bullets the Italian marines were equipped with. Rather, they seem to correspond to a Russian 7.62 bore .
04th Apr 12	A MISSING FIREARM According to the Times of India the authorities believe that one of the firearms of the marines is missing and has not been seized yet - the firearm used by one of the marines is not among the 7 firearms seized from the Enrica Lexie . In this way they justify the incongruity which arose during the shooting tests carried out on the firearms seized from the Italian oil tanker and on the bullets recovered from the bodies of the killed fishermen . The public opinion came to know that on 30th March 2012 the police got back on board of the tanker in order to interrogate the other 4 marines on board . They had to answer some questions about the identification numbers and the description of the firearms the detachment was equipped with.
10th Apr 12	THE NON EXISTING ARM In a report which the FSL (Forensic Science Laboratory) gave to the Indian judiciary and to the chief of police carrying out the investigations it is asserted

that the shots were fired from two Beretta rifles ARX-160. This is an experimental rifle which the marines on the Enrica Lexie were not equipped with.



*The ARX 160 is a firearm with a specific feature. If it used with a normal 5.56 NATO bore a quick change of the bore is possible. Its quick-change barrel allows to shoot **cartridges with a 7.62 bore** (the cartridges of the Russian kalashnikov, not the NATO ones). We have already mentioned the Russian bore above.*

THE FALSE EXPERTISE

A RAI correspondent in New Delhi came into possession of the so called Indian ballistic expertise, a 36 pages long document, and the RAI presented it as if it was a real scoop and broadcasted some excerpts showing them in some [national newscasts](#). Actually, **what was shown is a long list of exhibits**. The comments on them are just banality and obviousness, for example what is said about "the results of the tests". The journalist says: "*under point 3 of the expertise it is mentioned that the tracer ammunitions and the ordnance ammunitions correspond to a 5.56 NATO bore, manufactured in Italy*". Does one need a shooting test for this? The Indian ballistic expertise has been **considered to be unreliable** by many experts. Analyzing the broadcasted excerpts I could observe many revisions which seem to be falsifications. This has never been denied by official sources.

14th Apr 12





11th May 12

THE MISTAKEN FIREARMS

Admiral Pirolì wrote down a report in India (confidential for almost one year) in which he reports among other things **for the sake of completeness** the conclusions of the ballistic expertise, he puts into focus **the conclusions of the Indian authorities** distancing himself from them:

"If the results of the Indian tests are confirmed or if, as a consequence of further investigations acknowledged also by the Italian party, the authorities will prove that the bullets belong to the Italian marines, then the competent judiciary should find out if the fire was open with the purpose of firing warning shots into the water which wrongly or accidentally hit the fishing boat or if it was fired on the fishing boat with intent."

The Indian ballistic expertise confirms that the quite plausible result, which in judicial terms means nothing at all, becomes certainty and hence a guilty verdict: **The Italian marines hit the St Anthony** and its crew; **it also precisely indicates from which rifles** the shots were fired: from the mistaken ones.

(*) the former Italian foreign minister [G. Terzi in the TV program IN ONDA \(La7\)](#) on 6th April 2013 gave an interview about the Pirolì report: He said: "It has never reached my desk". In this way he revealed interesting behind-the-scene activities about *the construction of the Indian ballistic expertise*.

CONCLUSIONS:

A simple analysis of the known steps of the case based on the Piroli report leads us to conclude that the **hypothesis of a falsification of the evidences against the marines has the upper hand on the other hypothesis** and has to be verified.

It is based on the fact that the Indian authorities in Kerala did not know the single and individual identification numbers of the firearms. Otherwise they would have cleared Latorre and Girone of all charges and they would have charged Andronico and Voglino.

Hence, no Bench can convict Latorre and Girone considering these evidences tending to prove their innocence.

The Indian authorities affirmed that the bullets recovered from the bodies of the fishermen and on the fishing boat St Anthony were fired from the firearms Andronico and Voglino were equipped with.

Once again, we have to remark that **the responsibility for the impossibility to verify the existence and reliability of the so called evidences against Latorre and Girone is of the Indian authorities in Kerala**, which repeatedly concealed relevant exhibits, as for example in the case of the lack of care in keeping the fishing boat St Anthony and as the sinking of the boat shows. I reported this concealment of relevant facts and [exhibits in the exposé for the Public Prosecutor's Office in Rome](#) on 13th March 2013.



The Piroli report, in which the hypothesis of the mistaken rifles is formulated, is another element against the reliability of the Indian technical survey and of the ballistic expertise and of the whole dispute settlement procedure (which has been considered to be invalid also by the Indian Public Prosecutor's Office, which put the investigations in the hand of another national Agency).

Of course, if carrying out new investigations for the Indian authorities means just the transcription of the investigations carried out in Kerala the investigation can go no step further.

On the other hand, if the hypothesis that the Indian authorities were aware of the identification numbers of the rifles and that also the Italian authorities were aware of this

fact should be proved wrong, a more serious hypothesis than the one of the mala fides of the authorities could be formulated, as each reader can easily figure out.

This possible hypothesis is so serious that it can not be considered in a technical analysis.

- The undersigned requests that if in the described events and fact criminal offences of whatever nature and committed by whatever party are recognized, the culprits will be prosecuted;
- The undersigned remains at disposal of the Bench for any further explanation or necessary information;
- The undersigned requests to be informed if this exposé is filed.

Roma, 23rd April 2012

Respectfully
Luigi Di Stefano